

The

Winter 2016–2017

# COMMUNIQUÉ

A Publication of the Oregon Fire District Directors Association

## REGISTERED AGENTS

What you need to know

## LOSAP

Change in Waiver Policy Approved

## Whistleblower Policy

New Requirement for Oregon  
Public Employers

# The COMMUNIQUE

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

### A Tip of the Hat

By: Dennis Rogers, OFDDA President

I wish to give a “Tip of the Hat” as a small gesture of thanks and to acknowledge many people for their support and service this past year. OFDDA would not be successful as it is without the generous support of mutual friends from other fire service organizations and staff who have worked tirelessly for the good of all.



The cooperative spirit of teamwork showed far and above the call of duty this past year as I served as your president of OFDDA. We enjoyed a year of team building in the planning of the annual conference, teamwork in dealing with legislative issues, and a year of cooperative support from kindred organizations of the fire service, all giving and providing a spirit of unity for the good of each group involved. For that I thank you and look forward to what the new year will bring in the form of team building.

To the OFDDA Board of Directors, my thanks to each one of you for taking on the duties and challenges assigned and bringing positive results to the organization and its programs. The outreach efforts with the membership and cultivation of new relationships with non-members was appreciated.

To Genoa and her staff, tirelessly working to serve and represent OFDDA in so many ways – traveling across the state, LOSAP training, providing general fire service support to several small struggling departments, as well as endless duties dealing with the legislature on our behalf. You and your staff have done an Oman's job serving our organization as well as the fire service in general.

I will soon be handing off the leadership of OFDDA to the good hands of President-Elect Don Thompson. I know he will be a strong and positive leader for OFDDA and a strong voice for the Fire Service. He deserves our support and encouragement in 2017.



### Whistleblower Policy – New Requirement for Oregon Public Employers

By: Jennifer Quisenberry, SDAO

During the most recent legislative session, House Bill 4067 was passed to protect employees who act on good faith and objectively reasonable belief to report a violation of federal, state, or local law, rule, or regulation by their employer.

**Beginning January 1, 2017,** all public and nonprofit employers must establish and implement a whistleblower policy. The policy must delineate all rights and remedies provided to employees and employers will need to deliver a written or electronic copy of the policy to each employee.

SDAO has drafted a sample policy for your use. Please visit <http://ref.sdao.com/personnel/16aug-whistleblower.pdf> for a copy.

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Interested in submitting an article or advertising in *The Communiqué*?

Contact OFDDA at [info@ofdda.com](mailto:info@ofdda.com) or 800-223-9708



## A Personal Note From the Legal Beagle

I never realized in 1977 that an arsonist in Marcola, Oregon, would have such an impact on my personal as well as professional life. The formation of the Mohawk Valley Fire District was the beginning of my involvement with the fire service. I am one of those very fortunate individuals who was able to combine something they love to do with something that also is their profession. I want to thank all of you for your support for almost 40 years. It means a great deal to me. There is no way to fully express my appreciation for your ovation at the conference.

It was the most humbling experience of my professional career. Those of you close by could see my knees shaking. While I am planning on retiring at the end of the 2016 from Speer Hoyt LLC (Local Government Law Group PC) that simply does not mean that I am retiring from my love affair with the fire service. I hope to be able to continue informal relationships with many of you. I have been advised by the new OFDDA president that they will even let me come to the 2017 Conference in Ashland.

Again, my thanks to all of you.

**J. Kenneth Jones (Ken)**  
*Legal Beagle*



## REGISTERED AGENTS

*By: Ken Jones and Ross Williamson,  
Local Government Law Group, PC*

At this year's conference I mentioned the term "registered agent" and received a lot of blank stares and questions later as to what is a registered agent.

Special districts, including fire districts, are required to register a registered agent. The requirement is found in ORS 198.340. A registered agent is the official that is designated by a district to receive any process, notice or demand required or permitted by law to be served upon the district. The registered agent designation must include the name and address of the registered agent. The address for the registered agent may be, but need not be, the same as the place of business of the district. It must be a street address not a P.O. Box.

If you have not recently done so, I recommend that you verify the name of your registered agent

with the Secretary of State. Unfortunately, this information is not available online. Instead, you must call the Archives Division of the Secretary of State. Fortunately, the folks at the Archives Division are friendly and very helpful. The number to call is 503-373-0701, and select extension 1 for the "reference unit." The reference unit staff will be able to pull up your district's information and verify the registered agent information. If you have not checked recently, you should do so to make sure it is up to date. This is an important requirement.

