

THE TENNESSEE COMMISSION ON FIRE FIGHTING

BUSINESS MEETING

DATE: May 9, 2023

TIME: 10:00 a.m.

LOCATION: Brentwood Library
8109 Concord Rd.
Brentwood, TN 37027

HELEN K. STEPHENS, RPR, LCR
P.O. BOX 140432
Nashville, TN 37214
615-754-0569
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A P P E A R A N C E S

Commission Members: Brian Biggs, Chairman
Present David Windrow, Vice Chairman
Shane Clark, Director
Gary Farley, Assistant Commissioner
Travis Solomon, Commissioner
Stephanie Boatright, Commissioner
Kory Green, Commissioner
William Scott, Commissioner
Sharrock Cobb, Commissioner
Jay Moore, Commissioner
Jeff Elliott, TFACA Executive Director

Legal: Leigh J. Ferguson

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CHAIRMAN BIGGS: It's May 9th. I bring the Fire Commission business meeting to order. If everyone would please stand for the prayer and Pledge of Allegiance. Prayer by David Windrow. Pledge by Travis Solomon.

(WHEREUPON, the prayer and Pledge of Allegiance were said at this time.)

CHAIRMAN BIGGS: Director, if you would please call the role.

DIRECTOR CLARK: Chairman Brian Biggs?

CHAIRMAN BIGGS: Here.

DIRECTOR CLARK: Commissioner Stephanie Boatright?

COMMISSIONER BOATRRIGHT: Here.

DIRECTOR CLARK: Commissioner Sharrock Cobb?

COMMISSIONER COBB: Here.

DIRECTOR CLARK: Commissioner Kory Green? Commissioner Kory Green? (No response.) Commissioner Michael Henry? Commissioner Michael Henry? (No Response.) Commissioner Jay Moore?

COMMISSIONER MOORE: Here.

DIRECTOR CLARK: Commissioner William Scott?

COMMISSIONER SCOTT: Here.

1 DIRECTOR CLARK: Commissioner Travis
2 Solomon?

3 COMMISSIONER SOLOMON: Here.

4 DIRECTOR CLARK: Vice chair, David
5 Windrow?

6 VICE-CHAIRMAN WINDROW: Here.

7 DIRECTOR CLARK: Role has been called.
8 We have two absentees, Mr. Chair.

9 CHAIRMAN BIGGS: I declare we have a
10 quorum. We go in to the -- there's no minutes to be
11 approved for the April meeting. They will be at our
12 following meeting in Jackson. We will go to announcements.
13 Assistant Commissioner Farley?

14 ASSISTANT COMMISSIONER FARLEY: I don't
15 have anything at this time, but I will -- (inaudible).

16 CHAIRMAN BIGGS: Director Elliott, have
17 you got anything?

18 EXECUTIVE DIRECTOR ELLIOTT: I don't.
19 Jason?

20 CHAIRMAN BIGGS: Jason?

21 JASON SPARKS: I don't have much since
22 it's been such a short time --

23 CHAIRMAN BIGGS: I'm sorry. Will you
24 state your name for the court reporter?

25 JASON SPARKS: Jason Sparks, Tennessee

1 Fire Service and Codes Academy. The only thing I'll
2 mention is we graduated 23 recruits last week. The
3 discussion around HAZMAT during the last meeting, we did
4 have -- So when we went back to campus after that, we had
5 three retake it, and I think one of those three passed with
6 a new test. And then -- so we had talked about having that
7 whole group of recruits retake this new test just as sort
8 of a test group. So I think on Thursday we had 17.
9 Basically, I just told them what was going on and asked
10 them to volunteer. So I think I had 17 out of the group
11 volunteer to retake that as a test. I don't know the
12 results, but we did have them take it. We will see how
13 that turns out.

14 CHAIRMAN BIGGS: So we just had them
15 take it just to take it to see how they scored? Not for
16 any reason?

17 JASON SPARKS: Just to see how they
18 scored. All of those that took it had already passed it.
19 This was -- because, obviously, the three that failed it to
20 begin with might not have been the best test group to take
21 it. So we wanted a good representation to see what it
22 looked like.

23 CHAIRMAN BIGGS: Director, did you get
24 the results?

25 DIRECTOR CLARK: The results have not

1 been graded as of right now. There has been some other
2 event in the test grading. We have also had some software
3 issues with the grading that was fixed yesterday. So I
4 should have that information for you. What I will do is
5 email the results out to the Commission.

6 CHAIRMAN BIGGS: That's fine. Thank
7 you. Any other announcements? Director, do we have any
8 guests on the sheet?

9 DIRECTOR CLARK: Yes, sir, we do.

10 CHAIRMAN BIGGS: We don't have an
11 agenda item?

12 DIRECTOR CLARK: It does not have an
13 agenda item, no, sir, we do not.

14 CHAIRMAN BIGGS: All right.
15 Communications director's report.

16 DIRECTOR CLARK: All right. The only
17 thing that I've really got is we have the new reciprocity
18 application online and the -- it's working very well right
19 now. Seems like we are able to process reciprocity a lot
20 quicker. I think it's going to be an easier thing for all
21 of our customers to put in their reciprocity request. So I
22 think that's going to be a huge impact. We are about four
23 departments away from having all of the volunteer incentive
24 pay paid out, or at least submitted for payment. We just
25 -- I just signed batch six; should come to you next.

1 ASSISTANT COMMISSIONER FARLEY: Might
2 be today.

3 DIRECTOR CLARK: I just signed it a
4 while ago. So that should pretty much take care of it. We
5 do have a little bit of -- departments that we are waiting
6 on corrective forms, things of that nature. But as far as
7 everything we can process, we are only about four
8 departments out -- (inaudible.) So coming in in the middle
9 of it, I think we have done really well just trying to get
10 that actually submitted out. So that's about the only
11 really thing I have right now.

