



STATE OF TENNESSEE DEPARTMENT OF COMMERCE & INSURANCE  
COMMISSION ON FIRE FIGHTING  
COMMISSION BUSINESS MEETING  
Gatlinburg, Tennessee  
April 7, 2021

**CALL TO ORDER** (Commissioner Biggs)

**ROLL CALL** (Director Grande)

Commissioner Brian C. Biggs  
Commissioner Michael Henry  
Commissioner Tommy Kelley  
Commissioner William Scott  
Commissioner Jay Moore  
Commissioner Stephanie Specht  
Commissioner David Windrow  
Commissioner Toran Hedgepath  
Commissioner Gary Farley

Members not present

Commissioner Carter Lawrence

A quorum has been established

**Commerce and Insurance/Fire Prevention Staff Present:**

Anthony Grande- Executive Director- Fire Commission  
Leigh Ferguson- Chief Counsel  
Kim Cooper- Legal  
Brian Nicholson – Fire Coordinator  
Michael Miranda – Fire Coordinator  
Cheryl Deener- Administrative Assistant  
Joshua Holdeman – Fire Coordinator

Jeff Elliott – TFACA Director, Fire service Program  
Jason Sparks, TFACA Field Supervisor

Prayer and Pledge of Allegiance

Motion to approve minutes from previous meeting: Motion approved minutes with the changes of adding Josh Holdeman, Commission Coordinator and to change (35) months to (36) by Scott, seconded by Henry.

Motion passes.

Commissioner Farley: Attended senate commerce committee the volunteer incentive passes.

Commissioner Biggs- Any questions?

Chief Sparks: February 27<sup>th</sup> we began with 49 recruits and currently in week seven, with hopes to finish in three weeks. We had 50 people and 22 waitlisted for recruit classes. The posting for Fire Instructor closed. Williamson County training weekend is almost full. Smokey Mountain Weekend is closed for Covid. We have two direct NFA classes coming up, one is Fire Safety first responder and the other is Fire Inspector.

Commissioner Biggs- Commissioner Hedgepath is here.

Kim Cooper: Rule Making hearing in July for emergency and final rules.

Coordinator Nicholson: Reciprocity report, 173 certifications, 71 applicant's year to date, which is 50 less certifications from last year. There are no current requests pending.

Coordinator Miranda: 2021 Education incentive for career departments is moving along. Volunteer education incentive program requirement of Commission 101 course is in planning on hosting in East Tennessee so we can get volunteers scheduled for the class.

Director Grande: We are still trying to get software to put the 101 class in acadis.

Director Grande: Accreditation report' Fred is working to correlate and validate 1041. Proboard now has new methodology, causing Fred to work with Proboard and begin correcting the policy to the new methodology. We will bring it back to you for approval. The Firefighter I, Firefighter II, and Plans Examiner require the changes and once Proboard approves them, we will let you know. Fred put in (SME's) subject matter experts for the Fire Officer I through Fire Officer IV to begin going through them. Fred is currently attending the Proboard conference and that is why he is not here. Proboard allowed extensions for standards 1021 and 1041 which is better because it matches IFSAC.

We are waiting on the waiver decisions from this meeting and then we will be sending batch two up for approval and on to fiscal. Fiscal does not provide us any information on when checks are sent.

We have received communications and will read it into the minutes under communication.

The purpose of testing, in the last month, we have had over 700 exams. TFACA is pushing courses out. We will have a temp in the office. Once educational incentive program is completed, we will then begin working on volunteer education incentive programs.

## **Old Business**

### **Volunteer EIP- 0360-07-01-.01      MINIMUM EMPLOYMENT STANDARDS – DEFINITIONS.**

- (1) All persons who are hired as a fire fighter by an eligible unit of government on or after January 1, 1986, or who volunteer with a fire department on or after July 1, 2021 shall:
  - (a) Be at least eighteen (18) years of age;
  - (b) Be a citizen of the United States;
  - (c) Be a high school graduate or possess equivalency;
  - (d) Not have been convicted of any felony charge, have not pleaded guilty to any felony charge, have not entered a plea of nolo contendere to any felony charge that directly relates to the profession of firefighting pursuant to the Fresh Start Act;
  - (e) Not have been released or discharged for any other reason than honorable discharge from any of the armed forces of the United States;
  - (f) Be in compliance with the fire department's drug-free workplace program and policy.
  - (g) Be proficient in English in accordance with National Fire Protection Association (NFPA) 1001,1072 and 1582 including but not limited to written and verbal communication and identification of hazardous materials; and

- (h) Have a good moral character in accordance with the Code of Conduct adopted by the Commission; or
- (i) Have successfully appealed such cause of ineligibility to the appropriate local authority having jurisdiction.

