

motion to approve by Specht

2nd by Naifeh

Motion Passed



THE TENNESSEE COMMISSION ON FIRE FIGHTING PERSONNEL STANDARDS AND EDUCATION

BUSINESS MEETING

June 30, 2016

The meeting of the Tennessee Commission on Firefighting Personnel Standards and Education was called to order by Chairman Mark Finucane at 9:00 A.M. Eastern on Thursday, June 30, 2016, at the University of Tennessee Extension Center, 1201 Oak Ridge Turnpike, Oak Ridge, TN 37830

- I. PRAYER** (Commissioner Vance)
- II. PLEDGE OF ALLEGIANCE** (Commissioner Sorge)
- III. ROLL CALL** (Director Fox) – Members Present:

Commissioner Brian Biggs
Commissioner Mark Finucane
Commissioner Darryl Kerley
Commissioner Thomas McCormack
Commissioner Stephanie Specht
Commissioner Toran Hedgepath
Commissioner Mathew Sorge
Commissioner Charlie Vance
Commissioner Michael Naifeh
Ex-officio non-voting member present: Executive Director Roger Hawks – TFACA

Members Not Present:

Commissioner Julie McPeak – (ex-officio non-voting member)

Commerce and Insurance / Fire Prevention Staff present:

Randy Fox – Executive Director – Fire Commission
Richard Rochford – Fire Coordinator – Fire Commission
Steven Cross – Fire Coordinator – Fire Commission
Joseph Underwood – Attorney – Dept. of Commerce and Insurance
Jeffrey Elliott – Fire Service Program Director – TFACA

Guests Present:

Bill Mattix	Shelby County Fire Department
Devenick Clayton	Shelby County Fire Department
David Dorris	Jackson Fire Department
Jim Dyer	City of Athens Fire Department
Joel Jones	Kingsport Fire Department
Ken Tuggle	Rural Metro
Michael Miranda	Gatlinburg Fire Department

Dave Dailey
Mark Morris
Lonnie Glenn
David Windrow
Chad Ketron
Jeromy Vandermeuler
Terri Roshell

Harriman City Fire Department
Knoxville Fire Department
Knoxville Fire Department
Brentwood Fire Department
Ricky Rescue
Ricky Rescue
Tennessee Fire Training

IV. MINUTES

Approval of the April 2016 Work Session and Business Meeting minutes.

Motion by: Commissioner Vance Second by: Commissioner Sorge

Motion to approve the minutes from the April 2016 Work Session and Business Meeting.
Chairman Finucane commended Director Fox on the improvement of the minutes. Stated the improvement in the minutes was greatly appreciated by all the Commissioners.

Call for the Question

RESOLUTION:

Vote: 9 – Yea 0 – Nay 0 – Abstain

V. ANNOUNCEMENTS

Presentations to former Commission members.

Chairman Finucane – Two Commissioners recently retired from the Tennessee Commission on Firefighting Board. These individuals are outstanding individuals and have served the Commission with honor and distinction. The Chairman thanked Former Commissioner Mike Slay for his service. Chairman Finucane presented a plaque to former Commissioner Slay stating: “In grateful appreciation for the years of leadership and dedication you have provided. Your service has proven to be a valuable resource to the citizens of Tennessee. From the Tennessee Commission on Firefighting Personnel Standards and Education 2016. Presented to Commissioner Mike Slay”. Former Commissioner Slay thanked the Commission for the honor.

The next presentation went to Commissioner Charlie Vance. Chairman Finucane thanked him for his service to the Tennessee Firefighting Commission, Firefighter Memorial and other areas of the fire service within the State of Tennessee, that he has had a positive impact on. Chairman Finucane presented Commissioner Vance with a plaque that read: “In grateful appreciation for the years of leadership and dedication you have provided. Your services have proven to be invaluable to the citizens of Tennessee. From the Tennessee Commission on Firefighting Personnel Standards and Education, 2016”. Commissioner Vance gave a few words on his history with the Commission and thanked everyone for the plaque and the honor.

