

Meeting Minutes
Texas Prescribed Burn Board Meeting
January 14, 2016 at 1:00 pm
Texas Department of Agriculture
Stephen F. Austin Building
11th Floor Executive Conference Room

Board Members Present:

Arnoldo Saenz
Larry J. Doherty
Kati Wooten
Rusty Ray
Rich Gray
Justin Penick
Butch Taylor
JK Brite
Justin Dreibelbis
Morgan Russell
Robin Verble

TDA Staff:

Tim Kleinschmidt
Christopher Gee
Stephen Dillon
Stuart Strnad

Advisory Board:

Ray Hinnant

Members of the Public:

Allen Ersch
Charles Tatton

The **first** item of business was the calling of the meeting of the Prescribed Burning Board (PBB) to order at approximately 1:00 p.m. by Chairman, Justin Penick, and recognizing that a quorum of members was found to be present.

The **second** item of business was Chairman Penick's opening remarks welcoming everyone to the meeting with general introductions of everyone including the introduction of Larry J. Doherty (elected landowner board member), Arnoldo Saenz (elected landowner board member) and Morgan Russell (AgriLife Extension Service board member) as the newest members.

The **third** item of business was the swearing in of new board members Larry J. Doherty, Arnoldo Saenz and Morgan Russell by Stuart Strnad from the Texas Department of Agriculture (TDA). After the completion of the swearing in, each new board member was welcomed and thanked for their service to the board.

The **fourth** item of business was the discussion and possible action to appoint a board member to take board meeting minutes. The board discussed the possibility at some depth and decided that TDA should continue to take the minutes at the Prescribed Burning Board meetings in order to remain consistent. Chairman Penick closed discussion as no action taken.

The **fifth** item of business was approval of the minutes of the previous Board meeting held in Austin, Texas on September 17, 2015. Katie Wooten noted that a correction was needed to the acronym for the Texas Commission of Environmental Quality from [~~TECQ~~] to TCEQ. A motion was made and seconded; the board unanimously approved the minutes as presented with corrections.

The **sixth** item of business was TDA's report on the progress of insurance policy products from Bramlett Insurance. Stuart Strnad of TDA described Leslie Kutz, of Bramlett Insurance; report on the most current Bramlett insurance product offered for prescribed burning activities. The policy provides coverage for two prescribed burns a year for a \$500.00 premium. Ms. Kutz indicated that the limit of two burns per policy would be tracked by requiring burn managers to submit burn plans for each burn to the insurance company. Once the initial two burns were used, burn managers would be required to purchase additional coverage at the premium rate of \$250.00 per prescribed burn. The board questioned Mr. Strnad about whether Bramlett intended to submit a final proposed insurance policy to them for review. Mr. Strnad relayed to the board Bramlett's explanation that it was in the final stages of putting a product together and that the policy would be ready to be presented to the board by the end of February 2016. The board decided to make Ray Hinnant Chair of Bramlett/Essex insurance subcommittee to expedite review of the finalized policy and to receive a presentation from Bramlett and Essex. The Bramlett/Essex subcommittee is composed of the following individuals:

- Ray Hinnant (Chair), Randy Rivera and Justin Penick

The **seventh** item of business was Rich Gray of Texas Forest Service (TFS) reporting on the progress for the data base development to document prescribed burns in Texas. Rich Gray commented that IT developers were working on the data base and it would be able to capture information such as; total number of burns, location (county) of burns, acreage burned, and escaped burns. Rich stated that the earliest that the data base would be completed would be either in June or July of this year.

The **eighth** item of business was the discussion and possible action from the Rule Content Subcommittee for recommendations on rule updates covering Eco-Regions, Board Curriculum, Continuing Fire Training Units and Lead Burn Instructor Certification. At the time of the board meeting the Rule Content Subcommittee had not met and so no recommendations were available for the board. The board assigned two additional members to the Rule Content Committee: Robin Verble of Texas Tech University and Morgan Russell from AgriLife

Extension Service. Morgan Russell was also assigned additional committee duties to organize and facilitate meetings so that recommendations would be available for the next board meeting.

The Rule Content Subcommittee is composed of the following members:

- Katie Wooten, Ray Hinnant, Randy Rivera, Rich Gray, Morgan Russell and Robin Verble.

The **ninth** item of business was the discussion and action on the reappointment of the Prescribed Burning Board Advisory Board by Chairman Justin Penick and Ray Hinnant. Justin Penick and Ray Hinnant announced the newly appointed 11 member Advisory Board:

- B J Donaldson, Ron Hufford, Susan Kibbe, Stan Graff, Verl Cash, Mort Kothmann, Allen Ersch, Jose Villarreal, Keith Blair, Ray Hinnant and Judy Rice.

The board asked TDA to contact each individual on the 2013 appointed Advisory Board with a letter notifying them that the 2013 Advisory Board had been disbanded and further requested TDA to send letters to the new 11 member board to confirm their appointment. TDA confirmed that both letters would be sent to the appropriate board members.

The **tenth** item of business for discussion and possible action was presented by Stuart Strnad on Licensing updates, Licensing of Lead Burn Instructors, qualifying Lead Burn Instructors without Certified and Insured Prescribed Burn Manager (CIPBM) status, and possible curriculum development for CIPBM's and Lead Burn Instructor certification. The result of the discussion was a decision by the board to task the Rules Content Subcommittee with making recommendations to the board on curriculum and Lead Burn Instructor certification. Licensing updates were presented to the board with a summary of the number of CIPBM's licensed in previous quarters by the department and a discussion of common technical review items on pending licenses. All items discussed were closed with no action taken.

Rule Content Subcommittee:

- Katie Wooten, Ray Hinnant, Randy Rivera, Rich Gray, Morgan Russell and Robin Verble.

The **eleventh** item of business was Public Comment and Justin Penick opened the floor for comment. Allen Ersch stepped forward to present several questions to the board.

- Allen Ersch: Had HB 2119 been reviewed and approved by the board? The board responded that insurance limits were set at the September 17, 2015 board meeting to coincide with the minimum limits set out in Section 227.1 of the Texas Administrative Code
- Allen Ersch: Where are the Prescribed Burning Board Agendas posted? Stuart Strnad responded that TDA does post Board agendas on the website under News and Events-Open Meetings but the web page was currently experiencing problems and would be repaired as soon as possible. Mr. Ersch was also referred to the Texas Register for all open meetings since TDA post all board agendas to the Texas Register in order to comply with the Open Meetings Act.
- Allen Ersch: Commented on 2 insurance and 1 burn database items, CIPBM insurance should be reviewed by TDA for compliance with Section 227.1 of the Texas Administrative Code. Farm Bureau policies do not cover Burn Associations and burn data is not required to be reported to the Texas Forest Service by regulation unless it's during a burn ban.

No further public comment was made and Chairman Penick closed the discussion.

The **twelfth** item of business was for the board to set the location, date and time for the next board meeting. After some discussion, the board decided that the next meeting would be held at the San Angelo AgriLife Research Center on April 14, 2016 at 1:00 PM. A motion was made and seconded; the board unanimously approved the location, date and time for the next meeting as presented.

The **thirteenth** item of business was to address any other business that might need to be added to the next board agenda for discussion. Mr. Doherty presented the following two topics to be placed on the next agenda:

- Wildfire Prevention Task force to be revitalized with TDA to report on status.
- Discussion and possible action of a Wildfire Prevention Program by the board.

The **fourteenth** and last item was to adjourn meeting. Chairman Penick asked the board for adjournment. A motion was made and seconded by the board to adjourn the meeting; Chairman Penick declared the meeting adjourned.