

TEXAS COMMISSION ON FIRE PROTECTION

Assistant Presiding Officer, Joseph Gonzalez, at 9:00 a.m. called the January 25, 2018 meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Attending	Tommy Anderson John McMakin J. P. Steelman	Carlos Cortez Robert Moore* Steve Tull	Kelly Doster Bob Morgan Tivy Whitlock	Joseph Gonzalez Leonardo Perez	Mike Jones Mala Sharma
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*absent entire meeting
**absent part of meeting

Staff	Tim Rutland	Deborah Cowan	Andrew Lutostanski, Assistant Attorney General
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Guests	Thomas McMonigle John Overstreet Mary Lancton Paula Stubblefield Lyle Lombard Ken Kreger Arianna Hargrove Mike Wisko Cary R. Roccaforte Ricky Van Pat McAuliff	Chris Barron Leonard Chen Daniel Buford Pat English Betty Wilkes James Mallory Daniel DeYear Les Stephens Joe Ondrasek Robert Havens Richard Bahena	Harvey Cheshire Jason Collier Steve Keller Bill Pearson Thayer Smith Dave Lowe Ted Padgett Danny Kistner Rick Manley Randy Pearson	R. Rhodes Ronald Tocci Skip Straus Derek Henry Nick Hickson Kelly Sadler Chris Watson Daryl Maretka Randy Mickelson	Scott Ridling Glenn Deshields Darnell Rutledge Chris Kahl Ken Dobson Laurie Christensen Chris Willeford Donnie Normal
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| 1. Invocation
Presentation of
Colors and
Pledge of
Allegiance | The invocation was given by Skip Straus with Emergency Ministries, the presentation of colors was performed by the Lufkin Fire Department and Assistant Presiding Officer Joseph Gonzalez led the Pledge of Allegiance. |
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| 2. Roll call | Commission Assistant Presiding Officer, Joseph Gonzalez called roll and a quorum was present. |
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| 3. Election of
Officers | A motion was made by John McMakin and seconded by Kelly Doster to elect Leonardo Perez as Secretary and for Joseph Gonzalez to remain the Assistant Presiding Officer. The motion carried. |
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| 4. Adoption of
Minutes | A motion to approve the minutes of October 26, 2017 commission meeting was made by Kelley Doster and seconded by J. P. Steelman. The motion carried. |
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| 5. Budget and
Strategic Plan
Subcommittee
Meeting/Reports | No action necessary. |
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| 6. Appointment of
Members to the
Budget/Strategic
Plan Subcommittees | After discussion a motion was made to table this item until the April commission meeting. The motion carried. |
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| 7. Reports from
Interest Groups | A brief report was given by the Texas Fire Chief's Association, Texas State Association of Fire Fighters, Texas Fire Marshals Association, State Firemen and Fire Marshal's Association, Texas Association of Fire Educators and the Center for Public Safety Excellence. |
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8. Report from Fire School Advisory Board & TEEX Commission Representative Juan Gloria gave a brief update on activities of the committee since the last meeting.
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9. Report from Homeland Security Representative Commission Representative, Joseph Gonzalez informed the commission that the council was scheduled to meet next week and he would provide an update at the April meeting.
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10. New matters 37 TAC, Chapter 421, Standards For Certification
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11. Future meeting dates The commission had previously set the following dates for its quarterly meetings:
April 26th, 2018 Commission meeting
July 11, 2018 (Workshop); July 12, 2018 Commission meeting
October 25, 2018 Commission meeting
A meeting was also scheduled for April 25, 2016 to interview applicants to fill a vacancy on the fire fighter advisory committee
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12. Appointment of Ad-Hoc committee to review fire fighter advisory committee applicants A motion was made by Mike Jones and seconded by Kelly Doster to appoint the following commissioners to the Ad-Hoc committee: Leonard Perez, Steve Tull, and Kelly Doster as well as Jim Reidy, Chairman of the fire fighter advisory committee to serve in an advisory capacity.
The motion carried.
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13. Matters from Fire Fighter Advisory Committee
- A. 1. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 451, §§451.303, 451.307, 451.403 and 451.407 as discussed was made by Tommy Anderson and seconded by Steve Tull. The motion carried.
2. A motion to approve for final adoption new 37 TAC, Chapter 459, §§459.1, 459.3 and 459.5 as discussed was made by Steve Tull and seconded by Mike Jones. The motion carried.
3. A motion to approve for final adoption proposed amendments to 37 TAC, Chapter 429, Subchapter A, §§429.1, 429.3, 429.5, 429.7, 429.9, 429.11, Subchapter B, §§429.201, 429.203, 429.205, 429.207, 429.209 and 429.211 with changes as discussed was made by John McMakin and seconded by Tivy Whitlock. The motion failed (6 for, 6 against).
- B. A motion to approve the revised Fire Investigator Curriculum, reference list, outline and phase outline, revised reference lists for Fire Officer III and IV, new certification Fire and Life Safety Educator I overview, course instructor information, reference list and outline, revised reference lists for Hazardous Materials Awareness, Operations, Operations-Mission-Specific Competencies, Incident Commander and Basic Fire Inspector to be effective immediately was made by Tommy Anderson and seconded by Leonardo Perez. The motion carried.
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14. 37 TAC, Chapter 427 Training Facility Certification A motion was made by Steve Tull and seconded by Leonardo Perez to approve for publication amendments to 37 TAC, Chapter 427, §§427.1, 427.3, 427.5, 427.7, 427.9, 427.11, 427.18, 427.19, 427.201, 427.209, 427.301, 427.303, 427.305, 427.401, 427.403, 427.405, 427.407, 427.409, and 427.411 as discussed. The motion carried.