The local authority having jurisdiction may establish minimum standards for its department that are more stringent than these standards established by the Commission.

#### **0360-07-01-.04 ENTRY LEVEL PERSONNEL.**

- (1) It shall be mandatory for all qualified personnel that have entered the Fire Service after December 31, 1990, to become certified, when eligible, at the Fire Fighter I level and progress when eligible through the Fire Fighter II level of certification in order to become eligible for supplemental Educational Incentive Pay.
- (2) (a) The Fire Fighter I, Hazardous Materials Awareness and Hazardous Materials Operations certification levels shall be completed by the end of the calendar year in which the volunteer applicant reaches his/her thirty-sixth (36th) month of service with a participating department. Fire Service personnel that have not obtained Fire Fighter I, Hazardous Materials Awareness and Hazardous Materials Operations certification after that date shall not be eligible for Educational Incentive Pay until said certification(s) have been obtained.
- (2) (b) The Fire Fighter I, Fire Fighter II, Hazardous Materials Awareness and Hazardous Materials Operations certification levels shall be completed by the end of the calendar year in which the applicant reaches his/her thirty-sixth (36th) month of employment with a participating department. Fire Service personnel that have not obtained Fire Fighter I, Fire Fighter II, Hazardous Materials Awareness and Hazardous Materials Operations certification after that date shall not be eligible for Educational Incentive Pay until said certification(s) have been obtained.
- (3) Qualified personnel, who are separated from the fire service for a period of greater than 60 months and then reenter the fire service, shall subsequently obtain certification in accordance with rule 0360-05-01-.02.
- (4) Individuals hired into a department as Fire Safety Inspectors after December 31, 1990, and who are not trained in fire suppression may meet the requirements of this section by completing certification as prescribed by T.C.A. § 68-120-113 by the end of the calendar year in which they reach their twelfth (12th) month of employment. If an individual is hired as a Fire Safety Inspector and later transfers to fire suppression, the individual shall achieve Fire Fighter I, Fire Fighter II, Hazardous Materials Awareness and Hazardous Materials Operations certifications within thirty-six (36) months after the transfer date.
- (5) Individuals hired into a department as Public Fire and Life Safety Educators after December 31, 1990, and who are not trained in fire suppression may meet the requirements of this section by completing certification as Public Fire and Life Safety Educator I and Public Fire and Life Safety Educator II by the end of the calendar year in which they reach their twenty-fourth (24) month of employment. If an individual is hired as a Public Fire and Life Safety Educator and later transfers to fire suppression, the individual shall achieve Fire Fighter I/Fire Fighter II/Hazardous Materials Awareness and Operations certification within thirty-six (36) months after the transfer date.
- (6) The date an individual entered the fire service for participation in the educational incentive pay program shall be the date the individual joins a department in Tennessee that participates in the educational incentive pay program as a full-time paid fire fighter or as a volunteer fire fighter of that department. Service as a volunteer, paid on call, part-time firefighter or other non-full-time fire fighter shall not count toward an individual's time in the fire service as it relates to the Educational Incentive Pay Program.
- (7) All career fire departments participating in the Educational Incentive Pay Program shall ensure to have their qualified personnel obtain the Fire Fighter II level of certification no later than the thirty-sixth (36th) month from the date the department enters into the Educational Incentive Pay Program. Department personnel that have not obtained the required certification(s), as provided in rule 0360-07-01-.04(1) and (2), shall be ineligible to receive Educational Incentive Pay until the required

certification(s) have been obtained.

