

Motion to approve by McCormack, 2nd by Sorge Motion passed

**TENNESSEE COMMISSION ON FIRE FIGHTING PERSONNEL
STANDARDS AND EDUCATION
WORK SESSION**

February 17, 2016

1:00 PM Central

Embassy Suites Hotel, Murfreesboro, TN

Minutes

Meeting was called to order at 1:00 PM by Chairman Finucane.

Welcome – Chief Mark Folks, Murfreesboro Fire Department

Welcome the Commission to the City of Murfreesboro. If you have any question about the city, please feel free to contact him or any of his staff.

Director Fox: Roll call

Commission Members Present:

Commissioner Brian Biggs

Commissioner Mark Finucane

Commissioner Darryl Kerley

Commissioner Thomas McCormack

Commissioner Michael Naifeh

Commissioner Stephanie Specht

Commissioner Mathew Sorge

Commissioner Charlie Vance

Ex-officio non-voting member: Executive Director Roger Hawks - TFACA

Commission Members Not Present:

Commissioner Julie Mix McPeak

Commerce and Insurance / Fire Prevention Staff Present:

Al Thomas – Tennessee State Fire Marshal's Office

Randy Fox – Executive Director – Fire Commission

Steven Cross – Fire Coordinator – Fire Commission

Richard Rochford – Fire Coordinator – Fire Commission

Linda Brown – Fire Coordinator/Accreditation Manager – Fire Commission

Joseph Underwood – Attorney at Law – Dept. of Commerce and Insurance

Jeffrey Elliott – Fire Service Program Director - TFACA

Guests:

Blake H. Borus Bartlett Fire Department

Terry Wiggins Bartlett Fire Department

Byron Smith Germantown Fire Department

Timothy Rice Collierville Fire Department – Commission Contractor

Jay K. Moore Lawrenceburg Fire Department

Kevin Bedford Lawrenceburg Fire Department

Phillip Hyman Chattanooga Fire Department

William Andrews	Chattanooga Fire Department
Paul Holdeman	Union City Fire Department
David Dorris	Jackson Fire Department
Kory Green	Martin Fire Department
Rick Kiphut	Rural Metro FedEx Fire Department

Guests Cont.

Brandon Bagwell	Rural Metro FedEx Fire Department
Gary Compton	Knoxville Fire Department
Kenneth Reeves	Goodlettsville Fire Department
Phillip Mitchell	McMinnville Fire Department
Nicole Miller	Murfreesboro Fire Department
Larry Farley	Rutherford County Fire & Rescue Department

Chairman Finucane - Effective 2/5/16, Commissioner Slay has resigned. The position is an appointed position and will be filled by the Governor. Any other questions will be referred to legal counsel.

Attorney Underwood – briefed the Commission on the process of replacing Commissioner Slay.

Director Fox – Introduced new Fire Coordinator/Accreditation Manager Linda Brown.

Coordinator Brown – Thanked Director Fox and the Commission for the opportunity. Also gave remarks about her background to give the Commission an opportunity to become more familiar with her.

Work Session Agenda Items:

1 & 2. Status on Proposed Rules & Orientation of Legal Proceedings

Attorney Underwood - Briefed the Commission on the Status on the proposed rule changes. He also briefed the Commission on what to expect during the upcoming hearing about the status of the individual (allegedly), fraudulently obtaining commission certification. He reviewed the step-by-step process of what to expect.

3. Defining Progression of Testing

Chairman Finucane – Progression of testing survey results.

Director Fox – Document WS 1.3 – Stakeholders Survey results. The survey was conducted by Coordinator Cross. This information was gathered from a request made at last Commission meeting. If the Commission defines what progression is today, I request that a policy also be stated so it can be incorporated into the rules through legal process. Handout submitted displays a chart that demonstrates the 9 different levels of certification that shows how progression is conducted within the Commission office. Survey data came from East, West and Middle Tennessee.

Results

By Location:

East Tennessee	42%
Middle Tennessee	30%
West Tennessee	28 %

By Department:

Paid	40%
Combination	34%
Volunteer	26%

Sixty-seven percent of respondents believed progression should not be dependent upon another certification unless there was a prerequisite for that certification. Twenty-six percent didn't want any waiting periods and seven percent wanted it non-dependent at all. Additional information concerned the performance of the Fire Commission office and TFACA and whether or not they were being utilized efficiently.

Results:

Excellent	57%
Average	33%
Poor	2%
N/A	11%

An 87% excellent to good rating for what we are accomplishing for the Fire Service.

Chairman Finucane – 136 respondents is a good number of people responding to the survey. In order for the Commission to review the survey results and comments, need to put it on the agenda for tomorrow.

Commissioner Biggs – Director Fox, were you able to follow up on some of the comments.

Director Fox – Some of the comments are anonymous. Haven't been able to respond to any of the comments due to the fact that the survey was just completed a couple of days ago.

Commissioner Sorge – Need to follow-up with respondents who specifically wanted a response and also respond to the respondents that were disgruntled.

MOTION BY: Commissioner Biggs

SECOND BY: Commissioner Sorge

Motion to move discussion of Stakeholders Survey Results and progression of testing to tomorrow's meeting.

Call for the question – none.

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

Commissioner Naifeh – brief discussion on progress in regards to the work load in the office. Felt that progression should not be held up because of time factors.

Discussion on progression continued. Individuals can currently take a certification test on the same day providing it is not in progression and it is conducted at another site. Most respondents to survey felt that there should not be a waiting period for testing for certifications except when there is a prerequisite and when it is a part of progression of a certification series. Participants decided to review

the Stakeholders Survey and progression information tonight for a continued discussion and possible decision tomorrow.

Motion to recess for 10 minutes.

4. Review of Training Requirements

Chairman Finucane states that online training clarification is needed. The Commission has approved online training in the past where there is a particular class that can be assessed online and is usually 1-hour. Clarification is needed on what is required because 1-hour of online training is less than the minimum required for the Education Incentive training program. The minimum is supposed to be 2-hours for a class in order to get credit for the Education Incentive Pay Program. His understanding is that persons would take a 1-hour online training class and also have 2-hours of hands on training which would qualify for the incentive program as a package that is sent in for approval. A 1-hour online training class should not be sent in for credit or approval if it is autonomous by itself.

Director Fox stated that Chapter 7 in the Rules, under Educative Incentive Pay defines what that is and what the training requirements are for the program, on page 5.

Chairman Finucane believes that we need to look at this process and either enforce it or change it to reflect the technology that is available today. Some of these rules maybe unreasonable because following them to the letter of the law, to his knowledge, might be impossible.

Director Fox recommended that we have the office staff review this and come back with some recommendations to make it more modern.

