# Quarterly Commission Meeting January 17, 2007

The meeting was called to order by Chairman Butch Zaragoza at 9:00 a.m. The meeting was held at the Alabama Fire College in Tuscaloosa, Alabama.

Roll call revealed the following members present: David Boyd, Bill Bulman, Ralph Cobb, Edward Paulk, Richard Sapp, and Butch Zaragoza.

Quorum ascertained.

#### VISITORS

Bryan Breland, Stan Odom, Bill Warren, Dale Wyatt, Jimmy Conner, Jerry Laughlin, Christy Ryland, Susie Smith, Teresa Stone, Marty McElroy, James LeVert, Harold Spencer, Todd Eddy, Larry Jarvis, Lynn Lybrook, Tim Blakemore, Bart Marshall

#### MINUTES

Commissioner Bulman made a motion to approve the minutes (from October 18, 2006 and December 13, 2006) Commissioner Boyd seconded and the motion carried unanimously.

#### **ELECTION OF OFFICERS**

Chairman Zaragoza stated that Commissioner Bulman was re-elected to the commission and according to the bylaws, election of officers needed to be conducted. Chairman Zaragoza opened the floor for nominations for the Vice Chair. Commissioner Bulman nominated Commissioner David Boyd and it was seconded by Commissioner Paulk. The motion carried unanimously. Chairman Zaragoza opened the floor for nominations for Chairman. Commissioner Boyd nominated Commissioner Butch Zaragoza and Commissioner Bulman seconded. The motion carried unanimously.

#### **Directors Report:**

- A. **Certifications:** 2,442 students completed training in the last quarter and 956 certifications were issued. Addendum shows that the Fire Science Degree Program began in 1985. The Field Program currently has 23 courses in progress and has 56 courses scheduled, for a total of 79 courses in the field.
- B. Volunteer Fire Fighter Re-Certification Requirement: The Public Hearing has been held, the notices have been filed, it is official and it is in effect beginning January 5, 2007. Those that lost their certification due to letters not being sent to the Fire College, have been re-instated. The proof of thirty hours of training will be documented and kept at the fire department.

C. Volunteer Fire fighter Certification – Fire Fighter I/II Certification Bridge Program: This would allow a certified volunteer firefighter to become a paid or career firefighter meeting certain stipulations instead of having to go through 320 hour recruit school. This program states that the volunteer fire fighter must be employed and must pass the CPAT test and have a physical statement. The department would have one year to get the individual certified. Another 160 hours of training would be required, which would equal the state requirement of 320 hours. If approved by the commission, this program would be an option. A municipality would still be able to send the individual to the complete 320 hour recruit school. Last year 31 certified volunteer firefighters became career firefighters. A Bridge Certification Progress Record has been developed to reflect the remaining 160 hours of training they would need to meet the law requirements. This will be a separate distinct 4 week recruit school, 8 hours a day, 5 days a week. The course must be held in an approved training facility. Anyone in this program would have to meet the requirements of the Alabama Fire College and Personnel Standards Commission Administrative Code 360-X-2-.02. A Public Hearing will be required after the Commission agrees to accept the program. It will take approximately 6 months for the process to be completed.

Commissioner Bulman made a motion to accept the Bridge Program and it was seconded by Commissioner Boyd. Motion carried unanimously.

D. Agreement between AFC and Redstone Arsenal Fire & Emergency Services: Currently we do not have jurisdiction over federal installations. This agreement would allow Redstone Arsenal to conduct classes at their facility and allow other areas to attend classes on their site. The out-of- state DoD firefighters would have to pay out-of-state tuition, just as if they were coming to the Fire College for a class. Other local departments would not have to pay tuition, only the DoD personnel. We would monitor and proctor each class just as we do any other field program in the state. This would give them the authority to do certification schools. The DoD personnel would have to pre-register and pre-pay the out-of-state tuition. Students would have to meet all pre-requisites.

Commissioner Sapp made a motion to approve the agreement between the AFC and Redstone Arsenal Fire & Emergency Services and it was seconded by Commissioner Paulk. Motion carried unanimously.

- E. NFPA 1000, Standard for Fire Service Professional Qualification Accreditation and Certification Systems, 2006 edition: Basically we are following the standard. We need to develop a written policy to reflect those actions already being taken. A new policy is needed to formally document adequate space for classroom and skills testing for Field certification courses. Skills testing is accomplished by instructor observation and student demonstration, but not in the formal way indicated in NFPA 1000.
- F. **Re-appointment letter for Bill Bulman:** Letter has been received from the Alabama Firefighters Association appointing Bill Bulman for a four year term, expiring January 11, 2011.

#### **OLD BUSINESS**

The Poison Center:

Chairman Zaragoza has received a letter from Dr. Joanne Jordan requesting that the process of pre-termination be delayed because of her limited knowledge of Poison Control.

Commissioner Bulman made a motion to honor the request of Dr. Jordan and to extend the Poison Control contract for 90 days. Commissioner Boyd seconded it.

Legal Counsel Bryan Breland, stated that we followed the postsecondary guidelines. Because we are uncertain of our position in postsecondary, we don't have a strong argument. Dr. Jordan is wanting to sit down and review the process to determine who is the highest administrative officer.

Commissioner Cobb wants our position to be clear that at the end of 90 days that Dr. Jordan will follow though on our recommendation or to adopt them and move them over to Shelton State if they are her employees. Discussion ended. Roll call vote was taken:

David Boyd – yes Bill Bulman – yes Ralph Cobb – no Ed Paulk – yes Richard Sapp – yes Motion carried.

#### **NEW BUSINESS**

The Executive Director Position:

Chairman Zaragoza explained the problems associated with selecting an Executive Director with so much uncertainty at this time. We need a clear understanding of the direction of the Fire College.

Commissioner Bulman made a motion to extend the interim period for Wayne Murry's contract. It was seconded by Commissioner Paulk. The motion carried unanimously.

#### **BUSINESS FROM COMMISSION MEMBERS**

Commissioner Bulman personally thanked Chief Blakemore and Chief Howard on their support and their help with the State Board of Education. Another meeting is scheduled with the State Board and we hope to have as many as we had at the last meeting. We appreciate the fire chiefs, the fire officers and firemen. We have gained a lot with the postsecondary education board.