### **0360-07-01-.02 FIRE FIGHTER – DEFINITION.**

- (1) For the purpose of qualifying for the full time pay supplement, a person shall meet the following criteria:
  - (a) Serve in the employ of a unit of government as a full-time employee of the department of such unit; and
  - (b) Complete forty (40) hours of training in firefighting or prevention of fires approved by the Commission and is actively engaged in such work.
- (2) For the purpose of qualifying for the volunteer pay supplement, a person shall meet the following criteria:
  - (a) Serve with a volunteer fire department and be covered under the Workman's Compensation policy; and
  - (b) Complete thirty (30) hours of training in firefighting or prevention of fires approved by the Commission.

### **0360-07-01-.05 REQUIREMENTS FOR IN-SERVICE TRAINING PROGRAMS.**

- (1) Length of Training
  - (a) Certified or recognized programs shall be of at least forty (40) hours duration for the full-time supplement and at least thirty (30) hours duration for the volunteer supplement. A department may count one (1) hour for testing as part of the department's in-service training program.
- (2) Appointment of Training Coordinator
  - (a) Each department conducting an in-service training program shall meet the minimum standards as defined in Commission's rules, regulations, and policies.
  - (b) In order to participate in the Educational Incentive Pay Program- the Training Coordinator shall attend a training session on the Commission's laws, rules, regulations, programs, policies and procedures. Commission staff may offer one-on-one training sessions at the Commission office and will hold at least one (1) regional training session in each Grand Division of the state per year.
- (3) Appointment of Instructor
  - (a) Instructors used for in-service training shall be approved by the Fire Chief or Training Coordinator and shall be qualified by experience and training in the subject matter of the course to be taught except for other authorized specialized courses.
  - (b) Instructors are required to be certified as Fire Instructor I unless otherwise authorized by the Fire Chief or Training Coordinator.
- (4) Course Curriculum Requirements
  - (a) Course curricula shall be based on a needs survey of the area served and courses required by the Commission. All curricula shall be substantially derived from the appropriate standards as set forth in the Commission's rules, Chapter 0360-06-01, with the exception of any required subject material not adequately covered in these standards and shall be submitted for review by the Director or his/her designee, and be approved by the Commission. At least thirty (30) days prior to commencement of training, a copy of the curriculum noting whether the instructors are certified as Fire Instructor I, or not, shall be submitted to the Commission. If the instructors are not certified as Fire Instructor I, then the instructors' qualifications, the dates and location of training, the dates of testing, and a copy of the testing instruments and answers, and other such data as required by the Commission, shall be submitted to the Commission for approval. If a course is taught by a person not certified as Fire Instructor I, then the qualifications of the instructor in the subject matter taught shall be included with the course records for

Commission audit purposes.

1. (a) All Training Programs shall be submitted to the Commission office for approval no later than October 1 of the current calendar year for the training to be conducted in the following calendar year. Failure to provide all information by the required date may result in a rejection of supplemental Educational Incentive Pay. All information shall be submitted in a form prescribed by the Commission. Peer reviews shall be performed, and notification sent to departments by December 31.  
(b) Training Programs for the volunteer incentive program for the calendar year 2021 are not required to be submitted to the Commission for prior approval but training records shall be submitted by December 31, 2021. Training Programs for the volunteer incentive program will be required to be submitted to the Commission by October 1, 2021, for the 2022 calendar year.
- (b) Computerized training courses and/or Internet courses may be part of a department's In-Service Training Program but shall meet the following conditions:
  - No more than twenty (20) hours of credit will be given for computerized training. Instructor-led training utilizing technology shall not be considered "computerized training".
- (5) Attendance Records. Attendance records shall be maintained on each fire fighter in a form prescribed by the Commission and shall be made available for inspection upon request by the Commission or its representative. The Training Coordinator and head of the department conducting in-service training shall certify to the local unit of government those fire fighters who successfully completed the training, and certified records shall be maintained in each individual department for a period of thirty-six (36) months. Such records shall be included on a form prescribed by the Commission.
- (6) Testing Instrument
  - (a) Multiple testing instruments shall be designed to assure that the same examination is not administered to two (2) consecutive training sessions using the same curriculum. The examination shall be in the form of multiple-choice questions and a separate examination administered to cover each unique course of instruction in the training program. Each examination shall contain the greater of ten (10) questions relating to a course of instruction or one (1) question relating to each hour of course instruction (e.g., sixteen (16) hazardous materials questions for a sixteen (16)-hour hazardous materials course). The examinations may be administered either independently or in a single cumulative examination at the conclusion of the training program. If a cumulative option is selected, the examination shall be divided by section of each unique course of instruction.
  - (b) Answer sheets shall follow a format which contains the following:
    1. Name
    2. Employee Identification Number or Public Safety Identification (PSID) Number;
    3. Employing department or volunteer department; and
    4. Score
  - (c) Testing Instruments which combine the questions with the answer sheet shall not be accepted for grading. Answer sheets shall be maintained as a record for at least three (3) years and shall be submitted to the Commission office upon request by the Commission.
  - (d) Each examination covering a course of instruction shall be developed, administered and scored

