

2. Adoption of January 16, 2014 commission meeting minutes.

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Steve Tull, at 10:00 a.m. called the January 16, 2014 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	Paul Maldonado Kara Holsinger, Assistant District Attorney	Mollie Clakley
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Guests	Cary Roccaforte	Danny Kistner	Bill Gardner	Stuart Heater	Joshua Davis	Eric Schlotter
	Lynn Bizzell	Randal Rhodes	Jessie Gentry	Ray Wilson	Steve Pollock	Kirt Mays
	Bill Bell	Stacy Singleton	Gary Wisdom	Larry Wright	Roy McCleary	Thomas McMonigle
	Joey Craddock	Wendell Burton	Patrick Shipp	Betty Wilkes	Todd Gilcrease	Todd Weidman
	Ed Wellman	Leonard Chan	Jerry Doyle	Mike Wisko	David Coatney	Jason Collier
	James Mallinger	Adam Stacy	Ken Dozier	Kelley Stalder	Lee Glover	Mark Lee
	Mark Piland	Christina Foley	Jim Reidy	Thomas Miller	Eric Thompson	Chancy Bizzell
	Brandi Plunkett	Jerry Duffield	Ricky Boyd	John Rodgers	John Brown	Ricky Pendleton
	Mike Higgins	Glenn DeShields	Al Castillo	Mike Jones	Chris Connealy	Austin Stanphill
	John Sullivan	Clay Shell	Julie Acevado	Randal Blessing		Michael Dickens
	Bobby Copeland	Ronald Krusleski	William Wusterhausen			

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| 1. Roll call | John Gillette, Secretary called roll and a quorum was present. Commissioner Joseph Gutheinz was granted an excused absence. |
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| 2. Adoption of minutes | A motion to approve the minutes of the September 26, 2013 and October 3, 2013 commission meetings was made by Joseph Gonzalez and seconded by Carl Giles. 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 | Brief reports were given by the Texas State Association of Fire Fighters, Texas Fire Chiefs Association, State Firemen's and Fire Marshals' Association, Texas Forest Service and the State Fire Marshal's Office |
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| 6. Report from Fire Service School Advisory Board & TEEX | Commission representative Michael Hunt was unable to attend meeting and Commissioner Robert Moore provided a brief update. |
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7. Report from Homeland Security Council Representative
Commission Representative, Joseph Gonzalez, informed commissioners the committee was meeting on January 17, 2014 and he would provide an update.
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8. New Matters
Nothing identified
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9. Future meeting dates
The commission scheduled its next meeting for April 24, 2014 beginning at 10:00 a.m.
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10. Presentation from Texas Fire Chief's Association
Betty Wilkes, Executive Director inquired as to whether the Texas Fire Chief's, Fire Officer III and Fire Officer IV previous curriculum met the requirements to qualify for commission certification. The commission asked that she send the information to staff for review by a designated committee.
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11. NFPA 1851 Standard
The commission discussed the requirement of protective gear having to be taken out of service after 10 years. The commission discussed sending a proposal to the NFPA asking it to amend the standard and consider extending the shelf life of protective gear. No action taken.
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12. Life Safety Initiative
After discussion no action taken. The commission asked Mr. Kistner to provide further information at its April meeting.
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13. 37 TAC Chapter 429
A motion was made by Pat Ekiss and seconded by Ron Poynter to reissue the commission position regarding fire department pre fire planning. The motion carried.
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14. Report regarding commission study on administrative attachment
Tim Rutland, Interim Executive Director gave a brief report on information gathered to date.
A motion was made by Carl Giles and seconded by John McMakin to allow the executive director to be the point of contact as a member of the study group and to enter into an agreement with a third party vendor to conduct the study with no appropriation of funds from the agency. The motion carried.
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15. Matters from Fire Fighter Advisory Committee
A. 1. After discussion, a motion to table the item for further review was made by John Green and seconded by Leonardo Perez. The motion carried.

After further discussion and review, a motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 421, §421.5 with changes as discussed was made by Leonardo Perez and seconded by Carl Giles. 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 Carl Giles and seconded by Elroy Carson. The motion carried.

3. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 431, §§431.1, 431.3, 431.5, 431.7, and 431.209 as discussed was made by John Gillette and seconded by Pat Ekiss. The motion carried.
 4. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 437, §§437.1, 437.3, 437.5, 437.7, 437.15 and 437.17 as discussed was made by Carl Giles and seconded by Pat Ekiss. The motion carried.
 5. A motion to approve for final adoption the proposed amendments to 37, TAC, Chapter 457, §457.3 as discussed was made by John Gillette and seconded by Joseph Gonzalez. The motion carried.
 6. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 423, §423.3 and §423.203 as discussed was made by Robert Moore and seconded by Joseph Gonzalez. The motion carried.
 7. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 425, §§425.3, 425.5, and 425.7 as discussed was made by Pat Ekiss and seconded by Carl Giles. The motion carried.
 8. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 429, §429.203 as discussed was made by Joseph Gonzalez and seconded by Ron Poynter. The motion carried.
 9. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 433, §433.3 as discussed was made by Leonardo Perez and seconded by Robert Moore. The motion carried.
 10. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 439, §439.1 as discussed was made by John Green and seconded by Carl Giles. The motion carried.
 11. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 451, §§451.3, 451.203, 451.303, and 451.403 as discussed was made by John Gillette and seconded by Pat Ekiss. The motion carried.
 12. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 453, §453.3 and 453.203 as discussed was made by Elroy Carson and seconded by Joseph Gonzalez. The motion carried.
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1. A motion to propose for publication proposed amendments to 37 TAC, Chapter 421, §421.5 as discussed was made by Carl Giles and seconded by Leonardo Perez. The motion carried.
 2. A motion to propose for publication the proposed amendments to 37 TAC, Chapter 427, §427.1, 427.13, 427.18, 427.203, 427.301, 427.303, and 427.307, with changes as discussed was made by Joseph Gonzalez and seconded by John McMakin. The motion carried.

3. A motion to propose for publication the proposed amendments to 37 TAC, Chapter 439, §§439.3, 439.7, and 439.11, as discussed was made by Joseph Gonzalez and seconded by John Green. The motion carried.
4. A motion to propose for publication the proposed amendments to 37 TAC, Chapter 441, §441.23 with changes as discussed was made by Leonardo Perez and seconded by Carl Giles. The motion carried.

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16. Matters from Executive Director
- a. Mr. Rutland, Interim Executive Director informed commissioners there had been one informal conference since the last commission meeting.
 - b. Mr. Rutland, Interim Executive Director provided commissioners information regarding division functions. Mr. Rutland informed commissioners the agency lost two employees. One employee retired and the other resigned. He also informed commissioners the agency would be conducting the small state agency risk assessment as required by the State Auditor's Office in order to meet the deadline of March 31, 2014.

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17. Executive Session
- Presiding Officer, Steve Tull called for the Executive Session at 1.03 p.m.

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18. Open Session
- Presiding Officer called for open session at 1:45 p.m. and the commission scheduled a meeting for February 6, 2014 beginning at 9:00 a.m. to interview candidates for the executive director position.

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19. Adjournment
- A motion to adjourn was made by John McMakin and seconded by John Green. The motion carried.

Steve Tull, Presiding Officer