12 CHAIRMAN BIGGS: Any questions for the
13 director? Hearing none, move in to old business. Textbook
14 committee.

15 DIRECTOR CLARK: So I got some
16 information back from the textbook committee. There were a
17 few people that responded, but then I had -- you're
18 stealing my stuff -- so Bradley Bailey (phonetic) actually
19 sent this to me where apparently they had originally voted
20 on what books to use. So between everything I got back and
21 this, so apparently JB, Jones and Bartlett, is the choice
22 for firefighter 1, firefighter 2, HMA, and HMO.

23 CHAIRMAN BIGGS: Commissioner Scott,
24 you got anything further on that? Did y'all meet?

25 COMMISSIONER SCOTT: I'm not on the --

1 Commissioner Henry --

2 CHAIRMAN BIGGS: Oh, he is not here.

3 COMMISSIONER SCOTT: Hey, thanks for
4 putting me on the spot.

5 DIRECTOR CLARK: That would be
6 Commissioner Henry.

7 CHAIRMAN BIGGS: Okay. Old business,
8 Pro Board letter?

9 DIRECTOR CLARK: Yes, sir. We've had a
10 little bit of feedback on when we took the Pro Board letter
11 out with the date of April 30, we were no longer going to
12 send Pro Board letters out. I, myself, have gotten some
13 feedback, and AC Farley, if we could ask Assistant
14 Commissioner Farley.

15 ASSISTANT COMMISSIONER FARLEY: Well, I
16 am the reason that this was asked to be put on the agenda
17 today. I have received phone calls from chiefs and other
18 people with concerns about this. What I'd like to do,
19 being that Shane is new and really didn't have any input or
20 whatever or conversations into the Pro Board thing, and
21 with -- Fred went to the Pro Board conference and was going
22 to have a conversation with someone, but they didn't talk
23 to him. I want to have Shane be able to have a
24 conversation with Pro Board to find out what is actually,
25 you know, being said. And that way he can come back and

1 have more knowledge of it. That way, postpone this April
2 30th deadline where he can have a discussion with them. He
3 has actually contacted them and they want to have a
4 conversation with him. I'd like to postpone it with no
5 date. That way, we can come back later on, after we find
6 out, and make a decision after he has discussions with Pro
7 Board.

8 CHAIRMAN BIGGS: So what you are asking
9 for is to just remove the date in its entirety. Is that
10 right?

11 ASSISTANT COMMISSIONER FARLEY: Yes.

12 COMMISSIONER SOLOMON: I make a motion
13 we remove the date. I put one stipulation in. I think we
14 need something in writing. It would be nice to have
15 something back so that we can make a conscious decision on
16 this instead of just verbally. I think that would help.
17 It would help myself to be able to make a better decision.

18 ASSISTANT COMMISSIONER FARLEY: Are you
19 talking about Pro Board?

20 COMMISSIONER SOLOMON: Pro Board, and
21 it would be nice for staff to provide something in memo
22 form or something to address it.

23 ASSISTANT COMMISSIONER FARLEY: Right.
24 I agree. I mean, right now -- and I have been sitting
25 around and hearing this conversation for a little while,

1 but right now I'm not certain. And when I got this
2 feedback from chiefs and others, I'm thinking, you know,
3 are we making the right decision --

4 CHAIRMAN BIGGS: Yeah.

5 ASSISTANT COMMISSIONER FARLEY: --
6 based on the facts that we understand and that we know. I
7 think we need to slow it down, let Shane have a chance as a
8 new director to find out what he knows about it. And that
9 way we can -- he can come back to the staff and the
10 Commission and go from there.

11 CHAIRMAN BIGGS: We've got a motion on
12 the floor. The motion is to remove the April 30th
13 deadline. Is that correct?

14 COMMISSIONER SOLOMON: That is correct.

15 COMMISSIONER BOATRIGHT: Second.

16 CHAIRMAN BIGGS: Second by Commissioner
17 Boatright. Any further discussion?

18 COMMISSIONER WINDROW: What's the
19 impact of the red line? Is there any?

20 DIRECTOR CLARK: On Pro Board? Is that
21 what you are asking?

22 COMMISSIONER WINDROW: Yeah. I want to
23 make sure.

24 DIRECTOR CLARK: No, I don't believe
25 there --

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COMMISSIONER WINDROW: Oh, okay.

DIRECTOR CLARK: I don't think there will be any impact that's going to -- this was just voted on in April so we have actually until the drop dead date of April 30th to stop us from sending letters to candidates that have IFSAC and we just quit sending the Pro Board letters so they can obtain the Pro Board cert. That's all this is right now.

CHAIRMAN BIGGS: Just for the record, Kory Green is present with us and, Kory, we are in discussion, motion has been made and seconded. We are ready for discussion now of dropping the April 30th deadline that we set at the last meeting.

ASSISTANT COMMISSIONER FARLEY: Let me answer what (inaudible) said. All I've heard as a reason to do it is it is too much work; okay? That's all I've heard as a reason why to do this. I have moved positions out of the State Fire Marshal's Office to the Firefighting Commission. I have asked for positions in the budget and we are adding positions in the Firefighting Commission. There's no other -- other possible opportunities, and I want to have the facts where we could make the right decision based on the right facts.

CHAIRMAN BIGGS: Right.

ASSISTANT COMMISSIONER FARLEY: That's

1 why I'm asking for this.

2 CHAIRMAN BIGGS: We were going off of
3 what was recommended from the staff --

4 ASSISTANT COMMISSIONER FARLEY:
5 Exactly.

6 CHAIRMAN BIGGS: -- and the Director.
7 I mean we had --

8 ASSISTANT COMMISSIONER FARLEY:
9 Absolutely. And I completely agree. And I'm not saying
10 that the Commission has done anything wrong. We've got a
11 new director and there's some things going on in the
12 Firefighters Commission or Division staff wise where we are
13 adding positions --

14 CHAIRMAN BIGGS: We appreciate that.

15 ASSISTANT COMMISSIONER FARLEY: We are
16 hiring people, and I want us to make the right decision for
17 the firefighters.

18 COMMISSIONER SCOTT: I have a question.

19 CHAIRMAN BIGGS: Commissioner Scott.

20 COMMISSIONER SCOTT: With them wanting
21 to have the conversation with you, did that transpire after
22 we drew the line in the sand?