VI. GUESTS

Jeff Elliott – TFACA –

- Director Hawks worked on the statistics for the upcoming annual Fire Chief's Conference.
- Last year the Academy broke three records with respect to training. TFACA had a total of 48 departments across the state that had in excess of 1000 student contact hours. This year we went to 66 departments across the state that exceeded 1000 student contact hours.
- Out of 95 counties in the state, TFACA had 93 counties, (98%) who sent at least one student to the Academy, 86% of the counties who sent 10 or more students to the Academy for a class.
- Passing rate for Tennessee on campus firefighters taking a Commission test was 79%. Average passing rate for the State as a whole is 61%.
- Training opportunities:
 - o Tennessee Fire Chief's Annual Conference at the Embassy Suites in Murfreesboro, TN. NFA Direct Delivery Class: Executive Skills Series – Exercising Leadership to Facilitate Adapted Change – July 9 – seats are still available.
 - o Sept 24 & 25, 2016 – Tennessee/Virginia NFA Weekend Conference we are taking applications now for this event.
 - o 3rd Annual Chief Training Officer Symposium – August 4 & 5, 2016. This event is being used as a platform for introducing new in-service classes that are being offered. These classes include: Active Shooter (4-hr curriculum), Tactical Decisions Related to Restaurant Fires and Elevator Emergencies. Director Fox will have time at the symposium to address any new certifications and any changes that will be coming up within the Firefighting Commission.
- A purchase order has been issued for a 75' quint that will be coming to the Academy. It will not be replacing any current apparatus. That will give the Academy 2 aerials on site.
- A purchase order has also been issued for a new commercial pumper that will be replacing an existing pumper on site.
- Our new Mobile Training Tower should be delivered to the Training Academy the last week in July or the 1st week of August, 2016.
- Received notification that TFACA received the AFG Grant that we applied for last year. The grant was for a mobile forcible entry prop. The trailer and tow vehicle will be able to take this training device across the state. Will be able to put students through 5 different rotations of different forcible entries.

Motlow Community College EMT Program – (Paramedic Director's office is on campus) –TFACA wanted to coordinate with them to provide EMS training to fire recruits right after training is complete. This is an option that we believed the department's Fire Chief may want to have. This year we successfully filled the first EMT-Basic class but the time line didn't actually line up but we were still able to complete the class.

VII. COMMUNICATIONS

a. Johnson County FCA Letter to TFFC

Director Fox – requested Chairman Finucane to provide the information regarding this letter due to the fact he attended a meeting about this matter.

Chairman Finucane – attended a meeting in Johnson County with Coordinator Richard Rochford where those individuals were very interest in participating in Commission programs. The question they had was about scheduling various tests that are related to their training from a volunteer firefighter perspective. They sent a letter stating that they are teaching a basic 64 hour firefighting class to most of their members and if they stay interested, they were going to teach them HMO. Their students took the HMA/HMO state certification tests and had a high failure rate. They are trying to increase their pass rate for the test.

Consequently, most of the individuals never take the Firefighter I test because of the high failure rate from the HMA/HMO certification tests. For those who do not pass it causes them to have to take the Firefighter I test as much as 2 years after the class. It takes the students several attempts to pass the HMA/HMO test. Their request is to consider changing the testing sequence to the following, in this order:

- 1st – Firefighter I
- 2nd – HMA
- 3rd – Firefighter II
- 4th – HMO

This request is done because they feel it will improve the passing rate of their firefighters and give them confidence. Is that a possibility?

Director Fox – based on NFPA Standards as they are written today, we would not be able to issue them a firefighter I certification without HMA/HMO. We could test them that way, but we would not be able to issue them a certification. It is Director Fox’s recommendation from an administrative standpoint that we would not change the process. The problem with this process is the Commission would have to hold the tests in abeyance and there are many problems it would create with the time tables on tests and standard changes.

