

**2. Adoption of the July 9, 2009 Commission meeting minutes.**

## TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Chris Connealy, at 9:30 a.m. called the July 9, 2009 meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Attending	Les Bunte** Carl Giles Arthur Pertile, III	Elroy Carson John Gillette** Kimberly Shambley	Chris Connealy Jody Gonzalez Steve Tull	Rhea Cooper John Green	Yusuf Farran Micheal Melton
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\*absent entire meeting  
\*\*absent part of meeting

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Staff	Gary L. Warren, Sr. Jim Crowson, Assistant Attorney General	Deborah Cowan	Dianne Hudson Melissa Juarez, Assistant Attorney General	Ana Muñoz	Miles Skipper
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Guests	Paul Maldonado Jerry Doyle Mike Jones Tim Tomlinson	Tim Gardner Jay Sikes Glen Trahan Rick Johnson	Jim Reidy Mike Higgins Cary Roccaforte Johnny Villarreal	Joe Singer Tom McNutty John Kendall	Josef Gregory Tim Hunter Michael Anderson
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1. Roll call            Presiding Officer, Chris Connealy called roll and 12 of 13 commissioners were present. He then introduced the four new commissioners.

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  2. Adoption of Minutes    A motion to approve the minutes of the April 30, 2009 commission meeting was made by Rhea Cooper and seconded by Les Bunte. The motion carried.

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  3. Subcommittee Meetings    The Budget and Strategic Plan subcommittees met jointly to review the agency's operating budget and Strategic Plan.

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  4. Budget and Strategic Plan Subcommittee Reports    A motion to accept the recommendations of the Presiding Officer for the appointment of members to the subcommittees was made by Elroy Carson and seconded by John Gillette. The motion carried.  
  
   Members appointed to Budget Subcommittee: Elroy Carson-Chair, John Gillette, Carl Giles, Kimberly Shambley, Rhea Cooper and Jody Gonzalez  
  
   Members appointed to Strategic Plan Subcommittee: Les Bunte-Chair, Arthur Pertile III, Yusuf Farran, John Green, Micheal Melton and Steve Tull

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  5. Reports from Fire Service Interest Groups    Brief reports were given by the Texas Fire Chiefs Association and Texas State Association of Fire Fighters.

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  6. Report from Fire Service School Advisory Board & TEEEX    Commission representative, Michael Hunt was unable to attend meeting.  
  
   Les Bunte reported that TEEEX would be holding its Spanish School July 6-10, 2009, Industrial School will begin the week of July 13-17, and Municipal Fire School would begin the week of July 18-24, 2009.

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  7. New matters            none identified

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  8. Future Meeting Dates    Workshop scheduled for January 20, 2010 beginning at 10:00 a.m.; commission meeting scheduled for January 21, 2010 beginning at 9:30 a.m.

9. House Bill 2854 Mike Higgins, Texas State Association of Fire Fighters and Mike Anderson, Texas Fire Fighter Relief and Scholarship Fund gave a brief overview of House Bill 2854 as passed by the 81<sup>st</sup> legislature.

After discussion, a motion was made to allow the Executive Director to negotiate with General Counsel and Texas Department of Transportation to ensure the Texas Commission on Fire Protection is the nominating agency per the request of the Texas State Association of Fire Fighters for the purpose of collecting revenue from the sale of professional firefighter license plates for the Texas Fire Fighter Relief and Scholarship Fund Program. The motion carried.