23 DIRECTOR CLARK: Yes, sir.

24 COMMISSIONER SCOTT: Okay. So now my
25 follow-up question is this --

1 DIRECTOR CLARK: I reached out to them.

2 COMMISSIONER SCOTT: Right. Okay. So,
3 now, my follow-up question is what timeframe did they give
4 you to sit down and have this conversation? Because I'm
5 afraid if we take this out of the sand -- and I'm with you,
6 too where we -- because there are a couple of other things
7 I want to discuss later concerning some of these things we
8 have rushed here recently.

9 But this is something that we have been
10 talking about for almost a year, and I want to know what
11 timeframe they gave you to sit down. Because if we take
12 this away, this date away, is that going to give them a
13 chance to go ahead and do some stall tactics? I don't
14 know, but these are some things that I want to make sure,
15 yes, this is the direction we want to go. But I want to
16 make sure also that they are not going to go ahead and turn
17 around and stonewall you because we took the date away.

18 DIRECTOR CLARK: So, originally, I
19 reached out by phone, and the gentleman I talked to, which
20 was the accreditation manager for Pro Board, I talked to
21 him. And he was, like, Oh, so you are the new director,
22 who is your staff? And things of that nature. He said, I
23 am unable to talk about this. It has moved to the
24 executive level. He said, I will forward your email that
25 you sent with your information up to the executive level.

1 And the executive secretary got back with me. They were
2 going to try to set up something at FDIC. I was unable to
3 make FDIC. We are now looking in June to actually schedule
4 a date. So I'm just waiting on them to give me a date in
5 June. They asked me for my availability in June, and I
6 have given them that.

7 COMMISSIONER SCOTT: Okay. So they
8 want to have a meeting in June, not wait until June to set
9 it --

10 DIRECTOR CLARK: They have said they
11 want a meeting in June.

12 CHAIRMAN BIGGS: Is this in person?

13 DIRECTOR CLARK: This is in person,
14 yes.

15 CHAIRMAN BIGGS: Keep us in the loop.

16 DIRECTOR CLARK: Yes, sir.

17 CHAIRMAN BIGGS: Commission Windrow.

18 COMMISSIONER WINDROW: We only set this
19 -- I can't believe chiefs are calling now. We did
20 empirical data; of 2,000 responses, less than 30 took this
21 option. It was just -- it wasn't -- it wasn't a good
22 service delivery model for efficiency or cost. People
23 weren't taking it. So the letters were wasted letters.
24 It's funny you are hearing from chiefs now. Of those 30
25 there was probably 15 people that did more than one,

1 usually, typically. So for 15 people, we are undoing the
2 work that we spent a year on. I'm just thinking out loud.

3 ASSISTANT COMMISSIONER FARLEY: I
4 agree. I understand. I'm not saying we won't --

5 COMMISSIONER WINDROW: Won't get there
6 --

7 ASSISTANT COMMISSIONER FARLEY: --
8 won't get there. Out of fairness to our new director --

9 CHAIRMAN BIGGS: Give him the
10 opportunity --

11 VICE-CHAIRMAN WINDROW: Give him the
12 opportunity. That's fine.

13 MS. FERGUSON: Do we know how notice
14 was provided?

15 CHAIRMAN BIGGS: Notice provided to
16 what?

17 MS. FERGUSON: To the fire chiefs in
18 April?

19 CHAIRMAN BIGGS: I mean --

20 DIRECTOR CLARK: I think that was just
21 more word of mouth than it was --

22 CHAIRMAN BIGGS: I think we sent a
23 survey out. Our staff sent a survey out.

24 MS. FERGUSON: So we sent a survey out
25 to get the information, but the Commission never sent

1 anything to say this is where we are going. So, normally,
2 when the Fire Marshal's Office makes changes like that, we
3 give people plenty of notice so they are not surprised --

4 VICE-CHAIRMAN WINDROW: I don't want to
5 speak for this chief. I don't care if they were Pro Board.
6 The only thing Pro Board does is let you leave the state.
7 So I'm not going to argue for it as a chief. Now, as a
8 firefighter I may argue for it.

9 ASSISTANT COMMISSIONER FARLEY: We may
10 get to where we're at -- to where we're at now --

11 CHAIRMAN BIGGS: Give them time.

12 ASSISTANT COMMISSIONER FARLEY: I just
13 think --

14 DIRECTOR CLARK: After that
15 conversation I had, it just makes me feel like something
16 has happened. When the general manager of accreditation
17 will not speak to me on any of the issues, I feel like I
18 just need to sit down and have a conversation --

19 CHAIRMAN BIGGS: I agree --

20 DIRECTOR CLARK: What did happen?
21 Where do we need to go with this?

22 CHAIRMAN BIGGS: Exactly.

23 DIRECTOR CLARK: So, I mean, as far as
24 the letter and not doing Pro Board, that's completely up to
25 this Panel. But, I will be trying to get clarification on

1 what happened with Pro Board because I don't know, and my
2 staff really is not forthcoming with a lot of information
3 about what happened. They are putting it in Pro Board's
4 lap, basically.

5 CHAIRMAN BIGGS: So do you think by
6 removing the date in its entirety will slow down the
7 process of their urgency?

8 DIRECTOR CLARK: I don't think so
9 because I don't think they even know that has happened on
10 their end. I didn't allude to that. And, like I said, I
11 reached out to Pro Board. Pro Board did not reach out to
12 me.

13 ASSISTANT COMMISSIONER FARLEY: Once he
14 told me what they said and the phones calls that I got and
15 some meetings that he showed up at, the chiefs meetings --

16 DIRECTOR CLARK: Yeah, I got the same
17 thing.

18 ASSISTANT COMMISSIONER FARLEY: You got
19 the same thing at the chiefs meetings?

20 DIRECTOR CLARK: Gotcha.

21 ASSISTANT COMMISSIONER FARLEY: The
22 regional chiefs meetings?

23 DIRECTOR CLARK: Yes.

24 ASSISTANT COMMISSIONER FARLEY: And I
25 had a conversation somewhere else, and, I'm like, wait a

1 minute; we need to slow down; get the facts where we can
2 make the right decision, not make a hasty decision. It may
3 wind up being the same decision made, but that way out of
4 fairness to him, you know.

