

MINNESOTA BOARD OF FIREFIGHTER TRAINING AND EDUCATION
SPECIAL MEETING MINUTES OF APRIL 19, 2011, ELK RIVER, MN

The Minnesota Firefighter Training and Education Board (MBFTE) was called to order at 10:30 PM in Elk River, MN by Chair, Rick Loveland.

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|---|---|---------------------------|------|--|----------|--|------------------|------|
| P | Marvin Calvin MSFCA | Willmar | 2013 | | A | Jeff Swanson MSFCA | Detroit Lakes | 2014 |
| A | Barbara Frank Treasurer Public Member | Danube | 2011 | | P | Jerry Rosendahl Dept of Public Safety | St Paul | N/A |
| P | Richard Loveland Chair MPFF | Moorhead | 2012 | | A | Troy Walsh MSFDA | Victoria | 2012 |
| P | Matthew Ashmore Executive Committee Member at Large MPFF | Hibbing | 2011 | | P | Natasha Carlson MSFDA | Pequot Lakes | 2014 |
| P | Jim Fisher Vice Chair Association of Townships | Zim | 2013 | | P | Amanda MacDonell MSFDA | Grand Rapids | 2013 |
| P | Kelli Slavik League of Cities | Plymouth | 2012 | | A | Dan Cline MSFDA | North Mankato | 2012 |
| P | Judy Smith Thill Secretary MSFDA | Inver Grove Heights | 2012 | | P | Roger Ihrke League of Cities | Dover | 2011 |
| P | Eric Hedtke Association of Townships | St. Michael | 2013 | | | | | |
| | | | | | | | | |
| P | Barbara Tuccitto Warren Executive Director | | | | P | Nancy Franke Wilson Executive Director | | |
| P | Jana Evans Licensing Coordinator | | | | | | | |
| Guests: Dan Maschuga, Fire Inc., David Schliek, MSFCB, Mark DuCharme, East Bethel Fire Department, Bernie Vrona, MNSCU, Marty Scheerer, MSFCA, Nyle Zikmund, MSFCA, Denise DeMars, Fire Marshal's Office, Dan Winkel, MSFDA | | | | | | | | |

1. Call to order – Rick Loveland, Chair
2. Approval of January 19, 2011 Meeting Minutes

Motion by Marv Calvin to approve the January 19, 2011 meeting minutes; second by Jim Fisher – motion carried.

3. Officers Reports
 - Chair – Rick Loveland
 - Vice Chair - Jim Fisher

- Secretary – Natasha Carlson
- Treasurer – Roger Ihrke
 - Review FY 2011
 - 80% of the reimbursements have not yet come in.
 - Jerry Rosendahl commented that these dollars are being looked at as is many other state funds.
 - Barbara Tuccitto Warren explained that the fire departments have until June 30, 2011 to complete the training and must submit their documents for reimbursement by August 1, 2011.
 - Marv Calvin asked for an explanation about the licensing budget.
 - Barbara reported that the fiscal note was written for a three year period.
 - Total 3 year revenue \$201,000
 - Based on \$75 fee for 2,500 licenses
 - Frank Ahrens advised the Board that funds could be used from year to year, especially to support the startup in the year one.
 - The funds for the licensing coordinator have been encumbered along with a number of other projected expenses.
 - The first year budget was set for \$35,000.
 - Barbara stated that Taskforce One will be expensed by yearend and Live Burn will be encumbered.
 - Barbara reported that again this year there will be carry-over of funds from the ED budget, as well as the Board's budget.
 - The transaction detail presented in the Board packet was year to date and by account. If additional information on the current budget was needed questions should be directed to Barbara.
 - Barbara reviewed the proposed budget for SFY12
 - There are two versions and the only difference between the two versions is 10K greater for the Board budget if the Board goes out for a contractor verses hiring a state employee for the Executive Director.

Motion by Marv Calvin to approve the financial reports; seconded by Jim Fisher– motion carried.

4. Correspondence - none

5. Reports

- Executive Director - Barbara Tuccitto Warren
 - The ED report will be covered in the forthcoming reports on the agenda.
 - The goal over the past three years was to ensure the infrastructure and programs were in place and we are pleased to report that has been accomplished.
 - We have a very engaged Board. Eleven out of 15 members are actively serving on a committee and in other ways. Compliments to you!
 - Marv Calvin said that a great deal has been accomplished over the past three years and extended a thank you to the Board members and the ED's.
- Executive Committee - Rick Loveland
 - Mary Ellison, DPS Deputy Commissioner called Rick Loveland in March telling him that the MBFTE does not have authority to go out for contract (Professional and Technical Contract) for an Executive Director.
 - Jerry Rosendahl explained the DPS posted the ED job announcement from April 12 – 14th.
 - Twenty-one people applied and eight met the minimum requirements.
 - The DPS will receive those resumes.
- Bernie Johnson, Assistant Attorney General and counsel to the MBFTE joined the meeting via speakerphone.
 - The Board was created under Minnesota statute 299N.02 subd. 3 under powers and duties, one of the powers the Board has statutory authority to hire or contract for Professional and Technical Services, however, the Board has to meet all statutory requirements in that statute.
 - In order for the contract for an ED 16C.08 has to be met.
 - DPS is the Board's fiscal agent, who acts as an assistant to the Board in carrying out the duties of the Board. Under statute, DPS does not have the authority to make policy decisions over the Board.

