

Governor's Fire Service Policy Council

1:00 p.m. • Tuesday, January 24, 2011

Office of State Fire Marshal • Mt. Hood Conference Room

Minutes

Members

- Greg Keller, OFCA (Chair)
- Scott Mullen, OVFA (V Chr)
- Kelly Bach, SFPC
- Bob Borra, Insurance Providers
- Tammy Fitch, League of OR Cities
- Eric McMullen, OFMA
- Tad Pedersen, OSFM
- Bob Reeves, OFDDA
- John Stein, General Public
- David Sellers OVFA

Ex Officio

- Cameron Smith, Gov's Office
- Steven Powers, Gov's Office
- Joel Lujan, OSP
- Eriks Gabliks, DPSST

Visitors

- John Caul, OSFM
- Donna Disch
- Dave Fields
- Bob Leopold

Executive Director/Staff

- Mark Wallace State Fire Marshal
- Jim Walker, Chief Deputy SFM
- Sally Cravinho, Staff

Welcome/Introductions

Chair Keller welcomed the council and thanked everyone for participating in this important meeting and acknowledged that everyone's time is valuable and appreciates all being here today.

Changes to the agenda:

One change to the agenda was the presenter on the Respiratory Summit Update This will be conducted by Greg and not Dave Phillips. Kelly Bach moved and Eric McMullen seconded, all in favor.

Minutes:

No changes to the minutes. Greg motioned for the minutes to be adopted and moved. They were moved and seconded all in favor.

Communications:

None

Guest/Visitor Input:

None

Executive Director Report

Mark spoke about handouts he has been working on over the last six months. These consisted of issues that we face and the mission of the State Fire Marshal. He asked the counsel for input on the issues concerning the policy and strategies and welcomed advise on how we could make things better in the future Taking a look at the 10 Year Plan and the OSFM budget, he spoke about the distribution percentages from FIPT and where the monies go. He touched on the distribution chart, spreadsheets regarding projections and actual revenues and projections as well as how it is collected.

Another spreadsheet shows the conflagration costs. He is taking a look at costs, the ending balance and where funds come in from. Mark talked about FIPT resources and the conflagration costs over the biennium which, the average cost can run around a million dollars. The history

shows that the fire service wanted to go to the emergency board for General Fund dollars to cover conflagration costs. Sometimes it has come from the Emergency Board and other times it's come from OSP and OSFM. If it's an annual cost it seems that it should be a budgeted amount so we that when a conflagration occurs, we know we have the funds. If it is a policy issue, Mark would like the committee's advice on this at some point. He then stated, "If it is an annual cost, it seems it could be in the budget and come out of FIPT dollars to cover costs." The issue really is cash flow. If our ending fund balance isn't large enough, we're borrowing from other funds to pay our costs and we're limited by the legislation on what we can spend our funds on. If part of that cost is conflagration, then we don't have any choice about going to the Emergency Board if we have it in the budget. He would like input from the committee for funds sources. Is it annual cost and should it come out of our annual budget if we can support it, or is it really an Emergency Fund cost? The big issue it that we need to have enough cash flow to be able to pay for those costs.

Greg asked Cameron about the history of these funds. Cameron said OEM also has a similar fund as with a line item for emergency costs. The conflagration costs are an annual deal. He feels there is a good case on this and would be a discussion for them to have. Greg would prefer it to come out of the General Fund rather than the FIPT.

Mark would like advice on what direction we should go on this. Greg asked if there was a downside to having this as a line item each year for conflagrations. Mark said the downside is the cash flow issue. He went on to explain that when there is a conflagration, we get the bill within sixty days of the conflagration. The issue is the fire departments want their staff to be paid right away and we pay them as quickly as we can and then we wait for our reimbursement from FEMA (if applicable) or as in this year's case, BIA and this could take eighteen to twenty four months to receive The timeline of receiving the funds is out of our control and we won't know when we can put the dollars back into our budget. In the meantime, the bills have to be paid.

Eric McMullen asked where the money is spent. Cameron explained the issue being handled at the local level.

Eriks explained each fire dept personnel fill in the emergency and how the costs are paid and where the funds come from. Cameron asked about the 30 million in the Emergency Fund. Mark explained the E-Boards funds and the General Fund. Eric asked if there are other state agencies that respond to broader based emergencies, other than conflagrations. Mark shared that the funds are not coming out of General Fund, but from our revenue resources. Greg shared his thoughts on the funds being cut in the future. Can we sometime in the future have a line item for conflagrations and by having it be a higher priority that it will be less likely to be cut? Mark mentions this is why it is a cash flow issue, because it is difficult to get the timing and get the monies from the emergency fund soon enough to pay our bill so we're not in a negative cash flow issue. Typically, we need about 3.5 million dollars to carry us through the biennium. This arises when we don't have the funds until the revenue sources come in.