Commissioner Boyd and Interim Director Murry met with the president and vice president of the Petroleum Marketers and are looking at developing a course for gasoline emergencies in the future.

Counselor Breland explained that the meeting at the State Board of Education on January 24, 2007, would be a fact finding session and that no action would be taken that day.

Chairman Zaragoza announced that another meeting was scheduled with the Task Force on January 23, 2007 at Jefferson State to try to work out a solution with postsecondary.

The State Board of Education Work Session Meeting will be January 24, 2007 at the AIDT building in Montgomery at 1:00 p.m. on the campus of Trenholm. All are encouraged to attend; associations, uniformed firefighters, and commissioners.

Interim Director Murry said that the meeting will be posted on the Alabama Fire College website.

Commissioner Cobb made a motion that we re-confirm that the Commission and the Fire College are joined and will stay that way and the Executive Director of the Alabama Fire College position should remain the equivalent of a president of postsecondary. Commissioner Paulk seconded.

After considerable discussion, the motion was tabled.

Chairman Zaragoza asked if the commissioners were happy with the weekly updates from the Interim Executive Director. They all agreed that they are, and the updates will continue.

Next Quarterly Commission Meeting will be April 18, 2007 at the Alabama Fire College.

Commissioner Boyd made a motion to adjourn the meeting. Commissioner Paulk seconded it and the motion carried.

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Wayne Murry Interim Executive Director

Melony L. Carroll

Melony L. Carrol Secretary

# Special Called Meeting January 30, 2007

The meeting was called to order by Chairman Butch Zaragoza at 2:00 p.m. The meeting was held at the Alabama Fire College in Tuscaloosa, Alabama.

Roll call revealed the following members present: David Boyd, Bill Bulman, Ralph Cobb, Dwight Graves, Edward Paulk, Dale Wyatt, and Butch Zaragoza.

Quorum ascertained.

## VISITORS

Bryan Breland, Stan Odom, Bill Warren, Jimmy Conner, Julie Coffman, Jerri Ayers, Teresa Stone, Harold Spencer, James LeVert, Christy Ryland, Susie Smith, Eddie Pugh, Kevin Pate, Kim Davis, Jerry Laughlin.

## **MINUTES**

Chairman Zaragoza opened the meeting with the resignation of Commissioner Richard Sapp. The Professional Fire Fighters Association has replaced him with Dale Wyatt.

# **ELECTION OF OFFICERS**

Chairman Zaragaza opened the floor for nominations for the Vice Chair. Commissioner Bulman nominated Commissioner Boyd and it was seconded by Commissioner Graves. The motion carried unanimously. Chairman Zaragoza opened the floor for nominations for the Chairman. Commissioner Paulk nominated Commissioner Zaragoza and it was seconded by Commissioner Bulman. The motion carried unanimously.

# PURPOSE OF SPECIAL CALLED MEETING

Chairman Zaragoza explained the impasse with Postsecondary regarding the relationship between the Commission and Postsecondary. The State Board of Education had a meeting last week and it appears they want the Commission to be a separate entity and that Postsecondary would be in charge of the Fire College. We have met with presidents from Jefferson State, Shelton State and Wallace State in our meeting with our Task Force. We want them to come to the table with us and look at other options. The State Board Members, the Task Force and the Commission will be meeting January 31, 2007 here at the Alabama Fire College at 10:00 a.m.

Commissioner Graves stated that Postsecondary has continually suggested that the Commission split our relationship with the Fire College and become an entity for certifying only. We need to decide our tasks and consider budgets and the academic portion. In the meantime I don't want to give up managerial rights. The Fire College and the Commission was established as one and we want to stay that way. It is important that we remain involved in the educational system. In the first Task Force meeting with John Johnson, Debbie Dahl and Renee' Culverhouse, it appeared that they wanted physical accountability NOT control and absolute ownership. We can accommodate physical accountability. As Chairman Zaragoza said we are not willing to give up the managerial administration of the Fire College. We will continue to run it just like we've been doing since 1988. Our accreditation reflects we are doing a good job.

All Commissioners agreed with Commissioner Graves. We need to stay as one.

Chairman Zaragoza stated at the Board meeting they talked about taking the Fire College money. We will meet tomorrow and look at our options and we need you all to attend.

Legal Counsel Breland spoke of the January 24<sup>th</sup> meeting at the State Board of Education Work Session Meeting. I think everyone is a little confused. The Education Trust Fund Appropriation Bill has the Alabama College System as one of its line items. We are set out as a line item voted on directly by the legislature. We send our budget to Shelton State and they forward it to the Executive Budget Office and it goes to the Governors Office, if he recommends it, it goes on to the legislature for a vote. I spoke with Angie McCray from the Education Trust Fund Division to understand how the process works. Our goal is to have a stable funding source.

Commissioner Graves said that they have voted on our budget because they have assumed that they had to. They did not vote on us this year, they just turned the budget in.

Breland said that it was the intent of the legislature that the Commission and the Fire College be one entity.

Commissioner Graves said the Commission has control of the funds. Dr. Corts has known all along that the answer is "contractual". Let's do it all by contract. It behooves Shelton State to have our students. We have the funding and we (the Commission) are responsible for the budget. We want a clear understanding for our employees, college credit, and the actual buildings.

Commissioner Wyatt discussed the possible legislation that would clearly define this Commission as a separate state agency that may or may not contract with Shelton State in the future as our fiscal agent. We would continue on a contractual basis the accreditation through the board of education instead of a direct affiliation with Shelton State.

Breland suggested that the Commission amend 36-26-100 (the Fair Dismissal Act) to include our employees if it's determined that they are not Shelton State employees. This would give the employees the same protection that they currently have; teacher's retirement and PEEHIP insurance.

Commissioner Graves asked for employee input regarding benefits, perks or anything pertaining to the concerns or fears that they may have. Open discussion followed.

Chairman Zaragoza said that there is already a state law in place, and that law will have to be changed or rescinded.

Breland said that employees of postsecondary are protected. We need to ask the legislature for clarity, and to include the employees of the Alabama Fire College so that

there is no question in the future. (He gave the example of the Alabama Institute for the Blind and Deaf.)

Question was asked, "who owns this property?" It was determined that the State Board of Education, the State of Alabama, the taxpayers, own the property. There are other alternatives for other locations, but the Commissioners want to continue to use this facility. This is a customized facility to train firefighters.

