

**Fire Rescue Commission Meeting
Forsyth Technical Community College
Kernersville Campus**

January 11, 2022

Member Attendees:	Harley Cook, Chair	Phil Welch, Vice Chair
	Ryan Cole	Brian Taylor, Executive Director
	Vernon Massengill	Robert Poe
	Freddy Johnson	Kevin Gordon
	Randy Thompson	Tim Hinshaw
	Gary Whitman	Andy Thomas
	Walter Gardner	

Welcome and call to order – Chair, Harley Cook 10:00 AM

Invocation – Ed Brinson

Ethics Statement - Harley Cook

Elections:

Chair – Phil Welch nominated Harley Cook. Walter Gardner seconded. Kevin Gordon made a motion to close the election of Chair. Harley Cook was elected by acclamation.

Vice Chair – Kevin Gordon nominated Phil Welch. Harley Cook seconded. Walter Gardner made a motion to close the election of Vice Chair. Phil Welch was elected by acclamation.

Approval of Agenda as presented- Kevin Gordon made a motion to approve the agenda. Ryan Cole seconded. Motion approved.

Approval of April 2021 Minutes – Freddy Johnson made a motion to approve the April 2021 minutes. Phil Welch seconded. Motion approved.

CFI Board Appointments

NC SBI - Matt Davis

Kelly Hodges

Freddy made a motion to nominate Matt Davis. Seconded by Kevin Gordon. Motion passed.

NCSFA - Christopher Smith

Adam Stanley

Freddy Johnson made a motion to nominate Christopher Smith. Seconded by Ryan Cole. Motion passed.

NCIAAI - Adam Stanley

Jeff Key

Freddy Johnson made a motion to nominate Adam Stanley. Seconded by Ryan Cole. Motion passed.

Certification Board Appointments

NCAFC - Kevin Gordon

Jennifer Smith

Freddy Johnson made a motion to nominate Kevin Gordon. Seconded by Ryan Cole. Motion passed.

North Carolina Fire and Rescue Commission Meeting, January 11, 2022

NCAREMS – 2 seats

Seat 1 – Joel Faircloth
Josh Shumate

Robert Poe made a motion to nominate Joel Faircloth. Seconded by Vernon Massengill. Motion passed.

Seat 2 – Tim Pennell
Robert Poe

Gary Whitman made a motion to nominate Tim Pennell. Seconded by Robert Poe. Motion passed.

Board Reports

Certification Board - Chair Kevin Gordon

Certification Board meet June 8, 2021, and January 4, 2022.

The Board voted to adopt and implement NFPA 1002 – Chapter 8 Wildland Firefighter and Chapter 9 ARFF of the Driver Operator Standard for certifications.

NFPA 1021 Fire Officer 1, 2 and 3 have been updated with minimal changes and a new textbook. Fire Officer IV will remain as is without any changes.

Next meeting will be March 8th in Kernersville.

Volunteer Safety Workers Compensation Board – Mike Hill – See attachment

Mike Hill gave the report due to Chair, Cloyce Anders having Covid

The Workers Compensation Board met on December 12, 2021 – virtual meeting

The fund has paid out over \$150 million claims.

Claims are trending downward, but the average cost is trending up.

Premiums paid will be returned to the fire departments - \$7 million.

Danny Allen has been contracted to provide five-year projections for member premiums and give recommendations going forward.

Certified Fire Investigator Board - Freddy Johnson

The CFIB presented to policy requests. The CFI recertification policy and course approval policy. The new recertification process will begin July 1, 2022.

Kevin Gordon made a motion to accept the changes to the Recertification and Course Approval Process and Policy. Seconded by Ryan Cole. Motion passed.

Received 30 applications, approved 26

NFIRS - Kim Williams

Image Trend was upgraded to the Elite version August 1, 2021

Multiple departments are planning to move to Image Trend.

OSFM and Image Trend will be Providing training at MWC on Tuesday and at their booths in the vendor hall.

Staff is cleaning up 2021 data.

Departments can contact the office for demos or visit the OSFM website.

Departments do not have to be registered to attend the Image Trend demo.

