

The

Autumn 2014

COMMUNIQUE

A Publication of the Oregon Fire District Directors Association



Inside This Edition:

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- ★ **2014 Fire Service
Conference Program Set**
- ★ **Executive Session Tips**
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The COMMUNIQUE

A Publication of the
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Autumn 2014

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Mission Statement

To serve and strengthen through the provision and coordination of timely information, education, and legislation.

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OFDDA President's Message



Summer is almost over, and November is rapidly approaching. So is our Oregon Fire Service Conference in Sunriver, November 6 to 8. In the previous edition of *The Communique*, I encouraged everyone to plan ahead by marking your calendar for the 2014 Conference. This time I encourage all of you to read the article in this edition of *The Communique* about the Conference and then consider filling out a registration form and attending the Conference.

Our OFDDA Annual meeting will be held at the Conference. According to our Bylaws, the election of the OFDDA Board of Directors, including Director Positions 2 and 3, will be held at this meeting. If you are interested in being nominated for either of these two positions, please complete an application and submit it by October 7. Application forms are available on our website under the "Documents & Resources/Forms" tab. If you have any questions, please contact me and we will discuss them.

OFDDA is now publishing *The Communique* in-house. If you receive *The Communique* in the mail, I invite you to go to our website and check out that version. We continue to move toward an "electronic only" publication to save printing and postage costs, so if you are willing to receive an electronic copy of the magazine instead of a mailed edition, follow the instructions on our website and you will be added to our email list.

Regarding LOSAP, OFDDA continues to administer this program as a tool to help districts and cities recruit and retain volunteer members. The program continues to grow as a result of the renewed interest in viable volunteer compensation programs generated by the efforts of the Volunteer 360 Taskforce. We are making changes to improve the plan, including increased vesting options. More specific information about the revised plan is provided in the LOSAP article in this edition of *The Communique*.

Take care and I hope to see you at the 2014 Oregon Fire Service Conference.

Changes to LOSAP Provide Greater Flexibility to Districts

The OFDDA Board of Directors has approved revisions to the Length of Service Award Plan (LOSAP) designed to make it an even more valuable recruitment and retention tool for volunteers. Detailed notice of the revisions to the Plan Document and the Plan Adoption Agreement will be provided to participating districts later this month; the approved documents are available at the OFDDA website (www.ofdda.com). Key elements of the newly revised plan include:

- A reduction in the vesting period option from a minimum of five years to a minimum of two years.
- Credit towards vesting based on prior years of service to the district no longer includes a requirement of three years of service after the district has adopted the plan.
- Portability of vesting and eligibility between participating districts is now an option available in the Plan Adoption Agreement.

Important elements of the LOSAP that **have not** changed include:

- Each district determines its own eligibility requirements and its own methodology for allocation of contributions.
- Districts are not required to make a contribution each plan year.
- Each district maintains its own records of vesting status, leaves of absence, etc.
- All contributions are considered district property until eligible participants are vested and have separated from service.
- Separated, vested volunteers must wait a minimum of seven months before they can access their LOSAP account; OFDDA will continue to offer an emergency waiver of this waiting period.

2014 Oregon Fire Service Conference Program Set

The program for the 2014 Oregon Fire Service Conference (November 6-8, Sunriver Resort) has been set. Full conference brochure materials will be mailed this month and are also available online at www.ofdda.com. A registration form is also included in this edition of The Communicué. The following provides a brief overview of the opportunities available at this year's conference (*note: the { symbol denotes concurrent training sessions*):

Thursday, November 6 (Registration/Continental Breakfast available at 7:00 am)

- 8:00 am Opening Ceremony & Memorial Service
- 8:30 am Keynote Address — Presented By Michael & Carrie Kralicek
- { 10:00 am The Whys and Hows of Conducting Meaningful Background Investigations — Presented by James Duncan
- { 11:15 am Future of Drone Technology in the Fire Service — Presented by Don Shinnamon
- { 10:00 am-12:00 pm Not If But When, Preparing Your Organization for the Worst — Presented by the Kraliceks
- 12:00 pm Lunch & Networking
- { 1:00 pm Managing the New Now — Presented by Jack Snook
- { 1:00 pm Labor/Management Trends — Presented by A Blitz & M Tedesco
- { 2:30 pm Peer Support Programs — Presented by Clackamas County FD #1
- { 2:30 pm Strategies for Creating and Sustaining a Cohesive Team — Presented by John Stein
- { 4:15 pm Rural Chiefs Roundtable — Moderated by Jack Carriger
- { 4:15 pm OFDDA Business Meeting
- 5:30pm Vendor Appreciation Night & Magic Show

