

VIRGINIA FIRE SERVICES BOARD

Administration, Policy, and Finance Committee

Friday, April 21, 2023

Virginia Department of Fire Programs

1005 Technology Park Drive, Glen Allen, Virginia

10:00 AM

Minutes

A special meeting of the Administration, Policy and Finance Committee was held at the Virginia Department of Fire Programs in Glen Allen, Virginia. The meeting was called to order by Board Vice Chair and Committee Chair Abbey Johnston and a quorum was present.

COMMITTEE MEMBERS PRESENT

Keith Johnson, *Ex Officio* – Virginia Fire Chiefs Association

Abbey Johnston, Committee Chair – Virginia State Firefighters Association

Ben Reedy – Insurance Industry

Donald Hart – Virginia Association of Counties

Scott Garber – Local Fire Marshal

Ernest Little – Virginia Fire Prevention Association

COMMITTEE MEMBERS ABSENT

Bettie Reeves-Nobles – General Public

Walt Bailey – Virginia Fire Service Council

BOARD MEMBERS PRESENT

Jerome Williams – Certified Fire Instructor

AGENCY MEMBERS PRESENT

Nicholas Nanna, Deputy Director

Theresa Hunter, Assistant Chief of Administration

Will Merritt, Marketing and Communications Manager

Spencer Willett, Government Affairs Manager

GUESTS PRESENT

Devon Cabot

Maddy Busse

CHANGES IN THE AGENDA

There were no additions to the agenda

PUBLIC COMMENTS

No public comment given

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CONSENT AGENDA

No consent agenda because of the special meeting.

REPORT FROM VDFP ADMINISTRATION

No report from VDFP Administration

COMMENTS FROM THE COMMITTEE CHAIR

Committee Chair Abbey Johnston thanked the committee and guests for attending. She moved directly into scheduled business for the committee.

UNFINISHED BUSINESS

No unfinished business

NEW BUSINESS

- a. Fire and EMS Study Process

Committee Chair Abbey Johnston suggested that the committee move to a closed session to hear from legal counsel.

Motion: To move into Closed Session pursuant to Virginia Code § 2.2-3711(A)8 for consultation with legal counsel employed or retained by a public body requiring the provision of legal advice by such counsel.

Motion: Johnston, **Second:** Garber

Discussion on the Motion: None

Vote: Unanimous approval

Action: Committee moved into Closed Session

Motion: To move out of Closed Session and certify by a recorded vote that, to the best of each member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting were heard, discussed, or considered in the closed meeting.

Motion: Johnston, **Second:** Garber

Discussion on the Motion: None

Vote: Unanimous approval

Action: Committee moved into Open Session

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Donald Hart spoke about the need for people to be candid during the studies. The board cannot allow one body to be played against another, such as when multiple studies are being completed by the board and a private consultant. He questioned how the board deals with this. Johnston added perspective that the locality requests the study and that meeting with different groups sometimes involves internal politics, especially in a combination system. The volunteer organizations feel threatened by the study or by the locality's request for a study. This can sometimes lead to uncertainty in organizations when being questioned by the study team. Johnston emphasized that is why the board meets individually with organizations to get honest answers about problems in their locality. Hart stated that everything the board does should be positive because the board is completing a study that is unbiased and that was requested by a locality. Johnston gave an example of how systems can be very different, such as with Loudoun's expansive resources and money versus Charlotte County as it grows. Hart requested to be on a study soon to better understand the process.

Keith Johnson brought up scheduling or limiting studies. He suggested creating a rule or policy on who to conduct studies for and when. Johnson deferred to Virginia Department of Fire Programs (VDFP) staff regarding what this might look like. Johnson recommended starting with three during each year. Johnston agreed with three per year and questioned the best use of resources if some localities request a study, but also hire a private consultant. Johnston suggested asking a locality at the beginning if they are hiring a private consultant. Willett reminded the board what documents were required and suggested the board consider other requirements to apply for a study. Ernie Little spoke about how extending the timeline on when studies occur might lead to localities no longer needing a study because the problem may have remedied itself. Johnson suggested asking about previous studies, private consultants and studies that were pending. Johnston spoke about how many localities have previously had fire and EMS studies and this could also be a factor to consider. Johnson stated that sometimes localities will request a separate study hoping for a different answer or solution. Willett spoke about how studies contained in VDFP files show how recent studies often look very similar to studies completed a decade prior because the locality never implemented the changes. Little spoke about how changing leadership at the locality level might affect the need for studies and what happens with recommendations.