5 CHAIRMAN BIGGS: We got it. Any
6 further discussion?

7 COMMISSIONER COBB: I have a question.
8 Since we set a date of April 30th, do we need to go back
9 and address that? Has there been any testing or anything
10 that we might need to send...

11 DIRECTOR CLARK: There has been -- yes,
12 we have had testing. All of the recruits just passed
13 Firefighter I. So they did not get a Pro Board letter but
14 I mean that's as easy as going back a Pro Board letter.
15 And that's as easy as going back in and just adding that if
16 that's what we want to do.

17 CHAIRMAN BIGGS: That's a good catch,
18 Commissioner Cobb so we could go back and issue them back
19 like the date never happened.

20 COMMISSIONER SOLOMON: Can I amend my
21 motion to make that retroactive and we include the --

22 CHAIRMAN BIGGS: Ones that happened --

23 COMMISSIONER SOLOMON: -- ones that
24 have happened --

25 CHAIRMAN BIGGS: Anything that's

1 happened from April 30th?

2 COMMISSIONER SOLOMON: Yes.

3 CHAIRMAN BIGGS: Motion has been made
4 and amended.

5 COMMISSIONER BOATRIGHT: Second.

6 CHAIRMAN BIGGS: And properly seconded.

7 Any further discussion? All right. Hearing none,
8 Director, will you call the role?

9 DIRECTOR CLARK: All right. Chairman
10 Brian Biggs?

11 CHAIRMAN BIGGS: Yes.

12 DIRECTOR CLARK: Commissioner Stephanie
13 Boatright?

14 COMMISSIONER BOATRIGHT: Yes.

15 DIRECTOR CLARK: Commissioner Sharrock
16 Cobb?

17 COMMISSIONER COBB: Yes.

18 DIRECTOR CLARK: Commissioner Kory

19 Green?

20 COMMISSIONER GREEN: Yes.

21 DIRECTOR CLARK: Commissioner Michael

22 Henry? Michael Henry is absent. Commissioner Jay Moore?

23 COMMISSIONER MOORE: Yes.

24 DIRECTOR CLARK: Commissioner William

25 Scott?

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COMMISSIONER SCOTT: Yes.

DIRECTOR CLARK: Commissioner Travis
Solomon?

COMMISSIONER SOLOMON: Yes.

DIRECTOR CLARK: Vice-Chair David
Windrow?

VICE-CHAIRMAN WINDROW: Yes.

DIRECTOR CLARK: I have all yeses and
one abstain or absent.

ASSISTANT COMMISSIONER FARLEY: Did
Kory --

COMMISSIONER BOATRIGHT: Yeah, he did.

ASSISTANT COMMISSIONER FARLEY: He did.
Okay. Thank you all for entertaining my request. I feel
very adamant that we need to do this, and I thank you for
that vote.

CHAIRMAN BIGGS: The motion carries.
We can go back and do it if you want to take action on it
-- (inaudible) --

THE COURT REPORTER: I can't hear what
y'all are saying.

CHAIRMAN BIGGS: Director would like to
go back to the textbook committee, and he would like for us
to, if we feel there is enough information, to take action
on the Jones and Bartlett book curriculum.

1 VICE-CHAIRMAN WINDROW: I make a motion
2 we accept the recommendation.

3 COMMISSIONER SCOTT: Second.

4 CHAIRMAN BIGGS: Motion has been made
5 by Commissioner Windrow to accept the recommendation from
6 the textbook committee, properly seconded by Commissioner
7 Scott. Any further discussion? All those in favor signify
8 by saying "aye."

9 (All members present voted "aye.")

10 CHAIRMAN BIGGS: Any opposed?

11 MS. FERGUSON: Is that effective today
12 moving forward or is there a time --

13 DIRECTOR CLARK: If we could, I would
14 just need a little bit of timeframe to make sure that we
15 have the testing and all that. And we need to communicate
16 that out that we will be testing from Jones and Bartlett
17 for the specific titles. So, I don't know, what, 30 days
18 at least so we can communicate that out?

19 VICE-CHAIRMAN WINDROW: Everybody with
20 Metro is using it now; right?

21 DIRECTOR CLARK: Yeah, pretty much.

22 VICE-CHAIRMAN WINDROW: We've got to
23 call them.

24 CHAIRMAN BIGGS: We are going to call
25 you. (Cross-talk.)

1 ASSISTANT COMMISSIONER FARLEY: Is it
2 90 days that y'all are talking about doing or --

3 CHAIRMAN BIGGS: How much time do you
4 need?

5 DIRECTOR CLARK: If I could at least
6 have 30 days to get the communication out, 30 to 60 days.
7 Is there anything that says one way or the other?

8 (Cross-talk.)

9 COMMISSIONER MOORE: July 1.

10 CHAIRMAN BIGGS: Commissioner Moore
11 makes a motion to have it in effect July 1 -- by July 1?

12 COMMISSIONER MOORE: Yes.

13 COMMISSIONER SOLOMON: I second.

14 VICE-CHAIRMAN WINDROW: There's two big
15 departments it affects, and one of them is here. She may
16 have to -- they may have to budget for this.

17 CHAIRMAN BIGGS: Second by Commissioner
18 Solomon. Further discussion?

19 VICE-CHAIRMAN WINDROW: Yeah. I'd like
20 to hear from (inaudible).

21 HEATHER ZIMMERMAN: Heather Zimmerman,
22 Nashville Fire Department. As far as budgeting, we have to
23 buy the books anyway. The only thing that's going to cause
24 an issue is we already use ResourceOne as the platform, the
25 online digital platform for our recruits. So this is going

1 to change how we administer all in-service to our fire
2 department. This is not only going to affect our recruits
3 as far as their testing, but, like I said, we use the
4 ResourceOne platform to administer all of our in-service,
5 too. So this is going to be a big ordeal for us. So it's
6 not just a matter of buying books for them but...

