

Governor's Fire Service Policy Council

1:00 p.m. • Tuesday, October 27, 2009

Special Districts Office/WFCA Conference Room

Minutes

Members

- Greg Keller, OFCA (Chair)
- Scott Mullen, OVFA (V Chr)
- Kelly Bach, SFCA
- Bob Borra, Insurance Providers
- Tammy Fitch, League of Oregon Cities
- Eric McMullen, OFMA
- Tad Pedersen, OSFM
- John Stein, General Public
- George Warren, OFDDA

Ex Officio

- Joe O'Leary, Governor's Office
- Cameron Smith, Gov's Office
- Tim McLain, OSP
- Eriks Gabliks, DPSST

Visitors

- Jim Walker, OSFM
- John Caul, OSFM
- Genoa Ingram, OFDDA
- Anita Phillips, OSFM
- Mariana Ruiz-Temple, OSFM

Executive Staff

- Randy Simpson, State Fire Marshal
- Laura Drager, Staff
- Sally Cravinho, Staff

Welcome/Introductions

Chair Greg Keller called the meeting to order at 1:00 p.m. Joe O'Leary announced his promotion to General Counsel to the Governor and introduced his replacement, Cameron Smith. The Governor's Office is watching a few issues related to the budget:

- The outcome of the ballot measures
- PERS adjustments will potentially hit.
- There won't be another stimulus package from WA DC.
- Swine flu is at the forefront, surpassing efforts to get all vaccinated, for lack of vaccine. Josephine County is in a state of emergency, with several other counties possibly.

Introductions were made around the table. The roster was circulated for members and guests to make corrections and sign.

Changes to the agenda:

None

Minutes:

Minutes from the April meeting were reviewed. **Scott Mullen made a motion to accept the minutes as presented. John Stein seconded and the motion passed unanimously.**

Communications:

None.

Guest/Visitor Input

None.

OLD BUSINESS

IMT Type 3 task force update

Jim Walker, Chief Deputy State Fire Marshal, reported the task force has met three times since March. They're looking at all risk/all hazard, reviewing standards from three other states, task books, and training for type 3 standards. FEMA and the Department of Homeland Security

(DHS) created a group with representation from all disciplines, met in Portland, and drafted a Type 3 issue paper that currently is going through the finalization process. The state of Oregon is ahead of other states and FEMA would like Oregon to pilot the national program. The task force will take FEMA's task books, certification process, and training requirements, try it out, and set their course and direction. FEMA and DHS have come up with criteria for training this course. Two ways to meet those criteria are 1) attend the train-the-trainer course in Emmitsburg, and 2) through application for grandfathering within a one-year period. OEM has the delegated authority to certify those instructors. The task force offered to establish a committee to help in that process and is considering adopting the national process. The piloting will begin in the next three months.

State Fire Marshal Simpson expressed gratitude to Eriks Gabliks and DPSST staff for their participation. The GFSPC charter is pending. Group discussed whether there is a need to keep the charter because we'll follow the federal processes and procedures anyway.

Eric McMullen made a motion to rescind the charter of the Type 3 Task Force as DPSST has an established committee. Scott Mullen seconded the motion. Group discussed concern regarding continuation of the process if the charter is rescinded. Assurance was made by both OSFM and DPSST that it won't get dropped. There's representation from all the disciplines with lots of interest statewide. Although we're not in lock step with FEMA, we're right behind them. **The motion passed unanimously.**

Structural fire air monitoring task force update

Per Mariana Ruiz-Temple, Emergency Response Unit Manager, the task force is in the testing phase. TVF&R and OSFM partnered to create a prototype monitor for the air monitor project. This is a one of a kind monitor testing 10 specialty gases. It will monitor for toxins in house fires as opposed to an industrial setting. TVF&R, OSFM and DEQ will be meeting to discuss the analysis phase and will update the council at the January meeting.

Once the data is collected, the charter will establish benchmarks for the council to review and make recommendations. Good information will be provided to take back to the associations where they can work on best practices for individual organizations or collectively.

In phase 2, data will be collected and a white paper created. Chair Keller requested a return report when the white paper is complete for a recommendation from this group.