Question – Has NFPA thought about changing the order? Director Fox stated that the direction of NFPA has been to make it more difficult. For example originally it was Awareness and Firefighter I, then Operations and then Firefighter II, but in the last re-write it went to Awareness, Operations and then Firefighter I.

Commissioner Kerley – discussed how we have allowed 64 hours of firefighter training to be minimum for riding on a fire truck. The problem is the 64 hour class does not prepare anyone to be a Firefighter I. The volunteers across the state are taking the 64 hour class and doing the 22 hours of live burn but it doesn’t prepare them to be a level I firefighter. It takes about 400 hours to teach all the material to be a level I firefighter. Officials haven’t prepared volunteer firefighters to handle hazardous materials calls. They take the 64 hour class and attempt to take the HMA/HMO certification test. Commissioner Kerley believes we are mixing “apples and oranges” with this program.

Director Fox – other states have implemented a process called a volunteer firefighter certification. That is an option if you want to discuss it in the future.

Director Hawks – point of clarification, the 64 hours class is designed to comply with NFPA 1403 which is the live fire training and evolution standard and not to meet the requirements of NFPA 1001.

It was also stated that we have fire departments and firefighters from across the state that are not aware of the difference between the 64 hour class and the firefighter I certification.

Chairman – asked the members of the Commission to think about this and if Director Fox would bring this up again at the next meeting or two meetings from now for discussion.

Discussion – on the success of stretching out the tests over a few days instead of doing it all in a day or two. Coordinator Cross states he and Coordinator Rochford have had success with this method of certification testing.

Chairman – asked Director Fox to draft a letter to Johnson County Chief’s Association explaining that the 64 hour course is not necessarily a Firefighter I training course. It is more focused on the Live Burn training. To achieve a greater percentage of success we recommend that they go through the full

- Changes in reciprocity.
 - Rule examination regarding the Fire Live Burn practical – update to the new Standard.
- **Agreed Order of Surrender regarding Troy L. Maney of the Bradley County Fire-Rescue, Cleveland, TN.** The document is regarding the surrender of his certifications for Hazardous Materials Awareness, Hazard Materials Operations, Firefighter I & II, and Fire Department Instructor I. He will not be eligible to participate in the certification program administered by the Commission for a period of 2 years from the acceptance of the Order.

There is no record of any pay supplement or any financial involvement in this process. The investigation is still considered confidential. However, the Bradley County Attorney has requested some documents to be available for the public records request regarding certifications. Mr. Maney admitted guilt, and if he went to trial he could have been found guilty of Rule 0360-05-01-.01 under Revocation of Certification. Attorney Underwood expressed appreciation for the individuals who came forward with this information and hoped that they don't receive repercussions from them coming forward. Chairman thanked Attorney Underwood and his staff for conducting this investigation and bringing it to a conclusion.

Discussion continued with concerns for the subordinate officer who assisted Chief Maney in violating the Rules of the Commission – Revocation of Certification. Attorney Underwood stated that that individual was not implicated and that he did not take a test, he had already taken his certification test. Commissioner Naifeh was concerned that the subordinate officer took a certification test for someone else and there were no repercussions for his actions. Attorney Underwood stated that in regards to our Rules there was no violation of the Commission Rules. Proposed Rules regarding this type of situation maybe proposed in the future to address these concerns. Director Fox stated that the Commission has more controls in place now than it had at the time of this infraction that would make this more difficult to accomplish. However, it was expressed that a Rule needs to be created to address these types of situations. So contributing to the fraudulent obtainment of Commission certification may also place the certification(s) of that (those) individuals in jeopardy.

MOTION BY: Commissioner Naifeh

SECOND BY: Commissioner Kerley

Motion to have the legal department draft a Rule Proposal to seek a remedy for individual(s) who knowingly assist another individual to fraudulently obtain State of Tennessee Fire Commission Certification.

Call for the Question – Discussion on the fact that no one should be able to assist another individual to fraudulently obtain a Commission certification and what can be done to the individual who aided Chief Maney.