Chairman Finucane agrees with that and would like to have this information available by the next meeting. Director Fox will have his Coordinators put together a peer group to possibly iron out some of these issues or bring back some recommendations. Maybe research some other Fire Academies that are similar to ours and see what they do for online training. A good opportunity to do this maybe at the IFSAC Conference coming up in April.

The conversation continued on the amount of online hours and how those hours are obtained. Chairman Finucane was concerned about online classes that are submitted that are 30 minutes, 45 minutes or 1-hour long. These classes should not be given any type of credit, unless it has the associated training. Director Fox wanted to make a point of clarification. Some people put classes together, an hour here, an hour there to meet the requirements. Chairman Finucane continued to express his concerns about that process. Patching together various online classes to go over the 2-hour requirements he believes is not fair and is not following the intent of the rules. It maybe a loop hole that needs to be tightened up. He made it clear that he is for online training, but want to make sure these are good online training classes and more accessible. The bottom line is to make sure we are improving the knowledge and skills of our firefighters and not finding a way to cut through the Commission policy to get the salary benefits. The online training must be worthy of that achievement.

Captain Dorris was also concerned about the rules on Fire Officer I being changed and not being able to find those changes. The rules on the website still have old rules on them. Many of the rules are changing quickly and frequently, and we can't keep up.

Director Fox added that action has been taken in Commission meetings and then at the end of the meeting the direction was to provide those changes and it wasn't defined in the rules. It was communicated through a Fire Comm. blast. The idea of creating a pool of individuals to come together to make recommendations on changes and then come back to the Commission as a body, is a good idea.

Director Fox suggested creating a subcommittee to take care of this.

Chairman Finucane asked Captain Dorris if he would be willing to help. He state yes and that he would have his Asst. Training Officer help. Chairman Finucane asked Commissioner Specht to Chair the sub-committee. Attorney Underwood stated the individuals would need to review the rules and propose of rule changes in the training and training requirements. Recommendations would be forwarded to the Commission from Commissioner Specht.

A suggestion from a guest on having a Training Officer training class on what is supposed to be done. Possibly once every 6 months. Commissioners Biggs and Naifeh were added to the sub-committee to assist. Commissioner Specht also suggested a PowerPoint presentation for Training Officers to review at their convenience.

Chairman Finucane entertained a motion to adjourn.

MOTION BY: Commissioner Specht

SECOND BY: Commissioner Sorge

MOTION CARRIED

THE TENNESSEE COMMISSION ON FIRE FIGHTING PERSONNEL STANDARDS AND EDUCATION

BUSINESS MEETING

February 18, 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. on Thursday, February 18, 2016, at the Embassy Suites Hotel, 1200 Conference Center Blvd, Murfreesboro, TN 37129.

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

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

Members Not Present:

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

Commerce and Insurance / Fire Prevention Staff present:

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

Guests Present:

Timothy Rice	Collierville Fire Department - Commission Contractor
Marcus Hainey	LaVergne Fire Department
Mike Colberson	LaVergne Fire Department
Jay K. Moore	Lawrenceburg Fire Department
Kory Green	Martin Fire Department
Paul Holdeman	Union City Fire Department

Guests Present Cont.:	
Will Mitchum	Volkswagen Fire Department
Steve Marsh	Volkswagen Fire Department
Pete VanDusen	Cleveland Fire Department
Jason Pennel	Cleveland Fire Department
Phillip Mitchell	McMinnville Fire Department
Kendall Mayfield	McMinnville Fire Department
Blake H. Boros	Bartlett Fire Department
Byron Smith	Germantown Fire Department
Brent Sylar	Red Bank Fire Department
Mark Mathews	Red Bank Fire Department
Gary Compton	Knoxville Fire Department
Brandon Bagwell	FedEx Fire Department

IV. MINUTES

Approval of the November 2015 minutes.

MOTION BY: Commissioner Vance SECOND BY: Commissioner Kerley

Motion to approve the minutes from November 2015 minutes.

Call for the Question –
 Chairman Finucane – The improvement in the minutes and the documentation of them has enhanced clarity and understanding. Thank you Director and your staff for doing that. Credit goes to Ms. Linda Brown for doing an excellent job.

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

V. ANNOUNCEMENTS

Director Fox – No announcements that I am aware of.

- Chairman Finucane – Thanked the Tennessee State Fire Chiefs Association, and Daryl Blair the Conference Coordinator for the wonderful hospitality that they have shown the conference participants in the last two days and also for providing this room for us to meet.
- Chairman Finucane – Introduced Commission Field Representative Tim Rice who is a Battalion Chief for Collierville Fire Department. Chairman Finucane stated that he appreciated his work as a contracted employee with the Commission and that he has received a lot of compliments about how our field representatives are hustling, testing and providing a great service to our fire service personnel throughout the state. He personally thanked B/C Rice for doing an excellent job in the field.

VI. GUESTS

Jeff Elliott – Fire Service Program Director – TFACA
 The current firefighter recruit class is scheduled to graduate April 15, 2016. There will be 18 recruits graduating. Program Director Elliott welcomed and encouraged Commissioners to be on stage to congratulate recruits for completing the program and receiving their certificates.

Program Director Elliott provided a report on some of the NFA training opportunities available within the State of Tennessee:

- TFACA was awarded a 6 day NFA class in the state – which is fairly rare – for the first time in at least 4 years, that we have been able to receive this. On April 3rd – 8th, on campus, we have the course Challenges for Local Training Officers. We are in desperate need for 4 more people to sign up in order for NFA to commit to the airfare for the instructor(s) for this class.
- Two other classes offered are; Shaping the Future which is taught in Brentwood on April 9th & 10th. This class is confirmed, but we are still accepting additional people if they want to register for the class. And in Whitehouse, on April 4th & 5th, we have Introduction to Unified Command for All Hazards. All of these are direct delivery from the National Fire Academy.
- Another direct delivery will be in conjunction with the summer Annual Tennessee Fire Chiefs Association – Executive Skill Series Exercise in Leadership to Facilitate Adaptive Change. These are 4 NFA grant classes that will be offered here at TFACA.
- Smokey Mountain Weekend is planned and set, and somewhere around 32 classes are scheduled. Their online registration opens on Feb. 22nd. This year the city of Sevierville is hosting it, so it will be at their convention center.
- We have set the dates for the Fire Chiefs Orientation. It will be offered a minimum of 5 times across the state. Three different dates are set at TFACA, March 12th & 13, November 17th & 18th and November 19th & 20th, 2016. The reason for the back to back dates is to offer a class for the career Chiefs' on Thursday and Friday, who would prefer not to work on weekends. Then we are taking it to the upper East Tennessee and this time it will be in conjunction with the Tennessee Fire Rescue Chiefs' conference at the North East Community College on Oct. 8th & 9th. It will also be held at the Madison County Fire Department outside of Jackson on Aug. 6th & 7th, 2016.
- In-service is going strong. TFACA appreciates the willingness of career firefighters to include us in their incentive pay in-service. As of last Friday, we have 389 classes scheduled for 2016.
- Another date we are looking forward to is the week of June 20th – 26th, 2016 in recognition of Stand Down for Safety. The academy will be offering, for the first time, Fire Department Incident Safety Officer. We have been working with the Commission on the practicals to have everything in place for this certification.
- In April we should be presenting another Technical Rescue discipline and that will be Trench Rescue. We are also offering a 2-hour SIDS class that we intend to offer as an online training course.