7 CHAIRMAN BIGGS: Director Elliott?

8 EXECUTIVE DIRECTOR ELLIOTT: Just going
9 to say, so, in other words, your awareness and ops, if they
10 are still going to be tested underneath the International
11 Association, that wouldn't affect them because they are
12 still going to get that -- Pro Board you can get
13 reciprocity. And just to make sure you know what they are
14 saying, your curriculum is still approved. It just means
15 the fire -- in y'all's case, your Firefighter I test
16 questions would be validated to Jones and Bartlett rather
17 than IFSTA. I just want to make sure you know we are not
18 saying your curriculum isn't approved.

19 HEATHER ZIMMERMAN: So we can still use
20 them?

21 EXECUTIVE DIRECTOR ELLIOTT: Yes.

22 (Cross-talk.)

23 DIRECTOR CLARK: You can still use
24 whatever you want to. The only thing that this affects is
25 the Commission testing. So we are -- our tests will be

1 from the Jones and Bartlett curriculum, but you are more
2 than welcome to still use the IFSTA manuals, whatever you
3 want to, in your curriculum. Just know the Commission test
4 will be coming from Jones and Bartlett. Right now, and I
5 don't know if you know this. Let me give you just a little
6 bit of -- what was happening is because we didn't have a
7 specific book to test from, we were having to make tests
8 from two different textbooks. So what we are trying to do
9 is eliminate that where we are only using test banks from
10 one book per whatever discipline it is. Okay. So, no, it
11 doesn't affect what you do on your own. It's just the
12 Commission is going to test from Jones and Bartlett.

13 VICE-CHAIRMAN WINDROW: In theory, it
14 shouldn't change; one thousand one is one thousand one, you
15 know, both books. You can do some data analysis and see
16 the test scores. It may not. It shouldn't affect it.

17 HEATHER ZIMMERMAN: We start a new
18 recruit class middle of July, so we may go for continuing
19 to use IFTSA if the new test bank is in place from Jones
20 and Bartlett and see how it goes. Then we will make that
21 decision.

22 DIRECTOR CLARK: No, we are not asking
23 you -- we are not asking you to go to Jones and Bartlett.
24 It is just for the Commission to test from.

25 HEATHER ZIMMERMAN: Thank you.

1 CHAIRMAN BIGGS: Further discussion?

2 VICE-CHAIRMAN WINDROW: I'd like to
3 amend the motion to July 1st.

4 ASSISTANT COMMISSIONER FARLEY: I'd
5 like to see staff at the Commission and at the Academy
6 watch that. So I want to know what happened, like, on the
7 fire spectrum testing, make sure that nothing goes haywire.
8 Once it starts going haywire somebody needs to step in and
9 correct it, just to make sure we're on the safe side.

10 CHAIRMAN BIGGS: So the motion is, just
11 to be clear, Commissioner Moore says the Jones and Bartlett
12 testing will come from -- Commission testing will come from
13 Jones and Bartlett effective July 1. Is that fair?

14 COMMISSIONER MOORE: (Nods head up and
15 down.)

16 CHAIRMAN BIGGS: Properly seconded by
17 who?

18 COMMISSIONER SOLOMON: Commissioner
19 Solomon.

20 CHAIRMAN BIGGS: Commissioner Solomon.
21 Any further discussion?

22 EXECUTIVE DIRECTOR ELLIOTT: I don't
23 know the answer to what I'm fixing to propose, but, in
24 other words, if currently that Firefighter I test bank
25 comes from PTS, if you eliminate all of the IFSTA, is Fred

1 going to say there's enough questions in that bank? And,
2 if the answer is no, if you have to turn around and
3 purchase test banks from Jones and Bartlett, is he going to
4 have time to validate all those before he gets them in
5 operation? I'm just -- and I don't think anybody knows
6 that answer, but I'm just saying that's something that
7 could be a challenge. If the existing -- if the existing
8 test bank, once we eliminate all the IFSTA, if there's not
9 enough --

10 DIRECTOR CLARK: Time --

11 EXECUTIVE DIRECTOR ELLIOTT: -- that
12 could be a challenge. So I'm just making y'all aware of
13 that.

14 DIRECTOR CLARK: That gives us --

15 VICE-CHAIRMAN WINDROW: Two months.

16 DIRECTOR CLARK: Yeah, that gives us
17 two months. Surely -- my understanding is the Jones and
18 Bartlett, the test bank that we are going to get from them,
19 we will have plenty of test questions.

20 EXECUTIVE DIRECTOR ELLIOTT: It will
21 probably be easier to validate that.

22 DIRECTOR CLARK: Yes, it will be a
23 whole lot easier to validate. So I don't see that that's
24 going to be an issue.

25 ASSISTANT COMMISSIONER FARLEY: I think

1 that needs to be found out pretty quick because July 1 is
2 going to be here quick.

3 DIRECTOR CLARK: If y'all want to move
4 it a little further out, that's fine with me.

5 CHAIRMAN BIGGS: My recommendation
6 would be to bump it to August 1 and discuss it at our July
7 meeting to see if --

8 DIRECTOR CLARK: If we are ready in
9 July then maybe --

10 COMMISSIONER MOORE: Amend the motion,
11 yes.

12 COMMISSIONER SOLOMON: I second.

13 LEIGH FERGUSON: Add a notification to
14 all the departments --

15 DIRECTOR CLARK: Yes, yes. That's
16 something that I definitely want to get out because just
17 like Metro, I want to be able to explain that you can still
18 do whatever you are doing. We are just changing what we
19 are doing.

20 CHAIRMAN BIGGS: Test banks.

21 DIRECTOR CLARK: Yes. So we are going
22 to move it to August 1st.

23 CHAIRMAN BIGGS: Motion has been to
24 move it to August 1st and properly seconded for the
25 amendment. Any further discussion? Hearing none all those

1 in favor signify by saying "aye."

2 (All members present voted "aye.")

3 CHAIRMAN BIGGS: Any opposed.

4 (No response.)