By-Law Change – Kevin Gordon

Requesting to change the CFI membership from 9 seats to 11 seats by adding one Certification Board seat and one OSFM FIU seat. Requesting this item be added to the April meeting agenda for a vote.

Agency Reports

OSFM Report – Brian Taylor – See attachment

Accreditation – Kim Williams

Part of the IFSAC site visit was done virtually and part of it was done in person.

NC submitted 54 levels for reaccreditation, and we were approved for 53 levels – FO4 was not approved

NCSFA – Tim Bradley – See attachment

Rosters due 1/15/22 – extended to Monday night – less than 50%

Relief fund – established maximum in 2013

Association of Rescue & EMS – Joel Faircloth

Rosters are due December 15th. Applications are available and are due by 3/3/2022. The annual meeting will be January 22nd. Conference planning has begun, and details will be forthcoming.

Association of Fire Chiefs – Wes Hutchins

Mid-Winter conference will be held January 25th through January 29th.

Fire Prevention School will be March 14th through March 18th.

Continue to work on the license plate project.

Department of Community Colleges – Kenny Weatherington

Colleges continued to deliver programs through the COVID Pandemic to meet the demands of the Firefighter 2013 edition sunset.

Emergency Management – No report

Society of Fire/Rescue Instructors – No report

PFFPNC – No report

Dept of Labor – Cory Dunphy

Update on the status of OSHA’s Emergency Temporary Standards (ETS)

ETS 1 – COVID ETS for Healthcare

- Federal OSHA let the ETS expired on 12/27/2021, except for the recordkeeping requirements of the standard.
- ETS 1 is still in effect in North Carolina due to several factors, including the way that the ETS was adopted, the fact that the recordkeeping portion is still in effect, and the potential for an permanent Infectious Disease standard (potentially coming in Spring 2022).
- The ETS 1 is still in effect for all parts of EMT/Rescue Squads that provide healthcare during a response.

ETS 2 – ETS for Vaccine and Testing

- Currently being challenged in the courts due to other states questioning the legality of OSHA promulgating the standard. On Friday 1/7 the Supreme Court heard arguments about whether the stay on enforcement should be reinstated until the legal challenges have been decided. No announcement on when the Supreme Court will make a decision.
- NC OSH notified Federal OSHA that we are awaiting the Supreme Court's decision before making the decision about whether we will adopt or not for application in NC. If nothing from the Supreme Court before 1/24/2022, then we will have to make a decision and will announce when the ETS will be enforced in NC.
- The ETS applies to private sector employers who have 100 or more employees. We are unsure how this will be applied to public sector employers in NC due to the unresolved legal challenges.

OEMS – Sam Juan Timmons

The OEMS expo will be held in Greensboro. Departments are reviewing staffing rosters to ensure they are accurate. There will be no extensions for credentials.

Forestry – Randy Kearney

Several 1000-acre fires currently. Because of a lot of good rainstorms and are all under control and in good shape. Staff assisted with QVC fire. The Forestry Service does have resources available to the fire departments.

Dept of Justice - none

Other Business

Freddy Johnson asked to host the October Meeting in the Fayetteville area.
Meeting adjourned at 11:30 a.m.

Respectfully Submitted,
Michael Caviness

REPORT JANUARY 11, 2022

Finances as of September 30, 2021:

Cash	\$55,621,730	
Investments	15,421,105	
Other Assets	689,501	
Total Assets		\$71,732,336
Total Liabilities		\$24,939,665
Retained Earnings		\$46,792,671

Claims since 1996

Total claims	20,159
Total Incurred	\$150,543,270
Average Cost Per Claim	\$7,468

Legislative Action

1. Premiums paid for 2021-2022 will be returned - \$7,017,879 (Estimate)
2. Premiums for 2022-2023 will be forgiven - \$7,017,879 (Estimate)
3. Danny Allen has been contracted to provide the following services:

SCOPE OF SERVICES TO BE PROVIDED:

N.C. Gen. Stat. § 58-87-10 establishes a Workers' Compensation Fund ("Fund") for the benefit of certain safety workers. The CONTRACTOR is engaged to provide an actuarial funding study in accordance with the requirements of N.C. Gen. Stat. § 58-87-10(f), including the following:

