

**THE TENNESSEE COMMISSION ON FIREFIGHTING  
PERSONNEL STANDARDS AND EDUCATION**

Commission on Firefighting Personnel Standards & Education

Minutes

August 6<sup>th</sup> and 7<sup>th</sup>, 2014

Madison County, TN

**August 6, 2014 Work Session**

**Attendance:**

David Dorris Jackson Fire, Tony Standley Nashville Fire, Blake Boros Bartlett Fire, Stacy Rucker Nashville Fire, Steve Cross TFFC, Charles Chambers TFFC, Mike Bryan Spring Hill Fire, Damon Romano C&I, Joseph Underwood C&I

Roll Call was called at 9:00 Commission Members present were: Mark Finucane, Chair; Thomas J. McCormack; Charles M. Vance; Brian C. Biggs; Michael A. Slay, Secretary; Gerald Wakefield. Ex-officio non-voting member present: Roger Hawks.

Commission Members absent from the meeting: Frank Cotton. Ex-officio non-voting member absent: Julie Mix McPeak, Commissioner.

The topics of the work session discussion are from the following:

- Electronic Certificates were discussed and staff will be looking at ways to move toward this in the future.
- All firefighters having Acadis access was discussed.
- Director's Job Plan Review was discussed
- Board member orientation manual was discussed with additions being made.
- Website changes was discussed by the director and demonstrated to the commission.
- Policy and rulemaking information was presented by Joe Underwood.
- Web forms presentation was presented to the commission.
- Report from the recent comptrollers audit was discussed.
- Damon Romano from legal presented a presentation on the state's sunshine law to the commission.

**August 7, 2014 Business Meeting**

Those in attendance: David Dorris Jackson Fire, Tony Standley Nashville Fire, Blake Boros Bartlett Fire, Stacy Rucker Nashville Fire, Steve Cross TFFC, Charles Chambers TFFC, Mike Bryan Spring Hill Fire, Joseph Underwood C&I

The meeting of the Tennessee Firefighting Commission on Personnel Standards and Education was called to order by Chairman Mark Finucane at 9:00 A.M. on August 7, 2014 at Madison County Fire Department. Roll was called and the Commission members in attendance were Brian Biggs, Mark

Finucane, Thomas McCormack, Michael Naifeh, Michael Slay, Matthew Sorge, Charlie Vance and Gerald Wakefield. Non-Voting Roger Hawks was present.

Commission members absent from the meeting: Frank Cotton and Ex-officio non-voting member Julie McPeak.

Motion to approve the April, 2014 minutes by Sorge, seconded by McCormack, motion carries.

#### **Announcements:**

Commissioner Cotton became ill and returned home yesterday. Thanks to Madison County Fire Department and Chief Turner and his wife Kim Turner. Damon Romano did a fine presentation on the sunshine law. Matt Sorge was reelected as commissioner. Sept 6<sup>th</sup> at TFACA will be the annual memorial service for fallen firefighters starting at 4 pm.

Guests – Stacey Rhoads- not present as of yet

#### **Communications:**

Jeff Elliott- report from TFACA- June 26<sup>th</sup> and 27<sup>th</sup> hosted chief training officer symposium. There were 88 people attended from 51 separate departments. We had a preconference meeting that was headed up by Chief Foulks addressing the concerns for UL fires and residential burns. There was a core group of chiefs that met and we drafted a proposed SOG. The SOG went out for more people to weigh in on and then it was taken to the Board of Directors at the annual Fire Chiefs Conference where they signed off on it. They sent it on to the safety committee and they signed off on it and now that SOG is available on the home web site of the Tennessee Fire Chiefs Association. At the last meeting the Academy submitted a new course; a four hour residential fire attack that follows lessons from these UL burns and to date we have had 38 requests from fire departments for us to come in and are very receptive to this idea. We have two grant classes offered; Incident Safety Officer and NFA Department Wellness. The TN/VA weekend at the National Fire Academy, Tennessee only had 24 firefighters sign up so far and the deadline is August 24<sup>th</sup>. East TN Fire Rescue conference is Oct 11<sup>th</sup> and 12<sup>th</sup> same weekend as Upper Cumberland. Nov 1<sup>st</sup> and 2<sup>nd</sup> is the TN River. May 2 & 3<sup>rd</sup> is the Smokey Mountain weekend in Gatlinburg.

**Director Report:** New NFPA standards for HMA, HMO, FFI, FFII, FDI, FDI2 goal to implement by Jan 2015. All of this information is posted on our website. We are currently correlating test banks. There are updates on the website, new fillable forms, substitution forms, excel spreadsheets for education incentive pay, power points for how to do things in acadis, online apps through web forms, request to host test sites, Sept 1<sup>st</sup> go live for online apps, 2014 educational incentive pay for all pay to be direct deposit in the future - all the governments and municipalities are in the system through the state's Edison system. Fire Officer IV, Thanks to Deputy Chief Hodges, and Chief Foulks, Chairman Finucane, Charles Chambers and Steve Cross have completed the correlation sheets and been sent in for administrative review to IFSAC.

