

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Steve Tull, at 10:00 a.m. called the July 11, 2012 meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Attending	Les Bunte John Gillette Arthur Pertile, III*	Elroy Carson* Jody Gonzalez Leonardo Perez	Tony Cortes* John Green Steve Tull	Yusuf Farran** John McMakin	Carl Giles
					*absent entire meeting **absent part of meeting

Staff	Don Wilson Paul Maldonado	Deborah Cowan Jim Crowson, Assistant Attorney General	Tim Rutland	Mike Baker
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Guests	Robert Fite Lynn Bizzell Mike Wisko Mike Higgins	Mark Ashmead Wendell Burton Randy Safer	Cary Roccaforte Frank Adams Chris Barron	Ken Dozier Scott Kerwood Jason Collier	James Bradshaw Pat Ekiss John Carlton
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| 1. Roll call | Secretary, John Gillette called roll and a quorum was present. |
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| 2. Adoption of Minutes | A motion to approve the minutes of the April 12, 2012 and May 11, 2012 commission meeting minutes was made by Les Bunte and seconded by Leonardo Perez. The motion carried. |
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| 3. Budget and Strategic Plan Subcommittee Meeting | The subcommittees met together to review the agency's current budget performance measures and discussion of agency legislative appropriations request (LAR). |
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| 4. Subcommittee Reports | After discussion a motion to give the presiding officer the ability to approve the agency legislative appropriations request for full submission to the legislative budget board to meet identified deadline was made by Les Bunte and seconded by John Green. The motion carried. |
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| 5. Reports from Fire Service Interest Groups | Brief reports were given by the Texas State Association of Fire Fighters, National Fire Protection Association and State Firemen's and Fire Marshals' Association. |
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| 6. Report from Fire Service School Advisory Board & TEEX | Commission representative Robert Fite gave a brief report on activities of the board at its last meeting. |
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| 7. New Matters | Guidelines on review and appointment of advisory committee members. |
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| 8. Future meeting dates | The commission scheduled its next meeting for October 25, 2012, beginning at 10:00 a.m. |
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| 9. Matters from Fire Fighter Advisory Committee | <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; vertical-align: top;">A.</td> <td style="width: 5%; vertical-align: top;">1.</td> <td>A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 427, §427.305 as discussed was made by Les Bunte and seconded by Carl Giles. The motion carried.</td> </tr> </table> | A. | 1. | A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 427, §427.305 as discussed was made by Les Bunte and seconded by Carl Giles. The motion carried. |
| A. | 1. | A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 427, §427.305 as discussed was made by Les Bunte and seconded by Carl Giles. The motion carried. | | |

2. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 431, §431.9 as discussed was made by John Green and seconded by John Gillette. The motion carried.
3. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 437, §437.15 as discussed was made by Leonardo Perez and seconded by Jody Gonzalez. The motion carried.
4. After discussion, item was tabled.

A motion to take the item off of the table was made by Jody Gonzalez and seconded by Yusuf Farran. The motion carried.

A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 439, §439.1 and §439.11 as discussed was made by Les Bunte and seconded by John Green. The motion carried.

5. After discussion, item was tabled.

A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 455, §§455.1, 455.3, 455.5, and 455.7 with changes as discussed was made by Leonardo Perez and seconded by Les Bunte. The motion carried.

6. After discussion, item was tabled.

A motion to take the item off the table was made by Les Bunte and seconded by Carl Giles. The motion carried.

A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 457, §§457.1, 457.3, and 457.5 with changes as discussed was made by Leonardo Perez and seconded by Carl Giles. The motion carried.

- B. 1. A motion to approve for publication the proposed amendments to 37 TAC, Chapter 441, §§441.3, 441.5, 441.7, 441.11, 441.13, 441.15, 441.17, 441.19 and 441.21 as discussed was made by John Green and seconded by Jody Gonzales. The motion carried.
2. A motion to approve for publication the proposed amendments to 37 TAC, Chapter 421, §421.17 as discussed was made by Jody Gonzalez and seconded by Leonardo Perez. The motion carried.
3. A motion to propose for publication the proposed amendments to 37 TAC, Chapter 401, §§401.5, 401.11, 401.13, 401.17, 401.19, 401.21, 401.23, 401.31, 401.41, 401.43, 401.45, 401.47, 401.49, 401.51, 401.117, 401.121, 401.123, 401.125, 401.129 and 401.131 as discussed was made by John McMakin and seconded by John Green. The motion carried.
4. A motion to propose for publication the proposed amendments to 37 TAC, Chapter 403, §§403.1, 403.3, 403.5, 403.9, 403.11 and 403.15 as discussed was made by Carl Giles and seconded by John Gillette. The motion carried.
5. A motion to propose for publication the repeal of 37 TAC, Chapter 405, §§405.1, 405.3, 405.5, 405.7, 405.9, 405.11 and 405.15 as discussed was made by Jody Gonzalez and seconded by Carl Giles. The motion carried.
6. A motion to propose for publication the repeal of 37 TAC, Chapter 407, §407.1 as discussed was made by Leonardo Perez and seconded by Jody Gonzalez. The motion carried.

- C. A motion to approve new Chapter 10, Fire Department Safety Officer, Incident Safety Officer including reference list and curriculum outline was made by John Green and seconded by Leonardo Perez. The motion carried.

10. Proposed rule Review A motion to approve for publication agency rule reviews of Chapters 401, 403, 405, 407, 431, 433, 435, 437, 443, 445, 447, and 449 as discussed was made by John Gillette and seconded by Carl Giles. The motion carried.

11. Fire Fighter Injury Report A motion to approve the recommendations on fire fighter injury reporting for inclusion in the line-of-duty death annual report of the State Fire Marshal's Office as discussed was made by John Green and seconded by Les Bunte. The motion carried.

12. Higher Levels of Certification A motion to approve the additional classes/courses to the A List and B List for higher levels of certification as discussed was made by Les Bunte and seconded by Jody Gonzalez. The motion carried.

13. Matters from Executive Director

- a. Mr. Wilson informed commissioners there were no contested case or consent orders since the last commission meeting. No action necessary.
- b. Mr. Wilson provided the commissioners information regarding division functions since the last commission meeting. Mr. Wilson also gave a brief update on agency vacancies and new hires.

14. Executive session Presiding Officer, Steve Tull called for the Executive Session at 3:01 p.m.

15. Open Session Presiding Officer, Steve Tull called for Open Session again at 3:47 p.m.

A motion to allow a one-time bonus of \$1500 for the executive director was made by Jody Gonzalez and seconded by Carl Giles. The motion carried.

16. Adjournment A motion to adjourn was made by John Green seconded by Carl Giles. The motion carried.

Steve Tull, Presiding Officer