

The

Spring 2017

COMMUNIQUÉ

A Publication of the Oregon Fire District Directors Association



RECREATIONAL IMMUNITY

Call to Action

Top 5 Reasons to Belong to OFDDA

Join Today!

Executive Session Tidbits

**Hiring Decisions and
Calling an Executive Session**

The COMMUNIQUÉ

A Publication of the
Oregon Fire District
Directors Association

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MISSION

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

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OFDDA President's Message

By: Don Thompson, OFDDA President

It is an honor to serve as this year's president of the Oregon Fire District Directors Association; I take this duty seriously. Together we will continue to build on the solid foundation that our past presidents and boards have built. OFDDA is able to provide many beneficial services to our members and others through the combined efforts of the board, staff, our members and the fire service partner organizations we enjoy relationships with.

In my career in commercial construction, we preach and practice teamwork, partnering and continuing education. Our firefighters must have solidarity amongst their crews, collaborate with neighboring departments, and improve themselves through professional development. The knowledge and teamwork required for our local boards to function properly requires ongoing education and training.

OFDDA's most comprehensive training event, the annual Oregon Fire Service Conference, not only provides an opportunity to gain a wealth of knowledge in one place but also presents attendees with the opportunity to network with colleagues and meet with vendors. In my years as a local board member, I have valued the time spent at the conferences gaining knowledge to become a better board member and building relationships with other board members and fire service partners. I encourage you to take advantage of the this training which will take place October 26-28 in Ashland.

Through our partnership with SDIS/SDAO, OFDDA offers additional board training opportunities throughout the year.

OFDDA provides a strong voice in Salem for district directors. With our fire service partner organizations, we multiply that voice. We encourage all districts to give their people the opportunity to become involved with our partner organizations.



Don Thompson
OFDDA President

Top 5 Reasons to Belong to OFDDA

1. OFDDA (Oregon Fire District Directors Association) was organized in 1950 to serve Directors of Fire Districts of all sizes. OFDDA is granted statutory standing of gubernatorial appointments to serve the Governor's Fire Policy Council.
2. OFDDA has an aggressive legislature program that is coordinated with other partners* across the state. Each legislature session OFDDA introduces and/or follows legislation needed by Fire Districts or impacts them. OFDDA monitors Oregon Administrative Rule changes that affect the fire service.
3. OFDDA administers the Length of Service Awards Program for volunteers (LOSAP).
4. OFDDA keeps members informed on current events or concerns using emails and our quarterly newsletter, *The Communiqué*.
5. OFDDA offers valuable training and networking opportunities including the Oregon Fire Service Annual Conference, partnerships such as those with SDAO for regional trainings and discounts for SDIS insurance, and programs that give special recognition of district and board members.

* Partners may include but are not limited to:

- **OFCA** (Oregon Fire Chiefs Association)
- **OVFA** (Oregon Fire volunteers Association)
- **SDIS/SDAO** (Special Districts Insurance Services/Special Districts Association of Oregon)
- **OFMA** (Oregon Fire Marshals Association)
- **OFSOA** (Oregon Fire Service Office Administrators)

OFDDA Legislative Updates

To receive OFDDA legislative updates send a request including your preferred email address to genoa@ofdda.com.

Education and Training

Risk Leadership Training

Presented by Jeff Griffin

April 13, 2017

5:30 p.m. Light Dinner

6 p.m. Workshop

Polk County Fire District #1

1800 Monmouth St | Independence OR 97351

This class is being offered through a partnership between OFDDA and SDAO and qualifies for the 2% Property and Casualty Best Practice Credit for SDIS program participants. All board members are encouraged to attend

Successful loss reduction is a direct result of smart hiring, team building, organization, forward communication and empowerment. Effective leadership not only reduces claims, it promotes fewer injuries, creates higher retention and increases job satisfaction. Risk Leadership looks at the importance of effective leadership as a strategy for district risk management.

