

4/26/17 Motion to approve by Specht, 2nd by Hedgepath, Motion Passed

TENNESSEE COMMISSION ON FIRE FIGHTING PERSONNEL STANDARDS AND EDUCATION

WORK SESSION

February 2, 2017

9:00 AM - Central Time

The Tennessee Fire & Codes Academy

2161 Unionville-Deason Road

Bell Buckle, TN 37020

Minutes

I. Meeting was called to order at 9:00 AM by Chairman - Commissioner Sorge

II. **ROLL CALL – (Linda Brown)**

Commission Members Present:

Commissioner Brian Biggs

Commissioner Tommy Kelley

Commissioner Darryl Kerley

Commissioner Stephanie Specht

Commissioner Toran Hedgepath

Commissioner Matthew Sorge

Commissioner David Windrow

Commission Members Not Present:

Commissioner Michael Naifeh

Commissioner Julie Mix McPeak

A quorum has been established.

Commerce and Insurance / Fire Prevention Staff Present:

Steve Majchrzak – Assistant Commissioner - Dept. of Commerce and Insurance

Randy Fox – Executive Director – Fire Commission

Steve Cross – Fire Coordinator – Fire Commission

Linda Brown – Fire Coordinator/Accreditation Mgr. – Fire Commission

Cheryl Deener – Administrative Assistant – Fire Commission

Joseph Underwood – Chief Counsel – Fire Marshal's Office

Jeffrey Elliott – Fire Service Program Director – TFACA

Guests:

Terry Watts – Shelby County Fire Department

Carl Alexander – Jackson Fire Department

David Dorris – Jackson Fire Department

III. Commission Member Orientation (Director Fox)

Legal requested that this process be conducted today. Attorney Underwood is not currently present, but he is on his way in. This item will be skipped until his arrival.

IV. Review of Policy 13-1 "Written Examinations for Commission Members and Employees

*Policy Number 13-1
Adopted: March 20, 2013*

*Original Motion by: Vance
Last Amended:*

Subject: Testing For Commission Members / Employees

To approve the testing procedure for commission employees, commissioners, field representatives, employees of the State Fire Marshal's Office and employees of the Department of Commerce and Insurance to include a commission member to oversee and/or conduct the commission test.

Policy #13-1 effective March 20, 2013. The enforcement of this policy has been a challenge to recruit Commission members to sit for exams for Commerce and Insurance employees. The Fire Commission believes this Policy is extreme in its current form. This policy includes all employees of Commerce and Insurance, not just Commission members. The ensuing discussion surrounded on how to revise the policy so it is not a major impact on the schedules of the Commissioners so they can be present for Commerce & Insurance employees testing events. The policy was developed to avoid a conflict of interest in the testing policy. It was discussed that the pool of individuals that would be required to have a Commissioner present during testing needs to be drastically reduced. The suggestion was that this policy would affect personnel that are within the chain of command of the Fire Commission Executive Director, which includes office staff, Coordinators, Contractors and also Commission Board members and superiors/supervisors to the Executive Director. Another suggestion is to also include all full time TFACA instructors and instruction staff. This policy change will be worked on tonight and presented to the Commission during tomorrow's Regular Business Meeting.

III. Returning to Commission Member Orientation agenda item.

Chief Counsel Underwood has arrived and has a presentation and handout information for the Commissioners regarding Commission member orientation. The information provided was made available by Deputy Commission Gary West. The presentation was titled: *You Are My Sunshine, My Only Sunshine: Open Records and Public Meeting for Regulatory Boards & Commissions.*

The following information is a brief synopsis of the presentation by Chief Counsel Underwood:

Open Records Act

- What's included in "open records" for the Fire Fighting Commission - all documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency. --T.C.A. § 10-7-503(a)(1)(A)

Public Meetings Act – T. C. A. § 8-44-101

- The general assembly hereby declares it to be the policy of this state that the formation of public policy and decisions is public business and shall not be conducted in secret. "It should, therefore, be construed broadly to promote openness and accountability in government ... and to protect the public against closed door meetings at every stage of a government body's

deliberation.” Basically saying that the legislature is not telling you what you can and cannot say, but that, while serving as a Commissioner, all that you say should be on the record and accessible to the public.

