



# The Blaze

A Publication of the Idaho State Fire Commissioners' Association

## A MESSAGE FROM THE PRESIDENT

Well, here we are the end of 2017! Wow what another year full of opportunities and challenges throughout our state.

I would like to give my sincere appreciation in the trust and confidence you have placed in me by re-electing me to continue serving as the President of ISFCA. I can tell you that it is a privilege and honor to represent this great association. ISFCA's longstanding success is based on teamwork and the ability to listen to all concerns before a decision is made. ISFCA requires a strong group of team players to be successful and we are building a stronger team month by month and year after year. I would have to say we all had another year full of positive opportunities and some challenging ones as well. When I think of this, I ponder the phrase "Iron Sharpens Iron". Thank you for your commitment as a Fire District Commissioner in your local fire districts as you serve in today's ever-changing fire service environment.

The 2018 ISFCA conference in Boise was a huge success. Thank you to everyone who attended and took part of the many outstanding classes and the support shown to our vendors and sponsors. Your participation and support, allows ISFCA to fulfill our Mission of: "To inform, educate, represent, lead and serve the fire districts of Idaho in the preservation and protection of life and property." Our Speakers, Sponsors and Vendors again were an excellent complement to ISFCA and reflect your support and input. Thank you and we look forward to seeing you next year.

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## Post Conference 2017

### 2017-2018 ISFCA Board of Directors

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## Continued ... President's Message

This year, membership agreed in 2018 our primary focus would be on the legislative topics we discussed and I am proud to report we have for the first time in several years a well-rounded Legislative team. The ISFCA board asks that if you have any ideas or problems within the statutes to send the request via e-mail to [office@isfca.org](mailto:office@isfca.org) so it can be addressed at the next conference for membership approval.

Membership: Your membership is vital and the key to our success. If you are a current member, we thank you and appreciate your continued support. If you are a Fire District that has not yet become a member, we ask that your Board of Commissioners have a discussion and even consider having one of our Regional Directors either attend your board meeting to answer any questions or in some cases dial in on a call when travel and distance is not practical. No district is too small or too big to receive the benefits of membership. Legislative activities are our most critical goals and they benefit all fire districts throughout Idaho. With that being said, it does take membership and legislative donations to be successful and build the relationships with our Senators and Representatives in fulfillment of our mission on your behalf.

In closing, please have a safe and fun Christmas and New Years and we look forward to updating you on the latest in the spring issue of the Blaze.

Sincerely,  
David "Rudy" Rudebaugh  
President, ISFCA

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## Good Neighbor Authority, *Jon Songster, Idaho Department of Lands*

The Good Neighbor Authority (GNA) was extended to all states under the 2014 Farm Bill and allows the Idaho Department of Lands (IDL) to carry out forest and watershed restoration projects on behalf of the U.S. Forest Service (USFS) in Idaho. GNA requires all projects are: consistent with each forest's Land and Resource Management Plan, follow a collaborative planning process, and abide by all federal laws. Restoration projects may include the sale of forest products by IDL; these revenues may be used to reimburse IDL for administrative services provided and/or contractor related expenses. In addition, remaining funds (returned receipts) will be reinvested in future National Forest restoration work such as: road maintenance, project planning, fuel treatments, forest health, and habitat improvements.

IDL has GNA agreements in place with four of Idaho's seven National Forests, and currently includes 10 specific projects designed to treat up to 10,000 acres, generating up to 65 MMBF of fiber over the next three to five years. IDL is currently providing staff to complete project fieldwork and design, as well as contract development and project administration for GNA specific projects. IDL is also adding restoration planning capacity to Forest Service efforts by hiring professionals from the private sector to perform the data collection and analysis required to comply with the National Environmental Policy Act. To date IDL has auctioned two timber sales under GNA and is currently administering more than 500 acres of fire salvage and forest health thinning on the Nez Perce-Clearwater National Forest. As of November 1st 2017, in excess of six million board feet of timber have been harvested as part of IDL's work with the USFS on GNA projects at value of over \$1.8 million dollars.

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## Impact Fees for Idaho's Fire Districts: A Tool Worth Considering to Fund Capital, *Anne Wescott, Galena Consulting*

Impact fees are one-time fee charged to new development at the point of building permit. The fee represents that development's "share" of the cost for new capital to support the growth. Impact fees cannot pay for repair or replacement, or for anything designed to improve the current level of service. They can only help keep the current level of service from declining due to growth.