by the Training Coordinator or Instructor. Each individual shall score at least seventy percent (70%) on each examination. Only one retest will be allowed for individuals failing to achieve seventy percent (70%). If administered as a single cumulative examination, each individual shall score at least seventy percent (70%) on each section of the examination. If the individual fails any section of the examination, the individual may retest one (1) time on each section.

(7) Approval of Specialized Schools/Courses

- (a) If a fire fighter attends a specialized school appropriate to his/her rank (or position) and responsibility, the eligibility of the school shall be approved by the Commission office. Only schools of a fire service-related nature of at least two (2) hours in duration, except for approved online courses and curriculum for which one (1) hour is acceptable, will be considered for in-service credit toward meeting the training requirement. When submitting a course for Commission approval, the department shall indicate the NFPA Standard Number and Section that is applicable to the course being submitted. When applicable, the course will be submitted by March 1 for pre-approval by the Commission office. In cases where the curriculum and instructors are unknown and when admittance is by short notice, the curriculum and proof of successful completion will be submitted after the course is completed.
- (b) If no examination is administered, the attending fire fighter should submit to his/her Training Coordinator a detailed evaluation of the course and a correlation sheet showing how their coursework meets the appropriate NFPA Standard. If satisfied that the training was valid and beneficial, the Training Coordinator shall submit a statement to that effect, along with a copy of the report, to the Commission office. If this is not done, no credit shall be given.
- (c) In-service credit requests will be reviewed and may be granted for an individual fire fighter for the current training year only if the course is relevant to his/her duties and responsibilities.
- (d) In some instances, the above type training session may be combined with the regularly scheduled and Commission-approved hour in-service training sessions. If this is done, the attending fire fighter shall be tested on those hours attended in the departmental program. This will necessitate the local Training Coordinator being responsible for identifying the appropriate questions involved in the Commission-approved testing instrument.
- (e) Fire service personnel attending the National Fire Academy and successfully completing courses taught on campus will be given credit. In addition, a current CPR certification is required in order to be qualified for Educational Incentive Pay.

(8) Approval of Fire Courses (Colleges and Universities)

- (a) Any fire fighter who successfully completes a fire related course (or courses) at any accredited institution, institution of higher education, college or university, may be considered for annual fulfillment of all or a portion of the required in-service training, not to include the eight (8) hours of hazardous material training or the CPR certification requirements as provided for in the provisions herein and approved by the Commission.
- (b) Course completion toward credit for the annual in-service training requirements may be met by completing three (3) semester hours (45 classroom hours) or four (4) quarter hours (40 classroom hours) of instruction with a passing grade. The completion date of the course shall be within the calendar (training) year for which in-service training credit is sought.
- (c) Applicants for in-service training credit under these provisions shall have the approval of the department head and shall submit the required Commission form for consideration to the Commission office. When submitting a course for Commission approval, the department shall indicate the NFPA Standard Number and Section that is applicable to the course being submitted.
- (d) In some instances, the above type training hours may be combined with the regularly scheduled and Commission-approved in-service training sessions. If this is done, the attending fire fighter shall be tested on those hours attended in the departmental program. This will necessitate the local Training Coordinator being responsible for identifying the appropriate questions involved