- All meetings of any governing body are declared to be public meetings open to the public at all times, except as provided by the Constitution of Tennessee. Regular meetings, special meetings, committee and sub-committee meetings are also included. The only exception is Executive Session (when the Commission is under a lawsuit or has been threatened with suit and needs to meet their attorney and ask questions related to such a suit, may not deliberate about any specific matter before it or potentially before it).
- What’s not a meeting –
 - Any on-site inspection of any project or program.
 - A chance meeting of two or more members of a public body; however, no such chance meetings or informal assemblages can be used to decide or deliberate public business in circumvention of the spirit or requirements of the Public Meetings Act.
 - Two or more members of a public body may share a meal together in which public business is conducted, but such discussion should not constitute deliberations. You may NOT deliberate, debate, or decide about Commission business.
 - Lunch breaks, restroom breaks, smoke breaks, recesses between morning and afternoon sessions, adjournments between two days of multi-day meeting – all those times when Commission business should not be discussed.
- Electronic Communications
 - This applies to electronic communications as well. If you email or call another Commissioner, this is not a “chance meeting” even if you don’t discuss commission business; it gives a strong appearance of impropriety. It is permissible to talk as friends as long as Commission business is not conducted.
- Electronic Attendance
 - If one or more Commissioners cannot attend a meeting in person, the absent member(s) may participate telephonically, but all votes must be roll call votes.
 - If the Commissioners present in person makes a quorum, the meeting may proceed as normal with the other Commissioners participating by phone. If the in-person Commissioners cannot make a quorum, then the Commission must adopt and promulgate a State of Necessity, then the meeting can go forward.
- Application
 - The Sunshine Law gives citizens the statutory right to attend the meetings of state and local governmental Commissions and agencies. However, it does not give citizens the right to participate actively in all public meetings nor does it require public officials to depart from their agenda to interrupt their business to accommodate the public’s demands to be heard.
- Notice
 - Contents of the Notice must reasonably describe the purpose of the meeting or the proposed action to be taken;
 - Notice must be posted at a time sufficiently in advance of the actual meeting in order to give citizens both an opportunity to become aware of and to attend the meeting.
 - Notice must be posted in a location where a member of the community could become aware of such notice – three usual methods: internet, newspaper and bill posting.

- Penalties
 - Legal Effect: Nullity
 - Practical Impact: Substantial costs if sued.

Per Chief Counsel Underwood: “The Best way to protect yourself and the decisions you make it to be scrupulous! If there is any doubt in your mind as to whether a member of the public might object to what you want to say behind closed doors, then the likelihood is high that such discussions violate the law”.

Additional Discussion:

Commission Attorney responsibilities – to advise and counsel the Commission, conduct the legal work required by the Commission and the department, handle complaints (violations of Rules), will present complaints to the Commission (anonymous), etc.

Disciplinary action – per Assistant Commissioner Steve Majchrzak – must go through a formal hearing – due process – includes an Administrative Law Judge presiding making sure you are staying within the law. Commission cannot dictate, must go through the process.

Rulemaking hearing is a set process which includes – provide draft rules, reviewed for legality, filed with the Secretary of State, allow time for a public hearing, allow time for the public to see and review it, allow public to attend a meeting to comment on the changes, another meeting to have a vote on it (any changes will be made at that time), action to be taken will be according to a roll call vote, comments will be on the record, after Rules hearing is complete the rules are compiled again and submitted to the Attorney General for review, then submitted to the Secretary of State with time given before they become effective, then the Commission Exec. Director and Counsel go before the a (couldn't clearly hear the name), then a joint committee of House and Senate members who will review what was done and they may take comments, which will either have an affirmative, negative or no recommendation decision. This process is making laws; these rules have the force of law, based upon statutes, as passed by the General Assembly, delegated to Commissioners to make laws as they see appropriate and necessary for this profession and the training and education of firefighters in the State of Tennessee.

Brief discussion on waivers – (asking for permission) – review - Rule: 0360-07-01.7 – Chapter 7 - Educational Incentive Pay.

Mentioned that Commissioner McCormack has resigned and the process has begun to select an individual to replace him.

Chief Counsel Underwood gave a presentation on the proposed changes in the Rules. Refer to Redline Version – Rules Chapters on the proposed changes. Items in red are proposed changes; items in red with a strike through line are proposed deletions. Various discussions on the proposed rule changes, a few minor housekeeping changes on the proposed changes, but no other additions.

