

**Fire and Rescue Commission  
Kernersville Fire Department  
January 14, 2020**

|                   |                   |                |
|-------------------|-------------------|----------------|
| <b>Attendees:</b> | Harley Cook       | Phil Welch     |
|                   | Paul Padgett      | Ryan Cole      |
|                   | Robert Poe        | Walter Gardner |
|                   | Vernon Massengill | Cloyce Anders  |
|                   | Scott Mullins     | Kevin Gordon   |
|                   | Freddy Johnson    | Gary Whitman   |
|                   | Andy Thomas       | Brian Taylor   |

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

Invocation – Phil welch

Ethics Statement – Harley Cook

Approval of Agenda as presented- Kevin Gordon made a motion to approve the Agenda. Walter Gardner seconded. Motion approved.

Approval of October 2019 Minutes - Kevin Gordon made a motion to approve the October 2019 minutes. Josh Smith seconded. Motion approved.

**Appointments**

**Certification Board Appointments**

Chair Harley Cook reappointed Wes Hutchens to the Chairman’s position on the Fire and Rescue Certification Board.

Kevin Gordon made a motion to reappoint Jim Hanline to the Fire and Rescue Certification Board. Motion seconded by Josh Smith. Motion approved. Jim represents the NC Society of Fire and Rescue Instructors.

Gary Whitman made a motion to reappoint Terry Foxx to the Fire and Rescue Certification Board. Motion seconded by Kevin Gordon. Motion approved. Terry represents the NC Association of Rescue and Emergency Medical Services, Inc.

## **Board Reports**

### **Certification Board Report – Kevin Gordon – See Report attached**

Kevin made a motion to accept the report. Gary Whitman seconded the motion. Motion Approved.

### **Volunteer Workers Compensation Fund - Cloyce Anders**

Assets - \$10 million over last year at this time.

Retained earnings \$13 million ahead of last year.

At the end of September, the Workers Comp Fund incurred \$105 million in claims.

No rate changes.

### **CFI Board - Freddy Johnson**

The NC International Association of Arson Investigators requested FIT Equivalency approval of their Basic Investigator Course. Much discussion was had regarding if the equivalency path was for equivalency to the NFPA 1033 Standard or the NC FIT certification. The CFI Board approved the NC IAAI's request for equivalency.

Tom Felling – Provided clarification of what is expected from experts in court (qualifications.)

Kevin Gordon explained that FIT Certifications from other states do not transfer to NC.

    Matt Thorpe has reviewed and found that CFI does not meet NC's 1033 standard

Andy Thomas - NFPA 1033 and 921 are the basic standards. The NC CFI program has been reviewed – not saying its equivalent, saying we can move forward with certification.

Kevin Gordon made a motion to keep the requirement of NC FIT to gain CFI certification. Remove the equivalency process for NC FIT and only allow the NCFIT as the prerequisite for NC CFI. Josh Smith seconded the motion. Motion approved.

Kevin Gordon made a motion to have staff work with Freddy to clear up anyone caught in transition from 2017 to present to gain their CFI. Ryan Cole seconded the motion. Motion approved.

Kevin Gordon made a motion to go forward with accreditation for the CFI Certification. Freddy Johnson seconded the motion. Motion approved.

## **By-Laws Update - Kevin Gordon**

The Certification Board, CFI Board and the Volunteer Safety Workers Compensation Board have reviewed and approved the by-law changes.

Freddy Johnson made a motion to accept the changes to the by-laws. Phil Welch seconded. Motion approved.

Tom Felling noted that the goal is to have a draft for the committee before next meeting.

## **Meeting Location**

Freddy Johnson asked to move the Commission Meeting locations around to give more opportunity for attendance.

Kevin Gordon made a motion to move the meeting locations for the 2020 year. Cumberland County in April, Kernersville in July, and the Western part of the state in October. Ryan Cole seconded the motion. Motion approved.

## **Appeal for Ed Carter**

Randy Thompson recused himself from appeal discussion.