I attended the annual Fire Chiefs Conference in Nashville and also several regional chiefs meeting and attend to keep going. Proboard we would like to get the 6 levels up to speed and current standards before we proceed with Pro-board.

Audit, Cheryl will be contacted depts. to set up audits and get them completed for the next commission meeting.

**Old business:**

Rulemaking hearing from legal counsel, Joe Underwood 0360-06-01-.01 by reference NFPA standards- Rulemaking hearing called to order August 7, 2014. This Rule making hearing is taking place pursuant to TCA 4-5-204 at Madison County Fire Dept. in Jackson. I am representing Tennessee Fire Commission Personnel Standards and Education. The public who wishes to make a comment needs to sign up on the sheets at the front of the room. The notice of this hearing was posted on our website. Commission members announced themselves for the record. The purpose of this hearing is to solicit comments on the proposed rules. The proposed amendments were based on the review of the rules by the commission and the inputs on these rules were from the commission, the public, the department, the Director and legal counsel. The notice of the rule making hearing, including the entire text of the proposed rules was filed with the Secretary of State of June 16, 2014 and published on the Administrative register on the Secretary of State's website. T.C.A. section 4-24-107.3, 4-24-110B and 4-24-113.5 authorize the Commission on Personnel Standards and Education and the Director of Fire Prevention to make reasonable rules and regulations to implement to meet the objectives of T.C.A. 4 chapter 24 parts 1 and 2. These include Fire Training Instructors, Certifying Educational Programs, approving Curriculum for Education Fire Schools, approving curriculum for TFACA and administering the annual firefighting educative salary supplement. T.C.A. 4-5-204 section A4 requires the department to present a summary of the factual information on the proposals based. The summary of the proposed rules are as follows: Commission proposed to update and adopt the training standards and code editions currently used for the performance of firefighters in Tennessee. The updated codes will show the firefighters in Tennessee will be better trained to fight fires and protect the public and themselves while fighting fires. The proposed rules making are for rules Chapter 0360-06-01. T.C.A. 4-5-403 requires the department to prepare a regulatory flexibility analysis and impact statement for each rule that is deemed to effect small businesses and this statement is filed with the Secretary of State as an addendum to the adopted rules.

Fore general statement the rules today will not impact small business. T.C. A. 4-5-220 and 4-5-228 also requires any rule to be promulgated shall state in a simple declarative sentence on the policy of rules and regulations whether the rule or regulation may have a projected impact on local government. After analysis these rules will impact local governments for firefighters training and standards since these will be the minimum requirement standards across the state for firefighters. There are no comments on the list today and Director Fox has not received any written notice of comments.

Motion to adopt the NFPA standards by Commissioner Wakefield and 2<sup>nd</sup> by Commissioner Slay. Roll call vote: Biggs, Finucane, McCormack, Naifeh, Slay, Sorge, Vance, and Wakefield- all yes. Motion passes. Since the rules have hereby been adopted they will be prepared by legal and forwarded to the Attorney General. If deemed appropriate and are compliant with the statute, the rules are then filed with the Secretary of State and are responsible for publishing the adopted rules and the General Assembly for review. The rules will become effect 90 days after the filing of them with the secretary of state. The rulemaking hearing is now closed.

In-service request presented by Coordinator Steve Cross who presented in service training programs. He has worked with the last 27 departments that all the conditions have been met and they have been approved now.

**New Business:**

Reciprocity presented by Charles Chambers:

Motion to approve all of the reciprocity presented by Chambers 52, and table the last 7 on the spreadsheet to the next meeting, Motion made by Commissioner McCormack and seconded by Commissioner Biggs. There are 7 yes votes and 1 no vote by McCormack. This issue will be discussed at the next workshop. Motion carries.

Consideration to approve course by Terri Roshell for TennesseeFireTraining.com-

Motion to Approve by Commissioner Naifeh and seconded by Commissioner Sorge. Motion carries.

Action training request from Tennessee Fireman Association Barry Brady. He is not here he is attending the IAAI in pigeon forge. This is an online course and they range from 15 to 27 minutes each. Each of these are broken down into different components and consists of 33 discs.

Motion to approve by Commissioner Slay, seconded by Commissioner Wakefield. Motion carries.

Kaplan University proposed programs Kaplan is submitted new courses and their previous courses were approved last year. All correlations have been provided.

Motion to approve by Commissioner Sorge seconded by Commissioner Naifeh. Motion carries.

Tradition plus science equals everyone goes home course submitted by Dave Brassels, who is from the Fraternal order of Letterheads Society. This is a four hour course. He wants this approved for salary supplement in service training programs. This can be used for substitutions.

Motion to approve by Commissioner Naifeh seconded by Commissioner Sorge. Motion carries.

TFACA Fire and Life Safety Educator 2 course- based on IFSTA 3<sup>rd</sup> edition of the fire and life safety educator NFPA 1035. The course does match up with the practical workbook.

Motion to approve by Commissioner Slay seconded by Commissioner McCormack. Motion carries.

Waiver of the May 1<sup>st</sup>, 2014 in-service training program for Martin Fire Department presented by Chief Jamie Summers. Coordinator Cross has reviewed the program and is recommending it to be approved.

Motion to approve by Commissioner Naifeh and seconded by Commissioner Vance. Motion carries.

Consideration to waive one year waiting period for Samuel Gutierrez. Request was submitted on April 30<sup>th</sup> of 2014.

Motion to approve by Commissioner Wakefield and seconded by Commissioner Sorge. Motion approved.

Consideration to allow Matt Fox to test as Firefighter I. Mr. Fox has gained employment with the Columbia Fire Department since this rolled over from the April meeting. No action required.

Consideration of 2014 in service training programs presented by Coordinator Cross. There were 5 departments that turned in programs after the last meeting. They have met all the criteria and met the conditions to be approved.

Motion to approve by Commissioner Biggs seconded by Commissioner Sorge. Motion carries.

Consideration to consider Kris Todd for vocation higher education instructor. Supervisor for Milan High School district. He has been the High School principle for 8 years. Dept. of education has opened a new program for fire education. There are 8 high schools in East TN and he has been asked to implement this program in his school in Milan TN. I been in the fire service for 9 years now and hopefully in the next 12 months I will be firefighter I and II and instructor certified. The program will start November, 2014. He is requesting a higher education instructor.

Motion to approve by Commissioner Wakefield, seconded by Commissioner Vance. Motion carries

Consideration for Firefighter II from abeyance for Timothy Carroll from Jackson Fire Department. His certification sit in abeyance under the 2002 standard and he has passed the Hazmat Operations under the current 2008 standard.

Motion to deny by Commissioner Naifeh seconded by Commissioner McCormack. Motion carries.

Consideration for approval for the 2013 educational incentive pay amendments. The amendments were made after the deadline. First one comes from the Columbia Fire Department that was on military leave and was left off the roster and the second one comes from the Shelbyville Fire Department because they inadvertently left one person off and was resubmitted and the third one was from myself, Randy Fox from a typographical error from the City of Newport. They submitted the correct information but when the check was sent out it was three members short. The corrections have been made and all three of these departments have been paid. I have brought this before the commission for technicality purposes.

Motion to approve by Commissioner Slay seconded Wakefield. Motion carries.

Consideration for Fire Officer 4 correlation team presented by Coordinator Cross. It is requested that 8 hours of in service are given to the individuals who helped in a daylong session of going through questions to make sure they were in the book and match NFPA standards.

Motion to approve by Commissioner Biggs, seconded by Commissioner Slay. Motion carries.

Add items to the next agenda meeting by Commissioner Wakefield:

1. Motion for legal to initiate a draft of an amendment of rules to address the live burn practical and the updated code edition proposed in the rule today. The language of the amendment may be determined by legal, however the intent and purpose shall provide that as of June 30, 2016 is that NFPA 1001 standard, 2008 edition will not be accepted for meeting the requirements for firefighting 1 and 2 certification.

Motion to add to agenda by Wakefield and seconded by Sorge. Motion carried.

2. Motion for legal to initiate a draft concerning the time frame of an applicant to pass the live burn practical. The language of the amendment may be determined by legal, however the purpose of this is that the applicant must complete their Firefighter I and II within 36 months of completing their live burn practical or the live burn would need to be completed again.

Motion to add to agenda by Commissioner Wakefield and seconded by Naifeh. Motion carries.

Motion for Next Commission meeting October 14, 2014. Work session in the morning at 9:00am and the business meeting will be in the afternoon at 1:00pm at the Davy Crockett Building located at 500 James Robertson Parkway, Nashville, TN 37234. Motion made by Commissioner Finucane and seconded by Commissioner Sorge.

Opening nominations for Chair, Vice Chair and Secretary. Two year nominations for positions.

Nominations for position of Chair, Commissioner Vance nominated Mark Finucane and seconded by Commissioner Sorge. Motion carries.

Nomination for Vice Chair for Matt Sorge by Commissioner McCormack seconded Commissioner Vance Motion carries.

Nominations for Secretary for Mike Slay by Commissioner Sorge, seconded by Commissioner Wakefield. Motion carries.

That concludes the meeting agenda.

Motion to adjourn by Commissioner McCormack and seconded by Commissioner Slay. Motion carries.