Jim spoke about the line item being for covering expenditures. The perfect world would be to have a million dollars in the FIPT fund. But when the FIPT got swept in the past, there wasn't a budgeted line item for anything and it's pretty tough to sweep a line item for emergency. There would have to be a buy in from the legislation and limitations being set if it becomes a line item. If it exceeds that, then we would go to the E Board to cover costs, especially if there is more than one conflagration in the year. There is not a set process in place.

Eriks spoke about the concern if there isn't a conflagration for a couple years and these funds sit in there and the legislature sees it as an excess and may sweep it again. The excess funds not used could be allocated for the programs and improving them with the idea with it being protected. It would have a cap amount on it.

Mark is looking for ways to make it work so we don't need to go the E-Board. That is fine when the state is flush with funds, but when was the last time that occurred?

Chair Keller went over when the money would be available. Eriks explained how the revenue comes in through the FIPT, for example there's a warehouse building and the owner saying we're going to go naked on insurance, therefore not paying any fire insurance taxes and this revenue would not come into the state. Whereas, when there is a new subdivision development going in with a lot of homeowners that are paying their fire insurance premiums, with revenue coming in which in turn increases the amount to FIPT.

Eric asked about where the funds come from when they are needed. What if we went over the budget? What happens when there isn't enough money to pay the bills? Does this come from the E Boards, General Fund or FIPT? Mark explained that in past years it's the timing issue, being that we have to pay our bills before we get reimbursed from FEMA and where does the money come from until we receive those funds? This becomes a cash flow issue.

Eriks said the E-Board gives the state enough money to keep the state running in emergencies. The "Insurance" fund for the conflagration costs and not have to go to the E-Board.

Kelly said he believes when we go to the E Board, it makes us, the fire service, look not squared away. He suggested trying to make it a goal to increase FIPT fund, and as a fire service, take some ownership of that. So when the emergency arises, we have the funds to cover the costs and show the legislature that we are being a responsible government. Kelly also hoped that just because the legislature sees there is a large balance in that fund, they don't feel like they can sweep it thinking we aren't using it.

Mark said we're having the same issue with the Petroleum Load Fee and at some point we are going to have an incident that will cost the state 2 million dollars. At this time we've only had small incidents where the hazmat teams have responded and it hasn't cost that much. But we're going to have an incident that is going to cost a lot of money to deal with and we will be out this money, similar to the conflagration issues. We need to make the local agencies whole again in funds/cash flow until we get the reimbursement from FEMA and not put them on the edge of not being able to operate. There are things we are mandated to do and others that are not mandated. In a tight budget year, you really need to meet the mandates.

Chair Keller said he was getting a consensus from the group that we need to look at this being pursued to the next level and what that would take to occur.

Donna said since about 1997 there was an Interagency Hazard Mitigation Team which deals with natural hazards. They had put as an action item that the State Fire Marshal would look for stable funding. The Natural Hazard Mitigation Plan goes to FEMA and that we demonstrating mitigation and planning for it. This will ensure that we are taking responsibility and those funds will come to us.

Dave Sellers talked about the difference of having the funds available in FIPT and going to the E Board and ask for the money before the fact of an incident occurring.

Jim talked about how ODF asked for funds in the past in this type of case from the E Board. You can show them what you've spent on average, but this doesn't mean they will give it to you. They have denied state agencies funds in the past, however not the local agencies.

Eriks asked if this fits into the 10 year plan. Mark talked about the budget forecasts and how it's going to be more difficult to get General Fund dollars up front. Conflagrations are going to come up and we need to be prudent in using the funds, as well as being prudent in our budgeting. This is not an easy issue. Mark thinks it a good policy discussion. Eric McMullen asked Mark if he would like a statement from this group. Mark feels it's purely a policy issue. Chair Keller agreed and that there should be a vague statement of this is the direction we think it should go and leave the details to Mark, especially the amount. He felt it was a consensus for having a line item for conflagrations and emergency responses and this being a good thing to have. Jim suggested that it would be credible coming from this board in moving forward on the line item and how it would help.