After a short recess, the meeting resumed. Discussion centered on the meeting that will be held at the Fire College on January 31<sup>st</sup>. It was agreed that the Commission would send a rough draft of a proposal for the legislation, for the State Board to have at their February 8<sup>th</sup> meeting. Three main points to agree on are: the AFC employees, the fiscal relationship and college credit. The attorneys from postsecondary and the Fire College will be able to work out all of the details.

Breland said that it is the intent of their of the postsecondary committee that we agree and submit legislation to be presented March 6, 2007.

Commissioner Graves said that we will be accommodating the State Board's wishes by handling everything contractually or by lease.

Interim Director Murry announced the Mid-Winter Fire Chiefs Conference on February 5-8, and invited the Commissioners to attend the luncheon at the Bryant Conference Center on February 7<sup>th</sup>, 2007.

Commissioner Bulman made a motion that the granite sign be removed from the front of the Fire College. It was seconded. The motion carried unanimously.

Commissioner Paulk made a motion to adjourn the meeting. Commissioner Bulman seconded and the motion carried.

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Wayne Murry Interim Executive Director

Melony L. Carrell

Melony L. Carrol Secretary

# Special Called Meeting March 20, 2007

The meeting was called to order by Chairman Butch Zaragoza at 9:00 a.m. The meeting was held at the Alabama Fire College in Tuscaloosa, Alabama.

Roll call revealed the following members present: David Boyd, Bill Bulman, Ralph Cobb, Edward Paulk, Dale Wyatt, and Butch Zaragoza.

Quorum ascertained.

#### VISITORS

Bryan Breland, Stan Odom, Bill Warren, Jimmy Conner, Christy Ryland, Susie Smith, Jerry Laughlin, Phil Hughes.

#### PURPOSE OF SPECIAL CALLED MEETING

Chairman Zaragoza opened the meeting with discussion of the Poison Center. Dr. Jordan of Shelton State, will not sign the termination letter. Under the current law, the Fire College will have to maintain their employment.

Counsel Breland said there have been meetings with Dr. Fisher, and Dr. Jordan, and one option would be for Poison Center to move under the Allied Health Program at Shelton State. Dr. Jordan has sent the chancellor a memo with that recommendation. Roger Bates, the attorney for the State Board of Education and Renee' Culverhouse, the Interim Chancellor, met with Breland. It was determined that if the employees were transferred from the Fire College to Shelton State prior to the legislation taking place, they would become Shelton employees and would not be affected by the separation. If this doesn't happen, it is still the intent of the Commission to release these employees after the law is changed.

Commissioner Paulk made a motion to extend the deadlines of the termination of the Poison Control employees and the Poison Control program until the Commission counsel recommends re-visiting the issue. Commissioner Wyatt seconded it. Roll call vote was taken. Motion carried unanimously.

Chairman Zaragoza went to the next item of business: the draft bill for the separation between Postsecondary and the Alabama Fire College and Personnel Standards Commission.

Breland has sent Bates a draft bill that needs to be tweaked and then submitted by April  $5^{\text{th}}$ , so it can be voted on April  $12^{\text{th}}$ , and then go to the legislature.

Bates included in his statement of intent, "It is the desire of the State Board of Education that the Fire College discontinue the designation as a college."

The Commissioners discussed the pros and cons, regarding the name change. After much discussion they felt the legislation would have a better chance of passing if they agreed to change the name of the Alabama Fire College.

Commissioner Cobb made a motion to change the name of the Alabama Fire College to the Alabama Fire and Emergency Training Institute if, in the opinion of legal counsel, the change was necessary to move forward with the legislative process. Commissioner Wyatt seconded it. The motion carried unanimously.

Breland and the Commissioners reviewed the draft proposal of the bill to be sent to the legislature. Several items were discussed and changes were made. Section 36-32-3 was changed regarding the election of the chair and vice-chair, to have elections only once a year. The definition of a fire fighter will be addressed at a later date, since that issue does not require a legislative change.

Commissioner Paulk made a motion to consider the draft bill proposed by counsel as the position of this commission on the proposed changes to the legislation. Commissioner Wyatt seconded the motion. Motion carried unanimously.

It was decided to keep the current directives regarding the per diem and travel allowance.

Commissioner Cobb made a motion, at the discretion of our legal council, to include our role of EMS education in the proposed legislation. Commissioner Wyatt seconded it. Motion carried unanimously.

Code of Alabama, Section 36-32-3 needs to have the sentence, "Final approval of hiring or dismissal of employees shall rest with the president of Shelton State Community College." taken out.

Commissioner Bulman made a motion to keep the current directives regarding the per diem and travel allowance with the guidance of counsel's research. Commissioner Paulk seconded it and the motion carried unanimously.

Interim Director Murry explained the confusion with the current law 36-32-1 through 12 concerning fire fighters and private fire protection agencies such as Redstone Arsenal and Fort Rucker. Commissioner Wyatt asked the commissioners to wait to make any decisions until he has had more time to understand the complexity of the issue.

Chairman Zaragoza stated that the Commission needs to focus on separating the Fire College from Postsecondary before wanting to change other parts of the law.

Breland explained the salary schedule for the Fire College employees. He said that we would use the salary schedule for Postsecondary but would not use their name in the actual legislation as the State Board of Education was concerned that it would appear that they regulated the salaries. The Commission will adopt the Postsecondary salary schedule yearly and adopt it in the administrative code.

Commissioner Paulk made a motion that the revised draft, become our position for the legislation. Commissioner Boyd seconded it. The motion carried unanimously.

The final draft will be sent to the Commissioners and Roger Bates will give it to Renee' Culverhouse who will distribute it to the State Board members by April 5<sup>th</sup>. Sponsorship will be needed on both sides. If it passes the legislature, it will be effective September 1, 2007.

Chairman Zaragoza asked the Commissioners to look at the overview of Shelton State services that has been given to them and to be prepared to meet more often between now and September.

Commissioner Bulman made a motion to adjourn. Commissioner Boyd seconded it.

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Wayne Murry Interim Executive Director

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Secretary

# Quarterly Commission Meeting April 18, 2007

The meeting was called to order by Chairman Butch Zaragoza at 9:00 a.m. The meeting was held at the Alabama Fire College in Tuscaloosa, Alabama.