Rules Making hearing – will not have enough time during the April 2017 meeting to meet the statutory requirements to have a Rules Making hearing. Will review the draft at this meeting so the Commission will be able to make the next meeting a Rules Making Hearing meeting. We will not be able to have the rules reviewed by the Attorney General's office and submit it to the Secretary of State, and meet the timeline of 55 days minimum requirement before you can have the hearing.

Discussion on the next Commission meeting which will be held in Gatlinburg, TN at the Park Vista Hotel, on April 26, 2017. The Work Session will be held at 9:00 am and the Regular Business Meeting will be held at 1:00 pm on the 26th. The following meeting was also discussed for possibly September, 2017, but it was decided to wait until more Commission board members were present to be a part of the decision making process.

Motion to adjourn, Passed. Meeting adjourned.



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

REGULAR BUSINESS MEETING

February 3, 2017

The meeting of the Tennessee Commission on Firefighting Personnel Standards and Education was called to order by Chairman Mathew Sorge at 9:00 A.M. Eastern on Friday, February 3, 2017 at Tennessee Fire & Codes Academy (TFACA), Unionville-Deason Rd, Bell Buckle, TN 37020.

- I. **PRAYER** - (Former Commissioner Vance)
- II. **PLEDGE OF ALLEGIANCE** (Commissioner Biggs)
- III. **ROLL CALL** (Coordinator Linda Brown) – **Members Present:**

Commissioner Brian Biggs
Commissioner Tommy Kelley
Commissioner Darryl Kerley
Commissioner Stephanie Specht
Commissioner Toran Hedgepath
Commissioner Mathew Sorge
Commissioner David Windrow

Members Not Present:

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

A quorum has been established.

Commerce and Insurance / Fire Prevention Staff Present:

Steve Majchrzak – Assistant Commissioner - Dept. of Commerce and Insurance
Joseph Underwood – Chief Counsel – Fire Marshal's Office
Randy Fox – Executive Director – Fire Commission
Steve Cross – Fire Coordinator/Educational Incentive Pay Program Mgr. – Fire Commission
Linda Brown – Fire Coordinator/Accreditation /Reciprocity Mgr. – Fire Commission
Cheryl Deener – Administrative Assistant – Fire Commission
Jeffrey Elliott – Fire Service Program Director – TFACA

Guests:

Martin White – McMinnville Fire Department
Phillip Mitchell – McMinnville Fire Department
James Medley – Nashville Fire Department
Terry Watts – Shelby County Fire Department

Carl Alexander – Jackson Fire Department
David Dorris – Jackson Fire Department
Charles Vance – Nashville Fire Department (Retired)
Mark Mathews – Red Bank Fire Department
Terri Roshell – Tennessee Fire Training Online

IV. MINUTES

a. Approval of the November 2016 minutes.

MOTION BY: Commissioner Specht

SECOND BY: Commissioner Kelley

Motion to: Approve the minutes of the November 2016 Commission meeting.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

V. ANNOUNCEMENTS

Director Fox congratulated Administrative Secretary Cheryl Deener for completing and passing the Fire & Life Safety Educator I practical and written exam requirements and is now certified as a Fire & Life Safety Educator I for the State of Tennessee.

VI. GUESTS

a. Jeff Elliott – Director - TFACA

Statistics:

Year ending – 2016:

Number of Students – 13,838

Total Classes – 983

913 – Fire Classes

70 – Codes Classes

Because of the increases that we have seen in the past 3 years, the Academy decided to get involved in taking a bigger role in in-service training regarding the 4 hour classes that are submitted. From January 1st to June 30th the Academy was teaching 233 - 4 hour in-service classes. We were also seeing a larger participation in Fire Officer Classes so instead of conducting these classes on campus, for the past three years we have participated in training contracts for Bartlett, Kingsport, Franklin, Lebanon, and Nashville. The academy personnel are going into departments and conducting 12 – 18 Fire Officer training sessions for specific departments.

As of June 30th, the Academy had 66 fire departments exceed 1000 or more contact hours and that was up from a previous record of 46.

We have 3 new classes that are being developed that will be presented in April for approval. The 3 classes are to support the Mobile Training Prop, which we will have 3 different 8 hr. categories: standpipes & sprinklers, survival and ground ladders & ropes.

Another curriculum we are working on as part of the distant learning program is a blended learning curriculum for Instructor I that we will be proposing at the April meeting. This will included face-to-face learning where the students will have to come in and give presentations to complete the course requirements. This class will have a start and end date that may be 1 - 1½ days of face time with the students.