- in the Commission-approved testing instrument.
- (e) Final approval by the Commission is contingent upon official notification from the institution in which the course was completed with a passing grade.
- (9) Approval of Certification Programs
- (a) Fire fighters completing the required number of hours of preparation training, certified by the training officer, and successfully passing the appropriate progression level examination in the Commission's certification program within the calendar year for which training is sought, shall be considered as having fulfilled the in- service requirement and therefore eligible for the supplemental pay.
  - (b) Any fire fighter qualifying for in-service training credit in this manner shall also meet the four (4) hours of fire fighter health and safety training requirements and the CPR certification requirements as provided in these rules.
- (10) Emergency Medical Training
- (a) Emergency Medical Training shall be considered meeting the requirements of in- service training so long as all other mandatory programs, as provided in these rules, are met.
  - (b) No more than sixteen (16) hours of credit shall be awarded for this training.
- (11) Records Storage
- (a) All department records related to the Educational Incentive Pay Program shall be kept by the department in a secure location. Access to the records shall be limited to the fire chief, the chief of training or their designee.
  - (b) Any department that maintains training records via computer or other electronic means shall submit a request to the Commission office. The department's electronic records shall be subject to audit by the Commission. The department shall describe the electronic records system, identifying the security safeguards that are in place.

**0360-07-01-.06 PAYMENT PROCEDURES.**

- (1) The Commission reviews and if approved (the "batch" for) the disbursement (i.e. records for eligibility for EIP) to eligible units of government the Educational Incentive Pay awarded to fire fighters who have established eligibility for such under the provisions of the Commission's rules and regulations. At the selection of a volunteer department, the Educational Incentive pay shall be disbursed to the county or municipality where the fire department is located. The disbursement of these funds shall be subject to all of the following conditions:
- (a) The Educational Incentive Pay shall be based on the availability of funds appropriated by the General Assembly.
  - (b) Payment will be made only upon request by the unit of government or volunteer fire department and upon submission of the necessary documentation by the administrative officer of the eligible department.
    1. Proof of the successful completion of a Commission-approved training program, by submission of a copy of the following forms by and March 1 of the calendar year:
      - (i) Educational Incentive Pay Request;
      - (ii) In-Service Training Report;
      - (iii) Notarized Statement of Fire Chief attesting to accuracy and completeness of the information; and
      - (iv) Training Substitution Forms for previous year.



2. Payment shall be made in a lump sum directly to the governmental entity handling disbursement of funds for the eligible departments.
- (c) No payment shall be made after the end of the fiscal year, June 30, unless such payment is authorized by the departments of Commerce and Insurance and Finance and Administration.
- (d) It shall be the responsibility of the unit of government to disburse the funds to the individual fire fighters after the deduction of the applicable taxes.
- (e) The unit of government shall be responsible for any increase in the employer's contribution to social security or like programs necessitated by the increase in the employee's annual base earnings.
- (f) Members of the Fire Service shall not be eligible for supplement pay from more than one (1) fire department.
- (g) Effective August 31, 2018, information and training programs required by the Commission shall be received at the Commission office by October 1 of the preceding calendar year in which training is to be taught. Failure to provide all information by the required date may result in a rejection for supplemental pay.
- (h) Departments submitting a certified list of eligible names of fire fighters who have qualified themselves for the in-service training, Educational Incentive Pay, shall also certify to the Commission that each qualifying individual is a member of the department whose name was on the department payroll as of December 31 or department roster for volunteer departments as of December 31, of the calendar year in which training was received.

If a qualifying individual is separated from the fire service for any of the following reasons, after becoming qualified, the firefighter will be considered as having met the December 31 employment requirements if the firefighter:

1. Becomes eligible and accept a service retirement and begin drawing retirement benefits;
  2. Becomes eligible and accept a disability retirement; or
  3. Die while employed or serving as a volunteer.
- (i) All requests for supplemental pay shall be submitted to the Commission office by certified mail and postmarked no later than March 1 of each calendar year.
1. A department shall have fifteen (15) calendar days from the date it receives notice that a correction is required to their request for Educational Incentive Pay to make the necessary correction and return the request to the Commission.
  2. Departments may submit additions to their requests for supplemental pay for up to sixty (60) days from the date Educational Incentive Pay checks were mailed or deposited to departments if not later than June 30. Payment of these additions is contingent upon availability of funds.

#### **0360-07-01-.08 AUDIT.**

- (12) All accounts shall be subject to audit by the State Comptroller.
- (13) All records pertaining to the Educational Incentive Pay Program shall be available for inspection by a member of the Commission or its staff and shall be kept for sixty months after the Educational Incentive Pay was issued.
- (14) An audit committee of the Commission, made up of the Director and a Commission Member or a Commission-approved designee, shall review the Educational Incentive Pay Program records of every participating department at least one time every sixty months.