Friday, November 7 (Registration/Continental Breakfast available at 7:00 am)

- 8:00 am National Volunteer Perspective — Presented by David Finger
- 9:00 am 360 Taskforce Update — Presented by Kevin Henson
- { 10:00 am Winning Ballot Measures — Presented by Liz Loomis
- { 10:00 am Oregon Arson Investigation Resources — Presented by Matthew Lawson
- { 11:15 am Oregon Ethics—A Refresher for Public Officials — Presented by Tammy Hedrick
- { 11:15 am Finders, Keepers: Recruiting and Retaining Effective Volunteers—Presented by Jack Carriger
- 12:15 pm Lunch & Networking
- { 1:00 pm Leadership in the Fire Service—Presented by Todd Keathley
- { 1:00 pm-4:00 pm Legal Aspects in the Fire Service (Chiefs Toolbox Module #3)
- { 3:15pm OFDDA Business Meeting, Association Reports & 2015 Budget Review
- After Hours: Hospitality Suite Hosted by Wilson-Heirgood Associates

Saturday, November 8 (Registration/Continental Breakfast available at 7:00 am)

- { 8:00 am Safety & Injury Prevention—Presented by Todd Keathley
- { 8:00 am There is no 'Fun' in Dysfunctional Departments—Presented by Ken Jones
- 10:00 am Hot Bites—Industry Trends & Updates
- 12:00 pm Lunch & Networking

Conference registration fees start at \$295 for OFDDA members who register by October 17, 2014. The member price applies to any personnel who serve or are employed by an agency that is a current member of OFDDA. Single-day registration is available; contact the OFDDA office at 503-378-0896 for additional information.

Scholarships for the conference registration fees are available; please contact the OFDDA office at 503-378-0896 or visit the OFDDA website at www.ofdda.com for additional information and to request a scholarship form.

For on-site lodging, special guestroom rates are available at the Sunriver Resort. Accommodation options include Lodge Village Guestrooms, Lodge Village Suites, River Lodge Guestrooms, and Two-Bedroom Loft Condominiums beginning at \$99.00 plus taxes and resort fees. These rates are European plan (no meals included) rates. Minimum-night stays apply to private homes and condominiums. Lodge Village and River Lodge accommodations include full daily maid service. Call Sunriver Resort at 800-547-3922 for **reservations no later than October 15, 2014**, to book at the discounted rate for the Oregon Fire Service Conference.



**Save the Date for the 2015 Oregon Fire Service Conference:
November 5-7, 2015, in Seaside, Oregon**



By Lauren Sommers
Local Government Law Group, PC

Last year about this time, Ross Williamson wrote an article for the Legal Beagle sharing some tips and thoughts on executive sessions. Today I thought I would offer a few more.

Appropriate Notice

We often hear from Boards who plan on holding an executive session but have not included notice of the executive session in their posted agenda. On the other end of the spectrum, we also hear from Boards who always include a generic notice of executive session in every agenda “just in case.” Neither of these situations constitutes proper notice of executive session.

The Oregon Public Meetings Law requires that executive sessions be noticed like any other public meeting. Notice of the executive session must be provided to the Board, the public, and members of the media that have requested notice. The notice must state the specific legal provision authorizing the executive session.

Even though the public is not allowed to attend executive session, the Public Meetings Law requires that the public know: 1) that the executive session is happening; and 2) the legal basis for the executive session. If the Board holds an executive session without any notice, the public will not know that the executive session is happening. If a Board always includes notice of an executive session on the agenda “just in case,” the notice likely does not reference the specific statutory basis for the executive session.

An appropriate executive session notice looks something like this:

The Board of Oregon Fire District will hold an executive session at 7:00 p.m. at the Fire Station, 1234 Main Street, Anytown, Oregon, on September 1, 2014, to consider documents exempt from public inspection. This executive session is being held pursuant to ORS 192.660(2)(f).