Training opportunities:

- Next weekend – Fire Chief Orientation class on campus.
- First recruit class for 2017 starts February 27th – currently they have 28 recruits registered for the class.

Capital Improvements:

- We are in the final phase of the asphalt surfaces being resealed.
- We are in the process of installing another round of emergency generators, and we are getting more and more of the buildings fitted with back up emergency generators.
- In March, they will replace the computer system that runs all the props on the drill field at a cost of \$252,000.00.
- In April or May, we will begin to complete phase two of replacing the projectors and AV stacks for the remainder of the campus.
- In December, we took possession of a new commercial pumper that replaced one of the original pumpers that the Academy opened with. And around June or July the Academy will be getting their first 75 ft. quint. This will not take the original 100 ft. ladder out of service. We are looking to hopefully replace the 100 ft. ladder with a platform aerial truck.

VII. COMMUNICATIONS

Director Fox received a letter of resignation from Coordinator Richard Rochford who has accepted an offer of employment from the Concord Township Fire Department in Indiana, as their new Fire Chief. Richard served the Fire Commission well and we wish him continued success in his new career.

VIII. DIRECTOR'S REPORT

a. Report from legal – Chief Counsel Joe Underwood

Chief Counsel Joe Underwood: yesterday we had a work shop of Rule Making, and would like to schedule a Rule Making Hearing for August or September.

b. IFSAC

From Director Fox – Ms. Brown and Director Fox will be attending the IFSAC Spring Meeting in Oklahoma City, OK, during the first week of April, and will be submitting a request to Commerce and Insurance for a travel authorization request.

c. ProBoard

Two weeks ago, Ms. Brown and Director Fox attended the ProBoard Conference in San Diego, CA. Had an opportunity to network and also received new information on the NFPA 1006 Standard for Technical Rescue. When this standard is renewed the new standard will have different titles to all of the levels - changing them to Awareness, Operations & Technician.

d. PTS Test Review Firefighter I

February 12, Director Fox will be traveling to Florida to sit on a review team for Firefighter I with the PTS Testing. As a result of this participation, the Fire Commission will receive a free test bank and a free upgrade for the Commission.

e. Contractor status

We have two contracts that are empty, Middle and East Tennessee that should be awarded within the next 2 weeks. The contracts have already went through the preliminary processes and we are just waiting to see if any appeals or issues come up regarding the individuals who are receiving the contracts.

f. Educational Incentive Pay Report

All Commissioners received the Educational Incentive Pay Report for 2016. This report represents 58 fire departments, 2404 firefighters across the state @ 600.00 ea. which is a total of \$1,442,400.00. Director Fox is looking for a motion to approve the Educational Incentive Pay Report and any subsequent following payments that need to be made and will report back to the Commission at the next Commission Meeting.

MOTION BY: Commissioner Biggs

SECOND BY: Commissioner Specht

Motion to: Approve the Educational Incentive Pay Report for 2016, and any subsequent following payments that need to be made and will report this information back to the Commission at the next meeting.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

g. Reciprocity Report – Coordinator Linda Brown

Reciprocity reports for the future will change from submitting reports with statistics gathered from reciprocities approved between Commission meetings to year to date reports. The year to date report from 2016 included 440 reciprocities that were issued. The reciprocity report for October 20, 2016 through January 23, 2017 (reciprocities that were issued since the last Commission Meeting), with a total of 87 reciprocities issued. Also, since January 23, 2017, Coordinator Brown issued 30 additional reciprocities. Reciprocity reports in the future will also include information on reciprocities that are denied and the types of denials that are issued.

h. Training Program(s) (Courses by Submittal) Report

Jackson Fire Department 480 Recruit Hours
Greenbrier FD Basic FF 64 Hours
Wilson County EMA Basic FF 64 Hours
Sullivan County VFD 16 Hour Basic
Bartlett Fire Department 11 Week Recruit Course
Obion Fire Department 16 Hours Intro to Fire
Obion Fire Department 64 Hours Basic Fire
Sevier County Fire FO III & IV 36 Hours
Gatlinburg Fire FO III & IV 36 Hours
Kingston FD Fire Instructor I 40 Hours
Y-12 FD Fire Instructor I 40 Hours
Cleveland FD Instructor I 40 Hours
Knoxville FD Instructor I 40 Hours
Lexington FD Intro to Fire Service 16 Hours
Lexington FD Basic Fire Fighting 76 Hours

