

Texas Prescribed Burning Board Minutes

Stephen F. Austin Building

Austin, Texas

Thursday, February 09, 2023

CALL TO ORDER

Pursuant to a notice posted on January 30, 2023, the Prescribed Burning Board meeting was called to order at 1 pm. by Chairman Justin Penick. The roll was answered as follows:

Present: Justin Penick, Wayne Pfluger, Dr. Morgan Treadwell, Charles Tatton, Chris Schenck, Dr. Nathan Gill, Mitch Conine, Jason Ellis, Dr. Douglas Tolleson, Heather Brister, Dale Smith

Absent: Perry Cervantes

With 12 members in attendance and 1 member absent, a quorum was present at 1:33pm.

Guests: Patrick Dudley (TDA), Miranda Robertazzi (TDA), Andy McCrady (TFS), Ray Hinnant, Chuck Linton (PBAT)

The Chair called the meeting to order and welcomed all in attendance. Chairman Penick asked Patrick Dudley to swear in new board member. Patrick Dudley administered the oath to Jason Ellis and Dr. Douglas Tolleson.

ELECTION OF OFFICERS

Elections for officers are held biennially. The floor was open for nominations. Morgan Treadwell nominated Justin Penick as Chair; Wayne Pfluger seconded the nomination and then nominated Morgan Treadwell as vice-chair; Dr. Nathan Gill seconded the nomination. Patrick Dudley laid out the nominations to the Board; nominations for Justin Penick to continue as chair and Dr. Morgan Treadwell to continue as vice chair were passed unanimously.

APPROVAL OF MINUTES

The Chair laid out the minutes from the meeting held in Lufkin, Texas at the Texas Forestry Association on November 17, 2022. Morgan Treadwell requested the meeting minutes to be amended to reflect who made public comment as follows: “Morgan Treadwell at Texas AgriLife is pursuing funding efforts to support the Curriculum”. Also, on the last page “The public was changed to “Texas Parks and Wildlife” regarding public comments made. Morgan Treadwell made the motion to approve minutes as amended. Mitch Conine seconded the motion. Motion passed unanimously on the proposed changes.

APPROVAL OF APPLICANTS

The Chair recognized Patrick Dudley to present the Board with any Certified and Insured Prescribed Burn Manager (CIPBM) and/or Lead Burn Instructor applications to be considered. CIPBM applicant Steven Gibbon and Lead Burn Instructor applicants Lee Knox and George Allen Rasmussen will be reviewed by the Board following the meeting. There was a consensus by the board for Chairman Justin Penick to approve or deny applicants based on comments from the board given to Patrick Dudley.

Dr. Nathan Gill arrived at 1:15 pm during the discussion of applicant approvals.

CONTINUED DISCUSSION AND POSSIBLE ACTION REGARDING TRAINING CURRICULUM, EDUCATION, AND CERTIFICATION OF CIPBMS REGARDING ESCAPED BURN REVIEW.

Justin Penick motioned to set up a subcommittee to conduct research on what curriculum is appropriate and useful for CIPBM’s regarding education for contingency planning for escaped fires. Chris Schenck seconded the motion for establishing a subcommittee to conduct research for content. The motion passed unanimously. Chris Schenck, Dr. Nathan Gill, Justin Penick, and Jason Ellis will be members of the subcommittee.

DISCUSSION REGARDING CONTINUING EDUCATION FOR LEAD BURN INSTRUCTORS AND THE REQUIRED ANNUAL MEETING

Dr. Nathan Gill reported that all Lead Burn Instructors attended the last meeting. Discussion led to whether the Lead Burn Instructor education should be strengthened to help them with their lessons. The board discussed utilizing a google drive specifically for new data and communication for CIPBM lesson plans to discuss at the annual meetings.

Heather Brister joined at 1:11 pm and Dale Smith Joined at 1:33 pm.

DISCUSSION AND REVIEW AND POSSIBLE ACTION ON PBB-600

The board reviewed Lead Burn Instructor PBB-600 changes. The board suggests adding verbiage from PBB-601 to the PBB-600 instructions to understand the definitions on PBB-600. Justin Penick motioned to review once changes are made. Chris Schenck seconded the motion. Motion passed unanimously.

Mitch Conine departed the meeting at 3:48 pm. A quorum was still present.

FINAL DISCUSSION, REVIEW AND POSSIBLE ACTION ON RULE REVIEW OF TITLE 4, PART 13 OF THE TEXAS ADMINISTRATIVE CODE.

The Schedule of Disciplinary Sanctions currently resides in TAC Title 4; Part 1; Chapter 4, Subchapter A: Enforcement, which was under authority of TDA prior to the Sunset Commission's recommendations in the 87th legislature. Patrick Dudley suggested moving the Schedule of Disciplinary actions into TAC, Title 4 Part 13 per legal and Sunset. The Board agreed to table discussion regarding the Schedule of Disciplinary actions for the next meeting. The board reviewed Title 4, Part 13 of the Texas Administrative Code for Rule Review, which will be going to public comment.

The board recessed at 4:10pm and reconvened at 4:21pm.

REVIEW OF LETTER TO COUNTY JUDGES AND UPDATE ON THE DATE OF THE COUNTY JUDGES CONFERENCE

The board discussed being on the agenda of the next County Judges Meeting being held in Abilene Texas October 3, 2023. After further research, the County Judges Meeting Agenda is full but will be kept in consideration. Morgan Treadwell sent Miranda Robertazzi the letter to disperse for the board to review.

TEXAS DEPARTMENT OF AGRICULTURE UPDATE

Patrick Dudley gave an update regarding the Texas Department of Insurance memorandum. The memorandum outlines the liability of insurance for CIPBM's in the State of Texas. Dudley also updated the Board on current bills being filed that could affect Chapter 153 of the Natural Resources Code. The only bill currently filed that references Chapter 153 is HB 162 by Murr which looks to change minimum standards.

MEETING DISCUSSION AND AGENDA ITEMS FOR NEXT MEETING

Schedule of disciplinary actions was tabled and will be on the next meeting's agenda.

PUBLIC COMMENT

The Chair opened the floor for public comment. No public comment.

The Board discussed other business raised during the meeting to be placed on the next agenda. The consensus of the Board was to have the next meeting in Austin, Texas on May 4, 2023, at 1 pm at TDA.

AJOURNMENT

With no additional business, Wayne Pfluger entertained a motion to adjourn. Morgan Treadwell seconded the motion. Hearing no objection, the meeting was adjourned at 5:02 pm.