Mark moved forward on the CR2K and Petroleum Load fee increases and the issues involved. These are based in rule and not legislation and we have to look at how to balance our budget. It comes in to line in legislation where there are certain programs that have stipulated where those revenues should be spent. So all the revenues we have received are not part of the General Fund. There are really issues of raising the fee and having a system and how to go about it and be able keep up with our costs. Fuel, healthcare, personnel costs are all increasing and how can we balance this. The FIPT is changed by the legislature but he others are in rule.

Mark also went over the KPM's, Core Orientation and the 10 Year Plan. He created a white paper on key performance measures. We are creating a core document so when staff go out in the field and speak to partners, other agencies etc., we will be giving the same consistent message of what our office does. The 10 Year Plan, we are in the process in developing this and based on the state's Strategic Plan and our goals. We are not certain about the next biennium. It's very prudent to aim before you fire and know your target. We've been very busy compiling data driven information and trying benefit from this information. We need to develop our actions of today for our future. Mark offered the members to give him a call with any input anytime.

Chair Keller asked Jim for a quick update on the Task force. Jim reported that there aren't really any standards out there. There are a couple of court cases out there right now on land classification, annexation issues. Based on the outcome of these, those towns might have a better chance of coming up with resolutions for these problems. Steps they will need to follow and who they will need to notify.

Cameron welcomed Dave to his first official meeting. Tammy's term is up and there hasn't been a replacement named yet from League of Oregon Cities. They are considering the geography and diversity of the person who will replace Tammy.

Chair Keller mentioned that Scott Mullen has also termed out and because he had ascended the ranks to Vice Chair, a replacement for this would need to be voted on. It is incumbent upon the state to nominate this replacement. With Dave Sellers replacing Scott Mullen in his position, Chair Keller opened up the floor for nomination for the position of Vice Chair.

Chair Keller opened up the nomination from the floor for Vice Chair.

Dave Sellers nominated Bob Reeves for candidate for Vice President.

Chair Keller asked for a second call for nominations from the floor, and a third and final call for nominations from the floor.

Kelly moved and Eric seconded the motion. Chair Keller moved for motion to accept the unanimous

Dave moved it was seconded. All in favor said "I".

Chair Keller congratulated Bob Reeves on his new appointment as the Vice President.

Chair Keller advised the committee that the State EMS/Trauma Section Director Bob Leopold and who was the fifteenth member in this position, is no longer in it. The position has been eliminated due to budget reductions. Chair Keller went on to say there are three elements in the fire service, one which is fire prevention, two is fire suppression and third, EMS. The counsel has two out of the three and we need all of the players to be involved. We don't have EMS representing us now and it is 75% of what our agencies do. There is a huge disconnect and speaking for the Oregon Fire Chiefs Association, he said they have watched this unfold and are very disappointed that this is happening. The person replacing Bob isn't as accessible and her previous work experience was medical marijuana and home health care which didn't deal with EMS.

Cameron finds it fascinating, knowing how much it is going on in the healthcare world; he could see how much it drops on their priority list. He thought it would be interesting on how other states are dealing EMS and public safety. He suggested looking at the statutes and appointing a EMS body directly to this counsel.

Chair Keller agreed but also thinks this is just a small element of the issue. With the exception of the larger counties, Multnomah, Washington and Clackamas, the rest of the state is almost all based on the fire department ambulances. Fire service isn't just a fire service issue; certainly the ambulances are frustrated with the lack of leadership at the state level for the EMS and Trauma system that have occurred in the past.

Eriks commented on Chair Kellers statements regarding the issue and went on to say there are some states where EMS stands alone and is not part of the health division. The challenge that is statewide there is somewhat public safety and somewhat public health. The difference is public safety vs. private safety sector and the complications that go along with it.

Kelly Bach spoke about his appreciation of Bob Leopold reaching out to us helping out when needed. In the past it's been a near impossibility to get their support. He hopes that this will continue to go great even with the loss of Bob in this position.

Cameron spoke about how he believes the legislature isn't aware of the problem on the public safety side. With it being as large of an issue that it is, Cameron didn't see it being on their radar for something to be looked at.

Chair Keller said Bob Leopold was good at reducing the gap between the groups of the fire service and the medical field.

Dave Sellers suggested having Bob's replacement attend our meetings and let her see what we do.

Respiratory Update:

Chair Keller gave an update on the Respiratory Summit held at DPSST. There were several departments large and small who attended the summit and took Tualatin Valley Fire & Rescue's report on the air monitoring and want to put together an actual white paper or document on it.

