

# Governor's Fire Service Policy Council

1:00 p.m. • Tuesday, January 22, 2008

Special Districts Office/OFCA Conference Room

## Minutes

### Welcome/Introductions

Chair George Warren called the meeting to order at 1:00 p.m. All members introduced themselves. Present were:

<b>Members</b>	<b>Representation</b>
George Warren, Clackamas County FD	Oregon Fire District Directors Association
Kelly Bach, President	Oregon State Firefighters Council
Tammy Fitch, Wilson-Heirgood Associates	League of Oregon Cities
John Stein, Nat'l Hose Testing Specialties, Inc.	General Public
Bob Borra, American Family Insurance Co.	Property & Casualty Insurance Providers
Eric McMullen, Deputy Fire Marshal	Oregon Fire Marshals Association
<b>Ex Officio</b>	
Tim McLain, Superintendent	Oregon State Police
Eriks Gabliks, Deputy Director	Dept. of Public Safety Standards & Training
<b>Executive Director, Staff</b>	
Nancy Orr, State Fire Marshal	Office of State Fire Marshal
Laura Drager, Staff	Office of State Fire Marshal
<b>Visitors</b>	
Chris Brown, Major	Oregon State Police
Genoa Ingram, Exec. Director	Oregon Fire District Directors Assn
Ken Armstrong, Lobbyist	Oregon Fire Chiefs Association
Randy Simpson, Chief Deputy SFM	Office of State Fire Marshal
Donna Disch, Sr. Policy Analyst	Office of State Fire Marshal

Absent: Scott Mullens, Ed Wilson, Joe O'Leary and John Minnis.

### Minutes:

Minutes from the November meeting were reviewed. **Eric McMullen made a motion to accept the minutes as corrected, Tammy Fitch seconded and the motion passed unanimously.**

### Communications:

#### IMT Report Status

Gabliks reported on his conversation with Joe O'Leary from the Governor's Office who will meet with the fire service to discuss a fire representative on the governor's new Search and Rescue (SAR) Commission. The issue was that the IMTs are all hazard and this commission will deal only with SAR recommendations. The governor prefers small boards and commissions, and this is already a 9-person panel. However, the governor understands the incident management experience that the fire service can bring to the table. Gabliks is setting up a meeting with the Governor's Office, OFCA, and OSFM to discuss representation.

### Guest/Visitor Input

None.

## **OLD BUSINESS**

### **Appendix P Amendment Update**

Per Eric McMullen, Appendix P, the sprinkler appendix, is up for a public hearing by the Building Codes Division (BCD) on January 28. The fire service and the home builders are trying to sort out the scope. Agreement has been reached on most of the language, but not on the scope. To prepare for this hearing, meetings have been held with the League of Oregon Cities, the Department of Land Conservation and Development, and Metro on urban growth boundaries. The Home Builders Association would like to prohibit Appendix P in urban growth boundaries. We want to go in with testimony from many stakeholders showing using the urban growth boundary for scope is bad.

McMullen asked the council to, depending on what happens Jan. 28, re-engage the governor. If the council would give the chair an OK, a letter could be sent to the governor. We've been working with BCD Administrator, Mark Long, in a good faith effort and want to give him a chance to amend this. We're confident we will be able to steer them away from that message. The consensus of the council was to wait to send a letter until the results of the hearing are known.

Fitch shared the last time she talked with LOC, they were OK with each city making their own choice.

Bach asked for a copy of Appendix P information.

**ACTION:** Laura will email the latest Appendix P information to the group.

### **Code 3 Emergency Responders Task Force Update**

George Dunkel was unable to attend the meeting but left a roster with OSFM staff including names of parties interested in serving on this task force. He is willing to serve but not chair.

Chair Warren asked for a volunteer to chair the committee with no response.

Gablisk suggested the "Move Over" campaign to inform the public of this new law launched by ODOT and OSP could be combined with this. Supt. McLain recounted a recent incident where a trooper disbursed the "Move Over" brochure instead of a warning ticket. The recipient was a CEO of a large trucking company who was so impressed, he included the "Move Over" brochure in employee paychecks. OSP is looking for other creative ways to distribute the brochure. Suggestions were made for reaching old and young drivers.

**ACTION:** Chair Warren will follow-up on action needed to proceed with the charter.

### **Dress uniform standards**

Per SFM Orr, OFCA approved it as a best practice and is posting it on their web site.

**ACTION:** The OSFM will add a link on their web site to the standards.

### **Stratification Worksheet and Matrix Status**

Simpson reported that Paul LeSage would like to come to the next council meeting for final action. LeSage will be presenting it at the Spring OFCA conference in April.

## **Best Practices, A Volunteers Incentive Program Status Report**

The council chartered this earlier and according to OFCA, OFDDA was working on guidelines that legal counsel would agree to. OFDDA took the lead. At the last OFDDA board meeting, the length of service awards were discussed. OFDDA, in partnership with OVFA, will administer the pension program. Two members of each association, including OFCA, will oversee and meet annually. A portion of each association's budget will be dedicated to a fund held by OIG. They want the program to be affordable and portable so volunteers can take it to other districts.