Prior to 2000, fire districts in Idaho did not have the legal authorization to assess impact fees. An amendment to Title 67, Chapter 82 - the State Development Impact Fee Act – now allows fire districts to assess these fees. Consequently, fire districts around the state are evaluating whether it is an appropriate tool for them to fund growth-related infrastructure.

Even if fire districts could afford to pay for new capital out of their tax levies (which they are increasingly unable to do because of the levy cap and dramatically increasing costs, plus the need for the use of tax revenues to hire additional firefighters for new stations) there is always some sentiment that "growth should pay its own way." This philosophy suggests that increases in tax revenues from new growth should pay for operational expenses like firefighters, and development impact fees should pay for capital expenses like stations.

The process required by law to assess fire impact fees is not difficult. It includes projecting growth, the development of a long-range capital improvement plan and meetings with an impact fee advisory committee comprised of representatives of the development and local community. The cost to conduct the required study and facilitate the fees through required legal hearings can be as low as \$5,000. Impact fees can repay the District for the upfront cost of the fee study.

In order for Idaho fire districts to utilize impact fees, however, they must have any cities and unincorporated counties within their district agree to collect the fees at the point of building permit. Educating your elected officials (district, city and county) about the purpose and use of impact fees, and getting their support is the first step to evaluating whether impact fees are a good tool for your capital funding toolbox.

To see whether impact fees might be appropriate for your district, and how to take the first steps, please feel free to call us at (208) 860-0133.

Anne Wescott  
[awescott@cableone.net](mailto:awescott@cableone.net)  
(208) 860-0133

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## **Cyber Liability: Too Big to Ignore for the Emergency Service Provider** *William R Dixon, McNeil & Company Insurance and Risk Management*

As we become increasingly dependent on technology and stored data, we need to understand the risks that threaten your systems and data contained therein. Fire Districts are not immune to this threat but may be ill-equipped to handle. If you are providing EMS your risk increases as you are the first entity to start gathering personal data and most states point to the initiator of the data as to who is responsible for its safe keeping. McNeil and company has seen an uptick in Cyber extortion claims at the fire district level. This is where hackers will infiltrate and shut your system down with the promise to unlock your system for a fee (usually ranging from \$500 to \$10,000). Cyber insurance can protect you against loss and even provide you with an attorney to assist you in mitigating any real threats. You may need it at the time of a loss to navigate the notification trail. Concluded that while threat may not be extremely high for Fire Districts, it should be addressed by transferring the risk to a third party (i.e. your insurance provider).

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## **Theft of Funds: Are you protecting your Assets?** *William R Dixon, McNeil & Company Insurance and Risk Management*

Seminar looked from an insurance companies point of view where the claims are coming from and steps to protect your organization. Gave numerous examples of fidelity incidences across the country to show that Fire Districts are not immune to theft claims. In most cases, forensics revealed a lack of basic controls in place (no internal or external audits performed). It was noted that when an incident happens, Fire Districts usually end up recovering a fraction of what is lost. This is due to lack of proper insurance coverage, reluctance to press charges, incident may have occurred over a number of years, or recovery just isn't possible (person is unable to pay back funds stolen)with limited or no insurance back stop in place. It was suggested (and backed up by insurance experience) that Fire Districts should rotate positions often, make sure proper insurance limits are in place, make sure you are performing internal and external audits annually, and only have a minimum number of open bank accounts (multiple accounts are harder to keep track of).

William R Dixon, Executive Vice President  
McNeil & Company Insurance and Risk Management  
[wdixon@mcneilandcompany.com](mailto:wdixon@mcneilandcompany.com)  
(607) 428-2125 Direct

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## **Moving Forward or Falling Back, Lane Wintermute, ESCI**

ESCI's presentation "*Moving Forward or Falling Back: Planning for your agency's Future*" discussed the importance of planning for the future. ESCI explained the difference between a long range Master Plan, an organizational Strategic Plan, and a Standards of Cover as well as how public safety agencies may pursue shared service delivery thorough cooperative efforts including merger, consolidation and other forms of collaboration.

For more information, contact Lane Wintermute, Western Regional Director at [lane.wintermute@esci.us](mailto:lane.wintermute@esci.us) or visit [www.esci.us](http://www.esci.us)

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## Union Negotiations 101

*William Punkoney, White Peterson*

1. Review your oath of office, Idaho Code 59-401

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and the Constitution of the State of Idaho, and that I will faithfully discharge the duties of Fire Commissioner according to the best of my ability."

