

Virginia Fire Services Board

Fire Prevention and Control Committee

Thursday, November 30, 2023

Virginia Department of Forestry Headquarters

900 Natural Resources Drive

Charlottesville, Virginia 22903

10:30 AM

MINUTES

A regular meeting of the Fire Prevention and Control Committee was held at the Virginia Department of Forestry. The meeting was called to order by Chair Steven Sites and a quorum was present.

COMMITTEE MEMBERS PRESENT

Steven Sites, Committee Chair – Virginia Municipal League
Billy Hanks – Local Fire Marshal
JM Snell II – Board of Housing and Community Development
Keith Johnson – Virginia Fire Chiefs’ Association
John Miller – Department of Forestry
Dennis Linaburg – Virginia Chapter of IAAI

COMMITTEE MEMBERS ABSENT

Ernie Little – Virginia Fire Prevention Association

AGENCY MEMBERS PRESENT

Billy Hux – State Fire Marshal
Ken Brown – Community Risk Reduction Coordinator
Will Merritt – Marketing and Communications Manager
Spencer Willett – Government Affairs Manager

GUESTS PRESENT

Troy Bower – Assistant State Fire Marshal

CHANGES IN THE AGENDA

PUBLIC COMMENTS

CONSENT AGENDA

Motion: To approve the minutes of the previous meeting (September 2023)

Motion: Linaburg, **Second:** Hanks

Discussion on the Motion: None

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Vote: Unanimous

Action: Minutes approved

REPORT FROM THE VIRGINIA STATE FIRE MARSHAL

State Fire Marshal Billy Hux delivered a presentation on updates from the State Fire Marshal's Office. This included the expected delivery of the FAST lab and solicitation of bids. He also provided information on a workgroup led by the Department of Criminal Justice Services (DCJS) looking at fire marshal law enforcement powers. Contract billing for state construction and food trucks was also presented. Some emergency code procedures are being sought with the Board of Housing and Community Development for mobile food preparation vehicles. Chief Hux also spoke about the Virginia Fire Marshal Academy (VFMA), including pushing the basic law enforcement academy (BLE) until September. A fire investigator summit is being examined for late 2024 and multiple CE classes are being offered at the Virginia Fire Rescue Conference.

Dennis Linaburg asked about the final recommendations from the Title 9 Workgroup led by DCJS. Keith Johnson asked about the letter from the Virginia Fire Services Board (VFSB). Board clerk Spencer Willett answered that the document was a public document, but had not been released pending submission to the General Assembly. Johnson asked that the letter sent by the VFSB be forwarded to VFSB members. Willett stated that DCJS and VDFP came to a compromise that will require local fire marshals to attend DCJS certified training. Linaburg felt this would be troublesome for the localities.

Johnson talked about a visit to the Loudoun County Office of the Fire Marshal by members of the Secretary of Public Safety and Homeland Security. Johnson stated they were impressed and that education is the key to this issue.

Linaburg pointed out that localities are asking about this and he is concerned over getting people with experience through a DCJS academy. Willett stated that DCJS owns this document and that VDFP was not in the position to release this information. Linaburg thanked Johnson for showing his fire marshal's office to the secretary's office and stated that he was not surprised by the direction. Linaburg asked when this report would be released. Willett stated it was due November 1 and that VDFP has not received an update.

Sites asked about BLE and if it is contingent on the outcome of the DCJS workgroup. Hux stated that the VFMA is looking at adding hours to meet the 460 hour requirements by DCJS. This will

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be a heavy lift. Hux talked about taking the DCJS exam, a bridge program, and field training that is involved under current DCJS requirements. Linaburg talked about how field training may be interesting considering this is not standardized currently. Johnson talked about some fire marshals going through full police academies and not being able to test through DCJS.

CODES AND STANDARDS SUBCOMMITTEE

Spencer Willett spoke about the changes to this subcommittee that are being offered in Full Board on Dec.1. These changes would make the subcommittee a workgroup to possibly gain more flexibility in meeting to discuss advice offered to the VFSB regarding the Statewide Fire Prevention Code.