Roll call revealed the following members present: David Boyd, Bill Bulman, Ralph Cobb, Dwight Graves, Edward Paulk, Dale Wyatt, and Butch Zaragoza.

Quorum ascertained.

#### VISITORS

Bryan Breland, Stan Odom, Bill Warren, Jimmy Conner, Jerry Laughlin, Lynn Lybrook, Tim Blakemore, Fred McCay, Gene Coleman, Robin Coleman, Warren Knight, Joel Gober, Ty Gober, Phil Hughes, Julie Coffman

#### MINUTES

Commissioner Graves made a motion to approve the minutes (from January 17, 2007, January 30, 2007 and January 31, 2007 (Task Force Meeting) and March 20, 2007). The minutes of March 20, 2007 were amended as follows: page 2, paragraph 2:

Commissioner Cobb made a motion to change the name of the Alabama Fire College to the Alabama Fire and Emergency Training Institute <u>if</u>, in the opinion of legal counsel, the change was necessary to move forward with the legislative process.

The motion carried unanimously.

#### **Directors Report:**

#### A. Training

This past quarter we have had 2,061 students in our Field Program and 640 in our Resident Program. We have Fire College Week coming up and we will have 430 students on our campus that week.

#### **B.** Budgets

A meeting was held April 17, 2007 with the Budget Committee and we are halfway through the year and we've only spent 40% of the funds.

#### C. Six Month Activity Report

Field training is up in all categories. Resident training is up in all categories. Field EMS student numbers are up. Pro Board Certifications are up. Curriculum development is in the process of developing new curriculum, revising existing curriculum and meeting ProBoard deadlines. Skills Sheet will need to be updated as well as the NFPA standards.

**D.** Standards and Training Committee Chairman Zaragoza replaced Richard Sapp with Dale Wyatt on this committee.

# **OLD BUSINESS**

Approval of the Fire Fighter I/II Certification Bridge Program. A public hearing was held April 17, 2007.

The motion was made to approve the program by Commissioner Boyd and it was seconded by Commissioner Paulk.

Commissioner Graves wants this course to be monitored closely and wants the Fire Chiefs to know that this is an option that they can choose.

Interim Director Murry said that the Fire College will hold a two day training seminar the first of August and the course will be offered this fall as a pilot course. The student will be required to pass CPAT, have a physical statement and a notice of employment prior to attending this course, which are the same requirements for attending a FF I/II course. After this is posted on the Legislative Reference Service it will be 45 days before it becomes law.

The motion carried unanimously.

## **NEW BUSINESS**

The Budget Committee met April 17, 2007. Vice Chairman Boyd recommended that the Commission authorize the Interim Director and staff to seek advice from an architect to construct another building to include a classroom, restroom and storage space for trucks and equipment. The motion was made by Commissioner Boyd and seconded by Commissioner Bulman. The motion carried unanimously.

Vice Chairman Boyd also recommended that the Commission authorize the Interim Executive Director to hire an EMS Director and a full time Paramedic or EMS instructor and allowing the option to fill two clerical positions. Commissioner Boyd made the motion and it was seconded by Commissioner Paulk. Interim Director Murry explained the need to laterally transfer Julie Coffman from her current position of EMS Director, to the position of Certification Director and our IFSAC and Pro Board representative. After discussion between the commissioners, the interim director, and Julie Coffman, the motion was tabled until the July Commission Meeting. Interim Director Murry will come back in July with a recommended salary structure for both positions for EMS. Commissioner Cobb asked for an organizational chart to be presented in the next meeting.

# **OLD BUSINESS**

Chairman Zaragoza asked for an update from the counselor on Board of Education issues that are going on. Breland explained that the concerns from the March 20<sup>th</sup> meeting in regards to the name change, have been eliminated. A small minor change has been made to the language in the legislative bill by the State Board of Education. Steven Fitts added the word "faculty" to go along with "employment powers for administrative and support staff". The bill has been submitted to sponsors.

Motion was made to accept the final draft of the bill, by Commissioner Boyd. It was seconded by Commissioner Bulman. Motion carried unanimously.

Breland gave an update on Gail Phillips and Mindy Sexton, who have been on administrative leave since October 2006. He stated that they have both been convicted in federal court on three counts including conspiracy, and have not yet appealed. Motions are pending with the judge to grant a new trial. We have notified them that we intend to terminate their employment and have established a hearing date for May 1, 2007 with Interim Director Murry and Dr. Jordan at Shelton State Community College. We are following correct procedures

Chairman Zaragoza asked for an update from the EMS Committee. Vice Chairman Boyd reported from the April 17<sup>th</sup> meeting, that Dr. Crawford resigned as the Interim EMS Medical Director and he will need to be replaced. A meeting has been scheduled for April 18<sup>th</sup> at 11:00 a.m. with Dr. Jordan. Commissioner Graves explained that Dr. Crawford also serves under the State Board and it was determined that would be a conflict of interest for him to work for us as well. Accreditation issues need to be resolved concerning our paramedic program, or we will be put on probation. We need to have a replacement by May 1<sup>st</sup>, 2007. We will be meeting with a candidate April 20<sup>th</sup>.

# **BUSINESS FROM VISITORS**

Gene Coleman spoke about the Explorer Program that would allow youths age 16 and older to ride the fire apparatus. They are waiting on the official written opinion of the Attorney General although they have a verbal approval. Strict guidelines are being established.

The Commissioners expressed concern allowing anyone under 18 to ride the fire apparatus. They are in support of the Explorer Program, but concerned for the safety of the minors.

Next Quarterly Commission Meeting will be July 18, 2007 at the Alabama Fire College.

Commissioner Bulman made a motion to adjourn the meeting. Commissioner Boyd seconded it and the motion carried.

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Wayne Murry Interim Executive Director

Melony L. Carroll Melony L. Carroll

Secretary

# Special Called Commission Meeting June 8, 2007

The meeting was called to order by Chairman Butch Zaragoza at 9:00 a.m. The meeting was held at the Alabama Fire College in Tuscaloosa, Alabama.

Roll call revealed the following members present: David Boyd, Bill Bulman, Ralph Cobb, Dwight Graves, Edward Paulk, Dale Wyatt, and Butch Zaragoza.

Quorum ascertained.