RESOLUTION:

Vote: 9 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

Director Fox thanked Regulatory Board for assisting the Commission with the help of one of their investigators.

Coordinator Rochford wanted to know under the new Proposed Rule changes under reciprocity, what type of proof of residency would be required for the reciprocity applicant and can that information be

incorporated into the new Rules change. It was the condenses of the Board that it was not necessary to incorporate that information into the new Rules changes but if he runs into any issues he is welcome to bring it back to the Board for discussion. Coordinator Rochford also wanted to bring to the attention Attorney Underwood a typo in the Rule: 0360-03-01-.31 that stated: “Rope rescuer must successfully complete a commission approved training program compliant”. Attorney Underwood thanked him for bringing it to his attention.

Director Fox continued with the Director’s Report – He received notification from the Governor’s office of a new appointment to the Firefighters Commission. Assistant Chief David Windrow from the Brentwood Fire Department has been appointed to the Commission effective August 1, 2016 to fill a 6 year term. Chief Windrow gave a few words and stated he was looking forward to working with the Commission. Director Fox stated that they also received notification that Toran Hedgepath will be filling a full 6 year term effective August 1, 2016 as well.

b. IFSAC Site Visit Status

All of the documentation has been submitted to IFSAC for re-accreditation and we are looking for a mid-August site team visit. The exact dates have not been confirmed yet but he will notify the Commission members once that date has been confirmed. Director Fox and Accreditation Manager Linda Brown have been approved to attend the IFSAC Fall Conference in Charlotte, NC in September.

c. ProBoard Fees

Effective January 1, 2017, ProBoard fees are scheduled to change. The registration fee for an individual has increased from \$15.00 per person to 17.50. To explain the process, if 158 people apply for a ProBoard certification through our application process, that will generate the \$2,750.00 annual fee that is required from the Commission to pay for the annual membership. When firefighters apply for ProBoard certification, the registration fee that they pay is deducted from the annual fee that is charged to the Commission. This annual fee has increased from \$2,500.00 to \$2,750.00 and will also take effect on January 1, 2017. The Commission has applied to ProBoard for accreditation for: Pumper/Driver Operator, Fire Apparatus Operator and Aerial Apparatus Operator. Testing for these certifications will be different. The Commission will have to test Chapter 4, Chapter 5 and Chapter 6 of that Standard separately. They will also be graded separately. Firefighters will have to pass each chapter individually in order to be certified to a national standard for accreditation. Failure of any one of the chapters constitutes failure of the whole certification test.

d. Reciprocity Report – Coordinator Rochford reported that he issued 48 reciprocities for this segment.

Director Fox pointed out the new brochures and poster boards for the Fire Commission were created by members of Commerce and Insurance – Kevin Walters and Clair Marcellus. These two individuals did a great job creating these materials that we have been using for marketing the Commission at various events. The brochures are available to be downloaded from the Commission web site.

IX. OLD BUSINESS

1. Proposed Certification Class Form

Director Fox - At the Commission meeting held in Gatlinburg, there was a request from Training Director Dorris from the Jackson Fire Department to have a new form created to address fire program submissions for the Commission. Director Fox requested Training Director Dorris to speak on the proposed form that he would like to see the Commission adopt. He talked about meeting with West Tennessee Training Officers and reviewing training program submissions and it was evident that the exact same criterion was submitted for the exact same classes for approval. He stated training officers are spending hours cut and

pasting the same information for every class. Every department is doing this and the Commission ends up looking at the same paperwork over and over again. According to Training Director Dorris his proposal is - as long as the information submitted is an approved curriculum out of an approved book, we should be able to submit it to the Commission, indicate that this is the material that will be used, get it stamped, and say it was approved.

Chairman asked the Coordinators Cross and Rochford would this proposal work?

Director Fox – commented that we need to differentiate between what a curriculum is and what a training program is. He believes this process would work and that the statements are made if you deviate from the curriculum then you have altered the program. Director Fox asked the Commission members if they want to give up the approval responsibility or even if they can legally give up that responsibility per your Rules to make it so we can streamline the process in the field and submit a report similar to what is submitted for the reciprocity report.