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10. Matters from Fire Fighter Advisory Committee
- A.
1. A motion to approve for final adoption the proposed amendments to 37 TAC Chapter 421, §421.5 and §421.17 as discussed was made by Les Bunte and seconded by Rhea Cooper. The motion carried.
  2. A motion to approve for final adoption the proposed amendments to 37 TAC Chapter 427, §§427.201, 427.303 and 427.305 as discussed was made by Elroy Carson and seconded by Micheal Melton. The motion carried.
  3. A motion to approve for final adoption the proposed amendments to 37 TAC Chapter 433, §433.5 as discussed was made by John Gillette and seconded by Arthur Pertile, III The motion carried.
  4. A motion to approve for final adoption the proposed amendments to 37 TAC Chapter 437, §§437.3, 437.5, and 437.13 as discussed was made by Elroy Carson and seconded by Les Bunte. The motion carried.
  5. A motion to approve for final adoption the proposed amendments to 37 TAC Chapter 439, §§439.1, 439.3, 439.5, 439.7, 439.9, 439.11, 439.13, 439.15, 439.17, 439.19, 439.203, and 439.205 as discussed was made by Elroy Carson and seconded by Micheal Melton. The motion carried.
  6. A motion to approve for final adoption the proposed amendments to 37 TAC Chapter 449, §449.3 and §449.5 as discussed was made by Elroy Carson and seconded by John Gillette. The motion carried.
  7. A motion to approve for final adoption the proposed amendments to 37 TAC Chapter 451, §451.5 and §451.205 as discussed was made by Arthur Pertile III and seconded by Micheal Melton. The motion carried.
  8. A motion to approve for final adoption the proposed amendments to 37 TAC Chapter 453, §453.5 as discussed was made by Rhea Cooper and seconded by Steve Tull. The motion carried.
- B.
1. A motion to approve for publication the proposed amendments to 37 TAC Chapter 429, §429.203 as discussed was made by Jody Gonzalez and seconded by John Gillette. The motion carried.
  2. A motion to send back to the fire fighter advisory committee proposed amendments to 37 TAC Chapter 435, §435.23 for further review was made by Rhea Cooper and seconded by Arthur Pertile III. The motion carried.
  3. A motion to approve for publication the proposed amendments to 37 TAC Chapter 445, §§445.1, 445.9, 445.11, 445.13 and 445.15 was made by Elroy Carson and seconded by Rhea Cooper. The motion carried.

- C. Larry Whitis gave a brief update on issues the committee is currently reviewing. No action necessary.

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11. 37 TAC Chapter  
435, Fire Fighter  
Safety

After discussion no action taken.

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12. 37 TAC Chapter  
421, Standards  
for Certification

A motion to approve for publication the proposed amendments to 37 TAC Chapter 421, §421.9 as discussed was made by Yusuf Farran and seconded by Micheal Melton. The motion carried.

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13. Approval of  
additional  
classes/courses  
to A & B List

A motion to approve the addition of classes/courses to the A & B List for higher levels of certification as discussed was made by Rhea Cooper and seconded by Jody Gonzalez. The motion carried.

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14. Staff update  
on committee  
activities

Miles Skipper noted the agency had not attended any NFPA meetings.

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15. Matters from  
Executive  
Director

- a. Mr. Warren informed commissioners there were no consent orders during the last quarter.
- b. Mr. Warren reported the agency had filled the two vacancies left open due to budget constraints. Suzie Quattlebaum was introduced and Ana Munoz reported that Mary Hunt would be starting on July 20, 2009. Mr. Warren informed the commissioners the agency had conducted required EEO training for all employees on June 12<sup>th</sup> and July 3<sup>rd</sup>. He also reported the agency had an upcoming SORM audit beginning on July 21<sup>st</sup>. He informed commissioners that he would be attending the Municipal Fire School at TEEX as an instructor the week of July 18-24, 2009.
- c. Mr. Warren reported that he would be meeting with Texas Forest Service representatives on July 25<sup>th</sup> regarding transfer of the Fire Department Emergency Program as required by the passage of Senate Bill 1011. He also reported the agency continues to work with the Texas Facilities Commission regarding the need for additional space with the acquisition of additional FTEs granted by the 81<sup>st</sup> legislature.

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16. Executive  
Session

Presiding Officer, Chris Connealy did not call Executive Session

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17. Open  
Session

No action necessary.

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18. Adjournment

A motion to adjourn was made by Elroy Carson and seconded by Micheal Melton. The motion carried.