



The COMMUNIQUE

MARCH-APRIL 2010

A Publication of the Oregon Fire District Directors Association

Legislative UPDATE

February Session

Crosby Grindle
Named New
Northwest Regional
Manager for NFPA

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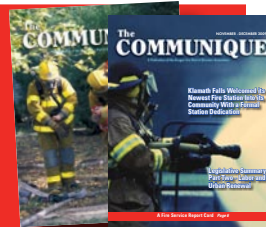
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Warren Honored for Service

By Connie L. Barton



OFDDA President Connie L. Barton

On Monday, March 15, former OFDDA Board Member George Warren was honored at a meeting of Clackamas Fire District #1 by for his service on the Governor's Fire Policy Council. George served on the Council from February 2007 to 2009, when he retired from Clackamas Fire's Board of Directors.

I mention this because I think it is important that we recognize those who work so tirelessly to make OFDDA a stronger and more effective organization (there are many), and to remind others of the opportunities available to serve.

I am also reminded of former OFDDA

President Larry Goff, who has served on the Board of Public Safety Standards and Training on OFDDA's behalf for a number of years. His willingness to faithfully attend the meetings and report regularly to the OFDDA Board of Directors keeps us up to date on issues vital to the fire service.

Terms of office for these and other boards and commissions expire every few years and new members must be appointed. For many public safety appointments, OFDDA is, by statute, granted a position. If you are interested in serving, please contact me through the OFDDA office at 1-800-223-9708 or info@ofdda.com ♦

Advertise in the COMMUNIQUE!

The Communiqué Reaches More Than 1300 Fire Service Professionals Including Board Members, Chiefs, and Volunteers.

All advertisements shall be relevant to the fire service and to the needs of our membership.



For more information or to submit your ads go to info@ofdda.com

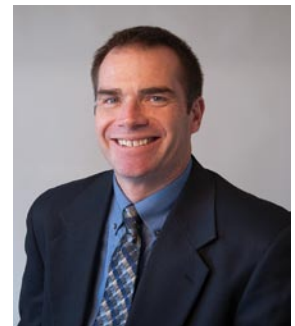
Crosby Grindle Named New Northwest Regional Manager for NFPA

The National Fire Protection Association (NFPA) recently announced the appointment of Crosby Grindle of Bend, Oregon as the new northwest regional manager. He is replacing Dave Nuss who became NFPA's wildland fire protection division manager.

In his new position, Grindle will be focused on improving fire, building, and life safety in his region by working with state and local authorities, to promote NFPA services and the adoption of NFPA codes and standards in nine states: Alaska, Idaho, Montana, Nebraska, North Dakota, Oregon, South Dakota, Washington, and Wyoming. In addition, he will also support research and public education, and participate in other activities related to fire safety that affect his region.

Grindle has over 25 years of experience in fire service, including volunteer and professional work for fire departments and EMS organizations. Most recently, he served as the executive officer for the Western Fire Chiefs Association, where he oversaw the development and growth of FireRescue GPO, a national group purchasing program intended to reduce costs and eliminate the need for fire departments to go through the request for proposal (RFP) process that they must often use when making a purchase. He also served as the director of professional development for the International Association of Fire Chiefs in Fairfax, Va., and the training chief for the Roanoke Fire EMS Department in Roanoke, Va.

Grindle holds a bachelor's degree in environmental science from the University



Crosby Grindle

of Virginia and a Master of Public Administration from Virginia Polytechnic Institute. He is also a graduate of the National Fire Academy's Executive Fire Officer Program.

NFPA has been a worldwide leader in providing fire, electrical, building, and life safety to the public since 1896. The mission of the international nonprofit organization is to reduce the worldwide burden of fire and other hazards on the quality of life by providing and advocating consensus codes and standards, research, training, and education. ♦



Length of Service Award Program



*By J. Kenneth Jones, Carolyn H. Connelly and Christy K. Monson
Local Government Law Group, PC, a member of Speer Hoyt, LLC*

In light of the fact that the Oregon Fire District Directors Association has just celebrated its one year anniversary of assuming the Length of Service Award Program (LOSAP) from the Special Districts Association of Oregon, we thought it might be helpful to provide fire districts with a summary of this Program and how it may help your district retain volunteers.

The LOSAP Plan allows a district or city to contribute funds on behalf of a volunteer to award them for their volunteer service. With the OFDDA LOSAP Plan, the district does not have to create or administer its own plan. Instead it pays OFDDA a small administrative fee to run the plan.