Group discussed charter sunset date of 11/09 and whether it should be extended. Verbiage in the charter states 'sunset upon conclusion of work.' **Eric McMullen made a motion to extend the sunset date to 11/1/2010. John Stein seconded the motion and it passed unanimously.**

NEW BUSINESS

Fireworks law review

Anita Phillips, License & Permits Manager, described the issues that have arisen regarding interpretation of the fireworks law review. Her unit has been inundated by calls from citizens and fire departments. The Fireworks Law Review Committee was created with stakeholders who have had issues. The fireworks statutes, written in 1951, are being reviewed by sorting out each part of the statute. The OSFM is looking at closing gaps because there are "serial offenders." We want to empower locals by giving them some tools, let them assess civil penalties, and help

others do the enforcement. The OSFM is partnering with Washington and Idaho to help discourage illegal fireworks from coming into Oregon.

Council comments acknowledged the difficulty of enforcement and the need for sheer numbers to do so. TVF&R partners with law enforcement and does ride-alongs. Happy Valley started warning people last year, and this year they issued penalties of \$1,000. Offenders were allowed to enter a diversion program, after attending a two-hour class their fine was cut by half.

Eric McMullen, member of the committee, stated the intent is a clean-up of the language. When you open that door, it becomes more. Committee discussion became “*ban all*” or “*let it go.*” The concern is that anything can happen when a statute is reviewed for change.

The good news is the Oregon tribes have chosen not to sell fireworks. Per Bob Borra, the insurance industry is analyzing what it costs to reimburse for fireworks-caused injuries.

Carbon monoxide program

John Caul, Codes Deputy State Fire Marshal, explained the new Oregon law created by HB 3450. The new law mandates the installation of carbon monoxide (CO) alarms in new homes, rentals, and when selling homes.

- Effective July 1, 2010 rental dwellings need new CO alarms.
- On April 1, 2011 when selling a home, there must be a CO alarm installed. Also, on April 1 when the new residential code becomes effective, there is a requirement to install CO alarms.

We have to try and mesh our smoke and carbon monoxide alarm rules because there are combination units on the market. Staff is working on a draft rule for a meeting this week. Stakeholders are from the realtors, homebuilders, Building Codes Division, the League of OR Cities, manufactured housing industry, Honeywell, NECA, and others.

The OSFM website contains a fact sheet and posts information on where we are in the process. Click on the following for more information.

http://www.Oregon.gov/OSP/SFM/CommEd_CO_Program.shtml. Most questions are from rental owners. We don't have to enforce it; it's based on the tenant rental agreement. The landlord is responsible if there are problems.

2009 conflagrations report

Mariana Ruiz-Temple gave the report with a powerpoint presentation. Two wildland fires went to conflagration status this year, the Microwave Fire in Mosier, and the South County complex in Ashland/Medford. The declaration of conflagration is requested by the local fire defense chief to the state fire marshal, the superintendent, to the governor. The OSFM and ODF teams are training together which helped with integration at these fires. Cause of the fire(s) determines whether the costs are reimbursable by FEMA.

The **Microwave Fire** was declared a conflagration on August 28 at 1:10 p.m. following the start of the fire at 8:20 p.m. August 27 at the base of a microwave tower located on a ridge top. Thirty members responded as part of the Green Incident Management Team.

Some of the lessons learned included: better transition of command was achieved by having the local OSFM deputy state fire marshal on scene, information was transmitted better by

having the chief deputy and IC attend the briefing, and good safety lessons were learned regarding power, communications, and work rest ratio.

Two wildfires burned in Southern Oregon September 21, threatening homes and residents in Medford and Ashland, 25 miles apart. The **Deer Ridge Fire** burned on east Medford's Roxy Ann Peak was invoked at 12:45 p.m. and the **Siskiyou Fire** burned on the southeast edge of Ashland and was invoked at 4:25 p.m.. Together, they were called the **South County Complex Fires**. The South County Complex was unique because it was a double conflagration under one team, the Red Incident Management Team.

Lessons learned included: providing a pre-alert to the activation team and IMT helped with response time, connecting early with emergency management helped with information on evacuations and opened doors for resources, and exiting tools created by the IIO helped reinforce good relationships with the community.

Jim Walker praised the governor's office for quick response to the request for a conflagration, and the OSFM PIO Rich Hoover for taking the initiative to create excellent media information which the other agencies used.