- (a) The audit committee shall present its findings to the Commission for consideration. The audit committee shall review the records of the department to ensure compliance with Commission rules, including, but not limited to:
  - 1. "In-Service Training Verification Sheets" are signed;
  - 2. Attendance records were properly filled out as required by rule 0360-07-01-.05(5);
  - 3. Examination records were properly graded and filled out as required by rule 0360-07-01-.05(6);
  - 4. Records required by NFPA 1001, Chapter 4 are properly maintained; and
  - 5. Electronic records, if kept, are properly maintained, and secured.
- (b) The audit committee shall make one (1) of the following recommendations to the Commission:
  - 1. Audit was in compliance with Commission requirements.
  - 2. No action required. This recommendation is for a minor infraction. Committee counselled the department on the corrective actions needed.
  - 3. Informal Review. This recommendation is for minor infractions that the committee determines needs to be reviewed to ensure corrective action was taken. This review would only encompass the areas that needed reviewing and shall be performed by the participants of the original audit;
  - 1. Probation. This recommendation is for more significant infractions. The committee shall recommend that the department be audited again for a period ranging from **twelve (12) months to thirty-six (36) months**; or
  - 2. Formal Hearing. The Committee has information that a major violation of the Commission's rules or state statute may have occurred, and a hearing for formal disciplinary action under the Commission's rules, regulations and policies is justified.
- (c) When making its report to the Commission, the Committee may make any additional comments and recommendations which are appropriate, but the above general guidelines are to be used. The Commission or Commission's designee shall send each audited department a copy of the completed audit report.
- (d) Commission staff and Commission members may conduct unannounced visits to departments' training classes. The visit shall not disrupt the training session; however, information may be solicited from the participants and/or instructor during a break or after the class. Documentation shall be completed about the visit and filed with that department's In-Service Training Program for that year. If training is not being conducted as scheduled, that department will be invited to the next regularly scheduled Commission meeting to offer an explanation.
- (E) All new fire departments entering into the incentive pay program shall be audited in the first (1st) year of their participation in the program.

#### **0360-07-01-.09 DISCIPLINARY MATTERS.**

- (1) The Commission may revoke, modify, suspend or condition the educational incentive pay, to the unit of government, volunteer department, or governmental entity handling salary accounts for the otherwise eligible departments, if it finds, after appropriate notice and hearing, that.
  - (a) The requirements for the educational incentive pay had not been met as per the Commission's Rules and Regulations.
  - (b) Any fraud, collusion, misrepresentation, or substantial mistake was involved in the procurement of the educational incentive pay.

Letter from Randy McNally

To the Firefighting Personnel Standards and Education Commission members,  
I am writing to you today on the proposed volunteer firefighter training incentive. I appreciate the tremendous commitment and time invested by the commission, the staff and the board members in developing and implementing this program. This program will be an important investment in our firefighters across the state.

I urge you to develop this program in a way that does not put the program out of reach of our volunteers. Volunteer firefighters work full-time jobs and have many other commitments outside of their volunteer service that may not allow them to progress as quickly in training as a professional. Many departments include member who may never be able to meet the physical or educational requirements that a career firefighter is required to meet.

Having served as a volunteer firefighter myself, I have a great appreciation and understanding of those who serve in this capacity. One of our senators, Mike Bell, has also served many years as a volunteer firefighter. Until the day arrives that we do not have a serious shortage of volunteer firefighters, we must recognize the importance of volunteers.

With the large percentage of volunteers who still fail to reach the minimum state training standard, our emphasis with this program must be on achieving this standard across the state. I pledge my support in finding ways to provide more free training to our volunteers across the state.

I urge you to keep the program and its implementation as simple as possible. It is important to keep the program as manageable and straightforward as possible in an effort to encourage participation and allow departments with limited resources and time to participate.

Thank you for your dedicated service and allowing me to share my position on this important issue.

Sincerely,

Randy McNally

Lt. Governor and Speaker of the Senate.

Commissioner Biggs: We have made it as easy as we could for volunteers' education incentive program.