#### VISITORS

Bryan Breland, Stan Odom, Bill Warren, Jimmy Conner, Christy Ryland, Susie Smith, Jerry Laughlin, Larry Jarvis, Bart Marshall, Kevin Pate, James LeVert, Eddie Pugh, Marty McElroy

### **ELECTION OF OFFICERS**

Chairman Zaragoza announced that the Governor has re-appointed him for another 4-year term. According to by-laws election of officers need to be conducted. The floor was opened for the Chairman position

Commissioner Bulman nominated Commissioner Zaragoza. Commissioner Paulk seconded. Motion carried.

The floor was opened for the Vice-Chairman position.

Commissioner Bulman nominated Commissioner Boyd. It was seconded. Motion carried.

## PURPOSE OF SPECIAL CALLED MEETING

Discussion of the operational portion of the Fire College. A bill has been introduced to separate the Fire College from Postsecondary. The legislature passed a substitute bill giving \$5.9 million to the to the Alabama Fire and Emergency Services Academy. That changed our scope of operation. Several Commissioners have met with representatives and senators to try to remove that verbiage. A meeting was held with Chancellor Byrne, Chairman Zaragoza and Counsel Breland on June 5, 2007 and conversations have taken place with the Governor's staff. We feel comfortable moving forward with House Bill 213, with the understanding that we will receive the full funding.

Counsel Breland has drawn up a document to resolve issues with Shelton State Community College being our fiscal agent. Joan Davis has asked that the Commission sign the agreement which would relieve them of a lot of their responsibilities. With this current change, with HB 213, the document will not be presented at this meeting. Breland asked the Commission to assign a delegate or staff member to sign off on the document when an agreement has been reached. Commissioner Wyatt expressed concern that he was not notified of meetings with the Chancellor and was not involved with the decisions that have been made.

Chairman Zaragaza apologized and explained that events have happened too fast to keep up with. It is almost impossible to involve everyone on every issue.

Commissioner Graves stated that with this agreement we will be able to operate as we have in the past, until the legislation passes and we are a separate entity. This agreement defines that we are not under the auspices of Shelton State.

Breland stated that the Governor, the Chancellor of Postsecondary Education, the State Board of Education and Shelton State Community College are in agreement that the funding should be reverted back to the Fire College. All parties will have to sign off on this agreement. Shelton State is a pure physical agent.

Commissioner Graves made a motion for Breland to continue working on this agreement and that he signs it on behalf of the Commission. Commissioner Wyatt seconded it. Roll call vote was taken and the motion carried unanimously.

Chairman Zaragoza said that Commission can move forward with the selection of the Executive Director.

Commissioner Graves made a motion to send letters to the previously selected candidates and set up interviews on July 5 and July 6, 2007. Motion was seconded by Commissioner Cobb. Roll call vote was taken and the motion carried unanimously.

Commissioner Cobb made a motion cover travel expense for the candidates. Commissioner Boyd seconded. Roll call vote was taken.

David Boyd – Yes Bill Bulman – Yes Ralph Cobb – Yes Dwight Graves - Yes Ed Paulk – No Dale Wyatt – No Motion carried 4 to 2.

The Commission will send Breland questions for the candidates, by the end of the week. Chairman Zaragoza said that after final selection, the Chancellor wants to see documentation of the candidate before he will give approval for the hiring of the Executive Director.

The Commission discussed the hiring of additional personnel and decided to further the discussion at the July quarterly meeting.

Commissioner Cobb is seeking to have the Fire College be a part of the federal funds and grants from the Office of Preparedness.

Interim Director Murry explained that the Fire College has regional training facilities throughout the state. We have 20 approved permanent training sites. Commissioner

Bulman wanted to put a moratorium on approving new training facilities, but after discussion, the Commission agreed to discuss this issue at the July quarterly meeting.

Commissioner Boyd commended the Fire College staff on their hard work and dedication. Commissioner Graves agreed and expressed gratitude for Counsel Breland. Commissioner Paulk thanked Chairman Zaragoza for his hard work. Chairman Zaragoza said that everything has been a group effort and that we've been working together through this difficult time.

Commissioner Cobb requested the Fire College investment details be given to the Commission by the July meeting.

Commissioner Wyatt made a motion to adjourn. Commissioner Boyd seconded it and the motion carried.

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Wayne Murry Interim Executive Director

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Melony L. Carrol Secretary

# Special Called Commission Meeting July 5 & 6, 2007

The meeting was called to order by Chairman Butch Zaragoza. The meeting was held at the Alabama Fire College in Tuscaloosa, Alabama.

Roll call revealed the following members present: David Boyd, Bill Bulman, Ralph Cobb, Dwight Graves, Edward Paulk, Dale Wyatt, and Butch Zaragoza.

Quorum ascertained.

## VISITORS

Stan Odom, Bill Warren

#### PURPOSE OF SPECIAL CALLED MEETING

The Executive Director candidates were scheduled for interviews over a two day period. Five interviews were conducted. Wayne Murry and Allan Rice were interviewed on July 5, 2007. Jeffrey Huber, Wilmer Dane and Cortez Lawrence were interviewed on July 6, 2007. All candidates received the questions that would be asked, previous to the interview. All candidates received the same questions.

After the interviews were concluded, the Commission met to discuss the candidates.

#### Wilmer Dane

Commissioner Paulk made a motion to strike him from further consideration. Commissioner Graves seconded. Roll call vote was taken. Motion carried unanimously.

#### Jeffrey Huber

Commissioner Cobb made a motion to further consider him. Commissioner Wyatt seconded. Roll call vote was taken.

Boyd – no Bulman – no Cobb – yes Graves – yes Paulk – no Wyatt – yes Zaragoza – yes (because of the tie, the Chairman was required to vote) Motion carried 4 to 3.

#### Wayne Murry

Commissioner Boyd made a motion to further consider him. Commissioner Paulk seconded. Roll call vote was taken.

Boyd – yes Bulman – yes Cobb – no Graves – yes Paulk – yes Wyatt – yes Motion carried 5 to 1.

#### **Cortez Lawrence**

Commissioner Bulman made a motion to strike him from further consideration. Commissioner Boyd seconded.

After discussion, Commissioner Wyatt made a motion to go into Executive Session. Commissioner Bulman seconded. Roll call vote was taken and the motion carried unanimously.

After a fifteen minute interval, the meeting was called back to order.