Attorney Underwood – under the current Rules, all that has to be submitted at a minimum is the instructor information, the department name, and NFPA Objectives 1.1.2 & 1.1.3. It does not require a schedule of hours.

Discussion – It was stated that approval was required within the Rules and it would take a Rule change to change that.

Training Director Dorris stated that he provided his information to several departments who will be submitting this information exactly as he has with the exception of their department and instructor information.

Director Fox – this information is now submitted to the Commission in electronic form as opposed to the previous process of submitting binders with the program information. This information is uploaded into Acadis and attached to that fire department's file as a permanent record.

Discussion – Commissioner Kerley stated there is no way the Commission would have control over it – regardless of how it was submitted. They would have to take each department's word that the training has been completed, just as it is now. Training Director Dorris stated for example, when Jones and Bartlett comes out with a new book and TFACA and the Fire Commission adopts this book's curriculum, then it has been approved by the Fire Commission and therefore submitting the exact same information is redundant. He believes handing in the form that he created for approval to teach that class is much easier and saves a great deal of time and effort than the current process.

Discussion was tabled and will be returned to later in the meeting.

2. Tennessee Firetraining.com Request

Terrie Rochell – regarding the feasibility of her online program. She sent a proposal to Director Fox stating in order to continue as a field representative and teach the classes online, that her students would take an alternative test at TFACA. Those students would be flagged in Acadis for whatever class they took, and be required to take the test at TFACA. She believes that would alleviate any issues of conflict. Her request is if the Commission would approve her proposal. She also wanted legal to provide some direction.

Attorney Underwood – Deputy Director West is not present and would probably want to participate in this decision. He believes she is on the right tract by not giving tests that she provided instruction for to avoid conflict.

Tennessee, they fell in line and agreed with what Captain Dorris had. Middle Tennessee's feedback was regarding the typos that were found. Director Fox stated that the typos found in the Rules will have to be corrected in a Rules changes meeting.

Attorney Underwood recommended at the next meeting that this report be part of the Work Session to discuss what was proposed and see what could be incorporated into the Rule making. One of interest is that a department may not use substantially the same in-service training programming for consecutive years. This sound like it may be beneficial to look at. Director Fox – it has been 3 years since the Commission had its initial Rules session that was held in Memphis. The next meeting would be a good opportunity to have a Work Session to repeat the same process and go through and clean up some issues with the current Rules. Firefighter health and wellness – discussion to include a 2 hour mandatory training, once a year for firefighter health and wellness.

Chairman wanted to comment on one of the comments about using the same training program within 2 years. “Recommend that the Commission delete this paragraph due to the large number of mandatory classes many of our in-service classes resemble each year. We are given a few classes that may change each year. This is never verified during review, and there is no process to do so”. Is that correct? Director Fox – currently, we only have records from the last three years. This information will be added to the Agenda for the next Commission Work Session.

X. NEW BUSINESS

1. Consideration to approve courses / seminars / conferences.

a. Fedex Programs – 3 Programs

Director Fox – 3 programs: Fire Instructor I & II and Fire Officer II. Discussion on the fact the submission is much more cumbersome and information is being repeated as compared to the submission of the form as previously discussed with Training Director Dorris. The information in this curriculum has already been approved.

Discussion continued with Training Director Dorris regarding the single page document to be submitted for class approval instead of submitting redundant paperwork.

MOTION BY: Commissioner Sorge

SECOND BY: Commissioner Specht

Motion to approve the Fedex Programs for Fire Instructor I & II and Fire Officer II.

Call for the Question – None

RESOLUTION:

Vote: 9 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

b. Gatlinburg Fire Department – 11 Programs

c. Sevier County Fire Department – 11 Programs

Director Fox – point of clarification – Gatlinburg Fire Department and Sevier County Fire Department programs are verbatim. Programs: Aerial Apparatus

Representative from Gatlinburg – Michael Miranda, Firefighter/Paramedic. FF Miranda is requesting approval for 11 courses. FF Miranda is a career member of the Gatlinburg Fire Department and a volunteer firefighter for the Sevier County Fire Department. The submissions for both of these departments are identical and were created and submitted by FF Miranda.