- **Fundamentals of Risk Management:** This workshop discusses the importance of addressing the risk management exposures that impact districts. Daily activities should be reviewed for any potential liability and safety issues. We will provide tips for incorporating safety and training into daily operations to maximize the district's risk management efforts.
- **Apparatus/Vehicle Safety:** Focused on the needs of management to properly develop, maintain and improve the safety policies and procedures that relate to accident free operations. Areas discussed will include firefighter response and accidents and how to prevent accidents.

RSVP to Jane Austin at 541-284-5852 or jaustin@whainsurance.com indicating number from your district who will attend.



2017 Oregon Fire Service Conference

October 26-28 | Ashland, Oregon

SDIS2017 TrainingsSDAO

Save the dates for this year's SDAO and SDIS trainings! Session details and registration information will be distributed six weeks prior to the beginning of each training series.

	Date	City	Location
Regional HR Training	Jun. 7	Tigard	Oregon Medical Association
	Jun. 8	Newport	Best Western Agate Beach
	Jun. 14	Redmond	Eagle Crest Resort
	Jun. 20	Cottage Grove	Village Green Resort and Gardens
	Jun. 21	Medford	Inn at the Commons
Board of Directors and Management Staff Training	Jul. 25	Medford	Inn at the Commons
	Jul. 26	Cottage Grove	Village Green Resort and Gardens
	Aug. 2	Redmond	Eagle Crest Resort
	Aug. 29	Newport	Best Western Agate Beach
	Aug. 31	Tigard	Oregon Medical Association
Regional Risk Management Training	Oct. 18	Tigard	Oregon Medical Association
	Oct. 24	Medford	Inn at the Commons
	Oct. 25	Cottage Grove	Village Green Resort and Gardens
	Nov. 14	Newport	Best Western Agate Beach
	Nov. 16	Redmond	Eagle Crest Resort
Risk Management Forum	Mar. 30	Coos Bay	South Coast Education Service District
	May 18	Pendleton	Blue Mountain Community College
	Aug. 3	Klamath Falls	Klamath Community College
	Nov. 16	Astoria	Clatsop Community College

Questions? Please contact Kaylie Bahnsen at kbahnsen@sdao.com or call 800.285.5461.



OFSOA Update

By: Julie Spor,
OFSOA President,
Sisters-Camp
Sherman Fire
District

The OFSOA spring workshop is being hosted by office administrators from the Oregon State Fire Marshal's office and Keizer Fire Station on April 20-21, 2017. The theme for the workshop is "Tapping into Your Inner Strengths". Classes scheduled include: OSFM Hazmat Operations, Emergency Preparedness, Return to Work for Injured Workers, Generations in the Workplace, Sunshine for Your Soul and Analyzing Fire Data Using Excel. The full brochure and registration are available on the OFSOA website at www.ofsoa.com. All members of the fire service are invited to attend! Non-member and single-day registrations are available. I hope to see you there!



Register online at
ovfa.org/?page_id=1131

OVFA is excited to introduce a new format for conference classes. Based on membership requests the classes are designed around fire certifications and EMS re-certification hours. The goal on the fire training is to help complete certification over several conferences. These certifications are scheduled over multiple tracks including FFII, Apparatus Operator, and Company Officer.

To enhance this process, OVFA is projecting two years in advance which classes to offer for each track. These classes will be coordinated with DPSST to reduce duplication of classes and present the greatest ability to complete classes and become certified in the appropriate skills. The conference offers several options for classes, including one, two, three or four-day classes. If you can't make it for the full conference, consider joining us for a one or two-day class.

Scholarships Available

OVFA offers tuition scholarships each year. Applications with completed conference registration form are due by May 19, 2017.

Visit the registration link above to download the conference brochure or the scholarship application, to learn more about becoming a vendor, or to register for our most comprehensive training event of the year.

Oregon Volunteer Firefighters Association
 503-378-0896
 Volunteer Hotline: 800-FIRE-LINE
www.ovfa.org

SAVE THE DATE!