Commissioner Bulman withdrew the motion to strike Mr. Lawrence from consideration. Commissioner Boyd withdrew his second. Roll call vote was taken and the motion to withdraw was passed unanimously.

Commissioner Wyatt made a motion to further consider him. Commissioner Boyd seconded. Roll call vote was taken. Motion carried unanimously.

#### **Allan Rice**

Commissioner Cobb made a motion to further consider him. Commissioner Graves seconded. Roll call vote was taken and the motion carried unanimously.

The four remaining candidates were discussed between the Commissioners.

Commissioner Paulk made a motion to offer the Executive Director position to Allan Rice. Commissioner Graves seconded. Roll call vote was taken.

Boyd – no Bulman – no Cobb – yes Graves – yes Paulk – yes Wyatt – yes Motion carried 4 to 2.

Breland explained the process of hiring under the postsecondary guidelines and clarified the law as it is currently written. Chancellor Byrne indicated in a meeting that he would be the one to give hiring approval for the Executive Director. Shelton State Community College president will need approval from the Chancellor. Wayne Murry's position as Interim Executive Director was a temporary assignment. All Commissioners agreed to give Murry an administrative position at the Alabama Fire College, but wanted Allan Rice to have an input in that decision. Commissioner Bulman made a motion to adjourn. Commissioner Graves seconded it and the motion carried unanimously.

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Wayne Murry Interim Executive Director

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Melony L. C. Secretary

# Quarterly Commission Meeting July 18, 2007

The meeting was called to order by Chairman Butch Zaragoza at 9:00 a.m. The meeting was held at the Alabama Fire College in Tuscaloosa, Alabama.

Roll call revealed the following members present: David Boyd, Bill Bulman, Ralph Cobb, Dwight Graves, Edward Paulk, Dale Wyatt, and Butch Zaragoza Quorum ascertained.

## VISITORS

Bryan Breland, Stan Odom, Bill Warren, Jimmy Conner, Jerry Laughlin, Tim Blakemore, Fred McCay, Christy Ryland, Susie Smith, Jerri Ayers (Allan Rice was also in attendance)

#### MINUTES

Commissioner Graves made a motion to approve the minutes of April 17, 2007, April 18, 2007, and June 8, 2007.

The motion carried unanimously.

#### **Directors Report:**

#### A. Training

The Field Division has 77 courses scheduled for the upcoming weeks. We are getting back into Industrial training and we've had 2 courses completed. We have had requests for regional training. We need to develop a written policy for off-campus resident courses. The new Resident Calendar is complete.

#### **B.** Permanent Training Facilities

A list of all of the approved training centers in the state was given and discussed. Commissioner Cobb asked the staff, when approving a training site, to consistently apply the standard uniformly.

#### C. NIOSH – National Institute for Occupational Safety and Health

Due to apparatus accidents, a course has been developed to teach the proper method of driving a fire truck. A draft copy of the course was distributed to the Commissioners for approval. This will be a free, 16 hour driving course, available to all departments. Commissioner Graves would like to support the Explorer program and this would be beneficial to them.

#### D. NPFA Standard Revisions Update

There are a total of 27 courses that will need to be updated by 2010, for us to maintain accreditation. Revising any course involves developing new teaching outlines, new text books, new certification tests, piloting the course and making any necessary changes. We do not have the staff to do this on our own. This will have to be contracted out or commercially purchased.

## E. Certificates of Deposit

The Alabama Fire College Certificates of Deposit was provided by the Shelton State Community College Business Manager. Shelton State determines how they are invested.

# F. On-Site Job Performance Testing

Based on the requirements from ProBoard, we will begin on-site job performance evaluations. The Fire College staff will be evaluating the Firefighter I schools and the AFC monitors will be evaluating the VFF schools. The training division will develop the policy and the forms. We will begin evaluations in October.

## G. New Building

The proposed building will have dormitory space for recruit firefighters only. With this building, there is a three bay apparatus room to house equipment and trucks that are currently out in the weather and CPAT testing will be conducted inside. This will also provide three extra classrooms.

## H. Employee Proposals

Interim Director Murry made several recommendations for hiring new employees and for transfers of current employees. Due to vacancies of existing positions and a retirement of an employee, these jobs would not cost any additional funds.

Commissioner Graves made a motion that no organizational changes or hiring of any new employee occur until the new Executive Director comes August 20<sup>th</sup>. Commissioner Cobb seconded the motion.

Roll Call vote was taken

Boyd – yes Bulman – no Cobb – yes Graves – yes Paulk – yes Wyatt – yes Motion carried

# **OLD BUSINESS**

Chairman Zaragoza said that he and Counselor Breland had a meeting with the Chancellor and some of his Vice-Chancellors. The Chairman called the Commissioners after the meeting to let them know it was a positive meeting. The floor was opened for discussion. Commissioner Wyatt asked about the contract for funding. Breland said that the contract has to be turned into the Board by August 3<sup>rd</sup>. A copy will be sent to the Commission in a few days.

## **NEW BUSINESS**

The Budget Committee met July 17, 2007. Commissioner Boyd said the 07-08 Budget was approved by the committee. Chairman Zaragoza said that in the past, the budget was sent and approved by the state, before it came to the Commission for review. We will now look at the budget in February or March before it is submitted to the state.

The IT infrastructure of the Fire College was discussed. Commissioner's Graves and Cobb agreed that we need to move forward with independence from Shelton State Community College. Breland said that a series of contracts that will address several issues, such as communications, will be created. MIS will talk directly with Breland on these issues.

A copy of the Executive Director contract for Allan Rice was distributed to the Commission, effective start date of August 20, 2007. There is not an auto renewing or a buy out clause in the contract. It will be reviewed and evaluated annually. Breland will amend the contract to include "participation in any outside board must be approved by the Commission".

Commissioner Paulk made a motion to approve Allan Rice's contract. Commissioner Boyd seconded it. Roll call vote was taken. Motion carried unanimously.

#### **BUSINESS FROM VISITORS**

None.

#### **BUSINESS FROM COMMISSIONERS**

Commissioner Bulman made a motion to look into giving Counsel Breland a raise. Commissioner Graves seconded. Motion carried unanimously.

Commissioner Cobb made a motion to approve Allan Rice to sit on the advisory board for the Alabama Mutual Aid System and Homeland Security. Commissioner Graves seconded. Motion carried unanimously.