Chairman Finucane – The online SIDS training, is that just the first step in additional classes that you maybe developing for online?

- Domestic Violence has already been approved for online. Some series that used to be a part of the Fire Chief Orientation class is being evaluated to determine if that maybe available for online classes. To supplement the Fire Chief Orientation, SIDS was developed as a new online class.

VII. COMMUNICATIONS

(Note: 4 items under communications could have gone under New Business but since they came in an email, we put them under Communications).

a. Ricky Rescue Request

- Director Fox: Out of state course that is through the Ricky Rescue and is an approved online course with the Florida Bureau of Fire Standards and Training. They are looking for out of state students to participate in this online training program for Fire Officer I. They would like the Tennessee Commission on Firefighting to host the written and practical exam portion of the program. An invitation was extended to them to appear at the Commission meeting, however no one appeared. Ricky Rescue is a private, 3rd party entity that is providing this course online.

Discussion:

Commissioner Biggs – concerned about lack of curriculum information being provided.

Director Fox: This company wants to use satellite states that are ProBoard and IFSAC accredited, such as Tennessee, to do their certification testing so they won't have to adhere to Florida specific standards. They will charge for their online course.

Chairman Finucane: Agrees with Commissioner Biggs, more information is needed and someone from the company needs to be present to answer questions for more clarity. As it currently appears, "they charge, they train, and they would expect us to certify them. Something is missing here".

b. McMinnville Waiver Request

Director Fox – The McMinnville Fire Chief, Coordinator Cross and Training Officer Phil Mitchell has been working on this to get them back into the program.

- Training Officer Phillip Mitchell – Requesting a waiver to get back into the Commission. McMinnville was in the Commission before but due to some personnel issues they had trouble remaining in the Commission. They have been working with Director Fox and Coordinator Cross and appreciate how easy they are to work with and are looking forward to continuing with the process of returning to the Commission.

MOTION BY: Commissioner Naifeh

SECOND BY: Commissioner Sorge

Motion to approve the waiver request from McMinnville Fire Department to waive the November 1st deadline for submission into the Educational Incentive Pay Program.

Call for the question - None

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

c. Rocky Top waiver request.

Director Fox: No one from Rocky Top Fire Department is in attendance. In the information from Rocky Top Fire Department (formerly Lake City Fire Dept.), it was stated that the reason for the request for a waiver is due to the passing of their Fire Chief. Their department became unorganized, but it is back on track now and is requesting a waiver for the Educational Incentive Pay Program – Nov. 1st deadline.

MOTION BY: Commissioner Biggs

SECOND BY: Commissioner Kerley

Motion to approve the waiver request from Rocky Top Fire Department to waive the November 1st deadline for submission into the Educational Incentive Pay Program.

Call for the question – None

RESOLUTION

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

Further discussion:

Chairman Finucane – wanted to make sure McMinnville and Rocky Top Fire Departments have submitted the required information.

Coordinator Cross – Yes, they have submitted the required information. I have seen them and they are in good order. They were just waiting on approval from the Commission.

Coordinator Rochford – added that the Rocky Top Fire Department has worked very hard to get to the point where they are now, after the passing of their Fire Chief. They have worked hard to get their in-service training and to get everything up-to-date.

d. LaVergne abeyance request.

Director Fox: Captain Marcus Hainey, LaVergne Fire Department is here to represent this request. He is here on behalf of Firefighter Tyler Spain whose Firefighter I has been held in abeyance due to his lack of HMO certification.

- Captain Marcus Hainey – He is here on behalf of Firefighter Tyler Spain whose Firefighter I has been in abeyance for quite a while. He has completed his Live Burn I and HMO. Has been difficult for him due to the fact that he was taking his HMO and EMR at the same time. He has also completed his EMR. Captain Hainey is requesting the Commission to lift his abeyance so he can get his Firefighter I.

MOTION BY: Commissioner Specht

SECOND BY: Commissioner Sorge

Motion to approve the request of LaVergne Fire Department to remove the abeyance from department member Tyler Spain.

Call for the question –

Chairman Finucane – How long has Firefighter Spain been on the LaVergne Fire Department?

Commissioner Biggs - What is the policy of the LaVergne Fire Department for new hires to get their Firefighter I & II and did Firefighter Spain receive his Firefighter I as a volunteer for another organization?

Captain Hainey – Firefighter Spain has been with the LaVergne Fire Department for approx. 2 years and was previously a volunteer firefighter.

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

e. Henderson Fire Department Course Request - (Need to add to Agenda)
Director Fox – This item must be voted on to add to today’s Agenda.

MOTION BY: Commissioner Biggs

SECOND BY: Commissioner Sorge

Motion to add the course request from the Henderson Fire Department to today’s Agenda.

Call for the question - None

RESOLUTION

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

Director Fox: Request from the Henderson Fire Department to partner with the Jackson Fire Department to utilize their curriculum for the Introduction to the Fire Service course which is a 16 hour course and also the basic 76 hour course. The Jackson Fire Department curriculum was approved on April 29, 2015 by the Commission for both courses. FYI – a similar request from Saltillo Fire Department was approved at a previous meeting to utilize the Jackson Fire Department curriculum.

Chairman Finucane – Are they using their own instructors?

Director Fox – Yes – that is my understanding.

MOTION BY: Commissioner Biggs

SECOND BY: Commissioner Specht

Motion to approve Henderson Fire Department’s request to partner with the Jackson Fire Department to utilize their curriculum for the Introduction to the Fire Service 16 hour and 76 hour basic course.

Call for the question – None

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

VIII. DIRECTOR’S REPORT

The Commission did have a termination of a contract for a Middle Tennessee Contractor. Due to some issues that we had in him being able to fulfill the contract requirements to the extent that we felt it needed to be executed. The contract terminates on the 27th of this month. The Commission is in the process of offering that contract to another individual but we will withhold that individual’s name until we receive confirmation of the contract approval.

Agenda item 8a is a request that was sent to finance for an approval of the first set of Educational Incentive Pay requests. This request has been approved for \$913,800 for 1525 participants at a rate of \$600.00 per participant. This represented 40 departments from across the state that sent in their paperwork in a timely fashion. Because of this the State was able to disseminate these payments earlier than usual.

Another set of Educational Incentive Pay requests are being worked on at this time with the possibility of it being processed and sent to finance for payment within the next couple of weeks. A notice was sent out this week regarding the approaching deadline and participants are responding by sending in their paperwork. These items will also be processed and sent to finance as soon as possible.