1917 – 2017

Centennial Celebration



OREGON OFFICE OF STATE FIRE MARSHAL

June 20, 2017 — 1030 Hours

**Oregon Department of Public
 Safety Standards and Training**

Address:

DPSST Hall of Heroes
 4190 Aumsville Highway • Salem, Oregon 97317
 Class A / Class B Uniforms or Business Formal



Executive Session Tidbits

By: *Ross Williamson*
Local Government Law Group

From month-to-month, we receive questions from board members and district staff about conducting public meetings. In particular, we receive questions related to executive sessions. Over time, some of the same questions come up repeatedly. In 2013, we wrote our first "executive session tidbits" article discussing a couple of common issues. It is time to re-visit this topic and discuss two more common executive session topics.

The following is a general discussion of two areas where we see questions come up. Because each factual scenario is unique, please work with your staff and attorneys as you make your way through the specific situations you encounter.

Hiring decisions

One executive session issue that comes up over and over is how to perform the hiring process in executive session. ORS 192.660(2)(a) allows a board to meet in executive session to consider the hiring of an employee (most often used for hiring the fire chief position). The important step that is often missed by boards is that this executive session provision comes with several strings attached that must be satisfied before calling the executive session.

Before a board can use this provision to go into executive session as part of the hiring process, the board must first comply with ORS 192.660(7)(d). This statute requires that the board must advertise for the position vacancy, adopt procedures for the hiring process, and provide the public with an opportunity to comment on the position and hiring process. As you can see from these requirements, the board must hold an open meeting prior to the executive session. At this earlier public meeting, the board can authorize staff to publish the vacancy, adopt a hiring process for the position (if your personnel policies do not already provide a process), and open a public hearing to allow the public to submit comments on the position and hiring process. With these prerequisites addressed, the board can then go into executive session to consider candidates and manage the hiring process.

Please keep in mind that while in executive session, the board cannot discuss the prospective employee's salary, as that discussion and decision must occur in open session. Also keep in mind that a final decision on the position cannot occur in executive session. A final

decision includes selecting the finalist to receive an offer. But, a final decision does not include selecting the top candidates, or even designating a finalist with whom a board representative will negotiate a contract (the final contract would then be brought back for the full board to approve in open session).

Last, note that this provision does not allow a board to meet in executive session to fill a vacancy on the board. The executive session allowance applies to the hiring of employees, not the appointment of individuals to elected positions.

Calling an executive session

We also get many questions on how to call an executive session, including the procedures for entering into executive session.

An executive session should appear on the meeting agenda, along with other meeting topics. The agenda should state that the board intends to enter into an executive session, and should list the statutory basis for entering into the executive session. For instance, if the board is holding an executive session to discuss candidates for an open fire chief position, the agenda would list ORS 192.660(2)(a) as the legal basis for the executive session. The agenda does not need to provide details on the subject matter of the executive session.

The agenda listing an executive session should be published in compliance with the board's general practice for all board meeting agendas. Except in rare situations, an executive session should not be added after the agenda has been publicized.

We know of some government bodies that always place an executive session item on the agenda, as a place holder, should an executive session be needed. We recommend against this practice. You should only place an executive session on the agenda when one is planned.

At the meeting, when calling the board into executive session, it is important to announce the statutory basis for the executive session. It is often helpful to follow a script when announcing the executive session. The Oregon Attorney General's Office has a sample script available on its website. We recommend that the board chair print out this script and have it handy for all executive sessions.

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SDAO Awards Program

The SDAO Awards Program gives recognition to member districts for accomplishments which allow them to provide better service to the public and honors individuals who have greatly contributed to the success of their organization. These awards celebrate the ingenuity, creativity, and diversity of our members.

Winning an SDAO Service Award or SDAO Program Award is the highest level of professional acknowledgment within the realm of local government today.

To learn more about this year’s winners and their award-winning accomplishments or download nomination forms visit

www.sdao.com/S4/Programs/Awards.aspx.