All of the above has been submitted electronically, in a format that was submitted by Capt. Dorris with Jackson Fire Department. They have been approved and sent back to each department and has be downloaded to their respective Acadis files.

i. 2017 Training Programs Report & Internal Annual Report for 2016 – Coordinator Steve Cross

Statistics 2017 Training year:

108 programs submitted, representing 105 fire departments
Conducted 3 peer review events across the state – Memphis 12/6, TFACA 12/8, and Knoxville 12/15. Coordinator Cross thanked those departments for hosting the peer review events.

East Tennessee – 47 programs submitted
Middle Tennessee – 34 programs submitted
West Tennessee – 26 programs submitted
(Memphis submitted 3 programs and Chattanooga submitted 2 programs)

Annual Report was submitted to Commission Board members. Some of the information:

Test Events that was hosted across the state – 412 total.
East Tennessee – 150 events
West Tennessee – 118 events
Middle Tennessee – 145 events (53 on TFACA Campus)

The number of people that tested in 2016 – 5,060 total.
East Tennessee – 1560 people tested
West Tennessee – 1690 people tested
Middle Tennessee – 1810 people tested (725 tested at TFACA)

Pass rate – 2015 – 72%, dropped to 68% in 2016.

MOTION BY: Commissioner Specht

SECOND BY: Commissioner Kelley

Motion to: Allow legal to draft the necessary language to add to the Rules the changes just voted on to Rope Rescue I & II.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

Director Fox discussed the possibility of adding a medical component to the Rope Rescue I & II prerequisite requirement. No action was taken on this suggestion.

d. Ricky Walker Waiver – FOII

His request was denied at last Commission Meeting. He has sent additional information for the Commission to review. He is also not present at this meeting.

Commissioner Kelley will be abstaining from this vote.

The information was communicated on when the practicals for the test was due. He took the test at a different department. The evidence shows the practical submitted was almost two months overdue. No action taken – decision stands as it was decided before – denied.

Per Commissioner Windrow – old business from last meeting – regarding a request from the Jackson Fire Department – in reference to standards not materially changing. Commission Policy 15.2 – the Commission stated they would accept any TFACA classes after April 28, 2010. Jackson FD put in a request for 5 classes that the Commission denied all 5 classes, whereas 3 of those classes were after that date. Per David Dorris – all three of those individuals have already re-taken the course, so this is a mute issue.

X. NEW BUSINESS

Per Director Fox – an issue from yesterday’s meeting, the review of Policy 13.1 on Written Examination for Commission members and employees. It was referred to legal to return with language for the change. The way it is currently written, there would have to be a Commissioner at every testing event for all members of Commerce and Insurance. It was suggested that only individuals who are in the Fire Commission’s Executive Director’s chain of command, (both up or down the chain) employees of the Commission (Coordinators, Contractors, Commissioners, Field Reps, and full-time instructors and their supervisors from TFACA) to be included. In the administration of fire examinations for Firefighting Certifications for Commission employees, Commissioners, Contractor, full-time TFACA instructors, the Commissioner, Deputy Commissioner, Assistant Commissioner of Fire Prevention will be required to, or anyone in the Commerce and Insurance Department with supervisory responsibilities related to the Fire Commission will have to have their written examinations overseen by a Commissioner. Counselor Underwood will type this language up and send it to Director Fox.

1). Consideration to approve new skill sheets.

a. & b. Wildland Firefighter I & II Skill Sheets

Wildland Firefighter I & II Skill Sheets asking for prerequisites as far as course work, and this would also have to be added into the Rules as well. Those items are online courses that are available through the National Fire Academy and the National Wildfire Consortium, S130, S190, and the S180, and the applicants will already have the NIMS 100, because it is a requirement of Firefighter I. Those individuals who did not have the courses and are Wildland Firefighter I and want to go to Wildland Firefighter II will have to go back and pick up these courses. We have to submit this information to ProBoard and IFSAC for accreditation.

MOTION BY: Commissioner Windrow

SECOND BY: Commissioner Biggs

Motion to: Approve Wildland Firefighter I & II skills sheets as submitted, and the corrections added to the Rules.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

Director Fox – legal has submitted the language for Policy 13.1 regarding written examinations for Commission members and employees.