Chairman Finucane – Is this the earliest that it has been sent out?

Director Fox – Possibly a few days earlier than last year. The Commission staff and the staff in our finance department appreciate the Fire Departments submitting their information quickly which allows us to process it quickly as well.

Item 8b, Senate Bill 2210 and House Bill 2226 are items you should be aware of. The information is included in your agenda packets. This is a bill that creates a 3 year pilot program that will allow volunteer firefighters to participate in a limited Educational Incentive Pay Program. It allows 1250 volunteer firefighters from 25 fire departments to participate in the program and receive the \$600.00 educational incentive supplement. This bill has been submitted and it is on the floor. It will add approx. 20-25% additional funding to our Educational Incentive Pay Program. From the information that I have received, these volunteer firefighters must be certified to the Firefighter I level to participate in the program.

Discussion:

Commissioner Vance – How are the volunteer firefighters selected?

Director Fox – According to the bill, a committee of representatives from the Fire Chief's Association, the Tennessee Firemen's Association, The State Fire Marshal's Office and the Firefighting Commission would be the individuals who will make those decisions. This is a one-time funding of approx. \$750,000, per year for 3 years. Once that time period has ended, data will be analyzed and a report will be generated along with recommendations from the committee members on how to proceed forward.

Commissioner Kerley - Section C states that only departments located in cities and counties required by TCA to meet the minimum firefighter training required will be eligible. Fire Departments must be in the county that opted in for the training to be eligible.

Director Fox – That is correct, according to the bill.

Chairman Finucane – Audits, how would they be conducted?

Director Fox – That would be something the committee would address.

Commissioner Vance – Departments participating in the program, are they participating for the entire 3 years or does it change every year?

Attorney Underwood – The key to the legislation would be to track the training progress of the particular departments. The language is a little vague, but after the 3 year pilot program is complete, the data – success or lack of success – will be reported.

Chairman Finucane – 1250 volunteer firefighters is the maximum number of participants but it can be less, correct?

Director Fox – That is correct. The limits are: 1250 volunteer firefighters from a maximum of 25 different fire departments.

Chairman Finucane – The information states the State Fire Marshal's Office shall develop and manage the pilot program in conjunction with the groups mentioned. Will a member of the Fire Commission Board be a part of the committee?

Attorney Underwood – I believe that will be worked out in time.

Chairman Finucane – For the record, I recommend someone from our 9 Commissioners be appointed as part of that umbrella of the Commission.

Commissioner Biggs – Have we attached a fiscal note for the workload from office personnel?

Director Fox – A fiscal note has been generated for this bill and it has been taken care of by the Fire Marshal's Office.

Commissioner Vance – Would this bill also apply to combination departments?

Director Fox – That is my understanding.

Chairman Finucane – Will each individual volunteer firefighter be required to complete the same requirements as career firefighters who are currently receiving the \$600.00?

Director Fox – That is my understanding.

Attorney Underwood – As is mine.

Director Fox – To continue with my report – since we have been with the ProBoard we have had 167 individuals apply and receive registry into the ProBoard database. This equates into \$2500.00 which covers our annual fee. The breakdown of the 167 individuals are:

Awareness	43
Operator	42
Firefighter I	19
Fire Inspector	18

The rest are in single digits for various levels.

The new Accreditation Manager and I will be attending the IFSAC Conference in Oklahoma City at the end of the month. Ms. Brown will be in Oklahoma City while we are in Gatlinburg, and I will be joining her once our meeting in Gatlinburg is completed. Our IFSAC site visit is scheduled for some time between August 15th and 26th, 2016. An exact date has not been set yet. Our last site visit was in 2012. IFSAC is trying to get back on a 5 year cycle (initial accreditation – 2006), that is why they are requesting a site visit for this year.

Statistics for 2015:

Written and Practical exams – up 27%.

Pass Rate – up 71% (vs 54% in 2014).

Hosting Exams – up 24% for written and up 19% for practical exams.

Lastly, as per our discussion during the Work Session yesterday, we have 3 terms for Commissioners that expire July 1st. Commissioner Slay has already resigned, and Commissioner Vance and Commissioner Finucane's terms will expire.

IX. OLD BUSINESS

1. Request to review progression in certification testing.

Director Fox – Topic was carried over from yesterday's Work Session.

Chairman Finucane – Any comments concerning the survey, specifically as it relates to progression.

Commissioner Vance – Appears to be a lot of interest from volunteer firefighters to be a part of the program.

Commissioner Kerley – States that the test that we administer for Firefighter I basically says that the participants understand what they need to do, but it doesn't necessarily make them good at it. Also, concerned that there are approx. 700 fire departments in the State of Tennessee and only 100 of them are in the Educational Incentive Pay Program. The bill(s) on the floor of the legislature regarding Educational Incentive Pay Pilot Program may be an incentive to assist volunteer firefighters to become certified as Firefighter I & II's. Some of our advanced certifications that require classes before they take the exams will also provide additional training to those individuals.

Commissioner Naifeh – Regarding progression – after speaking extensively with some of the training officers after the Work Session meeting yesterday, it was apparent that the disconnect is that the people are confused on what progression is. Commissioner Naifeh believes that "if there is no prerequisite for that position, I think individuals should be able to test for multiple levels of certifications". Even though the application will still have to be in the office 15 days in advance, this should be ample time for the office personnel to process the applications. We should move ahead with removing the hindrance for firefighters to be able to test for certifications that are not related and have no prerequisite requirements.

Chairman Finucane – Commissioner Naifeh would you like to put that in the form of a motion?

Commissioner Naifeh – So moved.

MOTION BY: Commissioner Naifeh

SECOND BY: Commissioner Sorge

(Discussion on what the motion should actually state).

30 day waiting period is currently in effect for all certifications. The 3 year time frame for taking the Fire Instructor I certification is 3 years in the Fire Service, not a 3 year waiting period. This motion is defining what progression is for the Fire Commission to proceed with.

Chairman Finucane – Commissioner Naifeh, with all due respect, please restate your motion.

Commissioner Naifeh – Motion to remove the waiting periods for non-related levels of certifications for which a prerequisite is not required.

Chairman Finucane – We do have a motion on the floor by Commissioner Naifeh, 2nd by Commissioner Sorge.

Call for the question.

Attorney Underwood – Previously it was a 90 day period, correct?

Director Fox – That is correct.

Attorney Underwood – Trying to locate the exact rule to amend it – just to bring down the barriers to move forward.

Director Fox – If the motion passes, would it be safe to put it into the form of a policy and begin to operate off of it as a policy at that point? This better defines progression.

Attorney Underwood – the old rule was 90 days and it is not in the current progression. It would be nice if you are doing a policy for it to make sense.

