

## TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Steve Tull, at 10:00 a.m. called the April 25, 2013 meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Attending	Elroy Carson	Pat Ekiss	Yusuf Farran	Carl Giles	John Gillette
	Joseph Gonzalez	John Green	Joseph Gutheinz**	John McMakin	Robert Moore**
Perez	Ronald Poynter	Steve Tull			Leonardo

\*absent entire meeting  
\*\*absent part of meeting

Staff	Don Wilson	Deborah Cowan	Tim Rutland	Mike Baker
	Paul Maldonado	Andrew Lutostanski, Assistant Attorney General		

Guests	Glen Trahan	Cary Roccaforte	Mikal Orr	Jacob Smith	Shawn Fannan	Lalo Rodela
	Miles Skipper	Leonard Chan	Greg Yount	Wendell Burton	Ken Dozier	Mike Wisko
	Betty Wilkes	Mike Higgins	Thayer Smith	Harold Holland	Brandon Wade	Butch Miller
	Randy Safer	John Mayes	Robert Isbell	Mike Jones	Mike Wisby	

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| 1. Roll call | Presiding Officer called roll and a quorum was present. New commissioner Joseph Gutheinz was introduced by the Presiding Officer. |
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| 2. Adoption of Minutes | A motion to approve the minutes of the January 24, 2013 commission meeting minutes was made by Leonardo Perez and seconded by Carl Giles. The motion carried. |
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| 3. Election of new officers | A motion to appoint Joseph Gonzalez new Assistant Presiding Officer with John Gillette remaining Secretary was made by Yusuf Farran and seconded by Elroy Carson. The motion carried. |
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| 4. Budget and Strategic Plan Subcommittee Meeting | The subcommittees met together to review the agency's current and biennium budgets. |
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| 5. Subcommittee Reports | Presiding Officer Steve Tull, appointed Joseph Gutheinz to the Strategic Plan subcommittee and appointed John Green Chair of the subcommittee. |
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| 6. Reports from Fire Service Interest Groups | Brief reports were given by the Texas State Association of Fire Fighters, Texas Fire Chiefs Association, and National Fire Protection Association. |
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| 7. Report from Fire Service School Advisory Board & TEEX | Commission representative Robert Fite had resigned appointment so no report was given. |
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| 8. Appointment of Representative to Texas Fire School Advisory Board | A motion was made by Robert Moore and seconded by Pat Ekiss to appoint Michael Hunt as the commission representative to the Texas Fire School Advisory Board. The motion carried. |
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| 9. New Matters | Pro Board/IFSAC |
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10. Future meeting dates      The commission scheduled its next meeting for July 11, 2013, beginning at 10:00 a.m.
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11. Matters from Fire Fighter Advisory Committee
- A. 1. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 425, §§425.1, 425.3, 425.5, 425.7, and 425.11 was made by Joseph Gonzalez and seconded by Leonardo Perez. The motion carried.
  - 2. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 435, §§435.1, 435.3, 435.7, 435.11, 435.19 and 435.25 as discussed was made by Joseph Gonzalez and seconded by Carl Giles. The motion carried.
  - B. 1. A motion to propose for publication proposed amendments to 37 TAC, Chapter 421, §421.3 and §421.5 as discussed was made by John Gillette and seconded by Pat Ekiss. The motion carried.
  - 2. A motion to propose for publication the proposed amendments to 37 TAC, Chapter 427, §427.307 as discussed was made by Leonardo Perez and seconded by Elroy Carson. The motion carried.
  - 3. A motion to propose for publication the proposed amendments to 37 TAC, Chapter 437, §437.13 as discussed was made by John Gillette and seconded by Carl Giles. The motion carried.
  - 4. A motion to propose for publication the proposed amendments to 37 TAC, Chapter 439, §§439.1, 439.5, and 439.19 as discussed was made by John Gillette and seconded by Joseph Gonzalez. The motion carried.
  - 5. A motion to propose for publication the proposed amendments to 37 TAC, Chapter 449, §449.3 and §449.5 as discussed was made by Carl Giles and seconded by John Green. The motion carried.
  - 6. A motion to reject the proposed amendments to 37 TAC, Chapter 455, §455.5 and return to the fire fighter advisory committee for further review and recommendation was made by Pat Ekiss and seconded by John McMakin. The motion carried.
  - 7. A motion to propose for publication the proposed amendments to 37 TAC, Chapter 457, §457.5 as discussed was made by Leonardo Perez and seconded by John Gillette. The motion carried.
  - C. A motion to approve the appointments of Martin Davila, San Antonio College and Daryl Maretka, Wharton County Jr. College to the Curriculum and Testing Committee was made by John Gillette and seconded by Leonardo Perez. The motion carried.
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12. Appointment of fire fighter advisory committee member
- After discussion, a motion to appoint Ken Swindle to the fire fighter advisory committee was made by Joseph Gonzalez and seconded by Carl Giles. The motion carried.
- A motion to keep a list of the six remaining finalist to use for future vacancies on the fire fighter advisory committee was made by Joseph Gonzalez and seconded by Pat Ekiss. After discussion, the motion was withdrawn.
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13. Head of Fire Department Ad Hoc Committee
- A motion to send the list of applicants to the Curriculum & Testing Committee for their review and recommendation of applicants to be considered for appointment to the Ad Hoc committee was made by Elroy Carson and seconded by Carl Giles. The motion carried.
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14. Fire Fighter Injury Report      A motion to approve the recommendations on fire fighter injury reporting for inclusion in the line-of-duty death annual report of the State Fire Marshal's Office as discussed was made by Leonardo Perez and seconded by John Gillette. The motion carried.
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15. Matters from Executive Director Director
- a. Mr. Wilson informed commissioners there were no new consent orders or contested cases since the last commission meeting.
  - b. Mr. Wilson provided the commissioners information regarding division functions and answered questions posed by commissioners. Mr. Wilson informed commissioners the agency had conducted approximately 5,600 examinations since September.
  - c. Mr. Wilson informed commissioners on various legislative bills the agency is tracking and the status of those bills to date.
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16. Executive Session      Presiding Officer, Steve Tull called for the Executive Session at 11:21 a.m.  
Presiding Officer, Steve Tull called for a second Executive Session at 2:13 p.m.
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17. Open Session
- Presiding Officer called for open session at 12:42 p.m. A motion was made to dismiss the Executive Director effective immediately and appoint Tim Rutland the new Interim Executive Director was made by Yusuf Farran and seconded by John Gillette. The motion carried.
- Presiding Officer called for open session of second Executive Session at 2:59 p.m. A motion to compensate the Interim Executive Director to that as established by the General Appropriations Act was made by Yusuf Farran and seconded by Elroy Carson. The motion carried.
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18. Adjournment      A motion to adjourn was made by John McMakin and seconded by Elroy Carson. The motion carried.

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Steve Tull, Presiding Officer