- Under 16C.08, PT contracts have to be carried out by the Minnesota Department of Administration; no current state employee can carry out the needs of the contract, a statement of why a PT contractor is needed rather than a state employee.
- 16C.98 is not a policy that the DPS or Dept of Administration (DOE) is given to the Board; it is a statutory requirement.
- Those statutory requirements are required to be followed by DPS, DOE as well as MBFTE.
- In pursuit of a PT contract, DOE must make sure that the 16C.08 has been followed; no current state employee is available to carry out the duties of the job.
- MBFTE is an independent Board that does not report to the DPS, DPS provides fiscal services to the MBFTE.
- MBFTE is a licensing Board (akin to an administrating agency, a part of the Executive Branch of the State government).
- Eric Hedtke asked if the MBFTE has met the 16C.08 and Bernie responded yes. Eric then asked if the law has changed since the time the MBFTE got approval and Bernie said no.
- Bernie stated that the Board does have the authority to enter into a PT contract. They must meet 16C.08 and DOE determines if the 16C.08 has been met and DOE has the final say as to whether or not that contract should be approved.
- Marv said that the HR committee is simply making sure there are no current state employees available to hire and that the Board has the final decision.
- Nancy Franke Wilson clarified that the process for gaining approval of 16C.08 is done by completing specific forms and submitting them to the DOE. The MBFTE HR committee's activities do not satisfy statutory requirements regarding 16C.08.

Motion made by Marv Calvin to hire a full-time state employee; seconded by Kelli Slavik – motion did not carry.

Discussion:

- Eric Hedtke said that at this time the Board does not know who the pool of applicants is and that a decision cannot be made until that information is available. .
- Judy Smith Thill said that she remembered that the Board had planned for a transition period between the contractors and the state employee.
- Marv Calvin said that he had planned for a contract not to exceed 30K for a transition at this time. It would be a Time and Materials contract, if done.
- Rick Loveland said that voting on Eric's motion will take place rescinding the original motion from November 4, 2010, which stated that the Board would go out for a PT contract for the ED position.
- Eric stated he would like to see a sub-committee of the Board interview the candidates before a motion is made on hiring a state employee.

Motion made by Marv Calvin to rescinded his motion to hire a state employee; seconded by Kelli Slavik - motion carried.

- Jerry Rosendahl told the Board that applicants to a state position that are “weeded out” have thirty days to appeal their rejection as a qualified candidate.
- Matt Ashmore asked if the MBFTE could do a sole source for six months.
- Jerry Rosendahl said that he thought the Board could extend the current contract for a few months.
- Nancy Franke Wilson attempted to contact people at the State of Minnesota 2007 to find out if a contract could be extended.
- Amanda MacDonell, Roger Ihrke and Marv Calvin are serving as the Human Resources Committee.
- The Board will work toward an interim contract with the current ED's to transition the state employee or new contractor; whatever happens.

Resolution 2011 – 4.1

The Human Resources Committee of the Board is empowered to evaluate the ED applicants and to also rescind the motion made on November 4, 2010 in regard to going forward with the PT contract process.

Motion made by Eric Hedtke; seconded by Amanda MacDonell – motion carried.

Roll call vote dated this day the 18th day of April 2011

| Member | Aye | Nay | Abstain | Absent |
|-------------|-----|-----|---------|--------|
| Ashmore | | x | | |
| Calvin | x | | | |
| Carlson | x | | | |
| Cline | | | | x |
| Fisher | x | | | |
| Frank | | | | x |
| Hedtke | x | | | |
| Ihrke | x | | | |
| Loveland | | | x | |
| MacDonell | x | | | |
| Rosendahl | x | | | |
| Slavik | x | | | |
| Smith Thill | x | | | |
| Swanson | | | | x |
| Walsh | | | | x |

- Legislative Committee – Roger Ihrke
 - Roger passed around the latest vote on the Fire Safety Account that removed 8.5 million.
 - The House has approved it; the Senate vote has not been taken.
 - Roger passed out copies of the bills to the Board members.

- Licensure Committee – Eric Hedtke

Motion made by Amanda MacDonell to accept electronic signatures on licensing applications; seconded by Jim Fisher – motioned carried.

Motion made by Roger Ihrke to appoint the Minnesota State Fire Service Certification Board as the IFSAC organization who provides certification testing; seconded by Judy Smith Thill – motion carried..

Motion made by Marv Calvin to approve FF2 as the level of certification to meet the requirements of licensing certification; seconded by Kelli Slavik – motioned carried. .