Commissioner Naifeh – believed it was changed during the rule change of 2014, but it was more of a policy internally within the Commission office. Willing to have his motion be in the form of a policy change.

Attorney Underwood – Currently it appears to be a policy, that is why he is have difficulty finding the old rule. Remembers it to be a policy change and at the time the discussion was regarding a future rule change.

Chairman Finucane – agrees.

Attorney Underwood – putting it into a rule allows other people to access it.

Chairman Finucane – anything further. Request a roll call vote.

Motion to remove the waiting periods for non-related levels of certifications for which a prerequisite is not required.

Director Fox:

Commissioner Biggs	Yea
Commissioner Finucane	Yea
Commissioner Kerley	Yea
Commissioner McCormack	Yea
Commissioner Naifeh	Yea
Commissioner Specht	Yea
Commissioner Sorge	Yea
Commissioner Vance	Yea

RESOLUTION

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

X. NEW BUSINESS

1. Reciprocity report November – January

Coordinator Rochford –
Yearly statistics for 2015: (January – December)
460 reciprocity recipients

From November 2015 – January 2016 – 120 reciprocity recipients
Please refer to the handout in your meeting packet.

Director Fox – thanked Coordinator Rochford for his diligence in turning these requests around for the customers. Many of these customers are in Tennessee (ex: Volkswagen Fire Department, Chattanooga Fire Department) and other places.

2. Consideration to approve courses.

a. Charleston 9 Training

Chief Jay Moore, Lawrenceburg, TN
This course is put on by Dr. David Griffin from Charleston. He was one of the members of the first arriving units to respond to the Sleeper Sofa Fire that killed 9 firefighters from the Charleston Fire Department. The free course is being offered in Lawrenceburg at 9:00 am for two days - Friday, February 19, 2016, and Saturday, February 20, 2016 at the Crocket Theater. Approx. 400 – 500 participants from across the state are expected to participate. This is a one day course for 6 hours each day. Chief Moore is requesting approval of the 6 hours towards the Educational Incentive Pay Program hours.

MOTION BY: Commissioner Kerley

SECOND BY: Commissioner Biggs

Motion to approve the request by Lawrenceburg Fire Department to allow the *Charleston 9 Training* course’s 6 hours of training to count towards participating firefighters Educational Incentive Pay Program hour’s requirement.

Call for the question – None

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

**2.b Chattanooga Fire Department
- Fire Officer I
- Instructor I**

Chairman Finucane – Submitted documentation was dated for 2014.

Director Fox – That’s correct. This is an in-service that the Commission approved in 2014. They are returning to get this approved as a recognized course for the Chattanooga Fire Department.

Captain Terri Roshell – This is the course that was approved in 2014. It was taught in 4 different classes over 80 hours. Participants had to complete all 4 classes to have completed the course. Now it will just be put together as an 80 hour course.

Chairman Finucane – does this meet the requirement for Fire Officer I?

Director Fox – That is correct, that is the intent.

MOTION BY: Commissioner Sorge

SECOND BY: Commissioner McCormack

Motion to approve the 80 hour Fire Officer I training program and the Fire Instructor I 40 hour training program for the Chattanooga Fire Department.

Call for the question – None

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

(Skipping to **X 2.d** TN Fire Training Online)

2.d Tennessee Fire Training Online

- i. Attic Fires**
- ii. Basement Fires**
- iii. Chimney Fires**
- iv. Confined Space**
- v. Fire Officer I**

Captain Roshell – the first 4 classes are 4 hour courses that are based on research to make the classes valid and reliable. The Fire Officer I course is set up in a quarterly fashion. It is a 12 week program that is set up like an online university course. Participants will have to do discussion assignments and go through different activities throughout the course. All assignments will be time sensitive with designated submission dates. All assignments will be graded and participants will have to receive a grade of 70% or better to pass the course. There will also be facetime over the computer. An application called “Big Blue Button” is where lectures will be held and participants can sign in at the time of the lecture for interactive participation. They will also be able to view the lecture(s) at a later date if they missed the initial lecture, because viewing the lecture and completing the required assignments is a requirement for completion of the course. The new Fire Officer I IFSTA manual is utilized. It has 11 chapters, one chapter per week with one week of orientation to familiarize the

participants in the online program process. A final would be given at the end, and this would complete the 12 weeks of the course.

Benefits – mainly for individuals of smaller departments who may not have the finances or the time to send individuals to actual classes.

Cost – Yes. The amount has not been determined yet. If participants complete the course, they will get a 50% refund. This is an incentive for them to complete the course.

Staff – Chuck Swan from Hendersonville and Capt. Jenny Parker with the Chattanooga Fire Department will be assisting in grading some items, getting back and helping with the discussion questions.

Course hours are eligible for the Educational Incentive Pay Program. Approval of this online program will be for Fire Officer I only. Does not apply for Fire Officer II, III or IV. Initially this is a pilot program for about 15 – 20 individuals to make sure everything flows well. In the future looking to provide online courses for Fire Instructor I and Fire Officer II.

Chairman Finucane – Not comfortable with the Fire Officer I online training completing the requirements for Commission certification or meeting the requirements for the Educational Incentive Pay Program hours. The floor is opened up for discussion.

Commissioner Naifeh – Comfortable with the online training curriculum and doesn't see the difference between sitting in a classroom and online training. "It's the same material covered". For fire departments across the state, other than being in a live classroom, for the same level of instructor, we have no way to grade the level of instructor for everyone in the state. What could ease some people minds who are not comfortable with it?

Captain Roshell – the barrier is sometimes in the mind, because people learn in different ways. It will require 5-8 hours per week commitment to complete the assignments. Discussion boards, going through lectures and videos that are associated with them, written assignments based on the Fire Officer I practical, etc. are mandatory for the completion of the course. Watching videos are required and the way the website is set up, you have to respond to various points that are set up in the video to insure that you are watching the video and not setting it on play and walking away.

Commissioner Naifeh – Continued to support the online training and trusts that Captain Roshell will have the required level of instruction required. Also, in another related area, combining Fire Officer I & II has been difficult for individual to attend that course. It has created a vacuum across the state for individuals who want to test just for Fire Officer I or just for Fire Officer II. A stand-alone course for Fire Officer I or Fire Officer II is needed. Unless your department puts on this class, it is very hard for individuals to find these two courses separately. From a Chief's perspective – I don't have the time or the money to send individuals to TFACA for 3-4 weeks to attend the course. I applaud Captain Roshell for what she is trying to do and will make a motion to approve your online course.

Captain Roshell – If any Commissioner or anyone would like to monitor the pilot course, I can set you up as a non-editing teacher which would enable you to be able to see the quality of the work that is being turned in and the grades that they are receiving.