2. Review Idaho Code Title 44, Chapter 18.

- a. I.C. 44-1802, Firefighters have the right to unionize and bargain as to wages, rates of pay, working conditions and all other terms and conditions of employment.
- b. I.C. 44-1801 volunteers likely fall within the definition of "Firefighter," if they are paid.
- c. In negotiations, you must observe the statutory timelines and you must bargain in good faith. Idaho law is consistent with the National Labor Relations Act *See Interform Co. v. Mitchell*, 575 F.2d 1270 (9th Cir.1978).

Federal case law as it has developed under the NLRA, although not binding, is persuasive in the application of the Idaho Collective Bargaining Act. *See State ex rel. Kidwell v. Master Distributors, Inc.* 101 Idaho 447, 615 P.2d 116 (1980). International Ass'n of Firefighters, Local No. 672 v. City of Boise City, 136 Idaho 162, 30 P.3d 940 (App. 2001)

- a. See NLRB v GE 418 f2d 736 (1969) for a good discussion of "good faith."
- b. Negotiations must be held in open session according to I.C. 74-206A.
- c. Strategies:
- d. Anticipate issues that will be bargained.
- e. Identify areas you, as management, need to address.
- f. Conduct your proposals in writing.
- g. Establish ground rules.
- h. Don't get frustrated.
- i. Have your numbers on compensation and compared compensation/working conditions in other districts.
- j. Know your board's willingness.
- k. Identify your negotiation team.
- l. Document negotiation progress.
- m. Make sure you know what authority the negotiators have.
- n. Identify timeline and limitations for opening sections of the contract for negotiations.
- o. District is not the only party that must give.
- p. Use data and facts to support your arguments.
- q. Keep it professional.
- r. Know the old agreement and negotiation history.
- s. Be careful that you can live with the language in your agreements.
- t. Consider a multi-year strategy.
- u. Develop relationships.

Seek help, if needed.



**Regional Director Awards**

**Neal Gier - Buhl Rural Fire Protection District**

Commissioner Gier has been an Elected Fire District Commissioner for 6 years. Mr. Gier also serves as a Highway District commissioner which has been very valuable for the fire district. The community is very fortunate to have an individual like Commissioner Gier due to his continued knowledge, support, contacts and service.

**Don Gunderson - Albion Fire Protection District**

Commissioner Gunderson has been an Elected Fire District Commissioner for 26 years. In those 26 years, Don was instrumental in obtaining a grant for a new fire station, volunteering as a firefighter, has been the district secretary for all 26 years and contributes in many programs that impact the community.

**Myron Richardson - Hauser Lake Fire Protection District**

Commissioner Richardson has served as an Elected Fire District Commissioner on three different occasions. Myron has been a volunteer firefighter and EMT for 40 years. In the 1970's, Myron was instrumental in starting the fire districts EMT service. Myron has always been the driving force to make sure all equipment and apparatuses were response ready, even when the budget didn't support using outside vendors.

**Thank you for going ABOVE & BEYOND your Elected Duties and committing to the ISFCA mission.**

**“To inform, educate, represent, lead and serve the fire districts of Idaho in the preservation and protection of life and property.”**



**SERVICE AWARDS**

**Recognized at the conference at 5 year intervals as an Elected Fire District Commissioner**

**5 Years**

Bobbie Flores - Parma Rural Fire Protection District  
Ken Irons - Paradise Valley Fire District

**10 Years**

Bob Bulkley - Castleford Rural Fire Protection District  
Doug Fisher - Rock Creek Rural Fire District  
Stephen Rice - Wheatland Fire Protection District

**15 Years**

Gary Rohwer - Parma Rural Fire Protection District

**20 Years**

Ric Uria - Homedale Rural Fire Protection District

**25 Years**

Van Greenwell - West End Fire Protection District  
Gary Stillwell - Eagle Fire District  
Tim Vargas - Jerome Rural Fire District #1

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## **THANK YOU SPONSORS AND VENDORS**

To all of our Sponsors and Vendors, Thank You for supporting and believing in our organization. Without your continued support, ISFCA wouldn't be able to provide the educational and leadership training that we have.

### **2017/2018 Sponsors and Vendors**

Air Idaho Rescue — Air Methods  
BNSF Railway Company  
BME Fire Fighter Supply  
Curtis  
Disaster Kleenup  
EF Recovery  
Emergency Responders Health Center  
Emergency Services Consulting International  
Emergency Services Insurance Program (ESIP)  
Graham Fire Apparatus  
Hughes Fire Equipment, Inc.  
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VFIS  
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White Peterson Law Firm

We highly encourage you, as Fire Districts, to support our Sponsors and Vendors throughout the year with your business, as they support us. Check out our website for their contact information.