If you need to update the information, there is a form online that you print out and send to both the Archives Division and your local County Clerk's Office. The form is available at: <http://sos.oregon.gov/audits/Documents/Registered-Agent-Form.pdf>.

The identity of your registered agent should be adopted by resolution of the district board. The form requires the board president, treasurer, or

*Continued on page 6*

# THANKS TO ALL FOR MAKING THE 2016 OREGON FIRE SERVICE CONFERENCE A HUGE SUCCESS!

The 2016 Oregon Fire Service Conference took place October 27-29 at The Riverhouse Convention Center in Bend, Oregon. Nearly 200 attendees learned how to work together within the fire service to keep Oregon communities safe and supported, participated in business meetings, and networked with colleagues during the exciting event. Special thanks to SDIS, Title Conference Sponsor.

## SAVE THE DATE

**2017 Oregon  
Fire Service  
Conference**

October 26-28  
Ashland, Oregon



## Election of 2017 Officers

We are excited to welcome two new members to the OFDDA Board of Directors! **Ron Humphres** of Illinois Valley Fire District has been a volunteer firefighter for 15 years. Ron brings his experience as a volunteer board president and district board president for two terms to the Association. **Curtis Hoopes** is a Board Member with Chiloquin Fire & Rescue. He served as Deputy of Orange County, giving him 35 years of experience in public safety. **Spike Piersol** of Umatilla County Fire District 1, who has served on the OFDDA board since 2015, was also elected. Their two-year term begins January 1, 2017.

## Awards

During the conference, individuals and districts that have made significant contributions to the fire service were honored.



**The President's Award** gives recognition for outstanding service by an individual to the fire service. This year, OFDDA President Dennis Rogers presented **Susan Shepard** of Polk County Fire District No. 1 and past president of OFSOA, with the esteemed award. Although neither an elected official nor a chief officer, Susan has been and continues to be an integral member of the fire service and represents her community as a true professional.

*(Pictured: OFDDA President Dennis Rogers and Susan Shepard)*

**The Staff Award** recognizes individuals who have provided outstanding service to the fire service community. This year, **Greg and Vickie Musil** were recognized for achieving the \$300,000 fundraising mark enabling construction to begin on the Oregon Fire Service Museum, Memorial, and Learning Center in Brooks, Oregon. Learn more about the not-for-profit all volunteer organization which is Greg and Vickie's passion by visiting the museum's website, [oregonfireservicemuseum.org](http://oregonfireservicemuseum.org). *(Pictured: Greg and Vickie Musil)*



**District of the Year** gives recognition to those in the fire service who have demonstrated progressive achievement. This year's recipient, **Banks Fire District #13**, is a volunteer department with a high call volume that prides themselves on meeting the emergency needs of their communities with trained and caring people. In 2015 the district responded to 693 calls and contributed more than 3,600 cumulative hours training the department's 74 volunteers. The care greatly about the area they live in and provide a tremendous value to the taxpayers. *(Pictured: Training Officer Chris Lanter, Firefighter Carson Prendergast, Intern Devin Kaneshiro, Intern Katie Allie, Firefighter Corey Lynch, and Chief Rodney Linz)*

**Service Awards** give special recognition to fire directors who have served 20, 30, 40, or 50 years. Individuals nominated by their districts and honored at the 2016 Oregon Fire Service Conference include: Clark Balfour, Tualatin Valley Fire and Rescue (20), Robert Wyffels, Tualatin Valley Fire and Rescue (20), Carroll Penhollow, Redmond Fire and Rescue (23), and Diane Dillard, Columbia River Fire and Rescue (32). Your service is greatly appreciated.

*(Pictured: OFDDA President Dennis Rogers and Diane Dillard)*



## Silent Auction

Thanks to donors who contributed time and gifts to this year's silent auction, funds were raised for the scholarship program to provide complimentary registrations for next year's conference and a contribution was made to the burn center at Randall Children's Hospital at Legacy Emanuel. Your generosity is greatly appreciated!

Mark your calendar for the next Oregon Fire Service Conference which will take place October 26-28, 2017. We look forward to seeing you in Ashland, Oregon.

## Registered Agents

Continued from page 4

secretary to complete certain information and then sign the form with a notary. There is no fee to file the form.

In addition to the requirements of ORS 198.340, Audit Division Administrative Rule OAR 162-010-0020 requires that the inside front cover of your audit reports contain the name of the district's registered agent and its registered address. If a district has not designated a registered agent or registered address, then the audit report should so indicate. Your auditor may also have the information so you can determine if an update is necessary.