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15. 37 TAC, Chapter 433 Driver/Operator A motion was made by Steve Tull and seconded by Leonardo Perez to approve for publication 37 TAC, Chapter 433, new section §433.207 as discussed. The motion carried.
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16. 37 TAC, Chapter 453 Hazardous Materials A motion was made by Steve Tull and seconded by J. P. Steelman to approve for publication 37 TAC, Chapter 453, new section §453.207 as discussed. The motion carried.
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17. 37 TAC, Chapter 457, Minimum Standards for Incident Safety Officer Certification A motion was made by J. P. Steelman and seconded by Steve Tull to approve for publication 37 TAC, Chapter 457, new section §457.7 as discussed. The motion carried.
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18. 37 TAC, Chapter 437 Fees A motion was made by Steve Tull and seconded by Tommy Anderson to approve for publication 37 TAC, Chapter 437, §437.13 to lower examination fees from \$85 to \$55 as discussed. The motion carried.
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19. Petition for Rulemaking 37 TAC, Chapter 435 After discussion, a motion was made by Steve Tull and seconded by Mike Jones to proceed with changes to section §435.1 by forming an Ad-Hoc committee to gather information from all stakeholder groups regarding cleaning, storing and possible second set of personal protective equipment for firefighters in regulated departments and present a report to the commission at a later date. The motion carried.
- After further discussion, the following commissioners were appointed to the Ad-Hoc committee: Mike Jones-Chair, J. P. Steelman and Marla Sharma with the addition of individuals from the various stakeholder groups who are interested in serving.
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20. Matters from Executive Director a. Tim Rutland, Executive Director reported no informal conferences had occurred since the last commission meeting.
- b. Mr. Rutland provided commissioners information regarding the agency's new database management system. He apologized for the issues occurring upon launching the new system and advised that Information Technology staff continues to work to fix the issues. He also reported that the part of the database system for individuals seeking certification is working and can apply online and get their certifications issued with no problems.
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21. Executive Session 551.074 Assistant Presiding Officer, Joseph Gonzalez did not call for Executive Session.
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22. Open Session No action taken.
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23. Adjournment A motion to adjourn was made by Tommy Anderson and seconded by Steve Tull. The motion carried.