5 CHAIRMAN BIGGS: All right.

6 DIRECTOR CLARK: So in July I should
7 have a good knowledge if we can make that date with no
8 problem, and we can look at it. And, hopefully, also in
9 July I'll have some information on Pro Board also.

10 CHAIRMAN BIGGS: All right. Next item
11 on the agenda is TACA has requested a course if we have got
12 that.

13 DIRECTOR CLARK: Yes, it was attached.
14 It was attached.

15 CHAIRMAN BIGGS: Has everybody had a
16 chance to look over that. Any questions? We do have
17 someone here from TACA. Mr. Jeremy is here. If you've got
18 any questions he can probably answer them.

19 VICE-CHAIRMAN WINDROW: Move for
20 approval.

21 CHAIRMAN BIGGS: Motion by Commissioner
22 Windrow to approve.

23 COMMISSIONER GREEN: I'll make a
24 second.

25 CHAIRMAN BIGGS: Second by Commissioner

1 Green. Any further discussion? Jeremy, did you need to
2 say anything?

3 MR. WOODS: I'm Jeremy Woods from TACA.
4 I was just here to answer any questions if you had any
5 questions.

6 CHAIRMAN BIGGS: Any further
7 discussion? Hearing none, all those in favor signify by
8 saying "aye."

9 (All members present voted "aye.")

10 CHAIRMAN BIGGS: Any opposed, same
11 sign. The "ayes" have it. Thank you, sir.

12 MR. WOODS: Thank y'all.

13 CHAIRMAN BIGGS: Any other business?
14 All right. This is the opportunity for the audience to
15 make comments or ask questions of the Commission regarding
16 the actions taken in today's meeting. Is there anyone in
17 the audience that wishes to address the Commission? All
18 right. Hearing none, the dates of our future meeting, we
19 will have a work session July 17, 2023, at 1:00 at the City
20 of Jackson Fire Prevention and Training Center. Business
21 meeting will follow on July 18th at the same location at
22 9:00 a.m.

23 COMMISSIONER SCOTT: Mr. Chairman?

24 CHAIRMAN BIGGS: Yes, sir?

25 COMMISSIONER SCOTT: What we have done

1 here with the HMA, HMO going to Jones and Bartlett, I have
2 a question and I referenced it earlier. Did we move too
3 quickly on pulling out the mission specifics out of the
4 testing for HMO? The reason why, I spoke to an instructor
5 from the CDP down in Anniston, and talking to them about
6 what we were doing. And one of his questions he threw back
7 at me was, are we as the Commission tracking the questions
8 that are being missed that are causing these failings that
9 we have seen over the past three years? And, if we are,
10 why are we not throwing those questions out as bad
11 questions? Are we tracking these questions?

12 CHAIRMAN BIGGS: Not that I'm aware of.

13 COMMISSIONER SCOTT: That's what I
14 thought, too. So I would like to say that moving forward
15 when we are running into this situation where we are having
16 a test where we are seeing a failure rate go -- sky rocket,
17 we need to track these questions. We need to see if these
18 are the same questions being missed by every single person
19 that's creating this fail.

20 CHAIRMAN BIGGS: Yeah.

21 COMMISSIONER SCOTT: And, at that
22 point, take action to remove those questions because it
23 could be bad questions.

24 DIRECTOR CLARK: So we were not, per
25 se, tracking each individual question. If we do have

1 somebody that says it's a bad question, obviously, we are
2 looking at it from that standpoint. What -- the biggest
3 issue, that now we can really track some questions, is we
4 only had 10 questions. So now that we have 25 questions, I
5 think we will be able to actually track some questions a
6 lot better and have a better knowledge of what's being
7 missed.

8 THE COURT REPORTER: Can you shut that
9 door, please.

10 DIRECTOR CLARK: So, yes, moving
11 forward we will move differently to try that.

12 ASSISTANT COMMISSIONER FARLEY: She
13 can't hear y'all.

14 THE COURT REPORTER: Thank you.

15 (Lawnmower noise.)

16 COMMISSIONER SCOTT: So when we took
17 Commission specifics out (inaudible) and we made it as a
18 prereq for HAZMAT tech, it's not a prereq for HAZMAT tech.
19 It's a mission specific that's in 472 that's part of HMO.
20 So was it a wise decision that we made by pulling those out
21 of the HMO test?

22 DIRECTOR CLARK: I do believe with the
23 JVR (phonetic) that they didn't have to be in there. It's
24 the reason that we pull those out, because they didn't
25 necessarily have to be in there for HMO. My understanding

1 was that that's the reason we were able to pull those two
2 specific areas out. What we were trying to do, then, when
3 we took those out, is we could extend the questions of PPE
4 and quality control to 25 questions each.

5 COMMISSIONER SCOTT: Which those --
6 those two are mission specifics also in 472. I just -- we
7 have been pushed a lot of information, and we have had to
8 make decisions almost in a rush in some sense, and I just
9 feel that maybe we rushed on this also. And without
10 tracking questions, seeing what are bad questions -- you
11 know we have known the HMA or the HMO test has been an
12 issue for the past few years. What have we done to -- for
13 our stakeholders? What have we done for them to see --
14 besides, oh, well, let's go ahead and throw these two
15 pieces off and make them stand alones as prereqs? But we
16 are not really looking at what the possible problem is.
17 And the possible problem is a bad test with bad questions.

18 ASSISTANT COMMISSIONER FARLEY: Or the
19 grading.

20 DIRECTOR CLARK: The grading is the
21 issue.

22 CHAIRMAN BIGGS: Would a new test be in
23 place by --

24 DIRECTOR CLARK: HMO is already in
25 place.

1 CHAIRMAN BIGGS: Can we -- can we
2 report back and put this on our workshop in June and July
3 and maybe have -- give him time to gather some data of this
4 information? Would that satisfy you?