Leigh Ferguson: There was confusion on entry level personnel. We need to clarify that Firefighter I is 36 months. Then when the volunteers have obtained firefighter I within the time frame, then we will return to see if we need to change the rule to have firefighter II in 60 months. Training still does not include the routine maintenance. They would turn in roster as hose training or pump training, not pump testing or hose testing. The roster would say training not testing.

Commissioner Henry: We are putting together plans and teaching within the 1-1 to explain?

Coordinator Miranda: we will explain everything in 101 and give the departments all the information they need.

Commissioner Farley: Giving them documents that the departments need to put dates on when completed.

Director Grande: requirements about hours, dates, and exams, how much are we giving. If we put a program together, how will they learn to put together their own program? What day are they doing training? We need to know when they're doing training.

Coordinator Miranda: They can submit their own program if they want.

Commissioner Scott: We should not give them a program to follow.

Leigh Ferguson: Tony and I will have to appear before the governor to explain the intent of the rule for hose testing, etc.

Commissioner Scott: Hose testing is moving water through the hose at a certain PSI. Pump testing is running water through the pumper to ensure its working properly.

Leigh Ferguson: Need approval for these rules to have the hearing in July.

Motion to approve by Commissioner Scott and seconded by Commissioner Solomon.

Roll call vote: Commissioner Brian C. Biggs

Commissioner Michael Henry

Commissioner Tommy Kelley

Commissioner William Scott

Commissioner Jay Moore

Commissioner Stephanie Specht

Commissioner David Windrow

Commissioner Toran Hedgepath

All Yes, Motion approved to have hearing in July.

Motion to adopt in policy manual the Tennessee Fire Service code of ethics by Kelley, seconded by Scott, Motion approved.

## Tennessee Fire Service Code of Ethics

I understand that as a member of the State of Tennessee Fire Service (TFS), I have the responsibility to conduct myself in a manner that reflects proper ethical behavior and integrity. In so doing, I will help foster a continuing positive public perception of the fire service. I understand that failing to abide by the TFS Code of Conduct may result in the suspension or termination of my TFS certification. As a member of the TFS, I pledge the following:

- I will conduct myself, on and off duty, in a manner that reflects positively on me, my department, and the fire service in general, and avoid behaviors that damage or could damage the good reputation of the Fire Service or damages the morale or efficient operation of the Fire Service.
- I will be truthful and honest in all of my dealings with and on behalf of the fire service that compromise the integrity of the fire service. There is an expectation that State of Tennessee Fire Service will not tolerate dishonest acts.

It is not appropriate to use my fire service membership to seek or obtain influence or gain for personal gain, preference, advantage or advancement.

- Recognizing that I serve in a position of public trust that requires stewardship in the honest and efficient use of publicly owned resources, I will never misuse or misappropriate public funds, resources or property.
- Recognizing that my position requires professionalism, competence, respect and loyalty in the performance of my duties and use of information, confidential or otherwise, gained by virtue of my position, I will use such information only to benefit those I am entrusted to serve.

- I will avoid financial investments, outside employment, outside business interests or activities that conflict with or are enhanced by my official position or have the potential to create the perception of impropriety.
- I will not engage in activities involving alcohol or substance abuse that impairs the performance of my duties as a firefighter, EMS provider and TFS member and compromises the safety of others.
- I will not discriminate on the basis of race, religion, color, creed, age, marital status, national origin, ancestry, gender, sexual preference, medical condition or handicap.
- I will be courteous, considerate and civil to all persons during the performance of my duties. All TFS members shall be tactful in the performance of their duties and are expected to exercise the utmost patience and discretion even under the most trying of circumstances. I will not harass, intimidate, bully, or threaten fellow members of the fire service or the public and there is an expectation that the Fire Service will not tolerate such behaviors by others.
- It being essential for the TFS, including its individual members, to be held in the highest regard for honesty, character and integrity, I shall refrain from any violent or criminal behavior, crimes of moral turpitude, and shall refrain from publicly associating with known criminals.

Item B- Motion to defer items, 2,3, and 4 to July meeting. Motion by Commissioner Solomon seconded by Commissioner Henry. Approved

Motion to adopt the Fresh Start Act, including adopting policy and procedure for Fresh Start Act passed in 2018. The Felony assessment, knowledge, skills, and abilities of a Firefighter, by Commissioner Scott and seconded by Commissioner Moore. Roll call vote.