If you have questions about appropriate public meetings notices, please contact your legal counsel.

Sensitive Discussions Do Not Necessarily Warrant an Executive Session

The Public Meetings Law only allows the Board to hold an executive session for certain specific purposes. If the Public Meetings Law does not provide a basis for executive session, the Board cannot hold an executive session, even if the subject matter to be discussed is sensitive or it would be uncomfortable to hold the discussion in public.

As an example, the Public Meetings Law does not allow discussion of an employee’s salary in executive session. Even if both the employee and the Board would prefer that discussion of the employee’s salary remain private, discussion of the employee’s salary must take place in open session because salary is not a permitted topic for executive session. Similarly, discussions of issues that may be uncomfortable or contentious in the community may not be held in executive session unless the Public Meetings Law identifies the topic of the discussion as a permissible topic for executive session.

For a list of the permissible topics for executive session, look to ORS 192.660 and/or the *Attorney General’s Public Records and Meetings Manual*, available online at http://www.doj.state.or.us/pdf/public_records_and_meetings_manual.pdf.

Please contact your legal counsel if you have questions about the permissible topics for executive session.

Just Because You Can Hold an Executive Session Does Not Mean You Have To

Finally, just because the Public Meetings Law allows the Board to hold an executive session does not mean that an executive session is required. The Board can almost always choose to have a discussion in open session rather than executive session. There are often good reasons to hold an executive session, but the Board can almost always decide to waive confidentiality and include the public in the discussion.

We will keep cataloging common questions and report back with answers we believe will benefit the membership. Watch this space for more! As always, if you encounter any legal issues related to your public meetings (executive session or otherwise) please contact your legal counsel.



Save the Dates

Dates	Event	Location	Add'l Info
2014 Statewide Events			
Sept 15-17	International Association of Arson Investigators, Chapter 31 (Oregon) Training Conference	Seaside Conference Ctr, Seaside	www.oregoniaai.org
Sept 29-30	Oregon Fire Marshals Association 2014 Roundtable	Eugene Fire Training Ctr, Eugene	www.ofma.net
Oct 15-17	Oregon Fire Service Office Administrators Conference	Eagle Crest Resort, Redmond	www.ofsoa.com
Nov 6-8	Oregon Fire Service Conference	Sunriver Resort Sunriver	www.ofdda.com
2014 Regional & National Events			
Sept 17-19	National Volunteer Fire Council Fall Meeting	Lafayette, LA	www.nvfc.org
Sept 22-23	National Association of Elected Fire Officials Conference	Las Vegas, NV	www.naefo.org

2014 OFSOA Conference—Charting the Course

The Central Oregon region of the Oregon Fire Service Office Administrators has been busy planning the 2014 Fall Conference at the Eagle Crest Resort in Redmond, Oregon. Classes will include:

- Got Change? Practical Approaches for Dealing with Change in the Ever-Changing Workplace
- Disability – the Interactive Process and Reasonable Accommodation
- Volunteer 360 Report
- OSHA 300 Reporting
- Government Ethics & Conflicts of Interest
- Civil Service Systems

Break-out Sessions will include: QuickBooks – Beginner & Intermediate; Health & Wellness; How Cooperative Purchasing Works; and Maximizing Your Work Relationship.

President's Fun Night on Wednesday evening will include a Western BBQ with line dancing lessons and prizes for best western-dressed person. The annual banquet and awards ceremony will be held on Thursday evening and includes a great keynote speaker who is sure to give you a laugh.

Complete registration information and full class descriptions are available on the OFSOA web site, www.ofsoa.com. You can choose to attend any of the three days individually or get the full benefit by attending the entire conference.



When Was the Last Time You Reviewed Your Policies?

By Jason Jantzi

Special Districts Association of Oregon

Is there a standard for how often you review your policies? In typical government fashion, the answer is, *it depends*. SDAO recommends that districts review policies a minimum of every few years or in some cases, annually.