How the LOSAP Program Works

OFDDA has chosen the VALIC Corporation as the investment provider for the OFDDA fund. VALIC invests the individual districts' LOSAP contributions as directed by the OFDDA LOSAP Trust Board of Directors. When a volunteer participant is entitled to an award, the district notifies the OFDDA LOSAP Trust

Administrator. The OFDDA LOSAP Trust Administrator then contacts VALIC and asks it to make the award to the volunteer. The volunteer receives the funds directly from VALIC.

It's important that the volunteer and the district understand that any money the volunteer receives as a LOSAP award is taxable as income to that volunteer and, because of the unique nature of LOSAPs, cannot be "rolled over" into other deferred income accounts like a 401(k).

Before tax time, VALIC should issue W-2s to the volunteers who have received awards for tax reporting purposes. If the volunteer has not received a W-2, he or she should contact OFDDA or VALIC immediately so they can make sure you receive your proper documents.

How can a District Participate in the Program?

If your district is interested in participating in a Length of Service Award Program for its volunteers, it should contact OFDDA. It will be asked to sign a

document called a "Plan Document." This document provides the rules and regulations for investing and receiving awards under the LOSAP Plan. The district will have some choices to make regarding a volunteer participant's eligibility to participate in the program, vesting requirements, and vesting options. Volunteers eligible to participate in the LOSAP Plan are broadly defined in the Plan Document as "any person having or formerly having a relationship with the district as a bona fide volunteer."

Are There Limits on LOSAP Contributions?

No district may contribute more than \$3,000 per year for any one LOSAP participant. Additionally, a volunteer participant becomes eligible for awards from the Plan only when they have "vested" into the Plan.

Individual districts can decide on different vesting schedules and whether they would like to give the volunteer member credit for previous service in other districts. These decisions are made through another document called the "Adoption Agreement" which spells out the choices a district can make regarding eligibility vesting and allocation of contributions.

New Documents Must be Signed

Some districts have asked if they're automatically "grandfathered in" to the new OFDDA LOSAP Plan if they had participated in the old LOSAP Plan with SDAO. The answer to this question is no. Any district Board that wishes to participate in the OFDDA LOSAP Plan must sign a LOSAP Plan Document and adopt it by passing a resolution. There are some choices that a district can make regarding vesting, contribution allocations, and eligibility that can be addressed through signing a separate Adoption Agreement. This Adoption Agreement allows the district to customize its LOSAP Plan by choosing these options. If you have any questions regarding the LOSAP Plan, you should contact the OFDDA office and ask for Mary Tucker at 1-800-223-9708. ♦

Surplus Equipment NEEDED

We are receiving requests from small districts for donated or affordable rolling stock, particularly ambulances. If you can help, please call the OFDDA office at 1-800-223-9708.



Budget for Conferences

*By Dave Campbell, Consultant
WHA Insurance Retired*

Last year, like every year, we urge you to budget sufficient funds to send the entire board and Chief to the Joint OFDDA – OFCA conference in November. Again this year we also recommend sending the Fire Chief to the OFCA conference in April. These meetings are immensely valuable tools for keeping up with the ever changing laws, rules and management tools. The interaction with other districts during the social times is worth the cost of the conferences alone.

Wildland/Urban Interface

Some meteorologists are forecasting a summer cooler than normal with very little rainfall and this could lead to wildfires in urban interface areas.

In the fall 2009 the Adair Fire & Rescue



spaces for properties in the interface areas and landscaping techniques to help safeguard the property.

One focus of the program was to make homeowners aware that not all homes can be protected by the fire services in a fire storm event. Therefore it is the homeowners responsibility to help the local fire service by creating fire truck accessible properties with:

at the home with staging areas on long driveway access for support tenders and other apparatus.

- Street signs and numbering
- Key box locked gate access.

The training was put on by Firewise Communities and they have videos, workbooks and information to give to property owners including fire-resistant plants for landscaping.

The information is available at www.firewise.org. They can provide instructors for area classes by appointment. Contact them for costs of materials and training. Your district could likely put on local community training sessions with the videos and handouts.

Safety Committees

Special Districts Association of Oregon is offering free training for your firefighters and safety committee to meet the OSHA mandated requirements Hazard Communications and Safety Committee training requirements. Contact the Loss Control Department at SDAO 800-852-6140 to schedule training. ♦

Some meteorologists are forecasting a summer cooler than normal with very little rainfall and this could lead to wildfires in urban interface areas.

