

NEW HAMPSHIRE FIRE STANDARDS & TRAINING COMMISSION

Location: 98 Smokey Bear Blvd, Concord, NH
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MINUTES OF MEETING

January 5, 2017

(Approved)

Voting Members Present:

Commissioners:

Richard Bailey, Jr.; Robert Buxton; Stephen Carrier; Amy Clark,
Justin Cutting, , J. Michael Joyal; Kerry LeBlanc, Richard
McGahey; Kevin Pratt; Steven Sherman; Nancy J. Smith, Esq.;
and Jeremy Thibeault (12)

Voting Members Absent:

Commissioners William Campbell, J. William Degnan, and Peter
Lennon (3)

NH FST&EMS Staff:

Director Deborah A. Pendergast, Assistant Director Jeffrey
Phillips, Chief Nick Mercuri, and June Connor (minutes) (4)

Guests: David Hilts

NOTE: “Action” items are in bold red.

I. CALL TO ORDER

Item 1. Call to Order

- The meeting of the New Hampshire Fire Standards & Training Commission was called to order by Chair Thibeault at 9:00AM on Thursday, January 5, 2017 at the Richard M. Flynn Fire Academy, 98 Smokey Bear Blvd., Concord, NH. A quorum was present with 12 voting members in attendance.
- The Pledge of Allegiance was led by Commissioner Sherman.
- Chair Thibeault welcomed everyone to the first FST Commission meeting of 2017.

II. APPROVAL OF MINUTES

A motion was made (Carrier/Smith) - to approve the minutes from the FST Commission Public Session meeting held on December 8, 2016; passed unanimously.

A motion was made (Smith/McGahey) – to approve the minutes from the FST Commission Non-Public session held on December 8, 2016; passed unanimously.

III. COMMITTEE REPORTS

Item 1. Fire Marshal's Office (J. William Degnan)

Commissioner Degnan was not present and no report was submitted.

Item 2. Forest Protection Bureau (Steven Sherman)

- Plans are underway for warden training in the spring.
- A joint wildland academy will be done with the White Mountain National Forest.
- The bureau is also planning on offering a fire chainsaw course; this will be a higher level course that incorporates a lot of wildland training.

Item 3. Curriculum Review (Assistant Director Jeffrey Phillips)

Assistant Director Phillips spoke about the curriculum review handout that was placed in each commissioner's packet.

Curriculum Review – January 2017

Calendar Year 2016

Total Courses: 620

Total Certifications: 2,202

Total online students training: 4,639

(This does not include students training within Firefighter I programs)

Current visiting committees approved:

- Hazardous Materials Decontamination: currently reviewing curriculum to ensure it meets the NFPA standard
- Fire Officer III & IV: First visiting committee meeting is scheduled for January 25, 2017
- Airport Firefighter: Has not setup a first meeting
- Fire Investigator: currently working through ProBoard requirements

Current ProBoard certification Profile:

Standard	Level	Edition	Current NFPA Ed	Next Edition
472	Hazardous Materials First Responder at the Awareness Level	2013	2013	*2017
472	Hazardous Materials First Responder at the Core Operations Level	2013	2013	*2017
472	Hazardous Materials First Responder at the Operations Level: Personal Protective Equipment Mission Specific Competency	2013	2013	*2017
472	Hazardous Materials First Responder at the Operations Level: Product Control Mission Specific Competency	2013	2013	*2017
472	Hazardous Materials Technician	2013	2013	*2017
1001	Fire Fighter I	2013	2013	2018
1001	Fire Fighter II	2013	2013	2018
1002	Driver/Operator of Fire Apparatus Equipped with a Fire Pump	2014	2014	2017
1002	Driver/Operator of Fire Apparatus Equipped with an Aerial Device	2014	2014	2017
1003	Airport Firefighter	2015	2015	2019
1021	Fire Officer I	2014	2014	2020
1021	Fire Officer II	2014	2014	2020
1031	Fire Inspector I	2014	2014	2021
1031	Fire Inspector II	2014	2014	2021
1041	Fire Instructor I	2012	2012	2019
1041	Fire Instructor II	2012	2012	2019
1041	Fire Instructor III	2012	2012	2019
1051	Wildland Fire Fighter I	2016	2016	2020
1051	Wildland Fire Fighter II	2016	2016	2020
*NFPA 1072 should be released shortly and will replace NFPA 472 as a Professional Qualification Standard				

Current programs in development for online delivery:

- Fire Cause and Determination I & II
- EMS in the Warm Zone Operations level
- Wildland Firefighter I - NWCG program being converted to run like all other programs.