Council offerings of ideas, direction

Chair Keller encouraged members to identify issues to improve the fire service. Instead of becoming stagnant, this venue is incredible for carrying messages back to the governor.

Eric McMullen brought forth the **fire sprinkler discussion**. As of last week, the next generation of the fire sprinkler movement was formed – it is now named the Oregon Fire Sprinkler Coalition. The purpose is to move forward to make sprinklers mandatory in one- and two-family residents. It's in code, but will take legislative action to adopt so it would apply, not sure it would be appropriate for this group to take on for political reasons.

A charter can be drafted for the January meeting to support the residential push for sprinklers through code adoption, not legislative action.

Action: Staff will draft a charter for the next meeting.

Subjects brought up at the last meeting were discussed.

Funding for Urban Search & Rescue - Although this looks good on paper, this is not the best time, with the economy suffering, for requests. Grant opportunities are being researched; locals have been successful with grants.

Open burning - It falls under DEQ. The OSFM can declare a burn ban based on weather, humidity, and temperature. Local fire departments cannot do DEQ's job, a lot are leaving that job to them. We'll table this till later.

ISO – The Insurance Services Office rating system is being addressed at a higher level. Western Fire Chiefs Association and the International Fire Chiefs Association are working diligently with other states trying to fix the problem. The insurance industry has fought this on a national level. ISO just changed their rating codes with no explanation.

Volunteer compensation - It's a big issue with chiefs and is tied to whether they go with 1099s or W2s. Not sure we can fix it because it's a federal tax issue and not applied equally across the regions of the country. Representative Wu is working on this issue. He has been in contact with the IRS. The Oregon Fire Service is watching this closely.

Eriks Gabliks brought two issues to the table 1) **bringing all firefighters to a minimal level of Fire Fighter 1 (FF1)**, and 2) **unsuitable volunteers (criminals) in the fire service**.

Discussion ensued. If volunteers were certified first through DPSST as a FF1, that would take care of the problem; they cannot be certified if they have a record. However, an EMT can be certified elsewhere. Support was expressed for having a standard to meet, but small departments cannot meet another unfunded mandate. This is a training issue – we care about the level of training of those we fight fire with, the community doesn't. It's also a safety issue, not to mention an ethical issue if a pedophile volunteers.

Chair Keller asked the council members to keep soliciting the associations/groups they represent for subjects of interest.

REPORTS

State Budget overview

Cameron Smith, Governor's Policy Advisor, reported on the revenue forecast, employment, and uncertainty around ballot measure title fights. Oregon is fortunate to have a reserve of \$400 million. The Governor's Office is working with the Budget and Management Division for worst case and best case scenarios.

SFM Budget

The OSFM budget is holding with seven revenue sources, two are dropping. Increases are expected in the fireworks program and the FIPT is still dropping, with some stabilization. It would have been okay except for the sweep of \$200 million taken during the last legislative session. Our Services & Supplies is finally back up to 1996 level.

February Special Session – cardlock increase

Phillips reported the OSFM is reintroducing a fee increase bill that died last session. The Cardlock unit has Dedicated Funding and has not had a fee increase in 17 years. Amendments to the bill caused its demise. A fee increase would sustain the program for years.

OTHER BUSINESS

Review Council charter

Due to lack of time, the charter review was tabled to the next meeting. Chair Keller asked members to review the charter in the next week and send comments.

Action: Council members review charter and send comments to Chair Keller and Laura Drager.

Council Member Reports

OVFA – Scott Mullen reported OVFA is working on building partnerships with other associations. The association's culture is changing, they are moving toward representing all firefighters who volunteer instead of only association members.

OFMA – Per Eric McMullen, the association is working on education opportunities. The joint roundtable with Washington was held last week and included some great presentations. Upcoming events are the February workshop and the annual meeting in May in Redmond. No legislative agenda is planned for the February session.

OFCA – Keller mentioned the joint OFCA/OFDDA conference coming in early November and the annual conference in April 2010.

Simpson suggested changing the location of the meeting to the Office of State Fire Marshal. Consensus was to relocate future meetings at the OSFM.

Adjourn

Scott Mullen moved to adjourn and Eric McMullen seconded. The motion passed unanimously. The meeting adjourned at 3:40 p.m.

Next meeting date: January 26, 2010

Meeting location: Office of State Fire Marshal