Fire Chief, Fire Marshal and this writer attended a two day workshop in Corvallis on the National Wildland/Urban Interface fire program. The class included much information on protecting the “Home Ignition Zone” by defining defensible

- Adequate private bridges – 40,000 pounds minimum (60,000 #’s preferred)
- Driveways wide enough (at least 12 ft.) – overhead clearance of 13 ft. or more. Driveway slopes 15% or less
- 45 ft. turnaround areas for fire trucks

Visit us at www.offda.org

Legislative Update

February Session

By Genoa Ingram

The 2010 Special Session convened on Monday, February 1, and adjourned on Thursday, February 25. Following is a brief Executive Summary of key legislation. A complete tracking report is attached, including notes on bills of particular interest.

What is also interesting is what failed to pass: a number of bills were introduced to examine the State's taxation and/or program structure, create a reserve fund, or modify the kicker statute. None of those proposals passed.

Summary of Legislation – Bills Passed

SB 996 expands protection under the public employee Whistleblower Law to include discussions with members of elected governing bodies of political subdivisions and discussions with elected auditors of cities, counties, or metropolitan service districts.

SB 1015 broadens the definition of a proposed taxing district boundary change to include a change that has not become final or effective on or before March 31 and that is subject to voter approval in an election held before July 1 of the same year and becomes final or effective before July 1. (Currently a proposed taxing district boundary change means a change that has not become final or effective by March 31, but that is certain to become final or effective prior to July 1 of the same year.)

SB 1033 and SB 1006 each expand requirements for placement of automated external defibrillators (AEDs). SB 1033 requires each school campus to have automated external defibrillator on



Oregon State capital building.

premises. **SB 1006** modifies circumstances under which the owner of a place of public assembly or health club is required to have automated external defibrillator on premises.

SB 1045 prohibits use of credit history for employment purposes in certain circumstances. However, there is an exception for public safety officers who are members of a law enforcement unit, who are employed as a peace officers commissioned by a city, port, school district, mass transit district, county, Indian reservation, the Criminal Justice Division of the Department of Justice, the Oregon State Lottery Commission or the Governor and who are responsible for enforcing the criminal laws of this state or laws or ordinances related to airport security.

HB 3606 allows the sponsors of enterprise zones to temporarily suspend the minimum employment requirement due to severe economic conditions. It also allows sponsors to extend eligible period of property tax exemption of qualified property up to two additional years. The

bill applies to property tax years beginning on or after July 1, 2009 and has minimal economic impact.

HB 3617 allows an existing special district or county service district to continue to provide services for newly incorporated cities if petitioners propose and voters approve of the continuance of service. **HB 3640** requires county assessors in counties with populations of more than 340,000 to cancel property tax assessments for manufactured structures if the total assessed value of all manufactured structures taxable as personal property of the taxpayer is less than \$12,500. According to the Population Research Center, Portland State University, as of July 1, 2009, four counties in Oregon have populations exceeding 340,000:

Multnomah	724,680
Washington	527,140
Clackamas	379,845
Lane	318,170

The Legislative Fiscal Office has determined that the fiscal impact on local governments will be minimal.

HB 5100 represented the primary budget rebalance bill for the 2010 February session. Two items are of particular interest to the public safety community:

First, the legislature voted to reduce the Oregon Government Ethics Commission's (OGE) budget by \$200,000, with the understanding that the Commission will reduce its assessment on state agencies and local government entities for the 2010-11 fiscal year. The reduction was part of HB 5100, a budget rebalance bill, and brings the Commission's revenue more in line with its expenditures.

The assessment, enacted during the 2007 regular session as part of SB 10, was suggested by the League of Oregon Cities as an alternative to a \$5.00 fee for each public official serving a public body. SB 10 required that 50% of the total assessment was to be from state agencies and 50% was to be derived from local government entities based on the scaled fees paid to the Secretary of State under the Municipal Audit fee structure. The purpose of the assessment is to fund the Commission from monies other than General Fund dollars.

Following the first billing notice sent out by the OGE in July 2009, a number of local government entities expressed concern about the billing due to the fact that it was an unbudgeted expenditure and many local governments lacked the funds to pay.

Second, HB 5100 contained funding for the Oregon Interoperability Project (OWIN). Over the past three years, the Legislature has approved over \$340 million in Certificates of Participation (COPs) and Oregon Department of

Transportation (ODOT) revenue bonds for the Oregon Wireless Interoperability Network (OWIN) project, demonstrating the Legislature's commitment to the project. The Legislature's request of the Department of Administrative Services (DAS) to unschedule a portion of this financing as described below should not be viewed as a lack of this commitment. Instead, by making funds available when required, the intention is to secure the long term success of the project by ensuring that an independent quality assurance presence is part of the plan for the project.