The main elements of this document are going to include:

- Limit your exposure
- Cooling the fire off quickly and suggesting a timeframe of 65 minutes being a good one
- Decontamination improvements at the scene and back at the station
- Better detection at the scene
- Better documentation of those exposed in case something develops twenty to thirty years down the road
- Improvements on respiratory protection
- Decontamination of the skin & the long term risks on your body/skin

Dave Sellers explained what he took out of the summit as, what are some of the things you can do to make it better. The small departments as well as big departments can take this information and use it. He also liked that UL demonstration and the time it took to get it burn and the modern elements creating a faster flashover.

Chair Keller said this document isn't going to be a "one size fits all" type. It's going to a level of the bar. He also spoke about resources within their own organization and how to make it better. He will keep everyone updated as it continues.

Eriks brought the council up to date on fire alarm monitors. DPSST program was approved on fire alarms and license those who monitor fire alarms. The question was asked, "How far and wide do we want to go in the fire and life safety?" Fire alarms and medical alarms are OK, but what about On-Star? What about the technology expanding and being current on how to respond to the needs because of it ever changing. What is the financial obligation? Training and call centers outside of Oregon and the understanding of processing the call, as well as getting the call to the 911 center for dispatch and time maximums. They are not dealing with policies and ordinances.

Greg asked if they should be similar, but Eriks said it isn't.

Eric McMullen asked Eriks who is licensed and are we licensing people of the businesses? The industry came to DPSST for the training. If you are answering calls in the state of Oregon you will have to be licensed to work in the State of Oregon. Eric mentioned how it is interesting that you don't have to be licensed to install sprinklers but you have to be licensed to monitor them.

Vigilant Guard:

Surf P – biological – large exercise being held in Eugene for a mass casualty. There will be a mock up on a 4 story building. The construction is to begin in February and the prop will remain at DPSST for the future. The Guard will use this for future training.

Mark said this exercise will be a week long one. The following days will be at DPSST. This will take place in May.

Fire Training & Certifications – Eriks shared some statistics on reaching over 1,700 students. The most recent prop is from the OSFM and is Vehicle Fire Training prop which is mobile. Wrecking yards are not willing to get rid of wrecked vehicles because of the increase in metal and the other is the environmental issues when old cars are burned during the training exercises. Now with this training prop, it can be taken anywhere in the state and it's clean and safe for the environment.

Eriks reports that Oregon has the highest numbers of certifications in the last decade. They have over 11,000 active people in the system. There are some out there still without training. The question came up about the challenge of these individuals being certified as first responders. Met with Special Districts and they insure them. These are mostly volunteers.

Chair Keller asked if Eriks knows what the numbers are if they are not being certified. Mark explained that we have reports through the FireBridge system on who is certified and who isn't.

Kelly Bach talked about how the communities have made the decision that they don't want to have them.

Eriks talked about how they might not be able to continue doing all the training they're doing with the costs which are involved.

Action:

OLD BUSINESS

Annexation in to Fire Districts

Task Force Update:

Jim went over the steps that are needed to follow and the issue in Florence being handled in the court systems. It's a huge expense to annex into the city, and who is involved.

Action:

Replace Tammy's position.

OTHER BUSINESS

Legislative Review by Donna Disch-Curtis (Handout on bills)

She spoke about the handout and the committee and bills. One being calls that come in from state agencies with ambiguous calls and the emergency not knowing where to respond. 9-1-1 Calls.

Jim spoke about the Forest Patrol Assessment right now is 50/50, however the landowners are asking for a 40/60% split on the costs. The landowners would pay 40%.

Action:

REPORTS

Kelly talked about the state revenue and payroll taxes, jurisdictions getting hit with reduced revenues, assets values and market values, the funding for stations and the situations are going to get worse. As the GFSPC looking at ways we can help the state, he asked that Cameron might raise these issues to the Governor. How we might help the Fire departments that are funded by taxes.

Bob Reeves spoke about Clackamas Commissioners has a list of priorities and are coming up with a special tax for special districts on property tax. Watch for it in your communities.

ACTION:

Agenda item.

Revenue Concerns

Council Member Reports

Adjourn:

Meeting adjourned at 3:03 p.m.

Next meeting dates:

April 24, 2012

July 24, 2012

October 23, 2012

Meeting location:

Office of State Fire Marshal

Mt. Hood Conference Room

Meeting time:

1:00 pm