5 COMMISSIONER SCOTT: It would.

6 DIRECTOR CLARK: We just -- we just
7 pushed -- to give you a little bit -- just like -- just
8 like Director Elliott said that we did and Jason Sparks
9 that said that we did use them, there was a few that
10 volunteered to take it. I will have those numbers. But as
11 of the 10th, I think it was or -- no, today is the 9th --
12 as of the 5th we have -- the 10th was my deadline to get
13 them out. We have all the contractors, HMO tests in hand,
14 all the old tests have been gathered so that the new HMO
15 test from the 5th out will be being used. So we will be
16 able to look at that in a little closer fashion now that it
17 is going to be statewide.

18 COMMISSIONER GREEN: Commissioner
19 Green. Question. And y'all may have said it before I got
20 here. I apologize about being late. What were the results
21 of the ones who volunteered to take it, you know, the
22 recruit class? How did they fare?

23 CHAIRMAN BIGGS: We haven't gotten
24 those back.

25 COMMISSIONER BOATRRIGHT: He is going to

1 email.

2 DIRECTOR CLARK: They just took them
3 Thursday. We had a little bit of a software issue with our
4 grading. So we got that fixed yesterday so I should be
5 able to have those results no later than --

6 CHAIRMAN BIGGS: Only 17 of them
7 volunteered to take it.

8 COMMISSIONER GREEN: Right. I just
9 wondered.

10 DIRECTOR CLARK: You weren't here, but
11 just to follow up with that, the three that needed to
12 retake HMO took it and one out of the three passed; one out
13 of the three still failed PPE; and the one that needed to
14 take -- I forgot what the other one was.

15 EXECUTIVE DIRECTOR ELLIOTT: One failed
16 all three.

17 DIRECTOR CLARK: We had one do worse,
18 one do better, but not quite enough, and, then, one that
19 failed another section that he didn't fail the first time,
20 I think is what -- just in those three retakes.

21 COMMISSIONER SCOTT: Mr. Chairman,
22 Commissioner Farley has --

23 CHAIRMAN BIGGS: Yes, sir.

24 ASSISTANT COMMISSIONER FARLEY: I'm
25 going to give you my opinion on this, and it's based on

1 what I hear. I think the problem is, on the failure rate
2 on HMO, is when you fail one part of it you fail all of it.
3 You could make an 80 on it and still fail it. That's the
4 problem. That's what I have been harping on for two years
5 now.

6 CHAIRMAN BIGGS: I think we have fixed
7 that problem.

8 ASSISTANT COMMISSIONER FARLEY: We did?

9 CHAIRMAN BIGGS: Separate it out.

10 DIRECTOR CLARK: Well, we haven't fixed
11 that problem, no. What we have done is, so, now when you
12 take an HMO test brand new it's still going to be graded in
13 three different sections. If you fail PPE, you fail
14 operations, or you fail product control, you will only
15 retake whatever section you failed. Okay. So that is a
16 fix that we are going to try. Because we are still getting
17 a little that it has to be graded in three separate tests
18 instead of graded as a 100-question test. I am researching
19 that because I am not getting a direct answer on the front
20 end of why we have to do that.

21 COMMISSIONER SCOTT: That's why I'm
22 questioning it. That's why I'm putting the questions out
23 now.

24 ASSISTANT COMMISSIONER FARLEY: That's
25 why I brought up what I brought up while ago.

1 DIRECTOR CLARK: Yes.

2 COMMISSIONER SCOTT: We are being
3 pushed things --

4 DIRECTOR CLARK: I understand.

5 COMMISSIONER SCOTT: -- to react today
6 whereas we are not having enough time to really dig deep
7 into it to see what all the corners are hiding.

8 DIRECTOR CLARK: Yes. So here is my
9 thing with the Commission, is I have been here two months.
10 I will research this stuff. There will be no in the dark
11 from here out. You will understand exactly what is being
12 brought for you in front of you, if you will give me the
13 time to do the actual research that needs to be done on
14 these issues.

15 This stuff will have to come through me
16 before it goes to you, so I will definitely make sure that
17 this Commission, that this Board is completely informed and
18 will be able to make the decisions that they need to make.

19 COMMISSIONER SCOTT: Thank you.

20 LEIGH FERGUSON: How far back do you
21 want to look so Shane sort of knows the parameters of how
22 much information to gather?

23 COMMISSIONER SCOTT: I would be happy
24 with the past six months. Let's not go all the way back,
25 but let's at least look at the last six months and see in

1 that six-month period how many failings we had, and on
2 those failings how many of those questions were repeat that
3 were failing these people. Because is it possible that
4 those questions were not being covered in -- not that we
5 have bad instructors, but maybe it's just not being covered
6 in the information we are putting out.

7 So, I mean, I think moving forward when
8 we run into a situation like this where we are seeing a
9 spike in failings, I think we need to go back and look at
10 the data. We are in a very data driven society today. We
11 are in a very data driven fire department today. And if we
12 are not utilizing the data to get the answers we are
13 needing, we are failing ourselves as well as our
14 stakeholders.

15 COMMISSIONER COBB: I have a question
16 about the data, if we could. Is there a way we could ask
17 the departments are they teaching from IFSTA, are they
18 teaching from Jones and Bartlett, or are they using FEMA?

19 CHAIRMAN BIGGS: We have been down that
20 road, and it's hard to get the people to tell you what they
21 are doing. You have seven hundred and something fire
22 departments and to try to get that information...

23 LEIGH FERGUSON: Can you ask it on the
24 test from the test taker? Would they know?

25 CHAIRMAN BIGGS: I mean, I guess we

1 probably could ask them, but, I mean, it would be hard.
2 You could put question 101 (cross-talk).

3 DIRECTOR CLARK: It would be hard for
4 us to grade that. What we could do is do, like, an end of
5 test question or something like that. We might could
6 gather some data that way.

7 LEIGH FERGUSON: Do they apply or how
8 do they request to take the test?

9 DIRECTOR CLARK: Through Acadis.

10 LEIGH FERGUSON: Can we add a question
11 on Acadis?

12 COMMISSIONER GREEN: That's what I was
13 going to ask, because I know here recently on Acadis it's,
14 you know, the question has been added: Are you career or
15 volunteer? Can you not put that in as a drop-down --
16 (Cross-talk.)