OUTSTANDING SPECIAL DISTRICT SERVICE AWARD RECIPIENTS

Board Member

Joanne Cornelius

Falcon-Cove Beach Water District

Manager

Elizabeth Heckathorn

Jefferson County EMS District

Employee

Michael Lepin

Jefferson County EMS District

Volunteer

Steve Rhodes

Lookingglass Rural Fire District

OUTSTANDING SPECIAL DISTRICT PROGRAM AWARD RECIPIENTS

5 or Fewer Employees

Lake Chinook Fire & Rescue

6-25 Employees

Hauser RFPD

26+ Employees

Tualatin Valley Water District

Congratulations to all award recipients! OFDDA is proud that fire districts represent three of the SDAO Awards Program winners recognized for their significant contributions to Oregonians.

A recent Oregon Supreme Court case (Johnson v. Gibson) has threatened recreational immunity. Recreational immunity, derived from the Public Use of Lands Act, extends immunity from liability to landowners who make their lands available to the public free of charge. It was designed to protect landowners, both public and private, from liability should a person become injured while using the land for recreational purposes.



The Oregon Supreme Court ruled that when the Legislature passed the Public Use of Lands Act, it only immunized the actual landowner. Recreational immunity no longer exists when an employee, board member, or other public official is named on a lawsuit which alleges damages resulting from a recreational activity. As a result, your district may face substantially increased insurance premiums for this new risk exposure since your district is statutorily required to represent these individuals.

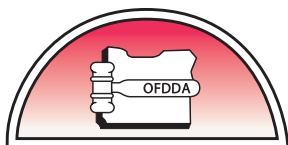
As a fire district, you may not think this is of concern. Do you ever have community events on your property? Do local kids ever play ball on your lawn? Do you have a basketball hoop or play equipment on your property? Do skateboarders ever use your parking lot when you’re not around? If you answered yes to any of the above, your district is impacted by this ruling.

SDAO is a member of a coalition of public and private property owners who worked on a legislative proposal that has been introduced for the current Legislative Session and will amend the Public Use of Lands Act. We have also asked members to adopt a resolution recommending the restoration of recreational immunity rights. Currently, we are waiting for the Senate Judiciary Committee to convene a workgroup on this bill.

If you’d like to get involved, please read the SDAO brochure about recreational immunity located on the SDAO home page at www.sdao.com. At the end, you will find a sample resolution that your district can adopt and share with local legislators.

How to contact your Oregon State Legislators

- Visit www.oregonlegislature.gov.
- In the “Find Your District and Legislators” box enter your street address, city, state and zip code then click “Go”.
- A window listing contact information for your Senate, House, and Congress elected officials will appear.



OREGON FIRE DISTRICT
DIRECTORS ASSOCIATION
EDUCATION • COORDINATION • LEGISLATION

1284 Court St NE
Salem OR 97301

800-223-9708

www.ofdda.com

You are invited to join the Oregon Fire District Directors Association (OFDDA) this year to multiply your district's voice in the legislature and increase your learning and networking opportunities.

Our rural areas have not experienced the prosperity of the metropolitan areas of the state, which puts strains on budgets and decreases the ability to constantly voice our concerns with or support of legislation or administrative rules. By becoming a member of OFDDA, we all have a stronger voice in Salem.

Additional benefits of membership in OFDDA include a steady stream of up-to-date information, learning and networking opportunities, and help from staff who are knowledgeable about fire districts and the fire service.

"Creating Connections and Building Bridges—Together" was the theme of our 2016 Oregon Fire Service Conference. Through OFDDA, we do create connections and build bridges which help us shape the outcome of the challenges and increase opportunities facing our fire districts and the fire service. I personally believe the value of OFDDA far outweighs the minimal amount of membership dues. I encourage you to participate in the work of the OFDDA this next year by joining to help make a stronger voice for fire districts.

Our mission of assisting fire district directors around the state is only possible with support of our members. We thank you for your consideration in joining us in our mission.

For more information about becoming a member, contact the OFDDA office at info@ofdda.com or 800-223-9708.

Respectfully,

Donald J. Thompson, 2017 OFDDA President
North Bay RFPD



SAVE THE DATE

**2017 Oregon
Fire Service
Conference**

**October 26-28
Ashland, Oregon**