Post presentation discussion:

- Commission members had questions about the Fire Officer III/IV program, in particular. Requests are increasing for these programs that include more administrative education.
- **A motion was made (Buxton/Joyal) – to expand the function of the Fire Officer III visiting committee to include Fire Officer IV; passed unanimously.**
- Commissioner Carrier stated that there are people in the state who are certified in FO III/IV based on a portfolio review done by the director and a small group of people, using the NFPA standard. The last certification of this type issued was back in 2009.
- The intent of the visiting committee is to create a program.

- **Commissioner Carrier volunteered to be the FST Commission representative on this visiting committee and asked the other members to provide him with feedback to take back to the VC.**
- Assistant Director Phillips concluded his report by giving an update on the 3 re-test requests:
1 passed; 1 failed, and the other has not yet re-tested.

Item 3. EMS Coordinating Board (J. Thibeault)

The “CB” has not met since the last commission meeting...nothing to report at this time.

VI. REPORT OF THE DIRECTOR

Facilities:

- The FAA Grant funding has been awarded, and the ARFF upgrades will be taking place this winter. Karilla will be doing the work; they are doing some evaluations today. We do have an NFPA 1003 airport FF program scheduled for May.
- Chief Phillips and I are in the process of pricing and evaluating new seating for the auditorium. We have an appt. in two weeks at the factory.

Apparatus:

- Our new ambulance arrived last Thursday despite the storm. This was an AFG grant funded purchase. We are in the process of equipping and lettering that vehicle. We also made a conditional offer to a candidate for the program coordinator position for our EMS simulation program.

Budget:

- We are at the halfway mark in our fiscal year and our expenditures are on track; we are where we want to be at this point. We are continuing to work with the Commissioner’s Office and the Legislature to address the future of the Fire Fund.

Programs:

- Changes made to State CPAT. We are running the tests this year in April, June, and September.
- We have our new South East Field Captain, Laurie Miller, starting tomorrow.
- Year-end 2016- We had 17,702 student interactions including online, certification programs, seminars, continuing education and on and off-campus classes, including teleconferencing to the North Country.
- Fire reporting system – We now hold all of the data for TEMSIS; working with the FMO to also house a fire reporting system at the Academy. An RFP is being put together; and we are also looking at the User Management Module. Grant funding is a possibility and also municipality fees. In turn, municipalities would have access to the system. This will also give students online access to sign up for classes, update their profiles, get licenses, etc.

Senior staff retreat mid-December:

- We reviewed accomplishments and mile-stones. We discussed customer service and I read several emails and letters that we have received over the last few months from “satisfied customers”.
- We discussed logistics and planned for any gaps in equipment, apparatus, and buildings, etc.
- We also reviewed some of the challenges we have faced and are planning to continue to stress customer service, relevant training, and quality instruction.
- We ended the meeting by looking at our reorganization to date and planning out the next steps for the future.

Post report discussion:

- The budget was discussed. By the next meeting, there should be more information available and a better understanding of the new governor’s direction. The FST Commission will wait to hear feedback at its February 2017 meeting before deciding how best to approach the governor with its concerns about the Fire Fund.
- In 2016, the Division had to deal with losing instructors due to the “double dipping” issue: The Wildland Program was hit particularly hard.
- Fire and EMS assessment: This is being done to assess training needs within the state (types of courses and community needs, etc.) An RFP is in progress.

VII. OLD BUSINESS

Item 1. (added to the agenda at the meeting) FST Membership

Several memberships have either expired or are about to expire; most re-appointment letters have been submitted to the governor’s office. Members whose terms have expired can still participate/vote at meetings until such time as their terms are renewed or successors are appointed. (Per 21:33-a Terms of Appointment) **Please forward reappointment letters to June Connor so they can be filed.**

Item 2. Fraudulent certificate update

No updates available at this time.

Item 3. Administrative Rules Sub Committee

(David Hilts joined the commission members for this item.)

- The sub-committee met with Commissioner Barthelmes last week; he expressed his support of improvements in the fire service and his concern that rule changes take statutory authority into consideration as rule changes are made.

- The AG's office did a statutory analysis and determined that the authority of the commission is not clear.
- The commissioner would like to make sure that the FST Commission, as a whole, has thoroughly and robustly discussed the changes before going forward.