COMMENTS FROM THE COMMITTEE CHAIR

Steven Sites spoke about the business of the committee that would be discussed in Unfinished Business, including work by some committee members on the Fire Prevention and Control Plan.

UNFINISHED BUSINESS

a. Fire Prevention and Control Plan

Steve Sites went through the edits to the plan and asked for comment from committee members. Johnson talked about emerging technology such as energy storage and lithium batteries. He felt this technology was outpacing the fire service and needed to be addressed.

JM Snell II asked why fire reporting is not done currently in some areas. The committee discussed how reporting was not required and talked about unfunded mandates on fire departments to report. Sites spoke about hardware funding from Fire Programs and Snell agreed that reporting should be done. Willett advised that imposing requirements to report was unlikely to make it through the regulatory process unless it was changed by the General Assembly. He suggested a marketing campaign to encourage reporting. Willett discussed how creating statewide funding recommendations was difficult because of the reporting issues in the state. Linaburg talked about if reporting could be required for grants by the VFSB, like what is done at the federal level. A softer approach was discussed to educate firefighters on why reporting is important.

Ken Brown stated that if nothing is returned for use by the fire departments, there is no incentive to report. Brown stated he had heard this sentiment from fire and EMS studies

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in the state. Sites asked if a data analyst position existed at the Department of Fire Programs (VDFP). Brown stated that VDFP has a maintainer for the Virginia Fire Incident Reporting System (VFIRS), but no data analyst. Sites stated that VDFP should look into a position for data analysis.

Johnson stated he felt that this was the time to look at reporting with a new reporting system being rolled out at the federal level. He had little sympathy for small fire companies that do not complete fire reports. He feels that it should be mandated for fire departments. Johnson spoke about the difficulty of getting fire code changes because of data limitations.

Brown stated that fire reporting data stinks. Brown stated that many departments sent data directly to the national system, and that if this is done, the state is often behind in getting this data. VDFP also does not produce annual reporting data like it used to.

Hux spoke about conversations with other leadership to create a full-time data related position. Linaburg talked about the need for education on this topic to encourage reporting, even when it is difficult to complete.

Snell questioned why the committee would delete the mandatory electronic reporting suggestion. Snell stated that mandatory reporting is needed and that enforcement could be discussed. Sites stated that the committee could say mandatory but did not have a means of doing so. Snell reiterated that mandatory reporting is needed and that this was just a plan. Willett spoke about the need for mandatory reporting, but also advised that this was unlikely to occur. He explained that there was an effort by the current governor to decrease regulatory burden on citizens, meaning that this mandatory reporting is unlikely to move forward. Sites asked if the VFSB could put this requirement in grant policies. Willett explained that the VFSB could make these changes, but it would also need to be approved by various components of the Office of the Governor.

Johnson suggested adding the Uniformed Statewide Building Code to the document, which also contains safety requirements.

Sites explained the need for uniform risk reduction messaging across the state. Brown stated that this was in the very early stages of planning between VDFP and other entities.

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Brown also spoke about the new VDFP website that will make consistent messaging easier. Willett mentioned legislatively mandated training being developed by VDFP that will address electric vehicle fires, as well as lithium-ion emergencies. Johnson spoke about energy storage systems and the importance of the fire code.

John Miller discussed adding information from the Department of Forestry, including the dry hydrant program.

b. BHCD/VFSB MOU Update

Sites stated that he had sent an email directly to Board of Housing and Community Development (BHCD) and has not heard an answer on where the document is at. Willett provided an update on the BHCD and VFSB MOU, including that counsel at the Office of the Attorney General had received the document. The staff advisor to BHCD has left and Willett expressed interest in meeting with the new staff member. No further information was available.

NEW BUSINESS

ADJOURNMENT

Clerk of the Committee
Spencer R. Willett