Freddy Johnson reviewed the recertification application. The recertification process requires a minimum of two fire scene investigations each year. Ed turned in 62 investigations over the five-year certification period. Ed had a job change in 2018 and missed one year of the two investigations per year requirement. The CFI board voted to be consistent with the policy and denied his recertification application. The CFI Board is considering eliminating the requirement in an updated recertification process.

Kevin Gordon made a motion to approve the appeal. Cloyce Anders seconded the motion. Motion approved.

## **Agency Reports**

**OSFM Brian Taylor** – OSFM has lost positions, increased workload, reduced time for specialized classes.

Legislature is back in town. The total fire deaths for the year 2019 was 117. OSFM has an interactive fatality map on the website. Community Risk Reduction Week is next week.

Firefighter Face to Face Requalifications are scheduled. The Driver Operator, Haz Mat and Instructor Requalification Classes will be online and should be available April 1, 2020. OSFM is hosting a cancer summit March 5 in Wake County.

**NCSFA Tim Bradley** – See Attached Report

**NCAREMS- Robert Poe**

The Annual Meeting was held Beaufort, NC November 22, 2019. Elections for officers was held. Dr. Hervy Kornegy, Jr. was elected Commander and Josh Shumate was elected Vice Commander. Scholarship Applications opened January and will close March 31. Next Director's Meeting will be May 2, 2020. The 2020 Annual Meeting and Competition will be September 10 – 12, 2020 in Beaufort, NC.

**NCAFC-Ryan Cole**

LODD and cancer summit at Mid Winter by invitation only. The NCAFC bylaws will be voted on at the Mid Winter Conference.

**NCCCS - Kenny Weatherington**

In 2019 46,000 certification courses were conducted. This is a 20% decrease from previous 2 years.

**NCSFRI - Jim Hanline**

The Society will have a booth and will be sponsoring a Reception at the Midwinter Conference. The NCSFRI Instructor Conference will be held May 27-30 2020 at the Charlotte Convention Center.

**Profession FF Paramedics NC - Josh Smith**

Legislative work continues for funding and presumptive cancer solutions. The IFF will host a political academy for 25 NC Firefighters by invitation will be February in Winston Salem.

**Dept Labor - Cory Dunphy**

2019-workpalce fatality increased from 49 in 2018 to 58 in 2019. Workplace injury/illness was 1.7 below the national average of 2.4. The Federal OSHA Standard was reviewed and updated incorrect language.

**Office of Emergency Medical Services- San Juan Simmons**

Since October they have completed paperwork and fees for background predetermination credentialing, implemented an ethics course for disciplinary action. EMS Conference will be the week of March 9<sup>th</sup> in Wilmington.

**Forestry - Randy Kearney**

Conference is next week. They are predicting the fires will be below normal through April.

Cloyce Anders made a motion to adjourn. Seconded by Kevin Gordon.

Respectfully submitted,  
Caitlin Rollins

## ATTACHMENTS

# Certification Board Report – December 10, 2019

### AD-HOC COMMITTEE REPORTS –

**Computer Based Certification Testing** – Committee has not since the last Commission meeting but will see a demo of a possible software solution at the MWC.

### OLD BUSINESS –

1. **Program update NFPA 1041-2019 (Instructor)** – Completed and will go-live July 01, 2020.
2. **Program update NFPA 1072-2017 (Hazardous Materials)** – Completed and will go-live July 01, 2020.
3. **Program update NFPA 1002-2017 (Driver Operator)** – Completed and will go-live July 01, 2020.
4. **Program update NFPA 1001-2019 (Firefighter)** – Amended as directed by the Commission in October 2019; Completed and will go-live July 01, 2020.
5. **Program update NFPA 1407-2015 (Rapid Intervention Crews)** – Completed and will go-live July 01, 2020.

### NEW BUSINESS –

**Additional program updates to NFPA 1041-2019 (Instructor)** – Recommendation to develop a course, and applicable accredited certification, for Chapters 07 and 08, of NFPA 1041-2019.

- Certification / Qualification issued for NFPA 1041-2019; Live Fire in Charge Instructor (Chapter 7 and Chapter 8).
- Impact: *Existing Live Fire and LP Gas Instructors; three groups* –
  - All Live Fire qualified under 04Q0133 (Live Fire Qualification NFPA 1403-2012 Edition) and 04Q0134 (LP Gas Qualification NFPA 1403) are eligible for the new NFPA 1041-2019 process and will take an abbreviated face-to-face requalification course. **There are ~155 instructors in this group.**
  - All Live Fire qualified under 04Q0133 (Live Fire Qualification NFPA 1403-2012 Edition) are eligible for the new NFPA 1041-2019 process if they successfully completed the face-to-face requalification course which includes content to cover the Chapter 8 of NFPA 1403 (Exterior Live Fire Props). **There are ~459**

- **instructors in this group.**
- All LP Gas Instructors, 04Q0134 (LP Gas Qualification NFPA 1403) are NOT eligible for the new NFPA 1041-2019 process and must start the new process described above. **There are ~26 instructors in this group.**
- Projected timeline: July 01, 2020 – June 30, 2021 for requalification process

**Delivery Agency Applications –**

- Nash Community College – Hybrid offerings
- Pitt Community College – Hybrid offerings
- Efland Fire Department – Fire Department Delivery Agency

# Upcoming Program Updates 2019-2022

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| 1 | NFPA 1041 Life Fire Instructor/In-Charge  | Standard Release (2019) Available Now | Face to Face Rec<br>Qualification {07/0       |
| 2 | NFPA 1021 Fire Officer I, II, III IV  | Standard Release (2020) Available Now | Online (New Skills<br>{07/01-12/31/2020       |
| 3 | NFPA 1006 Technical Rescuer (All Levels)  | Standard Release (Fall 2021)          | TBD   |
| 4 | NFPA 1035 Fire & Life Safety Educator I, II III<br><br>NFPA 1035 Requested New Levels<br>1. Youth Fire-Setter Specialist/Manager<br>2. Public Information Officer | Standard Release (Fall 2021)          | Online (New Skills<br><br>All Will Need Pilot |
| 5 | NFPA 1033 Fire Investigator   | Standard Release (Fall 2022)          | Online (New Skills                            |
| 6 | NFPA 1002 Driver Operator   | Standard Release (Fall 2022)          | TBD   |
|   | NFPA 1072 HazMat  | Standard Release (Fall 2022)          | TBD   |

PROJECT NAME

RELEASE DATE

(TYPE){DATES}

UPGRADE NEEDED



## Roster Reporting Requirements

Rosters are due by January 15<sup>th</sup>. This includes the membership roster as well as the certification of firefighters.

Last year we only had 7 departments not submitting rosters out of 1316, and around 30 not submitting BTR reports.



## Relief Fund Update

Last year continued to be an extremely active year for relief fund usage and approval. In 2019 we handled 502 requests, or an average of 42 per month, for a total of \$2,469,764 not including the pre-approved SRP payments. The highest type of requests was 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.

## Scholarship and Grants

Scholarships are now open on-line for 2020. 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.



*NC First Responder Day September 11 of each year.*

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



This year, 2020, will be the continuation of the 2019/2020 two-year session and is normally referred to as the Short Session. Bills that are eligible normally are those that involve appropriations, finance, or passed one of the two chambers in 2019. Of course, as always, the Legislature can amend the rules. There are several key items held over from last year that impact the fire service:

### **Potential issues for the fire service this year include:**

- Continuation of SAR Funding – Some funding was put in the DPS budget, but it is non-recurring funds.
- Separation Allowance for Career Firefighters
- Continuing to add cancer benefits for LODD – Two additional cancers were added in the budget bill last year but has not gone into effect due to the veto.
- Presumptive Cancer or Cancer Coverage for Firefighters
- Increased Arson Penalties for Certain Types of Arson – HB 606