Time frame for getting permanent rules done:

- **January 10, 2017:** JLCAR meeting agenda is set
- **January 20, 2017:** Interim rules, that will end the period of expiration of the current rules, will be heard by JLCAR. The commission would have to vote on a motion to authorize less than a quorum to speak before JLCAR if that is its desire; otherwise, they could attend the JLCAR meeting as observers only. (NOTE: If a quorum attends a JLCAR meeting, then it has to be posted as a public meeting, etc. Less than a quorum can speak if it has been pre-authorized by the FST Commission.)
- **February 2, 2017:** Assuming the rules are approved, both the FST Commission and Commissioner Barthelmes would have to adopt the approved rules.
- Rules will become effective for 6 months once they are filed with Legislative Services.
- **Feb. 2nd or 3rd through August:** Time available to finalize the content of the revised rules, get the fiscal impact analysis back from LBA, and get on the agenda of a JLCAR meeting.
- **April 1, 2017** – consensus should be reached between the FST Commission and Commissioner Barthelmes in order for the rest of the process to get completed.
- The final rules need to be adopted before the expiration date for the interim rules.

Motion (Joyal/Buxton) – *that the Chair and his designee(s) be authorized to represent the FST Commission's position at the January 20, 2017 JLCAR meeting; passed unanimously.*

JLCAR meeting in LOB, rooms 306/308; **David Hilts will confirm.**

Discussion about plans for the 6 month period:

- Chair Thibeault suggested to go for almost identical rule set initially and deal with more controversial changes later.
- Sub-committee should continue on with its work on all changes.

- It is imperative that FST Commission members should present rules to their constituency groups and get feedback.
- Not realistic for rules to be finalized by April.
- Interim rules cannot be extended nor can another set of interim rules be adopted.
- Options: Go with regular rules calculated to come in around the expiration of the interim rules; or file them both right now. This would give an extension of 10 years.
- The risk with the option above is that the FST Commission would have to defend the rules. Moving forward with the interim rules would let JLCAR know that the rules are being worked on.

Motion (Buxton /Joyal) - *that the FST Commission will receive an updated version of the proposed rules which will be brought to constituency groups and then discussed at the February 2nd meeting. The Administrative Rules sub-committee will meet between February and March and prepare a version upon which the FST Commission can vote at the March 2nd meeting; passed unanimously.*

- Assistant Director Phillips stated that the credentialing and suspension/revocation changes have already been removed and that there has not been any negative feedback to date to any of the other recommended changes.
- The group discussed the best way to present rule change information to constituents and debated the pros and cons of presenting just the stripped down version versus all of the changes.
- Chair Thibeault summarized that the goal is to have a clean set of rules that can be moved forward and have a conversation about where we really want to end up in the future.
- **Assistant Director Phillips clarified that he will send out the original rules that do not include suspension and revocation wording and some of the revised instructor wording without any additional teaching and continuing education requirements.**

VIII. NEW BUSINESS

Item 1. May Retreat

The Commission supported having a retreat to develop a direction and vision. NFPA NH data will not be available.

Motion (Joyal/Cutting) - to add a Strategic Planning session to the May 4th meeting, organized by the Chair and Vice Chair; passed unanimously.

Item 2. Legislative Fiscal Sub Committee / Sub Committee meeting invitation

In the past, the Public Safety Committee in the Legislature was invited to tour the NH FST&EMS campus and meet with FST Commission members over lunch. Director Pendergast feels that the Fiscal Sub- Committee should be invited this year. She will contact Chairman Welch for input.

POST MEETING NOTE: Director Pendergast will also speak with David Danielson to determine a good date for this event. Once the date is set, invitations will be sent out to the members of the committee as well as to FST Commission members. (An April 6th date was discussed, but the Director and many commission members will be in Washington, D.C. on that day.)

IX. GOOD OF THE ORDER

Commission meeting in April 6th? **This should be put on the February agenda.**

X. ADJOURNMENT

A motion (Buxton/Bailey) to adjourn at 11:02AM; passed unanimously.
2017 FST Commission schedule:

February 2, 2017 – next meeting

March 2, 2017

May 4, 2017

June 1, 2017

September 7, 2017

November 2, 2017

Respectfully submitted,

Director Deborah Pendergast

(Minutes: June Connor, Administrative Assistant)