## **Water Supply Best Practices**

This started as a study of the differing charges for meter sizes to see if something could be done on the state level to adjust the onerous charges being made by some water departments and districts. The outcome was that meter size charges vary widely and it was best to negotiate charges on the local level.

## **Fire Service Consistency Efforts Follow-up**

OFMA, at a recent board meeting, discussed follow-up to the fire certification program that was established two years ago. It's time to determine what has happened since then and what the next step is. OFMA suggests the council gather a task force, bring back the trades representatives, tell them what we've done and ask how we're doing.

**ACTION:** OSFM staff will work with McMullen to create a charter with recommendations and bring it to the next meeting. OSFM assigned task to Stacy Warner.

## **NEW BUSINESS**

### **2009 Legislative Concepts**

Donna Disch handed out the schedule of hearings for the 2008 session, an agenda for a meeting held Jan. 14 meeting of the House Interim Committee on Workforce and Economic Development, and the Oregon State Capitol Building Use Operations Guide with floor plan.

In the 2009 Legislative Session, the OSFM will be working on raising cardlock fees, streamlining explosives storage regulation, a housekeeping bill on cigar bars, and banning the sale of toylike lighters.

OFMA is wondering whether the word toylike applies because they had a Sharpie marker that actually worked and was also a lighter/blow torch. OSFM staff also tested the lighters for lead and found they were way above level for toys. SFM Orr suggested Judy Okulitch, whose idea this was, could come to the next meeting and report. Judy sent out a call to action on restricting novelty lighters and the response across the country has been extraordinary. Several states are banning sales. NASFM has taken this on as an initiative. Consensus of the council was to invite Judy to report at the next meeting.

Chair Warren brought up other fire problems: candle fires, string lighting, etc. Orr shared the OSFM has campaign materials regarding these subjects for local fire departments to use. The National Candle Association is also warning against making candles containing combustible materials.

The top legislative concept relates to protecting the Fire Insurance Premium Tax (FIPT). Ken Armstrong reported the FIPT funds critical functions in OSP Arson, DPSST training and OSFM.

FIPT is 1% of all property and casualty policy premiums. The goal is to put the FIPT in a place with some fences where it will stay dedicated to the programs it was meant to fund. The Governor's Office is supportive of this. They would also like to see a fair amount of detail of how it's been spent in the past. We had thought it may come forward at the '08 session but it hasn't. Plans are being made for the '09 session and the fire service will be united in support. Genoa Ingram, Scott Winkels, Ken and Donna are working together on this. A Special Purpose Appropriation is being suggested for funding conflagrations.

Last biennium a "surplus" built up and was targeted by the Emergency Board to pay for the 2005 and 2006 fires (\$738,000). Per SFM Orr, two things happened, 1) the FIPT funds came in faster than expected, and 2) the analyst at DCBS overestimated the revenues and has since come out with a less rosy forecast.

### **NIMS paper, correspondence from NIMS Workshop**

Per Chair Warren, this was sent out only for information.

### **Topics for council attention**

Bach asked for a copy of the council's mission.

**ACTION:** Laura will send orientation information to new members.

Chair Warren proposed discussing skinny streets outside of incorporated areas (private streets). Police don't have jurisdiction to cite on private streets. We should identify if there is a problem. He's talked to police, towing companies, and they have suggestions.

McMullen reported 8-9 years ago ORS 368.039 was created that put road standards back on the contractor; they have to ask the fire district before building. In the metro area, the density is getting worse and worse. Municipalities can write their own ordinances and can cite. Others, outside cities, don't have citation authority.

Borra added homeowners associations can vote to write and enforce. They go to the property management companies who will enforce.

**ACTION:** McMullen offered to identify a problem statement for a charter. OSFM staff will work with him to draft the charter. OSFM assigned task to Stacy Warner.

He thinks it will take a legislative remedy. LCDC had a big ? that was shelved with Measure 37.

**ACTION:** Donna Disch will send McMullen the link to the web site.

Tammy Fitch mentioned the Supreme Court rendering regarding OHSU that struck down the tort liability cap and how that may impact fire department liability insurance premiums. The legislators will only look in the narrow scope at that issue, not in the broader scope.

**ACTION:** Fitch will bring the position paper including information from special districts.

### **OTHER BUSINESS**

#### **Resignation of Sarah Colvin**

SFM Orr reported Sarah Colvin resigned.

**ACTION:** The opportunity to serve on the council will be offered to the OSFM employees.

Bob Borra brought American Family Insurance Company information regarding losses due to failed sprinklers. For American Family operating districts (18 in all across the U.S.) there were 207 claims since 1-1-2004. The company has paid \$5,716,103.01 with \$91,689.48 reserved. For the state of Oregon, the results yielded four claims. One paid claim totaling \$11,959.78 in 2005, one open claim with a \$5,001.00 pending reserve, and two zero-dollar claims on renters policies that were ultimately paid by the unit owner's insurance.

**ACTION:** Borra will forward the information to Laura for distribution to the members.

Council reviewed document detailing member term lengths. Tammy Fitch expressed willingness to continue for her second term.

**ACTION:** Laura will send reminders when terms are near expiration.

**Adjourn**

**Tammy Fitch moved to adjourn. The meeting adjourned at 2:45 p.m.**

**Next meeting date:** April 22, 2008, 1:00 p.m.