If there are questions, you may contact the Secretary of State's office directly or your local attorney.



## OVFA Presents Lifetime Achievement Award and Firefighter of the Year

**David Sellers**, OVFA Immediate Past President, was awarded the prestigious OVFA Lifetime Achievement Award at the 2016 OVFA Annual Conference. David has been a member of the OVFA since 1987 when he started volunteering with what was then Washington County Fire District #1- Engine Co. 259 (now Tualatin Valley Fire and Rescue). David later volunteered with Hillsboro Fire and Rescue. He accepted a position on the OVFA Board in 2009 and has served on the Board as a Director, 1<sup>st</sup> Vice President, and President. He currently serves on the Governor's Fire Service Policy Council and the Burn Center Advisory Committee representing OVFA.



David Sellers

**Eric Bue** was recognized as the Firefighter of the Year at the conference. Fire Chief Dave Waddington voiced high praise for the recipient saying, "Eric Bue has been a great asset to the Coquille Fire Department for the last 13 years. Eric's peers look up to him and respect his suggestions and comments. His morals and ethical values are what the fire service stands for. Eric has a heart of gold and portrays what a 'true' volunteer firefighter stands for."

Congratulations, David and Eric!



## SANDY FIRE SWAPS UNIFORMS

News Release from Sandy Fire District  
Original Article Posted on FlashAlert:  
October 17, 2016 3:21 PM

Members of Sandy Fire District swapped their blue uniform shirts for pink ones during the month of October, part of a nationwide effort to raise awareness about Breast Cancer. Sandy Fire joined fire departments across the country to show support for individuals who have battled, or are currently battling, this deadly disease.

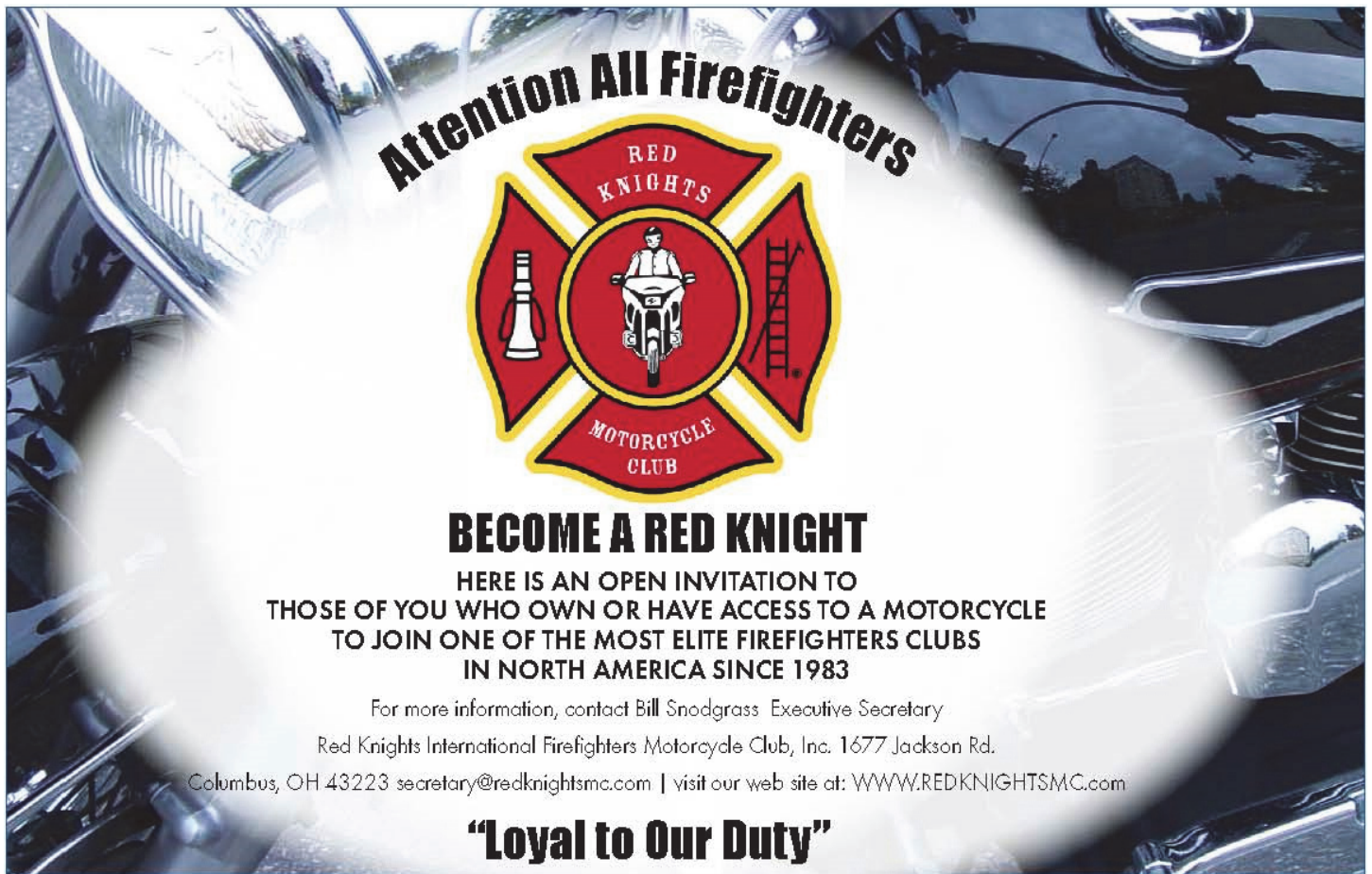
This is the first year Sandy Firefighters have worn pink shirts. "We are hoping that when we are out in the community people ask about our pink shirts and we can help educate them," said Eric Pedersen, Firefighter/Paramedic.