- Training Committee – Amanda MacDonell
 - The committee met this morning.
 - Discussion of Round 4 dominated the agenda.
 - The committee determined a recommendation that encompassed a number of items.
 - Up to \$200 per firefighter including new money plus carry-forward from round 2.
 - After 9 months March 1, 2012 any unspent funds in initial Round 4 will be combined and be reallocated up to the \$200 dollars per firefighter to those departments that spent their money.
 - 150K to be spent on conferences to be held in Minnesota. Marv matt
 - If that money is not spent by March 1, 2012 then the 150K will be added to the unspent funds.
 - Include on-line training.
 - Fund fire based EMS courses.

Matt Ashmore described how the 150K training would be spent: That MBFTE would sponsor conferences that are at no cost. Their food and lodging will not be paid for by MBFTE.

Motion made by Jerry Rosendahl to reimburse fire EMS; seconded by Amanda MacDonell - motion did not carry.

Resolution 2011 – 4.2

Reimburse in Round 4 up to \$200 per firefighter including new money plus carry-forward from round 2. After 9 months March 1, 2012 any unspent funds in initial Round 4 will be combined and be reallocated up to the \$200 dollars per firefighter to those departments that spent their money. Reimburse on-line training. 150K to be spent on conferences to be held in Minnesota; if that money is not spent by March 1, 2012 then the 150K will be added to the unspent funds. Fire EMS will not be reimbursed in Round 4. Departments must spend the money within the list of approved classes.

Motion by Amanda MacDonell and second by Marv Calvin – motion carried.

Roll call vote dated this day the 18th day of April 2011

| Member | Aye | Nay | Abstain | Absent |
|-------------|-----|-----|---------|--------|
| Ashmore | x | | | |
| Calvin | x | | | |
| Carlson | x | | | |
| Cline | | | | x |
| Fisher | x | | | |
| Frank | | | | x |
| Hedtke | x | | | |
| Ihrke | x | | | |
| Loveland | x | | | |
| MacDonell | x | | | |
| Rosendahl | x | | | |
| Slavik | x | | | |
| Smith Thill | x | | | |
| Swanson | | | | x |
| Walsh | | | | x |

6. Unfinished Business - None

7. New Business

- Annual Planning Session - Barb TW

May 18th is the planning session. There was discussion as to whether or not we want to go ahead with it. Judy said that the new Board members should be at this session.

Motion made by Marv Calvin to delay the annual planning session until the new Board members and ED position situations are confirmed; seconded by Jerry Rosendahl – motioned carried.

- Board Appointments – Barbara Tuccitto Warren
 - Status of Appointments (formal action not required)
 - Resigning from the Board - Dan Cline, Judy Thill, Barbara Frank
 - Not seeking reappointment - Barbara Frank
 - Seeking reappointment - Matt Ashmore and Roger Ihrke
- Open Meeting Law – Barbara Tuccitto Warren
 - Adoption of a protocol for Public participation at all MBFTE meetings, which will include the following:
 - Include Public comment as an agenda item on all agendas.
 - Have on site a sign-in sheet at each meeting for Public members.
 - Allow Public members to comment up to three minutes.

- If a Public member is disruptive and does not abide by the OML allow the ED to call the police.

Motion made by Matt Ashmore to approve the adoption of a protocol for the Public visitors at all MBFTE meetings; seconded by Roger Ihrke – motioned carried.

8. Public comment

- Dave Schliek stated that IFSAC accredits entities that administer tests based on current NFPA standards. IFSAC provides an initial site visit that reviews policies and procedures related to testing. From that visit a determination is made whether accreditation is awarded. The Certification Board received its initial accreditation in 1998. IFSAC revisits accredited entities on a five year rotation to verify the maintenance of testing policies and procedures. A visit in the fall of 2012 will be the fourth such reaccreditation visit.
 - Once an accreditation is granted, entities can begin attaching an IFSAC seal on the Certification certificates.
 - Certifications are based on the latest edition of the corresponding NFPA standard. NFPA standards are reviewed and updated also on a five year basis. The current edition of NFPA 1001, Professional Qualifications for Fire Fighters Standard (Firefighter I and Firefighter II) is 2008. Its revision date is 2012.
 - Firefighters in Minnesota have been receiving IFSAC seals on certification certificates since 1998. As long as these firefighters continue to be active and meet recertification requirements (24 hours of training related to the level they are certified at) they maintain their certification. Individuals that have a lapse of service and don't maintain training levels become inactive in the Cert. database. Because of the changes that happen to the NFPA standards during the revisions every five years, the Certification Board has adopted a policy that states that if a firefighter does not recertify because they are not receiving the required training, they are then required to retest to the current standard to become active again.
 - There may be folks in Minnesota with an IFSAC seal that are no longer active. In the system in Minnesota, a firefighter needs to stay active in a fire department and must maintain a required amount of training to be eligible to keep certifications active.
- Mark DuCharme asked if the upcoming Special Meeting notice will be posted and will it be open for attending. He also shared that in his opinion the method we are using in collecting fire department rosters could be a violation of the law. Barbara will contact the Attorney General's Office for counsel on this matter.

9. Adjournment

Respectfully submitted,
Barbara Tuccitto Warren
Executive Director
May 24, 2011