MOTION BY: Commissioner Biggs

SECOND BY: Commissioner Sorge

Motion to approve the submission for both Gatlinburg Fire Department and Sevier County Fire Department.

Roll Call Vote:

Commissioner Biggs	Yes
Commissioner Finucane	Yes
Commissioner Kerley	Yes
Commissioner McCormack	Yes
Commissioner Naifeh	Yes
Commissioner Specht	Abstain
Commissioner Hedgepath	Yes
Commissioner Sorge	Yes
Commissioner Vance	Yes

Call for the Question – None

RESOLUTION:

Vote: 8 – Yea 0 – Nay 1 – Abstain

MOTION CARRIED

d. 1 & 2 Ricky Rescue – 10 Programs

Director Fox – two agenda items – one of the submissions involves 2 programs and the other submission involves 8 programs for a total of 10 submissions.

Chad Ketron and Jeromy Vandermeuler – representatives from Ricky Rescue stated it was the same set up as the last time except they are asking for more programs. These programs are: Fire Officer I, Fire Officer II, Combined Fire Officer I/II, Fire Officer III, Instructor I & II, Combined Instructor I & II and Fire Inspector I. The representatives gave a very brief overview of the submissions. Director Fox stated that the courses were combined in the submitted paperwork. He cautioned the Commission and asked them if they would postpone the decision on the Fire Inspector course. This course will need some collaboration with other individuals in order to move forward on this submission. This is due to the fact that this certification leads to licensure. It is not just a certification in the State of Tennessee, it also leads to State licensure. Deputy Commissioner West will also need to be involved in the decision for this course.

MOTION BY: Commissioner Specht

SECOND BY: Commissioner Sorge

Motion to approve 9 of the 10 courses submitted by Ricky Rescue for the following programs: Fire Officer I, Fire Officer II, Combined Fire Officer I & II, Fire Officer III, Instructor I, Instructor II, Combined Instructor I & II with the exception of Fire Inspector I. (Minutes note: 2 classes not mentioned that are being approved: Firefighter Tactics and Strategies I and Firefighter Tactics and Strategies II).

Call for the Question – None

RESOLUTION:

Vote: 9 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

Fire Inspector I will be added to the next Work Shop agenda.

e. Rural Metro – 1 Program

Ken Tuggle, Battalion Chief – on change to his program is he requires his students to pass with an 80% instead of 70%. No change in the curriculum from the programs already voted on today other that the passing score change.

MOTION BY: Commissioner McCormack

SECOND BY: Commissioner Hedgepath

Motion to approve the 3 programs submitted.

Call for the Question – None

RESOLUTION:

Vote: 9 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

f. TFACA 3 programs

Jeff Elliott – Elevator Emergencies – a 4 hour class that Jeff gave a brief description of. Tactical Considerations for Restaurant Fires, and Jones & Bartlett Fire Officer I and Fire Officer II – blended course for Fire Officer I-will be required to come to campus for 3 days and the rest is online.

MOTION BY: Commissioner Naifeh

SECOND BY: Commissioner Sorge

Motion to approve all three TFACA courses as submitted.

Call for the Question – None

RESOLUTION:

Vote: 9 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

g. Tennessee Fire Training On-Line – 2 programs

Terri Roshell – these are the two programs submitted at the last Commission meeting – Instructor I and Fire Officer II. Start date July 3rd.

MOTION BY: Commissioner Kerley

SECOND BY: Commissioner Specht

Motion to approve the Fire Officer II and Instructor I courses as submitted for the Tennessee Fire Training Online Program.

Call for the Question – please note: the earlier motion would apply to these classes.