- a. The amount required to meet the needs of the Fund, projecting at least five (5) years into the future;
- b. The nature of the claims paid by the Fund and any claims-related trends that impact the financial status of the Fund;
- c. How much revenue from the State and from member premiums would be required to meet the needs of the Fund for each of the following scenarios:
 - i. The Fund receives twenty percent (20%) of the net proceeds from the tax collected under N.C. Gen. Stat. § 105-228.5(d)(3).
 - ii. Member premiums do not change from the prior year.
 - iii. Member premiums fully fund the Fund without any State support.
- d. Additionally, the study shall include:
 - i. a comparison of Fund premium levels to the premium levels of employees of municipal fire and rescue departments; and
 - ii. a calculation of the amount of revenue generated by experience-rating premium surcharges and, if necessary, recommend changes to experience-rating premium surcharges given claim trends.

General Comments:

“The actions of a few with good intentions but absolutely no clue about the possible unintended consequences attempted to raid the NCVSWCF of the funds exceeding the current liabilities. This would have exposed NCVSWCF and the 44,000 that depend on this fund to serious financial trouble. Fortunately Commissioner Causey and his very capable staff protected the fund and the 44,000 emergency service personnel.”



NORTH CAROLINA OFFICE OF STATE FIRE MARSHAL **QUARTERLY REPORT**

DECEMBER 2021

MIKE CAUSEY, INSURANCE COMMISSIONER & STATE FIRE MARSHAL
BRIAN TAYLOR, CHIEF STATE FIRE MARSHAL

BUDGET & LEGISLATIVE MANDATES

- VFD Grant Funding (COVID Impact Grant) - \$10,000 to each VFD that meets GS 58-87-1. (\$8M)
- Supplement Grant for VFD's – Up to \$35K equipment grant with no match.
- Emergency Reserve Grant – Up to \$50K for Emergency Disaster Funding for all FDs. (\$1M)
- Fire Safety and Awareness – Community Risk Reduction (CRR) Funding (\$60K recurring) will be divided between the Fire Investigation Unit (FIU) and CRR Division for prevention and education activities and Vision 20/20 Statewide Collaboration and Engagement Framework (SCEF) Survey.
- 2 FTEs for Forensic Fire Investigators for FIU.
- 2 FTEs CID Arson Fraud Investigators assigned to FIU to include K-9 program.
- 1 FTEs for Building Code Enforcement Engineer II – To assist with Education and Fire Interpretation needs.
- AFFF Foam Reporting Program with UNC Collaboratory – Will require 3 FTEs and funding to run the program which will be paid by the Collaboratory by MOU and will utilize Image Trend Elite for storage and incident reporting.
- \$3.5M for Land Development for NC Training Center – Will hire a Project/Construction Manager to Develop. Remaining funds to be sent to the county by an MOU to go toward the Training Center.
- \$28M grant to Stanly County to building NC Emergency Training Center as a Public/Private Partnership with OSFM, NCANG, and Stanly County.
- 23 Disaster Building Inspectors and Trainers to be deployed in the counties effected by Hurricane Florence to catch up on the rebuild. Funded by NC Disaster Recovery (NCORE).

- Firefighter Cancer Benefit Program Insurance Policy – \$7.5M shall be used to establish and administer a pilot program to provide health benefits to eligible firefighters with a new diagnosis of cancer on or after 1/1/2022.
 - FF Cancers that are identified by the CDC - \$25K lump sum plus \$12K for out-of-pocket expenses per cancer (limit 2 per this 2-year program) plus a disability benefit of up to \$5k for paid and \$1,500 for volunteer firefighters. (\$15M)
 - DOI will follow state statute and run the policy through the NC Association of Independent Insurance Agents and the NC Association of Insurance Agents (Big I and NCAIA).
 - The pilot program will end on June 30, 2023, but claims for health benefits filed by that date shall be paid as long as funds appropriated for the pilot program are available.
 - The department is conducting the required 5-year audit of the Fund.
 - For the 2021-2022 fiscal year and the 2022-2023 fiscal year, no eligible unit or eligible entity shall be required to submit to the State Fire & Rescue Commission any payment to participate in the Fund. How refunds will be executed is still to be decided.
- \$200,000 for two new regional offices.
- High School and Middle School Catastrophic Athletic Insurance.