- Recognizing PTS as a Workers Comp Illness – HB 622
- Building code issues that we would want to oppose
- Fireworks that we would want to oppose

**Legislative Day** Thus far, Legislative Day has not been scheduled for this year.

## 2019 Legislation Passed Effecting the Fire Service

### NC Bills

**H** **Monitor** Julia Howard  
**0018** Allow Absentee Ballots/Fire District Election  
**7/19/2019 - Ch. SL 2019-136**

*This bill now allows absentee ballots during fire district elections. The Chapter Law is written above. Applicable section:*

**SECTION 1. G.S. 163A-1295(c) is repealed. SECTION 2. This act is effective when it becomes law and applies to fire district elections held on or after that date.**

**H** **Support** Mitchell Under Part X, clarifies the NC Fire and Rescue Commission Rule Making  
**0220** Setzer Authority.  
**7/26/2019 - Ch. SL 2019-179**

*This bill passed clarifying rule making authority of the Fire and Rescue Commission. Applicable Section:*

#### **PART VIII. CLARIFY RULE-MAKING AUTHORITY FOR STATE FIRE AND RESCUE COMMISSION**

**SECTION 8. G.S. 58-78-5(a) is amended by adding a new subdivision to read: "(a) The Commission shall have the following powers and duties: ... (17) To adopt, modify, or repeal any rules and regulations necessary for the purpose of carrying out the provisions of this Article."**

**H** **Support** Brenden Provides benefits (\$100,000) to Public Safety Officer murdered while  
**0283** Jones performing their duties.

8/28/2019 - Passed House and Senate.

***This bill is now Ch. SL 2019-228.***

**H** Support James Wildlife Resources Commission Amends  
**0597** Adams  
8/27/2019 - Ch. SL 2019-204

***This bill adds a section granting reduced lifetime hunting/fishing licenses to volunteer firefighters with more than five consecutive years including the previous year. It is effective in October, but specifics on process have not been released. Applicable Section:***

**FEE REDUCTION OF LIFETIME HUNTING AND FISHING LICENSES ISSUABLE TO A VOLUNTEER FIREFIGHTER WHO HAS SERVED FOR AT LEAST FIVE YEARS SECTION 12.** G.S. 113-276 is amended by adding a new subsection to read: "(o) An eligible member of a volunteer fire department for five consecutive fiscal years, including the prior fiscal year, may be issued any adult resident lifetime license issued and administered by the Wildlife Resources Commission for fifty percent (50%) of the applicable license fee amount. For purposes of this subsection, the term "eligible member" means an individual appearing on the certified roster of eligible firefighters submitted to the North Carolina State Firefighters' Association under G.S. 58-86-25."

**H** Monitor Mark Brody Creates a "Residential Change-out Inspector Certification under the Code  
**0675** Qualifications Board to inspect change outs in residential homes.

**7/26/2019 - Ch. SL 2019-174**

***This bill has passed and creates a change-out inspector qualification and various other changes to the building code. The Chapter Law is listed above.***

**H** Monitor Linda 2019 Appropriations Act  
**0966** Johnson

7/1/2019 - House - Placed on Cal for 07/08/201

***This bill has passed both Chambers, but was vetoed by the Governor. The House voted 9/11/19 to override the Governor's veto and it passed, but the Senate has not passed an override. Several Sections apply to the fire service as follows:***

***Included in the budget bill was a \$2 million-dollar appropriation for Search and Rescue Funds in 2010/2020, and a \$1,000,000 appropriation in 2020/2021. Also included in the budget bill was the addition of two types of cancer to LODD, Oral Cavity and Pharynx Cancer, and Intestinal Cancer was changed to Cancers of the Small Intestine. Those are added to Mesothelioma, Testicular, and Esophageal bringing the total to six. In addition, the General Assembly provided more funding to the Fire and Rescue Workers Pension than required by annual contribution formulas. Search and Rescue Funds are on page E46 and E50 of the report. Cancer is on 292 and 293 of the budget bill. There are also numerous directed grants in Section 52 to individual fire departments.***