Commissioner Sorge – Embracing other venues may address vacuums that we maybe creating. I applaud the work that you are doing here and have confidence in your work. We need to provide other venues so firefighters from across the state can achieve what they need to achieve. Times are changing and I agree with Commissioner Naifeh and I would like to see it go before a motion.

Commissioner Specht – believes that this would affect more volunteer firefighters because volunteer departments cannot afford to send people to training.

Commissioner Biggs – I make a motion to approve all 5 courses.

MOTION BY: Commissioner Biggs

SECOND BY: Commissioner Specht

Call for the question.

Commissioner Naifeh – do we need to separate the Fire Officer I certification?

Chairman Finucane – “I would request an amendment to the motion to separate the first 4 courses, Attic Fires, Basement Fires, Chimney Fires and Confined Space, and vote on them separately. Then make a motion for Fire Officer I if you so agree”.

Commissioner Sorge – “I don’t understand why. Just take them as a whole”.

Chairman Finucane – “I am requesting that you consider that as an amendment”.

Commissioner Sorge – “I would agree with that only for a housekeeping matter when it involves certification”.

Commissioner McCormack – Move to approve first 4 courses.

Chairman Finucane - Motion on the floor already. The previous motion needs to be rescinded and amended, if Commissioner Biggs and Commissioner Specht agree to that.

Commissioner Biggs – I will amend my motion to accept the first 4.

Chairman Finucane – The amended motion will be for the approval of the first 4 online classes for salary supplement hours, and was 2nd by Commissioner Specht. Do I have that correct?

Commissioner Vance – Concerned about the usage of the IFSTA manual only. Jones and Bartlett curriculum is also used for this certification.

Captain Roshell – “I am more comfortable with the IFSTA. That is just a personal preference. It is my understanding when they get ready to test all the information will be available in both manuals.”

Chairman Finucane – motion on the floor to approve the first 4 online courses from the Tennessee Fire Training Online.

Motion to approve the first 4 online training courses from the Tennessee Fire Training Online program.

RESOLUTION

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

Chair will entertain a motion to approve the Fire Officer I online course.

Commissioner Specht – so moved.

Chairman Finucane – Commissioner Specht could you be more specific as to what your motion is going to be.

Commissioner Specht – Make a motion that we approve the Fire Officer I for online training to cover the course work requirements for certifications.

MOTION BY: Commissioner Specht
Call for the question.

SECOND BY: Commissioner Kerley

Chairman Finucane - Request a roll call vote.

Director Fox:

- Commissioner Biggs Yea
- Commissioner Finucane Nay
- Commissioner Kerley Yea
- Commissioner McCormack Yea
- Commissioner Naifeh Yea
- Commissioner Specht Yea
- Commissioner Sorge Yea
- Commissioner Vance Yea

RESOLUTION:

Vote: 7 – Yea 1 – Nay 0 – Abstain

MOTION CARRIED

Captain Roshell – Thank you. Also added that if any Training Officer or Fire Chief or anyone else who wants to add a class to teach, get with her so it can be set up. I envision the website becoming a statewide resource for all departments, and she does not have to be the only teacher.

MOTION BY: Commissioner Sorge

SECOND BY: Commissioner McCormack

MOTION TO RECESS FOR 10 MINUTES.

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

Chairman Finucane – Session called back to order.

X. 2c. Cleveland Fire Department – Fire Officer II

Pete VanDusen, Training Officer for the Cleveland Fire Department - Thanked the Commission for the approval of their Fire Officer I course last year. This is a continuation to meet the same goal of preparing their personnel to challenge the Commission test. Understood there were questions from the Commission on the qualifications of their instructors. All instructors are a minimum of an Instructor I and a minimum of a Fire Officer II to match the curriculum they are teaching. Hope this alleviates any concerns you may have about the level of the instructors.

Chairman Finucane – Questions, Comments for Captain VanDusen.

MOTION BY: Commissioner Kerley

SECOND BY: Commissioner Specht

Motion to approve the Fire Officer II training course for the Cleveland Fire Department.

Call for the question – none.

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

2e. Union City Fire Department

- i. Fire Office I**
- ii. Fire Officer II**
- iii. Fire Officer III**
- iv. Fire Officer IV**
- v. Fire Officer III & IV**
- vi. Fire Instructor I**
- vii. Fire Instructor II**

Captain Paul Holdeman, Union City Fire Department – Requests approval of the following certification courses: Fire Officer I, II, III, IV and III/IV, and Fire Instructor I & II. They have several people in the Fire Officer I & II courses right now and 2 people in the Fire Officer III course already. Will follow the IFSTA or Jones & Bartlett curriculum strictly, and believes it shouldn't be an issue.

Chairman Finucane – Any comments, questions from the Commission.

MOTION BY: Commissioner Naifeh

SECOND BY: Commissioner Sorge

Motion to approve the following courses for the Union City Fire Department: Fire Officer I, II, III, IV and III/IV, and Fire Instructor I & II.

Call for the question.

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED.

2.f Volkswagen Fire Department – HMA/HMO Firefighter I & II

Captain Steven Marsh, Volkswagen Fire Department – I would like to thank Coordinators Cross and Rochford for all of their help in getting us to this point. This has been a 22 month endeavor. Has individuals on their department that have hours but it was never sent into the state. Need to get individuals certified so that down the road they will be able to look into the industrial fire service side of it. They have 5 Fire Instructor I's and 3 Fire Instructor II's. Uses the Jones & Bartlett curriculum exclusively. Last year their department conducted 8033.75 man hours of training. Difficult to send people to training due to their schedule of on duty 7-days. Would like to get this curriculum approved to be able to move forward with training and get personnel certified.

Chairman Finucane – What is the 132 block of hours for?

Captain Marsh – 1403 Live Burn certification training. Personnel must have that before they can do any live burn training. This is the first step; the second step is the 285 hour course that will carry them over to the Firefighter II. This will not happen overnight, it will take some time. Firefighters under our command would have a total of 285 hours plus the Awareness & Operations.

MOTION BY: Commissioner McCormack

SECOND BY: Commissioner Sorge

Motion to approve the submittal from the Volkswagen Fire Department for their HMA/HMO, and Firefighter I & II program.

Call for the question – none.

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

2.g FedEx Fire Department

Lieutenant Brandon Bagwell – Training Officer, FedEx Fire Department - The purpose of this class is to meet the State's requirements for testing for the Fire Officer I certification. It is a 60 hour class and I am here to answer any questions you may have.

Chairman Finucane – Any questions for Lt. Bagwell.

Commissioner (unable to determine who made this statement) – How many personnel do you have. Are they full-time?

Lt. Bagwell – 17, and yes sir, they are full-time.

MOTION BY: Commissioner Naifeh

SECOND BY: Commissioner Biggs

Motion to approve the submittal for Fire Officer I for the FedEx Fire Department.

Call for the question – none.