RESOLUTION:

Vote: 9 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

2. Audit Policy & Form

Director Fox – this information was reviewed in Gatlinburg. This policy needs to be in place as a process for auditing the Commission proctors. Requesting approval to have this policy in place for completion of audits. Coordinators conduct the audits.

MOTION BY: Commissioner Kerley

SECOND BY: Commissioner Naifeh

Motion to approve the policy regarding audits for the Fire Commission.

Call for the Question – None

RESOLUTION:

Vote: 9 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

Chairman – return to the tabled item regarding the form titled “Individual Department Course Request” as submitted by Training Director Dorris – Jackson Fire Department.

MOTION BY: Commissioner Hedgepath

SECOND BY: Commissioner McCormack

Motion to approve the Individual Department Course Request form as submitted by Training Director Dorris – Jackson Fire Department.

Call for the Question – None

RESOLUTION:

Vote: 9 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

This form will be posted online after it has been reviewed by our legal department.

XI. PUBLIC COMMENTS & SUGGESTIONS

Regarding the form that was just voted on, someone would have to submit the initial information including the standards and correlations to get it approved when the curriculum changes.

Chairman thanked Commissioner / Chief Kerley for the hospitality in hosting the Commission meeting.

Battalion Commander Myron Hawkins – Briley County one of the individuals who turned in the charges on the recent legal matter. B/C Hawkins wanted legal to look into possibly keeping the names of “whistle-blowers” confidential. He expressed it has been very difficult since they made the allegations because within 48 hours after doing that their names appeared in his hometown paper. Director Fox stated - point of clarification – everything that was submitted to the Fire Commission up until the point that the Commission gave council instruction to take care of it, was a legal open document. Up until the Commission could actually meet to take care of it from that point, it was open records. He also wanted to know if the documents could be made public so the details and the investigation could be known. Attorney Underwood stated – the document unfortunately is not public record. It is possible to look at that process in the future. The investigation regarding client confidentiality is important to him and he stated why he could not release the information at this time. (Unable to completely hear his response). He hopes the public records documents are able to be released. He stated he will look into it further.

Commissioner Naifeh – wanted to know if there is anything the Commission can do to protect the “whistle-blowers” who come forward with information in the future. Attorney Underwood stated he would look into it, but thinks at this time there is not anything the Commission can do at this point. Once the media hears something and they make an open records request to Commerce & Insurance, they have a duty to respond. BC Hawkins stated his question to legal is there a statute that protects the whistle-blowers of this state under legislation that allows certain allegation not to be open to public records. Tennessee TCA 10 7 504 Confidentiality of Records has a list of different things that can be covered as confidential, unfortunately this does not fall within that law. But he will look into what he can do

XII. DATES OF FUTURE MEETINGS

Director Fox – wanted to remind the Commission that sometime between now and the end of the year, there needs to be a meeting in West Tennessee. Also, the Commission will need to elect officers at the next meeting.

Discussion on possible locations. It was decided to have the next meeting in West Tennessee and have the West Tennessee Representative and Director Fox come up with a location. Discussion continued on a date. Director Fox - August would be difficult because of the IFSAC site visit. Fall meeting – Travel on Oct. 31, 2016, meeting on Nov. 1st - Work Session, & 2nd Regular Business Meeting - then travel home on the 2nd. Location – tentative Jackson, TN

MOTION BY: Commissioner Naifeh

SECOND BY: Commissioner Specht

Motion to approve to Fall Meeting – Travel on Oct. 31, 2016, meeting on Nov. 1st - Work Session, & Nov. 2nd Regular Business Meeting - then travel home on the 2nd. Location – tentative Jackson, TN or TBA.

Call for the Question

RESOLUTION:

Vote: 8 – Yea 0 – Nay 1 - Abstain

MOTION CARRIED

MOTION BY: Commissioner Finucane

SECOND BY: Commissioner Sorge

Motion to adjourn.

Call for the Question

RESOLUTION:

Vote 9 – Yea 0 – Nay 0 - abstain

MOTION CARRIED