In addition, the Legislature's approval of transferring the project from the Oregon State Police to ODOT provides crucial project management and construction related expertise and experience to this large and complex project. **House Bill 3696** includes language to transfer OWIN to ODOT, including appropriations, expenditure limitation authority and positions. The actual amount of the transfer will depend on the date of House Bill 3696's passage.

The Joint Ways and Means Committee recommended that DAS unschedule all of the Other Funds expenditure limitation associated with the Certificates of Participation authorized by the Legislature in 2009 for OWIN and all but \$8 million of the Other Funds expenditure limitation tied to the ODOT revenue bonds authorized by the Legislature in 2009 for OWIN until the Executive Branch has an independent quality assurance (QA) presence in place and the first report is made available to DAS, the OWIN Steering Committee and the Legislative Fiscal Office (LFO). The focus of the quality assurance should be on the project management office, project management and performance, assessment of the internal construction related quality assurance and control processes, and assessment of the processes related to the transition from the development/construction phase of OWIN to the operational phase. If this quality assurance report determines that there are any issues with the project management and other areas under review in the quality assurance process, these issues must be addressed prior to the rescheduling of the funds.

If it is determined by the Executive Branch that further expenditure limitation needs to be rescheduled to access the working capital loan with the Oregon Department of Treasury, beyond the \$8 million of revenue bond limitation detailed above, the Other Funds expenditure limitation may be increased by the appropriate amount after consultation with the Budget and Management Division of DAS and the LFO.

Summary of Legislation – Bills Failed

SB 1050, known as the "Buy American" legislation, would have prohibited public bodies from providing public subsidies for the purpose of constructing, reconstructing, renovating, altering, maintaining or repairing, or entering into a contract to construct, reconstruct, renovate, alter, maintain or repair structures on real property unless the iron, steel and manufactured goods used in the structure were made within the United States.

HB 3638 would have prohibited former legislators from taking positions as public officials in state government and from receiving salary for performance of duties as a public official for one year after leaving the legislature. A similar bill, **HB 3671**, would have allowed for exceptions if recruitment for a position was advertised to the public, qualifications would not include legislative service, and a minimum number of applicants were considered.

HB 3648 provides that counties and metropolitan service districts may not designate additional land as urban reserve until at least 50 percent of previously designated urban reserves have been included within urban growth boundary of the district.

HB 3676 removes a mandate from 2009 **HB 2001** which inadvertently carried forward a requirement from Connect Oregon II to pay for a multimodal study. **HB 3676** is important to the public safety community because it clarified another law passed in 2009 relating to the "Move Over" law. **HB 2040** from the 2009 session expanded Oregon's "Move Over" law, (created by the passage of HB 2176 in 2003), to also apply the law to tow trucks and other roadside assistance vehicles. **HB 2040** also clarified that a vehicle must either move to a different lane or slow to at least five miles per hour below the posted speed limit in order to comply. However, there are roads in Oregon where there is no posted speed limit. **House Bill 3676** clarifies that compliance requires vehicles to slow down at least five miles per hour below the speed limit established in ORS 810.111 or a designated speed posted under ORS 810.180. ♦



Department of Public Safety Standards and Training Fire Certification and Training

"Training For Excellence"

The latest addition to the DPSST Fire Training arsenal is the Skid Avoidance for Fire Apparatus Drivers program. This is a skid driving program similar to that used by the law enforcement community. The difference between the law enforcement training and that of the fire service is that we use a 20,000 pound Ford F-650 crew cab truck instead of a Crown Vic sedan. The F-650 is configured with a tire rack for carrying extra tires, a fifth wheel for pulling the trailer with all the necessary equipment, and a special customized side compartment for the hydraulic pump (used with the skid frames).



The concept of the program started several years ago and came together in early 2009. The system consists of two frames, one mounting to the front axle and the other to the rear axle. Each frame weighs about 2,000 pounds. The frame hydraulic lines are connected to the truck hoses (from the pump) allowing for operation. With the computer control located within the cab, traction can be set at varying degrees of coefficient. The beauty of the computer is that instructors can set appropriate degrees of coefficient as encountered within the local driving area.

Our goal is to provide each apparatus operator the psychomotor skills and mental attitudes that are essential to becoming the most competent, skillful and responsible driver possible. We expect to reduce Oregon's statistical

numbers in the national list of accidents and injuries. The program is geared to reducing the number of fatalities and injuries during vehicle operations.

If you are interested in finding out more about our programs and services please visit our web-page at <http://www.oregon.gov/DPSST>



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