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

2.f Tennessee Search & Rescue Course

Director Fox – This is a program that was submitted to me that was in conjunction with the Maury County Hazardous Operations Team and also the Tennessee State Parks. Shane Petty, who works out of the Henry Harton State Park, and is well known in Middle Tennessee for search and rescue, put this program together. It has been submitted to you for approval to be used for training for specialized rescue.

Chairman Finucane – Specialized rescue with the potential of using this as a salary supplement?

Director Fox – That is correct.

Chairman Finucane – Concerns about the correlations not being in depth enough. Need to require the submission of a more in depth correlations due to the fact that everyone else is required to do so. Approval will be contingent upon the specific correlations to the Standard that they are going to compete in the class.

MOTION BY: Commissioner Sorge

SECOND BY: Specht

Motion to approve the Tennessee Parks Search & Rescue course contingent upon the submission of the more specific correlations to the Standard.

Call for the question

Some discussion on correlations meeting the Standard.

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

- 2.i Jackson Fire Department**
 - i. Fire Officer I**
 - ii. Fire Officer II**
 - iii. Fire Instructor I**
 - iv. Fire Instructor II**
 - v. Fire Apparatus Driver Operator**
 - iv. Recruit School**

Captain David Dorris – Requesting approval for Instructor I & II, Fire Officer I & II, Fire Apparatus Driver Operator III (was actually approved last meeting but due to a typo of 40 hour class instead of a 3 hour class), and the Recruit Class. Last time they tried Jones & Bartlett for the Recruit Class, however this time they are going with Essentials. So this is a request to approve that change in the curriculum for the Recruit Class.

Chairman Finucane – remarked that the paperwork and documentation submitted is exemplary.

MOTION BY: Commissioner Kerley

SECOND BY: Commissioner Sorge

Motion to approve the Jackson Fire Department package – Fire Officer I & II, Fire Instructor I & II, Fire Apparatus Driver Operator and Recruit School curriculum change.

Call for the question – None

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

3. Educational Incentive for 2015

Coordinator Cross – This report is in response to the 2 departments that had submitted their programs after the November 1st deadline. The Rocky Top Fire Department had extenuating circumstances and the McMinnville Fire Department who are getting back into the program. This report is to let you know their situations. Also, we are up to 104 fire departments which is up from 96 last year of the departments participating in the program.

Chairman Finucane – We appreciate the work you and Coordinator Rochford have done, especially getting out hustling and promoting the program.

Coordinator Cross – The Tennessee Fire Service has seen a change and recognizes the need to get credentialed and trained, and we are happy to be a part of it.

Chairman Finucane – Survey comments are very positive for the both of you.

Coordinator Cross – Clarification, McMinnville had submitted 90 hours or so of classes to be considered for approval, but the hours were actually closer to 200 hours. All the hours meet our requirements and most of them are being taught by TFACA.

Chairman Finucane – Any questions, comments for Coordinator Cross?

Director Fox – Thanks Coordinator Cross and Coordinator Rochford for their excellent customer service in working with fire departments across the state and getting them what they need. They do an excellent job.

Chairman Finucane – The results are right there.

5. Fire Department Incident Safety Officer Skills to NFPA 1521, 2015 Edition.

Director Fox: Commissioners you have the Fire Department Incident Safety Officer Skills Sheet package that we put together. This information has been submitted to IFSAC and ProBoard for consideration along with the correlation sheets and all of the necessary documents for approval for accreditation. We hope to hear from ProBoard sometime in April and IFSAC in approx. 30-60 days. This package goes along with the TFACA Jones and Bartlett curriculum that will be taught in June at the Academy. We are also working on some scenarios to correlate with the skills sheets and we will get together at the end of this month to review this information. This information is presented to you for your consideration and approval.

Chairman Finucane – This is excellent. If another independent fire department in the state developed their own curriculum for Fire Department Incident Safety Officer would they be able to use these skills sheets?

Director Fox – The skills sheets are part of the timed practical exam for certification. But we will work with whoever submitted a course and was approved.

Chairman Finucane – This is a step up and is very good. Any further comments from the Commission.

MOTION BY: Commissioner Sorge

SECOND BY: Commissioner Naifeh

Motion to approve the Fire Department Incident Safety Officer Skills Sheet Package.

Call for the question –

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

6. Proposed Policy Changes

Director Fox – The information presented to you is a proposed policy change 12-4, which was originally created in 2012. What we are trying to do is to expand on that policy based on our ProBoard site visit and come up with a better definition on how we generate tests. The written examination test composition in our original policy stated the number of test items for each different level of exams. What we need to do is to further define the process on how we generate tests. We have two options on how to generate tests. The first option is to generate tests from randomly selected test questions from the test bank. The second option would be to generate tests by counting the number of objectives and dividing that number into the number of test items. By clearly defining the test composition we would be able to provide a clear understanding of the process when completing the information for re-accreditation with IFSAC and ProBoard. This step is basically a housekeeping item for test creation composition clarification. This will also assist in a smoother transition for other individuals who would be charged with Commission test examination creation. Part two of the proposed policy changes concerns the Written Examination Procedures. The entire staff worked on this project and Ms. Brown has played a big part in its creation. The changes reflected in this policy were created to bring the policy in step with today’s modern technological advances that may compromise the integrity of the testing environment. I was asked to give a presentation to the members in attendance at the recent ProBoard conference in Orlando, FL on test security. In my research I found many different ways individuals could compromise a Commission exam. It is for these reasons that I am requesting approval for the policy changes that I have submitted.

Chairman Finucane – Question – a candidate is not able to wear a watch?

Director Fox: There are many items that you can purchase for under \$200.00 that have cameras on them. Something as small as a pen or a water bottle can take a picture and compromise our exams. Basically, if you can imagine a camera on it, then it is possible. That is the environment we are living in today.

Chairman Finucane – I applaud you for getting ahead of the curve here. I am going to make a recommendation that we take the issues separately. I’ll entertain a motion that we approve the Written & Practical Test Composition Policy.

MOTION BY: Commissioner McCormack

SECOND BY: Commissioner Naifeh

Motion to approve the proposed policy change on the Written and Practical Examination Test Composition.

Call for the question – None

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

Chairman Finucane – Chair will entertain a motion to approve the Written Examination Procedures as drafted.

MOTION BY: Commissioner Sorge

SECOND BY: Commissioner Specht

Motion to approve the Written Examination Procedures - Pre-Test Procedures, Testing Rules and Procedures as drafted.

Call for the question – none.

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

XI. PUBLIC COMMENTS & SUGGESTIONS

Captain David Dorris, Jackson Fire Department – In July we taught a 3 week Fire Officer I course for 16 individuals. Out of the 16 individuals 4 people either could not test due to other testing processes at the time and one that had a hardship that and hasn't begun the testing process. Now, as of January 1, my Fire Officer 1 course is no longer valid. This will create a need for 4 of my individuals to retake the exact same class you approved today. Now it is my responsibility that I didn't give it to you for approval, but with all due respect, until now that has been more paperwork for us to do that really wasn't needed.