Commissioner Cobb said the SAFER grant is coming up and the Fire College would be eligible. He would like to see the staff produce a video and he will check into getting an application.

Commissioner Cobb made a motion that the Alabama Fire College and Personnel Standards Commission form a response for "In the Line of Duty Death", to assist in any capacity as needed. Commissioner Boyd seconded.

Chairman Zaragoza said that this is already being worked on and we will need to coordinate with other entities. We will be the host agency that will bring all the resources together.

Roll call vote was taken. Motion carried unanimously.

Commissioner Graves commended Interim Executive Director Murry on his job performance and leadership.

Chairman Zaragoza has received complaints that the Commission is not in touch with the fire service. He suggested that the Commission meet in other locations around the state for the quarterly meetings. Chief Tim Blakemore said that when this was done in the past the turn out was slim. The Commission discussed meeting once a year at some other site. No motion was made.

Interim Director Murry spoke on the Instructor Workshops coming up on August 1<sup>st</sup> and August 11<sup>th</sup> to bring the instructors up to date on changes. So far, we have over 100 registered.

Next Quarterly Commission Meeting will be October 17, 2007 at the Alabama Fire College.

Commissioner Bulman made a motion to adjourn the meeting. Commissioner Boyd seconded it and the motion carried.

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Wayne Murry Interim Executive Director

Melony L. Courell

Melony L. Garroll Secretary

# Special Called Commission Meeting September 21, 2007

The meeting was called to order by Chairman Butch Zaragoza at 9:00 a.m. The meeting was held at the Alabama Fire College in Tuscaloosa, Alabama.

Roll call revealed the following members present: David Boyd, Bill Bulman, Ralph Cobb, Dwight Graves, Edward Paulk, Dale Wyatt, and Butch Zaragoza.

Quorum ascertained.

# VISITORS

Bryan Breland, Stan Odom, Bill Warren, Jimmy Conner, Jerry Laughlin, Teresa Stone

# PURPOSE OF SPECIAL CALLED MEETING

Chairman Zaragoza stated that a request has been made from the U.S. Attorney's Office regarding attorney-client privileges. He turned the meeting over to Counsel Breland.

Breland explained the attorney-client privilege and how that applies to the Commission.

Commissioner Bulman made a motion to execute the waiver and it was seconded by Commissioner Paulk. The motion carried unanimously.

The waiver states:

I, Allan Rice, Executive Director of the Alabama Firefighters' Personnel Standards and Education Commission and Chief Administrative Officer of the Alabama Fire College knowingly and voluntarily hereby waive any and all attorney-client privilege(s) the Alabama Firefighters' Personnel Standards and Education Commission and the Alabama Fire College has or may have had with respect to legal representation by Charles Hardin. I further request that any and all records, documents, notes, memoranda, work product, billing records, financial information, and any other document relating to said representation be provided to the United States Attorney's Office for the Northern District of Alabama.

Chairman Zaragoza asked Executive Director Rice to explain his recommendation on the Risk Watch Program. Rice suggested that the Fire College seek a satellite location for the Risk Watch Program. We have a good offer at a zero cost location. Commissioner Bulman wants to be sure the program will reach the entire state. Rice said that he was watching that and he agrees with the commissioner. This is an outcome based program that includes; location, which modules were used, and pre and post testing for knowledge gain. We will still have complete oversight and responsibility for this employee.

Commissioner Paulk made a motion to approve the recommendation to re-locate

the Risk Watch Program and it was seconded by Commissioner Graves. The motion carried unanimously.

Chairman Zaragoza turned the meeting over to Director Rice to discuss the Deputy Director vacancy. Rice stated that this position has been vacant for several months. Each applicant's resume was carefully considered. Three were chosen to interview. Rice recommended hiring Bryan Breland. Commissioner Bulman asked about the conflict of Breland also being the Commission counsel. Rice said that he sees this position to be along the same lines as Joan Davis, who is vice chancellor and is also legal counsel for the Department of Postsecondary and the State Board of Education. She does not engage in external litigation. Breland will not be available to represent us, but he will be available as internal counsel and our liaison to external counsel.

Commissioner Cobb made a motion to accept Bryan Breland as Deputy Director of Administration. It was seconded by Commissioner Graves. The motion carried unanimously.

Rice also said that there will be reallocation of some titles for the Fire College. We will eliminate the title of Assistant Executive Director. We are not eliminating the job; we are only changing the title to Deputy Director. Due to expansion and future planning for autonomy, the organization will be divided into two sides and we will have two deputy directors. One will be over the educational delivery, and the other will be over the administrative services.

Chairman Zaragoza asked Director Rice to explain needed fund transfers pertaining to new positions and major function areas. Director Rice said that new personnel will be required. We need a Curriculum and Certification Director, a Planning Officer, two for Fire Service Development, and then two full time Fire Programs Instructors. This will not eliminate any current positions or any contract instructors that we have. We can put these six positions on the deck by reallocating current dollars that have been saved, or positions that will not need to be filled.

Commissioner Paulk made a motion to approve the recommendations for the six new employees and the transfer of funds to do so. Commissioner Wyatt seconded. Motion carried unanimously.

Chairman Zaragoza stated that the Commission will be responsible for hiring the Executive Director and the two Deputy Directors. All other employees will be hired by the Executive Director. After discussion, all of the Commissioners agreed. The Commission asked Breland to submit a draft to the Commission by the October meeting, clarifying the hiring policies and procedures for the Alabama Fire College.

# **BUSINESS FROM VISITORS**

Bill Warren stated that Senator Phil Poole declined the invitation to be the key note speaker at the Firefighter Memorial Ceremony, due to prior commitments. Senator Poole said that he had a positive meeting with Executive Director Rice and he assured Warren that the Fire College would have his support.

Commissioner Bulman made a motion to adjourn. Commissioner Boyd seconded it and the motion carried.

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Allan Rice Executive Director

Melony L. Carroll

Melony L. Carroll Secretary

# Quarterly Commission Meeting October 17, 2007

The meeting was called to order by Chairman Butch Zaragoza at 9:00 a.m. The meeting was held at the Alabama Fire College in Tuscaloosa, Alabama.

Roll call revealed the following members present: David Boyd, Bill Bulman, Ralph Cobb, Dwight Graves, Edward Paulk, Dale Wyatt, and Butch Zaragoza Quorum ascertained.