Commissioner Brian C. Biggs  
 Commissioner Michael Henry  
 Commissioner Tommy Kelley  
 Commissioner William Scott  
 Commissioner Jay Moore  
 Commissioner Stephanie Specht  
 Commissioner David Windrow  
 Commissioner Toran Hedgepath  
 All Yes, Motion approved

**New Business**

Director Grande: eight preselected audits: Dyersburg, Memphis, Mt. Juliet, Dickson County EMA, Savanna, Hohenwald, Hamilton County Hazmat, Hardin County. Departments drawn for audit” Humboldt, Lebanon, Morristown, Chattanooga, Germantown, Wilson EMA, Gatlinburg, Rogersville, Vonore, Lewisburg, City of Henderson, Rockwood, Kingsport, and Signal Mountain.

**EIP waiver request**

Rogersville- send letter to them stating we do not send email to tell them when it is due. Motion to approve by Commissioner Specht, seconded by Commissioner Hedgepath, 8 yes and 1 no. approved

Putnam County- motion to approved by Commissioner Henry, seconded by Commissioner Solomon, approved

Milan- motion by Commissioner Kelley, seconded by Commissioner Hedgepath-approved

McGhee Tyson- motion by Commissioner Specht seconded by Commissioner Solomon approved

Maryville- motion by Commissioner Hedgepath seconded by Commissioner Specht- send letter of warning to Maryville this is the second year in a row, amended motion by Commissioner Specht and seconded by Commissioner Solomon to include letter. 8 yes 1 no. approved

Hardin County- motion by Commissioner Specht seconded by Commissioner Moore approved

Hamilton County- motion by Commissioner Hedgepath seconded by Commissioner Henry approved

Ashland City: motion by Commissioner Solomon seconded by Commissioner Specht 8 yes, 1 abstain approved

Columbia: motion by Commissioner Moore seconded by Commissioner Kelley approve

Morristown-motion by Commissioner Solomon, seconded Commissioner Hedgepath approved

Motion to add Bradley County to agenda by Commissioner Henry, seconded by Commissioner Solomon.

Motion to approve waiver by Commissioner Henry seconded by Commissioner Hedgepath approved

Brian Hodge request:

Request a waiver to allow his certification to be active that he received in 2002 Firefighter I.

In 2014, I got into politics with the Sheriffs election and they paid to vote for Sheriff. I did not take any funds from the party. The official charge came in 2017 and I please to one count D felony to being paid for voting. He was given a waiver for his paramedic license; He has a five-year probationary period on his paramedic license. He has never been in trouble before. He gave money to hauler to bring people to vote. The official charge was Feb. 2017 and the plea deal were Feb. 2009. He agrees to five years' probation, community service, \$100 fine, and cannot participate in voting process. He will be coming off probation early for good behavior. He is involved in the community, church, and other functions. He is asking to be a firefighter again.

Chief Brubaker with Loudon Fire Dept. has known Brian since 2002, he had a lapse in judgement, and he would hire him in his department.

John Anderson, Chief with Sweetwater has known him since he started, and he would hire him and does not know of any more trouble.

Director Grande: Secondary- Hodge is missing employment for at least three years. We do not know when you left the department. His Sweetwater affiliation does not reflect the application time in acadis. Acadis records were not accurate but he falls within three years from application.

Hodge- I am staying away from politics and people who lack good judgement. He focuses on his family and church. He can give you his word. He surrounds himself with professional and maintains his code of ethics. He does things to better himself. He is married now and wants to be a role model for his son and stepdaughter. This is a set back and he realized he took things too personally.

Kim Cooper: Very important this is historically reported. I will draft the agreed order.

Motion to approve to allow him to maintain his certifications and progress and be able to qualify for the educational incentive program by Commissioner Hedgepath and seconded by Commissioner Specht.

Commissioner Hedgepath: Motion to amend previous motion to include :He must attend and teach a four-hour ethics class. His probationary period with the Commission will match that of EMS, which expired in June 2025. Any trouble and everything will be revoked. seconded by Commissioner Specht.

Motion for Next meeting July 14<sup>th</sup> at 11 am and July 15<sup>th</sup> at 9 am by Commissioner Kelley seconded by Commissioner Henry

Motion to adjourn by Commissioner Windrow, seconded by Commissioner Henry.