SPECIAL FUNDING

- \$250,000 for a VFD Grant of \$5K to the 50 lowest funded departments in NC.
- \$250,000 for a FF Mental Health Treatment Assistance Program.

RECRUITMENT AND RETENTION RESOURCE FOR VOLUNTEER FIRE CHIEFS

www.ncosfm.gov/VFBasicTraining

NCSFA 1st Quarter Report

January, 2022

Roster Reporting Requirements

Rosters are/were due by January 15th. This includes the Board of Trustees Report, membership roster, as well as the certification of firefighters.

Relief Fund Update

Last year continued to be an extremely active year for relief fund usage and approval. We handled 529 requests as opposed to 471 requests in 2020, for a total of \$2,579,961 not including the pre-approved SRP payments. That was a \$600,000 increase over 2020. The highest type of requests was still Medical Financial Hardships, or destitution.

I would remind everyone that it is critical for those at or near their maximum of \$2,500 per rostered firefighter to watch their balance closely. We still have fire departments submitting reports that are over their maximum. This will result in them not being able to receive their check at the end of the fiscal year from DOI. Several departments with investment accounts exceeded their maximum this year due to increased investment results, so monitor your accounts for growth rather than relying on the usual balance.

Scholarship and Grants

Scholarships are now open on-line for 2022. There are 15 scholarships per region awarded each year. The scholarships include \$2,000 Associate's, \$8,000 Bachelor's and \$10,000 Master's Degree awards.

We also have (8) \$500 training grants available per region. We hope it expands in the future. There were 3 from the Eastern, and one each from the Piedmont and Western.

The electronic submission due date for the scholarship and grant applications is March 15.

Legislation

We had a fair amount of success in the 2021 legislative session.

Senate Bill 105 – Appropriations Bill

Section 8.10 Water Safety Act/Firefighting Foam Registry

Amends Chapter 58-82B and creates an AFFF (foam) registry of foams that contain PFA's. The registry is to be managed by OSFM within DOI, requiring fire departments to report annually items such as inventory, AFFF foam needing to be disposed of, and usage of AFFF at incidents. OSFM then reports combined information to the Environmental Review Commission.

Section 30.2 Volunteer FD Grant Program Changes

Creates base allocation matchless grants of \$10,000 from a special fund to eligible departments to mitigate the impact of Covid 19, and additional \$35,000 grants upon application. It also requires the Commissioner to hold \$1,000,000 in reserve for 2021-2023 for emergency fire department request. Eligible fire departments are those eligible for the VFD Grant program in GS 58-87.

Section 30.3 Workers Compensation Fund for Fire and EMS

For fiscal years 2021-2-22 and 2022-2023 eligible units using the VSWC Fund shall not be required to pay premiums. This would mean reimbursement for those who have paid 2021-2022 premiums.

Section 30.4 Pilot Program for Firefighter Cancer Insurance

Allocates \$7.5 million for each year 2022 and 2023 to the Department of Insurance to create a Pilot Supplemental Firefighter Cancer Insurance policy for all rostered firefighters diagnosed with malignant cancers after January 1, 2022. It requires the firefighter be on a roster, have a minimum of 5 continuous years' service, and file a claim before June 30, 2023. It prevents benefits if the firefighter is receiving Workers Comp benefits for the same cancer. It provides reimbursement up to \$12,000 for out-of-pocket medical expenses, a lump sum benefit of \$25,000 for each diagnoses up to \$50,000, and disability benefit of 75% of monthly pay for career firefighter up to \$5,000 per month, and volunteers a monthly benefit of \$1,500. Disability benefits are limited to 36 months.