# VISITORS

Bryan Breland, Teresa Stone, Bill Warren, Jimmy Conner, Tim Blakemore, Christy Ryland, Jerri Ayers, Adam Jones, Gary Waters

# MINUTES

Commissioner Graves made a motion to approve the minutes of July 5 & 6, 2007, July 18, 2007 and September 21, 2007.

The motion carried unanimously.

# **Directors Report:**

# A. Training

There has been an increase of student numbers over last quarter and even over our ten year average. We will be revising and updating our courses and adding some new courses. We have made arrangements with Shelton State to continue the Paramedic program with a class starting in January. Students will be able to contact our EMS division or Shelton State's enrollment office and they will have the appropriate information to register through either agency. We are putting together a proposal on a First Responder statewide initiative to aid the volunteer fire departments and to help our postsecondary partners. It will serve as a precourse for EMT Basic.

# **B.** External Relationships and Meetings

- We had a very productive meeting with Senator Phil Poole. We are continuing the dialog regarding our autonomy. Chancellor Byrne has reaffirmed his support of the Commission.
- Dr. Jordan of Shelton State Community College has been a phenomenal partner and has assisted and guided us in some important areas.
- We have been contacted by Mel Cosgrove and the State Fire Marshal's Association. The primary concern is the Fire Inspector certification. Currently the International Code Council issues their own certification credentials. The Fire Inspector ought to be able to take one class and

receive dual credentialing from the Commission and the ICC. That would certainly be more cost efficient. We will look at that very strongly.

- We have a very close relationship with Chief Martin of the Tuscaloosa Fire Department. We do not currently have a contractual agreement. We provide training for them and they provide support for our training. There is concern of possible injury of a Tuscaloosa firefighter on duty on our property. We want to continue the verbal relationship that we have, but put it on paper, so that it's clear who holds the liability.
- We had a dialog with Glenn Davis of West Alabama EMS. They are willing to partner with us in an effort to end some duplication that's taking place.
- John James is the acting State EMA Director. He contacted us and asked if we could do some training in the areas of NIMS. This would not be limited to firefighters, but would include all public safety and public works personnel.
- The State Fire Marshal's Association is having their central district meeting here at the Fire College in November.
- David Hyche is the resident agent in charge of the ATF in Birmingham. He would like to reinstate our relationship involving the Fire Investigator course.
- Joe Ronsisvalle is the Weapons of Mass Destruction Coordinator for the FBI Central District. He visited us last week. He would like to do a brief presentation for every Haz Mat related course that we sponsor including our field courses.
- Through Commissioner Paulk we met Linda Casey, the new State Forester, at the Governor's office. She is a willing partner to share resources in the area of training. We talked about a state wide initiative such as a State Public Safety Training Consortium.
- We hosted the Central Alabama Fire Chief's Association luncheon, the State Fire Marshal's Pipleline Safety and Haz Mat Awareness class, the Joint Fire Council meeting and the AMAS Team Leader meeting. Over 200 were in attendance for these meetings.
- Wayne Murry went to the NAFTD conference and brought back encouraging reports. We are doing the right thing by using safety initiatives during training and by working on curriculum revisions. Murry explained that the NAFTD advisory board will seek additional funding channeled through Homeland Security and NFA with the money being earmarked for state training academies.

# C. Fire College Issues

We are considering the idea of an Alabama State Fire Caucus to try to develop a coordinated legislative agenda that is representative of as many interests of the fire service that care to participate. Linda Casey has offered to host an organizational meeting at her facility, for every interest group that touches the Alabama fire service.

Commissioner Paulk made a motion that the Fire College be a key partner in the assembly of the Alabama State Fire Caucus and to be a participating member. Commissioner Boyd seconded. The motion carried unanimously. Re-establishment of the Alabama Fire College bookstore Executive Director Rice wants to provide quality customer service for our customers in the state and around the country.

Commissioner Cobb made a motion to re-establish the Alabama Fire College bookstore and it was seconded by Commissioner Bulman. Motion carried unanimously.

Executive Director Rice informed the Commission of plans to re-establish the switchboard and to reconstruct the Course Content Advisory Committees. The Alabama Poison Center has not yet been transferred to Shelton State Community College. A proposed agreement has been drafted.

Chairman Zaragoza stated that the Fire College has <u>not</u> lost the right to teach EMS as some rumors have claimed. Director Rice said that the Fire College has the right to teach the Basic EMT course statewide. The Paramedic program is a Shelton State program that we teach at our facility applying their rules.

Director Rice wants to have the AFC rescue truck officially state licensed so we can assist in time of crises. In addition, the Fire College would like to seek professional training from the State Ethics Commission and the State Finance Office.

## **OLD BUSINESS**

Chairman Zaragoza requested an update on the hiring procedures policy. Bryan Breland discussed his meeting with Dr. Jordan of Shelton State Community College. The Fire College will not use the postsecondary procedures for hiring the executive director or the deputy director, which are at will employees, but we will follow postsecondary procedures for all other positions. The president of Shelton State will be asked to sign off on all hiring, as has been done in the past. A comprehensive set of hiring policies will be presented at the next quarterly Commission meeting.

#### **NEW BUSINESS**

Commissioner Cobb said that we have an excellent opportunity to help regional EMS agencies and fire departments train EMT's. Be Ready Camp is a program that the Fire College is considering hosting on our campus. Commissioner Cobb would also like to see the Fire College develop a recruiting video to use at school job fairs.

#### **BUSINESS FROM VISITORS**

None.

#### **BUSINESS FROM COMMISSIONERS**

Chairman Zaragoza talked about the DVD that Commissioner Paulk was involved with called "Two Ways Out". State Farm Insurance funded the project and the Department of Public Health, State Fire Marshal's Office, the Alabama Smoke Alarm Initiative and

Trussville Fire Department were instrumental in getting the video out. The DVD went to every public school, first through third grade.

Commissioner Graves complimented the AFC staff and the professionalism of the courses taught at the Fire College.

Next Quarterly Commission Meeting will be January 16, 2008 at the Alabama Fire College.

Commissioner Bulman made a motion to adjourn the meeting. Commissioner Paulk seconded it and the motion carried.

Allan Rice Executive Director

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Melony I. Carroll Secretary