Board policies can be broken into the categories of:

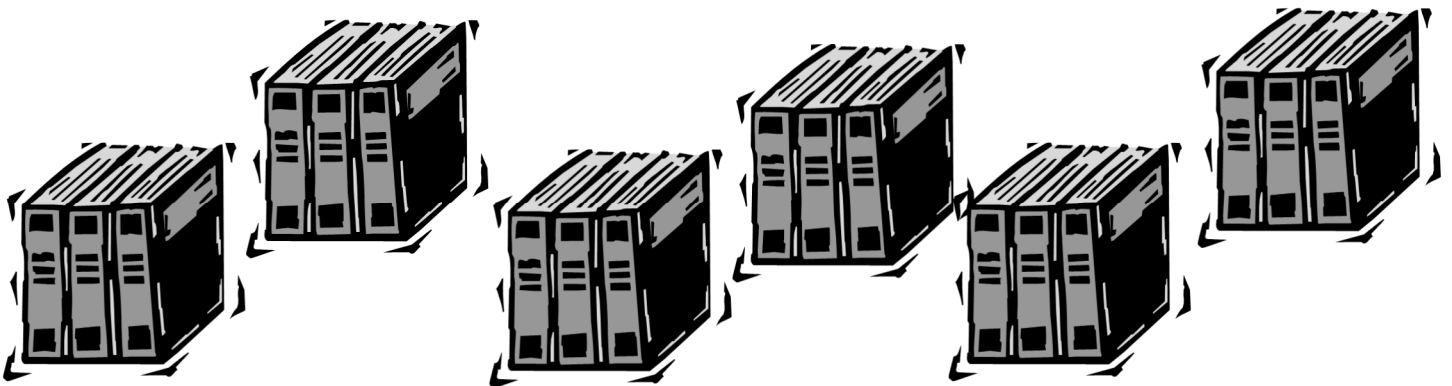
- Duties and responsibilities
- Budget
- Board approved personnel policies
- Public purchasing
- Recordkeeping and public meetings
- Risk management
- Financial controls
- Operational

SDAO recommends that district boards annually review policies covering duties and responsibilities. In addition to these, they should review board level personnel policies due to the continuous changes in Equal Employment Opportunity Commission (EEOC), National Labor Relations Board (NLRB), and Bureau of Labor and Industry (BOLI) requirements and opinions.

Boards should also review policies concerning budgeting, financial controls, public purchasing, public records, recordkeeping, and public meetings. These policies should be reviewed regularly and at a minimum of every few years. This gives the board an opportunity to update the policies when statute changes occur. Staying current on statute changes is extremely important; SDAO's Government Affairs Department helps with this by providing legislative updates to member districts.

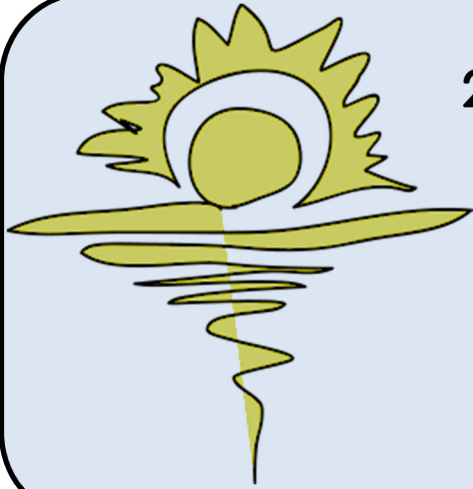
In addition, the board must review operational policies. Operational policies can include environmental health and safety, operating guidelines, and employee benefits. During the year, SDAO recommends the board ensure that the district manager is delegating staff to review these operational policies to make updates where necessary. In order to do this, the board may have a standing agenda item or may assign a board member to coordinate with the district manager. This will enable the district to run efficiently and legally with appropriate policies in place.

If you need assistance with your policies, please refer to the SDAO Reference Library for examples. You can also contact SDAO Member Services or Loss Control with questions by email at memberservices@sdao.com or losscontrol@sdao.com, or by phone at 800-285-5461.



Interested in submitting an article or advertising in The Communiqué?

Contact the OFDDA office at info@ofdda.com or 1-800-223-9708.



2014 Oregon Fire Service Conference

"To Strengthen & Serve"

November 6-8 at Sunriver Resort

**Register online at www.ofdda.com or
use the enclosed registration form**