

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Steve Tull, at 10:00 a.m. called the July 11, 2013 meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Attending	Elroy Carson Joseph Gonzalez Leonardo Perez	Pat Ekiss** John Green Ronald Poynter*	Yusuf Farran** Joseph Gutheinz Steve Tull	Carl Giles John McMakin	John Gillette** Robert Moore
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*absent entire meeting
**absent part of meeting

Staff	Tim Rutland Andrew Lutostanski, Assistant Attorney General	Deborah Cowan Kara Holsinger, Assistant Attorney General	Paul Maldonado	Mary Hunt	Mollie Clakley
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Guests	William Buck Danny Kistner Cary Roccaforte Mike Jones John Wielmaker	Glen Trahan Chuck Knowles Brandi Plunkett Jim Reidy Cliff Avery	Lynn Bizzell Eric Stratton Laura Corn Randy Safer Michael Clack	John Brown Mike Higgins Pat McAuliff Eric Carlson Marshal Tang	Larry Wright Sam Rhode Gary Wisdom Dan Reese	Scott Kerwood Wendell Burton Steve Pollock Aaron Taylor
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| 1. Roll call | Presiding Officer called roll and a quorum was present. Commissioner Ron Poynter was granted an excused absence. |
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| 2. Adoption of Minutes | A motion to approve the minutes of the April 25, 2013 commission meeting minutes was made by Carl Giles 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 budget and performance measures. |
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| 4. Subcommittee Reports | No action taken. |
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| 5. Reports from Fire Service Interest Groups | Brief reports were given by the Texas State Association of Fire Fighters, Texas Fire Chiefs Association, Texas A & M Forest Service, Texas State Association of Fire and Emergency Districts, and National Fire Protection Association. |
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| 6. Report from Fire Service School Advisory Board & TEEX | Commission representative Michael Hunt was unable to attend. Lynn Bizzell of TEEX gave a brief report. |
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| 7. New Matters | Life Safety Initiative No. 9 Texas Homeland Security Council appointment HB3660 study |
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| 8. Future meeting dates | The commission scheduled its next meeting for October 3, 2013, 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 421, §421.3, and §421.5, as discussed was made by Joseph Gonzalez and seconded by Pat Ekiss. The motion carried.</td> </tr> </table> | A. | 1. | A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 421, §421.3, and §421.5, as discussed was made by Joseph Gonzalez and seconded by Pat Ekiss. The motion carried. |
| A. | 1. | A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 421, §421.3, and §421.5, as discussed was made by Joseph Gonzalez and seconded by Pat Ekiss. The motion carried. | | |

2. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 427, §427.307 as discussed was made by Elroy Carson and seconded by Joseph Gutheinz. The motion carried.
 3. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 437, §437.13 as discussed was made by Leonardo Perez and seconded by Elroy Carson. The motion carried.
 4. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 439, §§439.1, 439.5, and 439.19 as discussed was made by Joseph Gonzalez and seconded by John Gillette. The motion carried.
 5. 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 Pat Ekiss and seconded by John Green. The motion carried.
 6. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 457, §457.5 as discussed was made by Carl Giles and seconded by Leonardo Perez. The motion carried.
- B. 1. A motion to propose for publication proposed amendments to 37 TAC, Chapter 421, §421.5 as discussed was made by John Gillette and seconded by Carl Giles. The motion carried.
2. A motion to propose for publication the proposed amendments to 37 TAC, Chapter 423, §423.3, as discussed was made by John Gillette and seconded by Pat Ekiss. The motion carried.
 3. A motion to propose for publication the proposed amendments to 37 TAC, Chapter 455, §§455.3, 455.5, and 455.7 with deletion of paragraph 4 and subsections (b) (c) (d) in §455.5 was made by John Gillette. With no second the motion failed.

After further discussion, a motion to propose for publication the proposed amendments to 37 TAC, Chapter 455, §§455.3, 455.5 and 455.7 with deletion of subsections (b) (c) and (d) in §455.5 as discussed was made by Pat Ekiss and seconded by John McMakin. The motion carried.

- C. Pat McAuliff, chairman of the Testing & Curriculum Advisory Committee presented the committees recommended curricula changes and recommended an effective date of January 1, 2014.

A motion to approve the recommended curricula changes for Fire Investigator curriculum and phase outlines, Instructor I, II and III curricula, outlines and reference lists, Fire Officer III and IV reference lists, Basic Wildland Fire Fighter reference list, Intermediate Wildland Fire Fighter curriculum, outline, reference list and skill sheets, HazMat Operations Mission-Specific Competencies, HazMat Technician and HazMat Incident Commander reference lists. The motion also included approval of individuals recommended for appointment to a Head of Fire Department Ad Hoc Advisory Committee as submitted. The motion carried.

10. Continuing
Education
Request

David Covington, Fire Chief of Schertz Fire Rescue was unable to attend commission meeting to discuss his request for consideration of the Federal Highway Administration's Strategic Highway Research Program to be acceptable for continuing education credit. No action taken.

11. ProBoard Certification
Commissioner Robert Moore, TEEEX gave a brief report on ProBoard certification and the possibility of that certification being used towards obtaining a commission certification. Tim Rutland, Interim Executive Director informed commissioners that staff would begin the process of reviewing the TEEEX program and provide commissioners a report at their October commission meeting. No action taken.
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12. Matters from Executive Director
- a. Mr. Rutland, Interim Executive Director informed commissioners there were no new consent orders or contested cases since the last commission meeting.
 - b. Mr. Rutland provided commissioners information regarding division functions. Mr. Rutland informed commissioners that 2 vacant positions had been filled and at the same time a new vacancy occurred. Mr. Rutland also informed commissioners that a long time employee would be retiring at the end of August.
 - c. Mr. Rutland informed commissioners he had no further updates on legislation. He informed commissioners that he supported an agency study as identified in HB 3660 as previously recommended by the Texas State Association of Fire Fighters and Representative Simmons office.
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13. Executive Session
Presiding Officer, Steve Tull called for the Executive Session at 3:03 p.m.
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14. Open
Presiding Officer called for open session at 4:58 p.m.
- A motion was made for the Human Resources Manager to post the Executive Director position with revisions as discussed, posting for 45 days or until filled giving the Human Resources Manager latitude to provide additional information to staff and to setup interviews with a date and location subsequently identified was made by John Gillette and seconded by Elroy Carson. The motion carried.
- There was further discussion regarding an October 2, 2013 scheduling for interviewing no more than 5-8 qualified candidates.
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15. Adjournment
A motion to adjourn was made by Yusuf Farran and seconded by Carl Giles. The motion carried.

Steve Tull, Presiding Officer