Little also spoke about how some board members have no fire/EMS background and how this creates issues during the studies. Johnston spoke about how Walt Bailey often tries to pair fire service board members with those who do not have a background.

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Johnston asked Willett what suggestions he may have regarding whether the committee should vote today. Willett suggested that a vote not be taken today and that he draft recommended changes for the committee's consideration in June. Johnson confirmed they would see a draft for review before the next meeting. Johnston also brought up the need to look at the study process considering FOIA and possibly legislative changes.

Willett read comments from committee member Bettie Reeves-Nobles, who was unable to attend the meeting. Her comments included offering study spots to stakeholder groups, including post study assessments, and that studies be scheduled well in advance. She also suggested that the study coordinator not be on every study. Johnston spoke to those comments, including that scheduling the study often must meet the needs of the locality and the VFSB when the dates are published. Johnston emphasized that when the email goes out that board members participate. Johnston agreed with the follow-up/feedback that Reeves-Nobles suggested take place after the study.

Hart spoke about how understanding a board members background, not only who they represent, is important for these studies. Hart used himself as an example because he represents the Association of Counties, but also is a volunteer firefighter in Accomack County. Little spoke about frustrations relating to scheduling meetings and it is important that the person scheduling notifies people ahead of time. Johnston spoke about how local leadership can often dictate the scheduling and this sometimes makes getting the study moving difficult. Willett spoke about difficulties in Sussex with scheduling and that his intention was to schedule future studies well in advance. Johnson suggested including questions about financial need. Little spoke about questions being updated to reflect a wider range of topics, such as regarding fire prevention.

Johnson asked Devon Cabot to speak on legislation for FOIA exemptions. Cabot reminded Johnson that she represented the Virginia Fire Chief's Association, not the Virginia Fire Services Board. Cabot directed Johnson that the agency would have to undertake this legislative change of making fire and EMS studies exempt under FOIA.

b. Governor's Fire Service Awards Discussion

Spencer Willett presented on proposed changes to the Governor's Fire Service Awards. Little apologized for not having time to the review the document. Johnson asked if the document was made from scratch, with Willett stating all components except for the awards descriptions were new.

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Johnson spoke about his experience during the 2022 awards where one of his firefighters was nominated and he was unaware as fire chief. This presented problems for his locality and was risky considering the board cannot investigate all the facts. This is one of the reasons the board needed to consider updating the process for the awards. Johnson asked about criteria, which Willett stated was taken from previous awards documents and could be updated.

Ben Reedy questioned who qualifies as an authorized representative. Willett stated he believed it would be a fire chief, chief of department, or chief executive of the entity. Johnston gave an example of how firefighters might state their captain is the authorized representative. Willett stated he could tighten up the wording regarding the authorized representative. Reedy suggested that each division chief verifies the nominations. Scott Garber stated he did not see a need for this.

Johnston and Garber agreed that this was a great step in the right direction. Johnson stated he would assist Willett with awards language and suggested the process as explained be included in the manual. He also suggested including the link.

Reedy asked how many applications were submitted. Will Merritt stated that 50-60 applications were submitted in total and Garber stated this resulted in hundreds of pages of documents.

Johnston spoke about her experience at the federal level and the need to give people ample time to review applications. She questioned if board members participating could go back and review applications. Willett stated that would be the case.

Reedy questioned how in-depth background checks would be, such as speaking with someone from the department or would it be a true State Police background check. Willett stated that background checks have not been done in the past and this has led to issues in the past. Johnson clarified that the background check is not necessarily a police background check but vetting award recipients. Garber concurred with this assessment. Willett stated he would be conducting checks during the next awards process.

Johnston spoke about how including a letter from a fire chief puts additional importance on vetting the nominee because the chief's name is behind it.

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Garber supports the timeline and stated that from his years of involvement that it has always seemed last minute. Johnston asked if the other nominees are notified if they were not selected. Willett stated that VDFP did send emails to all nominators whose nominee was not selected. Garber asked if a question could be added regarding whether the application is anonymous or not. Johnson asked if all nominees are nominated anonymously. Willett stated he did not know why nominees can be submitted anonymously. Johnson suggested that the board consider not keeping the awards anonymous so that recipients could celebrate with their family. Garber reminded the committee that the Governor's Office does not release the press release until the day of and names are often confidential until then. Willett stated the agency was prepared to notify nominees or keep the process anonymous at the board's will. Johnston suggested notifying nominees that they would receive an award, not necessarily what award they would receive.

ADJOURNMENT

Clerk of the Committee

Spencer R. Willett