S **Support** Danny Britt Move Over Law/Increase Penalties/Amber Lights  
0029  
**7/22/2019 - Ch. SL 2019-157**

*This bill passed and is now Chapter Law. See designation above. It changes the penalty from a Class I Felony to a Class F Felony.*

**For a full listing of 2019 NC Legislation action, see our web page [ncsfa.com](http://ncsfa.com) under Legislation or join Capital Impact.**



## Federal Legislation

Several items of interest passed Congress this year as well.

- \$355 million each for AFG and SAFER (up from \$350 million)
- \$46.8 million for USFA (up from \$44.18 million, but all of that increase is going to building improvements, so no additional funding for programs)
- \$18 million for the Volunteer Fire Assistance (Rural Fire Capacity) and \$82 million for State Fire Assistance (State Fire Capacity) grant programs (up from \$17 million and \$81 million, respectively)
- \$2.5 million for the National Firefighter Registry (up from \$1 million last year, but more importantly \$2.5 million is full funding)
- \$5 million for the SIREN grant program (SIREN was created a year ago but this is the first time it has been funded). In December 2018, Congress passed the SIREN Act, establishing a grant program at the Department of Health and Human Services for rural EMS agencies to help pay for equipment, training, and staffing. SIREN grants are capped at \$200,000 and

there is a ten percent local matching requirement. Public and private, non-profit EMS agencies that serve rural areas are eligible to apply for SIREN funding.

- A one-year reinstatement of the Volunteer Responder Incentive Protection Act, exempting the first \$600 and any property tax benefits or stipends that a volunteer receives as a reward for their service from being subject to federal income taxation/reporting. The 2020 law provides an exclusion from taxable income for “qualified payments to volunteer firefighters or EMS personnel”. This is a maximum of \$600.00 per year, which was also an increase in the current legislation. The amount was previously capped at \$360.00 annually.
- There is also a tax bill that may be passed (I’m told it will be added to one of the appropriations bills) that includes a provision that will make it possible for small businesses to claim a tax benefit for retrofitting commercial structures with fire sprinklers. That had been intended as part of the 2017 tax reform/cut bill but there was a drafting error which this bill will fix.
- VRIPA (which is in the bill) and the language impacting fire sprinklers (which still needs to be added) are probably the most significant positive developments. On VRIPA it is only a one-year extension, but it permanently changes the code to increase the tax-free amount from \$360 to \$600 per year, and puts us in better position politically to get permanently extended next year.

## **Board Retreat**

Last November the NCSFA Board held an annual retreat under the direction of President AC Rich to discuss future issues for the Association. The retreat was successful and the Board has been working hard to begin implementation of new issues, while maintaining and improving service offered from the past.

## **Joint NCSFA/NCAFC Meeting**

The Boards of the NCSFA and NCAFC held a joint Board meeting in December to discuss issues and ideas. The two Boards work well together and continue to collaborate on issues affecting our membership.

### **SAFRE Conference**

This year's dates for the SAFRE Conference are August 12-15th, 2020, with the hashtag #UnitedByPurpose. On-line registration will be available in the near future on our web-site. Course selections have already been made and I can tell you this year we will have some great classes. We'll have more as the time grows closer, but please mark your calendar for that week.

### **Summit at Mid-Winter**

We will be hosting a Summit for the 5th year this year at Mid-Winter, January 28<sup>th</sup> at 9:00. 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 the PFFPNC. Legislation will be the central theme for this year's discussion, as well as any new program being provided by the Regions.

### **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 Legeros, from Raleigh, has begun formulating historical information. Some of this was displayed at the Annual Conference last year. Completing the history may be a multi-year project, but it is the NCSFA's hope we'll have a complete history of the Association, and the NC Fire Service in general.



Contact Us

919 821 2132, 1-888 54NCSFA

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