"Most everyone has been touched by someone who has fought cancer" said Pedersen. "We hope that by wearing shirts it will be a reminder for women to take the preventative measures for early detection."

### Contact Info:

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## LOSAP In-Service Distribution Approved by Board

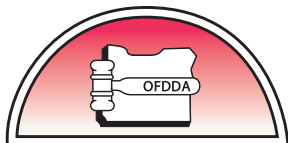
*By: Laurel Williams, OFDDA Staff*

At its November meeting, the OFDDA Board of Directors approved proposed amendments to Policy 154, relating to emergency distributions for vested, separated volunteers participating in the Length of Service Award Program (LOSAP). As a result of the approved amendments, the policy has been extended to address emergency distributions for vested, active volunteers.

Vested, active volunteers participating in LOSAP may be eligible to request an in-service emergency cash distribution of funds to address a severe financial hardship as defined by the policy, including but not limited to: unexpected and significant medical expenses not covered or reimbursed by insurance, loss or significant damage to the participant's property due to catastrophe or casualty, funeral expenses of a spouse or dependent, and involuntary separation from compensated employment.

As administered by the OFDDA, the LOSAP plan document provides for cash distributions for vested volunteer personnel no earlier than 180 days following the one month anniversary of their official separation from volunteer service. As adopted in 2013, Policy 154 provided a waiver of the 180-day waiting period, allowing for early disbursement of funds from the LOSAP account in the case of medical or financial emergency. Granting the waiver was dependent on approval by the requestor's local district/department and subsequent approval by the OFDDA Board of Directors. The proposed amendment to provide in-service distributions also requires approval by the local agency.

For additional information about LOSAP, please contact the OFDDA office at 800-223-9708, via email to [laureal@ofdda.com](mailto:laureal@ofdda.com), or visit our website at [www.ofdda.com](http://www.ofdda.com).



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## SAVE THE DATE

### 2017 Oregon Fire Service Conference

October 26-28

Ashland, Oregon



### DPSST 2017 Winter Fire School February 18-19, 2017

Registration is now open for the DPSST 2017 Winter Fire School. To register, visit [www.oregon.gov/dpsst/FT/docs/2017%20Winter%20Fire%20School%20Application.docx](http://www.oregon.gov/dpsst/FT/docs/2017%20Winter%20Fire%20School%20Application.docx). For more information about each of the classes, download the brochure at [www.oregon.gov/dpsst/FT/docs/Brochure%202017.pdf](http://www.oregon.gov/dpsst/FT/docs/Brochure%202017.pdf).

If you have questions, please contact Rebecca Carroll at [rebecca.carroll@state.or.us](mailto:rebecca.carroll@state.or.us).



## OFSOA Update

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

We just wrapped up our fall conference of the Oregon Fire Service Office Administrators in Ashland in October. Our hosts had a great line-up of speakers for us and we had over 60 attendees from around the state.

Our upcoming spring workshop will be held in Keizer on April 20-21, 2017, and will be hosted by the Office of State Fire Marshal. The theme for the workshop is "Tapping Into Your Inner Strength". Scholarships are available, and I encourage you to send your office administrators to the training. I'm sure we will have another day-and-a-half of great classes and, as always, it's a fantastic networking opportunity. You can find the registration links and more information at [www.ofsoa.com](http://www.ofsoa.com).



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