17 DIRECTOR CLARK: I'm sure I can.

18 COMMISSIONER GREEN: Just make that a
19 mandatory thing that they've got to check --

20 CHAIRMAN BIGGS: Answer one of them.
21 That may be a way to do it. We couldn't do it on a test.

22 DIRECTOR CLARK: Yeah, we'd have to do
23 it on an evaluation form. At the end of the test you have
24 to fill out an evaluation. But if we can do it through
25 Acadis, that's fine.

1 CHAIRMAN BIGGS: How easy is the
2 information to pull out of Acadis and get it in there?

3 DIRECTOR CLARK: Some things are easier
4 than others. I am learning a lot of how much we can
5 actually utilize Acadis. One of the things is running a
6 lot of reports, and we are working on doing that.

7 ASSISTANT COMMISSIONER FARLEY: I just
8 got through improving -- \$14,000 was spent between the
9 Firefighter Commission and the Academy and (inaudible) to
10 run more reports. So that's coming. Also, business
11 approval (inaudible). And I think that could be added into
12 Acadis. All she has to do is work with Acadis to do that.

13 CHAIRMAN BIGGS: All right. Any
14 further discuss on this? The Director will come back with
15 us with a report on the testing results by the July
16 workshop.

17 VICE-CHAIRMAN WINDROW: Have we seen
18 improvement? Because it looks like about 40 percent of
19 states using the IFF HAZMAT right now. Have the results
20 improved or stayed about the same? Appears they've
21 improved for that class.

22 DIRECTOR CLARK: Yes. The HMO through
23 IFF, they have a great pass rate, from what it looks like,
24 based on the numbers that come in to us for reciprocity.
25 Okay. So that's the only thing I can go by.

1 VICE-CHAIRMAN WINDROW: Obviously,
2 Memphis, Nashville, Murfreesboro, Franklin, they are all
3 teaching the IFF first.

4 ASSISTANT COMMISSIONER FARLEY: There
5 is a different way of teaching a team when it comes to
6 HAZMAT.

7 CHAIRMAN BIGGS: Yes, Jason?

8 JASON SPARKS: Based on my time, I
9 don't think it's a curriculum problem because, as
10 evidenced, I mean, those larger departments that are using
11 this that are using Pro Board, and they are doing that, you
12 know, for a reason. Because this one, the fail rate has
13 been really high. And it's been across every curriculum.
14 I mean, everybody I have talked to across the state, you
15 know, it's based on the test, I think, more than it is the
16 curriculum. That's my opinion.

17 CHAIRMAN BIGGS: Thank you. Any
18 further discussion?

19 VICE-CHAIRMAN WINDROW: Well, before we
20 adjourn, because I'm not sure on Robert's Rules of Order.
21 Since this was supposed to be our rule hearing, do we need
22 to set a date while we are in session? Because if we go
23 out of session we can't set a date at workshop. Then you
24 have to wait until July to set the --

25 LEIGH FERGUSON: It's going to be July.

1 VICE-CHAIRMAN WINDROW: Okay.
2 (Cross-talk.)
3 LEIGH FERGUSON: It's July.
4 DIRECTOR CLARK: We do have a rule
5 hearing in July?
6 LEIGH FERGUSON: We are going to have
7 the hearing in July for the rules that we are talking about
8 in just a minute. We will have a formal hearing.
9 ASSISTANT COMMISSIONER FARLEY: In
10 Jackson.
11 DIRECTOR CLARK: Okay.
12 CHAIRMAN BIGGS: You got something,
13 Steve?
14 UNIDENTIFIED SPEAKER: Well, I am
15 trying to --
16 THE COURT REPORTER: Will you state
17 your name, please?
18 STEVE CROSS: I forgot. Steve Cross,
19 MTAS, University of Tennessee MTAS. I just want to tell
20 y'all how much I thank you for this conversation today.
21 I'm an old person in the fire service. I remember when the
22 IFSAC seal was chipped in stone.
23 I also never forget going to the academy taking my Fire
24 Officer III pilot class and then taking my Commission exam
25 and passing it. And I was on the verge of thinking about

1 retiring, so I wanted my Fire Officer IV before I did that.
2 Tennessee didn't quite offer it just yet. So I called
3 another state to get into their academy and can't get there
4 because I don't have an IFSAC or a Pro Board seal on my
5 Fire Officer III. Well, lo and behold, six or eight months
6 later we get that accreditation. So then I got a seal, and
7 y'all got it approved that we could go back and get a seal.
8 So then I got my seal, I was able to get into the class so
9 I just want to let y'all know there's a lot of value to the
10 IFSAC Pro Board seal than leaving the state of Tennessee.
11 Sometimes it helps us further our education. But, always,
12 whether you are at FDIC, if you are at a conference outside
13 the state, if you have an accredited certification, your
14 education is valued just as much as that person from that
15 other state. I remember the days when Tennessee
16 certifications were only recognized in Tennessee. We were
17 out on an island. And to me it's just nuts to think about
18 giving people reciprocity for things we can't even earn
19 here in the state. If we can't earn a Pro Board here, why
20 on earth would we give a reciprocity for it, all those type
21 things?

22 I really appreciate y'all's
23 conversation today. I think slowing down and taking it
24 easy, I appreciate Assistant Commissioner Farley for
25 bringing that up. I mean, you've got a great idea right

1 there. I just appreciate y'all and appreciate the
2 conversation and thank you for taking the time to really
3 look at this again and again before you do something.

4 CHAIRMAN BIGGS: Thank you, Chief.
5 Anything else?

6 VICE-CHAIRMAN WINDROW: Motion to
7 adjourn.

8 COMMISSIONER SCOTT: Second.

9 CHAIRMAN BIGGS: Motion by Commissioner
10 Windrow to adjourn and a second by Commissioner Scott. Any
11 further discussion? Hearing none, all those in favor to
12 adjourn signify by saying "aye."

13 (All members present voted "aye.")

14 CHAIRMAN BIGGS: Opposed same sign.

15 (Meeting was adjourned at 10:53 a.m.)

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Dated: June 16, 2023

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