Section 36.2 Expands Type of Cancers Covered by LODD

Adds two types of Cancer that will be covered by LODED, Oral Cavity and Pharynx, and changes Intestinal Cancer to Cancers of the Small Intestine. This brings the total covered to 6:

Mesothelioma
Testicular
Cancer of the Small Intestine
Esophageal Cancer
Oral Cavity
Pharynx

House Bill 181 - Wildlife Commission Bill that includes Adding Rescue/EMS to Discounted Lifetime Hunting Licenses

Section 8A adds any eligible member of a volunteer rescue squad or EMS squad to the discount volunteer firefighters got last year on lifetime hunting licenses. This makes the hunting license basically half price.

House Bill 203 - Extends deadline for certification of Telecommunicators

Extends deadline of certification of telecommunicators until 2022 from 2021.

House Bill 356 – Speaker Appointments

Appointed Tommy Cole from Graham to the 911 Board representing the fire service, upon recommendation of NCSFA.

House Bill 366 – Regulatory Reform Act

SECTION 7.(a) Study. – The Division of Emergency Management of the Department of Public Safety shall study the needs of law enforcement, emergency medical and emergency management personnel, and firefighters to improve access to or within the interstate system of this State for the benefit of public safety.

Senate Bill 311 – Prohibits Membership Waiting Periods in LGERS and Modifies Matching Grant Requirements for the Volunteer Fire Department Fund (58-87-1)

Section 1 prohibits an employer from imposing a waiting period on any employee for participation in LGERS.

Section 2 modifies the match requirement for grant under the VFD Fund (GS 58-87-1). Applicants receiving less than \$50,000 in government funds are not

required to match the grant, and those who receive more than \$50,000 but less than \$75,000 shall match \$1 for every \$3 in grants.

This upcoming year is the ending of the 2021/2022 two-year session and is normally referred to as the Short Session. Bills that include money, or passed one of the two chambers last year can be considered normally, however, there are ways around those rules by legislators.

Federal Legislation – Continue to Pursue Changes to IRS Regulations that could allow non-profit career firefighters in LGERS

Legislative Day Thus far, Legislative Day has not been scheduled for this year. It will most likely depend upon current issues dealing with Covid-19.

BCBS Grant

In December, Blue Cross contributed \$500,000 to our non-profit organization, the North Carolina Firefighters Fund, to use in fire service programs with the NCSFA. Half of it went in the form of direct grants to small rural departments through OSFM like the previous year's grant, but we are excited that \$250,000 will be used this year to provide assistance to firefighters seeking treatment and assistance with PTSD and mental health issues. An application will be available hopefully by Feb 1st that Chiefs can submit on behalf of their personnel.

SAFRE Conference

This year's dates for the SAFRE Conference are August 10th-13th, 2022. On-line registration will be available in the next couple of weeks. Course selections have already been made and I can tell you this year we will have some great classes. We have 2 great keynote speakers this year, one of Thursday and one of Friday, Dr. Denis Onieal, former Deputy US Fire Administrator and former Superintendent at the National Fire Academy and Commander Rorke Denver, retired Navy Seal. We'll have more as the time grows closer, but please mark your calendar for that week. We look forward to a great week of fellowship, education and seeing what's new and innovative in apparatus, technology and equipment for the fire service and our first responders.

Summit

We plan on hosting a Summit Tuesday this year this year at SAFRE conference. We've normally held it at Mid-Winter, but scheduling this year was difficult. This

will include the Board members from the NCSFA, NCAFC's, and the Boards from all three regional associations (Western, Eastern, and Piedmont). It will also include representatives from the Fire Marshal's Association and OSFM. More will be provided as we get nearer to the Date.

Video Series

The Board and staff of NCSFA has begun production of an informal series of informational videos concerning topics of current events in the fire service. Example include legislation, relief fund, and PTSD. As these are produced, they'll be placed on our webpage and social media for viewing. Held to 2 – 3 minutes each, they would provide information to chiefs and firefighters on a host of topics. Production began January 14th, and hopefully within a few months some of them will be available.

NCSFA Historian Work

Our Statistician, Dennis Pressley, has continued work under the new responsibility of Historian, as predicated by the bylaw change in 2018. Mike Legaros, from Raleigh, has begun formulating historical information. Some of this was displayed at the Annual Conference last year. The Board hopes to have a history book ready for this year's conference, but it will depend on several factors coming together. They also hope to provide copies to fire departments

Questions?