“An Administration Written Examination for certification awarded by the Fire Fighting Commission, a Commission member shall be present during the performance of the written examination of other Commission members, Commission employees, Commission Contractors, Full-time TFACA Instructors, and any supervising employees of the Department of Commerce and Insurance with a responsibility over the Fire Fighting Commission”.

MOTION BY: Commissioner Biggs

SECOND BY: Commissioner Kerley

Motion to: Approve the new language for the Policy 13.1 regarding written examinations for Commission members and employees. The new language reads: “An Administration Written Examination for certification awarded by the Fire Fighting Commission, a Commission member shall be present during the performance of the written examination of other Commission members, Commission employees, Commission Contractors, Full-time TFACA Instructors, and any supervising employees of the Department of Commerce and Insurance with a responsibility over the Fire Fighting Commission”.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

2). Consideration to approve courses.

a. Ricky Rescue 9 Programs – not able to attend today’s meeting but will be at the April meeting in Gatlinburg. Building Construction, Construction Documents & Plans Review, Ethical Issues for the Fire Service, Firefighting Tactics & Strategies I & II, Health & Safety Officer, Fire Protection Systems and Public Information Officer. (Should be 8 programs).

MOTION BY: Commissioner Biggs

SECOND BY: Commissioner Windrow

Motion to: Approve Ricky Rescue 8 Programs as submitted.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

b. Tennessee Fire Training Online – 4 Programs

Terri Roshell – has 4 classes she would like to present for approval. These courses are: Pumper Driver Operator, Aerial Apparatus Driver Operator, Incident Safety Officer and Fire Inspector. The courses are Self-paced, hybrid classes, that require a score of 70 % to pass the class, and also this is the classroom portion, students will have to get with their training officer for the practical portion of the testing process. Practicals will be the responsibility of the student.

MOTION BY: Commissioner Windrow

SECOND BY: Commissioner Hedgepath

Motion to: Approve TN Fire Training Online 4 courses: Pumper Driver Operator, Aerial Apparatus Driver Operator, Incident Safety Officer and Fire Inspector as submitted.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

3). Consideration to approve waivers.

- a, b & c - Johnson City Request
- Huntington Request
- Whitehouse Request

Johnson City – waiver on the November 1st deadline. It has been submitted and has met all the requirements. The Commission agreed to vote on all three requests at once.

MOTION BY: Commissioner Biggs

SECOND BY: Commissioner Specht

Motion to: Approve Johnson City, Huntington, and Whitehouse’s request for waivers as submitted.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

d. Firefighter Clay Medley Request – Firefighter Clay Medley from the Nashville Fire Department is requesting a waiver – he is in attendance. FF James Clayton Medley is his real name, he was hired to the Nashville Fire Department in October 2000. He held certification of: Certified Firefighter I & II, and certified Journeyman Firefighter – March 2002, and also Hazardous Materials Technician – 2003. He states after multiple back and neck injuries was forced into an injured on duty pension – August/September 2013. He was told he would not be able to return to work, and had to sign an agreement to keep his EMT license current. They did not mention anything about fire certifications and was not aware of the 3 year rule. In 2015 a surgeon in Houston said he could help him and he had the surgery in July, 2015. The surgery went well, he went & got his advanced EMT from Ball State, and soon after that his doctor gave him a full release to go back to work. Metro Benefit Board put him on the Return to Work list on July 5th. He thought he was going into EMS in hopes he would get back into firefighting. The had to put him back into his former position, he was supposed to return to work in 60 days, it was extended to October. After he was in the Academy he found out that since he had been out of the fire service for more than three years, he has lost his fire certifications 3 years – 6 weeks. He is requesting to be reinstated to his former level. He started back with Nashville Fire Department October 16, 2016.

MOTION BY: Commissioner Kerley

SECOND BY: Commissioner Specht

Motion to: Reinstate his previous certifications from the State of Tennessee that went inactive during his absence.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

XI. PUBLIC COMMENTS & SUGGESTIONS

None

XII. DATES OF FUTURE MEETINGS

MOTION BY: Commissioner Specht

SECOND BY: Commissioner Windrow

Motion to: Accept the meeting change in Gatlinburg from April 26 & 27, to April 26 with the Work Session at 9:00 am and the Regular Business Meeting at 1:00 pm, at the Park Vista Hotel.

Call for the question - None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED
