



**THE TENNESSEE COMMISSION ON FIRE FIGHTING
PERSONNEL STANDARDS AND EDUCATION**

REGULAR BUSINESS MEETING
September 13, 2017

The meeting of the Tennessee Commission on Firefighting Personnel Standards and Education was called to order by Chairman Mathew Sorge at 10:10 A.M. Eastern on Wednesday, September 13, 2017, at the Oak Ridge Chamber of Commerce, 1400 Oak Ridge Turnpike, Oak Ridge, TN 37830.

- I. **PRAYER** - (Commissioner Kerley)
- II. **PLEDGE OF ALLEGIANCE** – (Chairman Sorge)
- III. **ROLL CALL** (Coordinator Linda Brown) – Members Present:

Commissioner Brian Biggs
Commissioner Tommy Kelley
Commissioner Darryl Kerley
Commissioner Jay Moore
Commissioner Stephanie Specht
Commissioner Mathew Sorge
Commissioner David Windrow

Members Not Present:

Commissioner Michael Naifeh
Commissioner Toran Hedgepath
Commissioner Julie McPeak – (ex-officio non-voting member)

A quorum has been established.

Commerce and Insurance / Fire Prevention Staff Present:

Steve Majchrzak – Assistant Commissioner - Dept. of Commerce and Insurance
Randy Fox – Executive Director – Fire Commission
Michael Miranda – Fire Coordinator – Eastern Grand Division
Brian Nicholson – Fire Coordinator – Western Grand Division
Linda Brown – Fire Coordinator/Accreditation Mgr. – Fire Commission
Joseph Underwood – Chief Counsel – Dept. of Commerce and Insurance
Jeffrey Elliott – Fire Service Program Director – TFACA

Guests:

Melissa Taylor	TDH – Northeast Region
David Long	Avoca Volunteer Fire Department
Jimmy Pack	Lafollette Fire Department
Mark Morris	Knoxville Fire Department
Jody Clift	Hamilton County Fire Training

Michael and Brian introduced themselves and talked briefly about their background and how it is an honor to be selected to work with the Tennessee Fire Commission.

a. Report from legal – Joe Underwood

Regarding a complaint received:

We received a complaint in the Firefighting Commission, and I'm presenting to the commission to take action. I believe you've all heard these before. The Commission of Firefighting Personnel Standards and Education, hereafter referred as the Commission, received a complaint from a former firefighter against his former department and chief. The complaint alleges that the firefighters of this department were allowed to take online training, and then encouraged by staff and officers to take online exams and share the correct responses with other students on required training by the department. These courses provided Tennessee fire training online and at FEMA and EMA, such as NIMS required courses. These allegations involve courses that were held in 2015 and 2016, but the complaint was received after the complainant's termination from the Department in 2017. The complainant also alleges that outside instructors were coming to teach classes and would give the final exam and then walk out of the room. And during this time, they would work together to answer the test questions. The allegations cover classes that involve salary supplement. However, the complainant did not receive a salary supplement during the period of time cited in the allegations; those years 2015, 2016.

Interviews with the respondent parties were conducted in the interview involved in the allegations. Instructors of the courses in question were interviewed and the instructors were able to document their training courses and teaching practices. The department, the responding department, also had documents to support their training programs. And all paperwork for instruction and testing appeared to be in compliance during interviews.

The training officer for the department at the time of the allegations is no longer with that department and he did not participate in the interviews. The former training officer did not receive incentive pay for 2016. Due to our interviews and the information we received, there's been no supporting information received or obtained to substantiate the allegations in the complaint, and therefore legal's recommendation to the Commission is to dismiss this complaint.

MOTION BY: Commissioner Biggs

SECOND BY: Commissioner Kerley

Motion to: Accept legal's advice to dismiss the complaint.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

There is one piece of legislation that did pass. In the waning days of the session, in-the-line-of-duty compensation was increased substantially from a one-time payment of \$25,000 for members of recognized fire departments to now to be \$50,000 over five years, \$250,000 payment to the estate of a firefighter or first responder who has died in the line of duty. However, the requirement was added that

they be up to date in their training and that they be part of a recognized fire department. So these fire departments who are operating -- volunteer fire departments who are not recognized through the state fire marshal office, their members would be ineligible if something happened to them while on duty. So it's very imperative to help get the word out that they would join, become recognized appropriately, and also update their training requirements.

b. IFSAC

We received a letter from IFSAC regarding their approval for our Fire Inspector II level of certification that was sent and considered for accreditation. When the rule goes into effect, we'll be able to work with TFACA, Steven Snow and his crew, and others who may want to submit a Fire Inspector II program to be able to certify that level.

c. Coordinator Status

Introductions of the new Fire Coordinators have already been done.

d. Reciprocity Report – Linda Brown

Just real quick, this is a year-end report and there really isn't a whole lot to discuss except for the fact that the reciprocities are going pretty well. As far as the new rules that we instituted, they're also being followed very well.

DIRECTOR FOX: I'd just like to comment on Ms. Brown's work with reciprocity. She's very professional in what she does. She's very consistent in what she does with the people she interacts with. And that may cause a little confusion out there sometimes for folks, but my guidance to her is, as long as we're consistent in how we treat people and make sure that they all follow the same rules, then I will support her in whatever way I can to help her accomplish this reciprocity action that I've tasked her with. Her being there on a day-to-day basis in the office really streamlines the process for reciprocity. And the amendments that y'all made in the past kind of closed the gates down and narrowed it down to where it's a lot easier to control and deal with.

e. Training Programs(s) (Courses by Submittal) Report

Next thing I have are training programs that were submitted by -- electronically, and I have a report for that under item E for your review.

f. Audit Report

The next thing I have is the audit reports that were conducted a few weeks ago with Chief Kelley and Chief Naifeh. There were four audits. We conducted audits in Munford, Chief Naifeh and I did. Also, we conducted audits in Milan, Tennessee as well.

MOTION BY: Commissioner Biggs

SECOND BY: Commissioner Windrow

Motion to: Approve audits from Munford FD and Milan FD.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

MOTION BY: Commissioner Biggs

SECOND BY: Commissioner Kerley

Motion to: Approve audits from Bolivar FD.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

MOTION BY: Commissioner Windrow

SECOND BY: Commissioner Biggs

Motion to: Defer Henderson City audit results until next Commission meeting in Memphis.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

IX. OLD BUSINESS - NONE

X. NEW BUSINESS

1. Consideration to approve courses.

a. TFACA Fire Programs (5):

MOTION BY: Commissioner Windrow

SECOND BY: Commissioner Specht

Motion to: Motion to approve 5 TFACA courses as submitted.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

b. TFACA Codes Program

MOTION BY: Commissioner Specht

SECOND BY: Commissioner Kerley

Motion to: Approve TFACA Codes Program Fire Inspector II Course.

Call for the question - None

RESOLUTION:

Vote: 7– Yea 0 – Nay 0 – Abstain

MOTION CARRIED

c. TN Fire Training On-Line courses – (5)

MOTION BY: Commissioner Specht

SECOND BY: Commissioner Kelley

Motion to: Approve 5 Tennessee Fire Online Training courses as submitted.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

d. Target Solutions courses (18)

MOTION BY: Commissioner Windrow

SECOND BY: Commissioner Biggs

Motion to: Approve 18 Target Solutions Courses – Recognized for Educational Incentive Pay substitution. These are introductory courses and don't meet the intent of the certification – not for certification.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

e. Mental Health First Aid (1)

MOTION BY: Commissioner Windrow

SECOND BY: Commissioner Biggs

Motion to: Approve one Mental Health First Aid course.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

f. Holston Army Ammunition (1)

MOTION BY: Commissioner Kerley

SECOND BY: Commissioner Specht

Motion to: Accept Holston Army Ammunition Course as submitted.

Call for the question - None

RESOLUTION:

Vote: 7– Yea 0 – Nay 0 – Abstain

MOTION CARRIED

g. Cleveland Fire Department (1)

MOTION BY: Commissioner Specht

SECOND BY: Commissioner Windrow

Motion to: Accept Cleveland FD Course.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

2. Consideration to approve waivers:
a. Eldridge Abeyance Waiver Request
b. Bendus Abeyance Waiver Request

MOTION BY: Commissioner Biggs

SECOND BY: Commissioner Kelley

Motion to: Approve abeyance request from Mr. Eldridge from the Lebanon FD and Mr. Bendus from the Manchester FD.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

XI. PUBLIC COMMENTS & SUGGESTIONS – NONE

XII. DATES OF FUTURE MEETINGS

Our next meeting is scheduled and set up for Wednesday, November the 29th. Work session will start at 9:00 a.m., business meeting at 1:00 p.m. Central time. We'll be at the Memphis Fire Training Center located in Memphis, Tennessee, November the 29th.

Meeting adjourned @ 11:06 am.