Director Fox – For clarity, you are asking to grandfather your Fire Officer I course back.

Captain Dorris – I want my Fire Officer I class to be retroactive to the July class of 2015, which would only affect 4 individuals. I can provide the Commission copies of the rosters and you already have the curriculum. It is the exact same class.

Chairman Finucane – Hypothetically, if we approve this would we be opening the door for other situations to go back.

Attorney Underwood – (Mic was not on, unable to hear comment).

Director Fox – This is not different than what ProBoard did for us. ProBoard allowed us to go back to do that for the Fire Inspector I certification prior to accreditation. We had to ensure we used the same mythology that they accredited.

Attorney Underwood – I'm wondering if he is approving a class used 6 months previously is that required....(interrupted).

Captain Dorris – I've never actually had that one approved. It is the same exact curriculum, same book, same thing were going to be doing now that you just approved today. However, in the past we did not have those classes approved. We just taught them and according to NFPA the AHJ had the right to allow us to do so.

Attorney Underwood – but you are setting a January 1st deadline.

Captain Dorris – As of January 1st, you have to have an approved class.

Attorney Underwood – And that's the rules of the Firefighting Commission?

Captain Dorris – Yes. If I had known that in July I wouldn't have taught the class until January 1st. With all due respect, we just approved today a Firefighter I & II level that was under abeyance and according to the rules of 2010 or 2011, was deleted. It did not exist.

Attorney Underwood – So they just approved a class today for this year that will be no longer effective for January 1st of next year? Is that correct?

Captain Dorris – No, my understanding is that the class approved today is good until the Standard changes or the text book does.

The discussion continued on the clarification of the January 1st deadline for Fire Officer 1 and Captain Dorris's request to retroactive his Fire Officer 1 course to the July 2015 class.

Director Fox – Point of clarification, we are dealing with policies that were passed in Commission meetings that have not yet been turned into an actual rule.

Attorney Underwood – That makes it a little bit easier to waive a policy than a rule.

Chairman Finucane – What is the pleasure of the Commission.

Director Fox – Point of Order, must ask that you add this to your agenda in order to move on it.

Chairman Finucane – Thank you.

MOTION BY: Commissioner Sorge

SECOND BY: Commissioner McCormack

Motion to add Jackson Fire Department request concerning their Fire Officer I program that was taught in 2015 to the agenda.

Call for the question –

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

Commission Sorge – I make a motion to approve the class from last year that was taught on the same curriculum we approved this morning, due to the fact that our recent changes in policy have led to some of this confusion.

MOTION BY: Commissioner Sorge

SECOND BY: Commissioner Specht

Motion to approve the request by Jackson Fire Department to approve their Fire Officer I class that was conducted in 2015 for credit towards the required training.

Call for the question – none.

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

Commissioner Sorge – Commented on the excellent work Director Fox and his staff is doing. In talking with Captain Dorris and other Training Officers it is apparent that there is a communication issue with decisions being made and making that information available to the fire service personnel across the state. Suggested that we bring back the training sessions that were provided by the Director and his staff that would go over the policy and rule changes made. Possibly, during the next Commission meeting (and/or the following one), provide this class and go over the policies and rules with the Training Officers or anyone who would wishes to attend. This process would go a long way in bringing everyone up to speed and on the same page regarding our current rules and policies.

Director Fox – We will certainly look into that.

Chairman Finucane – I think it is an excellent recommendation, and I know our staff will be able to pull it off. Also Director, if you would notify the entire Commission, I believe most of us, if not all of us would be interested in attending. This will enlighten us on our policies that have been dynamic over the last couple of years. Also, Mr. Underwood, if you could give us some direction on the proper procedures to adhere to the Sunshine Laws in regards to the subcommittee meetings and administration of it since we have 3 Commissioners that are participating on it.

Attorney Underwood –“The concern is to make sure you are not conducting business outside open meetings for the public viewing. The subcommittee is to obtain information and relay it back to the Commission. It is not important for the 3 Commissioners to collaborate together on the information, but to gather the information on behalf of the Commission and bring it back for the Commission to determine what should be done. Regarding rule changes for the Training Officers, the key to remember is that electronic communication on meetings shall not be used to decide or deliberate public business or circumvent the spirit of the requirements of open records. Therefore, when you get the information if you send it to Director Fox or myself and we can copy each other as long as you are not communicating with each other to determine things, influencing positions, sharing information you should stay within the parameters within the law. Just be careful and mindful of that, not to discuss your business in between each other when you are outside public meetings and so forth. And that includes electronic communication as well as telephone. More than two of you meeting together and discussing business, that’s when the flags jump up regarding open records. Questions?”

Chairman Finucane – I’m good.

Attorney Underwood – “Keep me involved, copied on emails and so forth and Director Fox. I think we can help. And if anything is said, we got your back. But we will be glad to provide all that information back to the Commission where the determination will be made. The subcommittee which is basically your 3 members garnering information to get that back on behalf of the Commission. There would be no large meeting of the subcommittee. If there is, we would provide notice”.

Chairman Finucane – Thank you Mr. Underwood for your direction on that. Is there anyone else interested in coming forward and making a comment?

Commissioner Biggs – Wanted clarification on granting waivers and the fact that individuals would have to take the class before you can take the test and that there is no established waiting period between the two. Also wondered if a period of time should be established that waivers would be granted for. Wanted to know if an individual who took a Fire Officer I class 14 months ago could come in and ask for a waiver.

Director Fox – Point of clarification – we sent this out, researched it, went back in the curriculums that had been submitted by TFACA and other agencies, generated and distributed a list of those classes that we would recognize. Anything that had been approved in the past that was taught to the 2009 Standard we compared to the 2014 Standard and they were identical. Anything that was approved by the Commission in the past we would accept. Even under the 2009 Standard. This information was communicated through Fire Comm.

Commissioner Biggs – That information would be readily available to the departments across the state and I can call you and ask if that class is still relevant?

Director Fox – Yes.

Commissioner Biggs – Ok, thank you.

XII. DATES OF FUTURE MEETINGS

Chairman Finucane – Two business meetings are scheduled for April 26th & 27th at the Park Vista Hotel in Gatlinburg, at 9:00 am for both meetings. Also, on June 28th & 29th in Oakridge, TN we will have a Work Session on the 28th at 1:00 pm and the Business Meeting on the 29th at 9:00 am. The location will be determined correct Chief Kerley?

Commissioner Kerley – Yes, sir.

Chairman Finucane – Any questions, concerns about anything that has been approved or voted on. The Chair will entertain a motion to adjourn.

MOTION BY: Commissioner Vance

SECOND BY: Commissioner Kerley

Motion to adjourn.

Call for the question – none.

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED