

Winter 2017/2018

The

COMMUNIQUE

A Publication of the Oregon Fire District Directors Association



Avoiding Common Personnel Pitfalls

Districts often make these six mistakes

One Person Can Make a Difference!

OFDDA President's Award recognizes outstanding contributions to fire service

News From the Capitol

New laws effective January 1, 2018

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A Publication of the
Oregon Fire District
Directors Association

Oregon Fire Service Center
1284 Court Street NE
Salem, OR 97301
Toll-Free: 800-223-9708
Phone: 503-378-0896
Fax: 503-364-9919
www.ofdda.com

OFDDA STAFF

Genoa Ingram
Executive Director
genoa@ofdda.com

Tayrn Nugent
Administrative Staff
taryn@ofdda.com

Lisa Van
Administrative Services
lisa@ofdda.com

Laureal Williams
LOSAP
laureal@ofdda.com

LEGAL COUNSEL

Christy K. Monson
Local Government Law Group PC
975 Oak St Ste 700
Eugene, OR 97404
Phone: 541-485-5151
christy@localgovtlaw.com

MISSION

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

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Diligent fire crews were able to save the Multnomah Falls Lodge from the 10,000-acre Eagle Creek Fire in September 2017.

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OFDDA BOARD OF DIRECTORS

DON THOMPSON
President
North Bay RFPD
Phone: 541-756-0681
Cell: 541-404-7180
don@dwttinc.us

JOHN DUNN
1st Vice President
Tangent Fire
Phone: 541-967-9405
Cell: 541-981-8400
terry8704@comcast.net

ELDON MARCUM
2nd Vice President
Umatilla Co Fire District #1
Phone: 541-449-3723
Cell: 541-571-1537
Emarcum449@msn.com

DENNIS ROGERS
Immediate Past President
Sheridan Fire District
Phone: 971-240-4738
Cell: 971-241-7138
ddrogers@onlinenw.com

JAMEL MERCADO
Director – Position #4
Lebanon Fire District
Cell: 503-576-0151
jamel.f.mercado.mil@mail.mil

KEVIN VAN DYKE
Director – Position #2
Forest Grove RFPD
Cell: 503-347-0656
kevinvandyke@forestgroveruralfire.com

VACANT
Director – Position #5

SPIKE PIERSOL
Director – Position #3
Umatilla Co Fire District #1
spike@eotnet.net

CURTIS HOOPES
Director – Position #6
Chiloquin Fire & Rescue
Cell: 714-815-5115
choopespi@gmail.com



By: **Don Thompson**
OFDDA President

OFDDA President's Message

As I look back at the successful Oregon Fire Service Conference held in Ashland in October, I recall a conversation that I overheard between a couple of our members. The discussion centered around the fact that the individuals did not know what OFDDA did other than the conference. I have been attending conferences for over 20 years, and

tend to take for granted the many benefits of OFDDA. That eye-opening experience convinced me to try and do a better job of informing people about what our organization does.

One of the major tasks that OFDDA performs is tracking, reporting on, and testifying on legislation affecting the fire service in general and directors specifically. This used to be every other year but is now nearly constant with the annual legislative sessions.

OFDDA members serve on many committees that shape the fire service in our state such as the DPSST Board, Governor's Fire Service Policy Council, SDAO Legislative Committee, Joint Fire Service Legislative Committee, National Association of Elected Fire Officials (NAEFO), and Oregon Life Safety Team, plus additional task forces that are formed from time to time.

OFDDA oversees the Length of Service Awards Program (LOSAP) providing a financially valuable benefit for volunteer firefighters.

OFDDA provides educational opportunities throughout the state through our partnership with Special Districts Insurance Services (SDIS), which is administered by SDAO. We also promote education with scholarships for the Oregon Fire Service Conference.

OFDDA produces the Red Book, a reference book of contacts and information about fire districts.

OFDDA members receive discounts on their SDIS insurance.

OFDDA is a strong advocate for fire district directors; together we have a strong voice.

I am a firm believer in the value of trade associations; as a volunteer, I need the education, legislative voice and the many other services our organization provides.

Don Thompson

One Person Can Make a Difference!

Mark Kreutzer, the 2017 recipient of the prestigious OFDDA President's Award, began his career as a firefighter for the City of Beaverton Fire Department where he served from 1979-1981. He started serving as a firefighter at Tualatin Valley Fire and Rescue in 1981, later serving as station captain from 1998-2009. He was elected to the Rainier Rural Fire District as a member of the board where he served from 1996-2000. He also served on the Columbia County Planning Commission from 1998-1999 and the Columbia River Fire and Rescue Budget Committee.

Mark currently serves as a board member for Columbia River Fire and Rescue. He was elected in 2003 and served as the board president from 2013-2016.

He has provided tireless service on the Oregon Fire District Directors Association in a number of capacities, including:

- Board Member (2007-2016)
- Vice President (2013)
- President (2015)
- Immediate Past President (2016)

He has represented OFDDA on the National Association of Elected Fire Officials and on the Oregon Governors Fire Service Policy Council since 2016. He currently represents OFDDA on the Board of Public Safety Standards and Training as a recent appointee.

As you can see, Mark Kreutzer has been a faithful servant to OFDDA and richly deserves this recognition!





975 Oak St Ste 700
 Eugene, Oregon 97404
 541-485-5151
www.localgovtlaw.com



Avoiding Common Personnel Pitfalls

By: *Christy K. Monson*
Local Government Law Group

We've noticed that many cities and districts often make similar personnel mistakes. So in the interest of helping you avoid common pitfalls, we've listed what we consider the costliest mistakes below. If you'd like advice on any of these common errors, please don't hesitate to call us.

1. Adopting conflicting policies and handbooks.

Governments should adopt a simple Employee Handbook. This is a good practice. However, many governments, in addition to adopting an Employee Handbook, also adopt: Standard Operating Procedures (SOPs), Standard Operating Guidelines (SOGs), LexiPol policies, Collective Bargaining Agreements, and employment contracts. With so many other documents, it's not surprising that over time policies have been amended to contain conflicting rules. Your city or district should place all its personnel rules in one document – your Employee Handbook. Other more specific rules (such as rules about use of force for police officers or rules about breathing apparatus or OSHA procedures for firefighters) are more properly placed in SOPs or SOGs – but the subject matters should not overlap or conflict. Also, all policies must always clarify: 1) which employees are subject to which policy; and 2) the order of priority regarding which policy/rule “trumps” the others in the event of a conflict.

2. Adopting a neighboring government's policies.

Some laws do apply to all governments, such as certain constitutional protections against discrimination. However, some laws only apply if your government has a certain threshold number of employees. For example, for your employees to be covered under the federal Family and Medical Leave Act (FMLA), you must employ at least 50 people within 75 miles of your worksite. By adopting a larger jurisdiction's policies, some smaller governments inadvertently obligate themselves to provide all FMLA benefits to all employees, even though they are not legally required to do so. While it's completely legal (and good for morale) to provide better benefits than the law requires, you should be making these decisions knowingly. Adopting the wrong policies could lead to serious unfunded liability, unintended contractual obligations, and scheduling and staffing difficulties.

3. **Authorizing non-union staff to receive benefits of union benefits.** Some governments “tie” non-union benefits, processes, or wages to the union's collective bargaining agreement (CBA). While it may seem fair and easy to operate in this way, it is generally a mistake. Many non-union workers are salaried FLSA-exempt employees and their positions don't easily fit within the CBA processes and benefits. Further, sometimes management staff participate in bargaining – thus possibly giving rise to a conflict of interest if management staff negotiates for pay and benefits that they will personally receive later on.

4. **Forgetting that elected officials have no authority over most personnel issues.** For the great majority of Oregon's governments, personnel and employment issues are solely managed by your chief executive or manager. This is because committees, boards, and councils, by their very nature and structure, tend to be horrible bosses. They usually do not have the time, expertise, or resources to manage a staff. There are too many political decision-makers on a board for that board to provide clear, concise, and timely direction to an employee. This is likely why most City Charters forbid councilors from interfering in a City Administrator's duties. The only management job most elected officials have is to manage one employee, the administrator/fire chief/superintendent (“the CEO”).

5. **Not delegating the “CEO” management job.** Many governments forget to adopt simple processes which allow them to be good managers of the “CEO”. At your first meeting, your board or council should decide which elected official will serve as the CEO's primary point of contact for job-related questions/approvals, such as vacation authorization, paycheck questions, and disciplinary issues. You should also adopt an annual plan to provide one consolidated evaluation for the CEO and to consider pay raises and employment contract issues.

6. **Entering into employment contracts for all or most employees.** Employment contracts should only be used for high level or specialized employees who may be subject to political pressure due to the nature of their jobs. Usually, for Oregon's governments, this means the CEO. Employment contracts are not good tools to manage the employment relationship between your government and its regular employees.

Note: This update is informational only and is not intended as legal advice. If you have questions about any of the information in this update please contact your legal counsel.

EDUCATION AND TRAINING

SDAO
SPECIAL DISTRICTS
ASSOCIATION OF OREGON

**2018 SDAO
Annual Conference**

We are excited to announce that registration has opened for the 2018 SDAO Annual Conference. Don't miss the largest training and networking event of the year for special district board members and staff! The conference will take place in Seaside and will offer over 20 educational sessions and multiple opportunities for interacting with your colleagues through business meetings, caucus meetings, social activities and more.

Prior to the conference, sessions focusing on grant writing, risk management trends, and a comprehensive training on special district duties and obligations for board members and staff will be offered.

The conference officially kicks off on Friday with a captivating keynote address by Chip Eichelberger followed by the ever popular Exhibitor Trade Show, breakout sessions, district caucus meetings, and Exhibitor Reception.

Saturday will feature more educational sessions, the SDAO Annual Business Meeting, and Awards Banquet. Festivities wrap up on Saturday with two action-packed hours of blackjack, craps, Texas hold 'em, and roulette. Casino night door prize drawings will be held at 10 p.m. and you must be present to win.

Hundreds of representatives from Oregon's special districts will attend. We encourage you to register today to reserve your spot. If your district is an SDAO member and has not sent an individual to the conference in the last three years, your district is eligible for one complimentary registration. We have mailed this offer to key contacts of member districts that qualify.

For registration, hotel information, and conference details, please visit the conference website at www.sdao.com/ac. We hope to see you in Seaside!



**Oregon Fire Service
Conference**
October 25-27, 2018
Bend, Oregon
Hosted by OFDDA



**60th Annual Oregon Volunteer
Firefighters Association Conference**
June 27-30, 2018 • Coos Bay

Potential classes include:

- Aerial Operator
- Emergency Service Delivery
- Swift Water Rescue
- Building Construction Pt. 2

Additional information will be posted at ovfa.org soon.



**DPSST Regional Training
Calendar & Events**

By Date

<http://www.oregon.gov/dpsst/RT/docs/regionaltrainingcoursesdate.pdf>

By Category

<http://www.oregon.gov/dpsst/RT/docs/regionaltrainingcoursescategory.pdf>

Mark your calendar! The **Oregon Fallen Fire Fighters Memorial** is scheduled for September 20, 2018, at 1:00 p.m.



BUILD A STRATEGY FOR BAD PRESS

BY RAEGAN JOHNSON

These steps can help your nonprofit navigate negative media reports.

Reprinted with permission. Copyright, ASAE: The Center for Association Leadership, December 20, 2017, Washington, DC.

Bad press can do serious damage to an organization. How should you respond when negative stories begin bubbling up?

To start, consider the source, recommends [the Capterra Nonprofit Technology Blog](#). Does the publication command authority and have a good reputation? If a source isn't credible, you may not want to take any action at all.

If the source is credible and the facts are correct, then you should consider publishing a public response. "When writing your response, don't dwell on the negative press. Mention it for the sake of context, then move on to explain your point of view," writes Nick Morpus. "If your nonprofit is at fault for the negative press—say your nonprofit experienced a data breach due to an employee's error—then it's important to own the mistake and focus your response on what your organization is doing to address the situation."

You can publish this response on your blog and share via social media, or you can reach out to newspapers with a letter to the editor or an op-ed.

INVENT THE FUTURE

The world is changing faster than ever before. In an uncertain time, which leadership characteristics will help your organization find success?

In a new post, the Harvard Business Review shares four categories of forward-thinking leaders. Consider the Eager Experimenter. This leader not only is willing to try new things, but also knows that most experiments fail and is willing to accept those failures and learn from them.

"Leaders who are fit for the future understand that there is no success without setbacks, no progress without pitfalls," writes Bill Taylor.



United States
CONSUMER PRODUCT SAFETY COMMISSION

Kidde Recalls Fire Extinguishers with Plastic Handles Due to Failure to Discharge and Nozzle Detachment: One Death Reported



Recall Summary

Name of product:

Kidde fire extinguishers with plastic handles

Hazard:

The fire extinguishers can become clogged or require excessive force to discharge and can fail to activate during a fire emergency. In addition, the nozzle can detach with enough force to pose an impact hazard.

Remedy:

Replace

Consumer Contact:

Kidde toll-free at 855-271-0773 from 8:30 a.m. to 5 p.m. ET Monday through Friday, 9 a.m. to 3 p.m. ET Saturday and Sunday, or online at www.kidde.com and click on "Product Safety Recall" for more information.

**OREGON FIRE SERVICE MUSEUM
WALK OF HEROES**

**\$100 Donation for up to
3 lines of text!**

Visit us online for details...
www.OREGONFIREMUSEUM.org

Your donation allows the **Oregon Fire Service Museum, Memorial, and Learning Center** to:

- Share the story of structural and wildland fire service.
- Honor those who serve in the fire service.
- Promote public fire safety education.
- Preserve, restore, and display fire service artifacts.



OFSOA Update

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

Our 25th anniversary conference just wrapped up in October in Lebanon, Oregon, where we had record attendance. This demonstrates the quality of education offered by OFSOA and serves as a testament of the members' dedication to their districts and to the Oregon Fire Service.

We honored our founding members who are the anchor of the organization and also recognized our past presidents for their continued leadership and support. All of these women have helped OFSOA become the organization it is today, one that is highly respected in the fire service.

Our next event will be our spring workshop in April 2018 on the coast and our fall conference in Bend in October 2018. More information will be available on our website soon.

We have a member email news-blast which can be used to request information from other districts or share information and resources with other districts. Many of your districts already use this resource.

If you have support staff that isn't involved and might be interested, you can get information on our website – ofsoa.com – or contact any of our board members.

If there is anything OFSOA can do for you, please contact me at 541-549-0771 or spor@sistersfire.com.

Registered to Vote? Volunteer Firefighters Need Your Support!

If you are registered to vote in Oregon, please make a point to sign the Oregon Volunteer Firefighters Association petition form supporting SB 378. Your signature will help add OVFA to the list of entities eligible for individual income tax return checkoff contribution.

- There is no fiscal or revenue impact.
- Oregon taxpayers will be able to donate a portion of their return to OVFA when filing their state taxes.

Contributions received will:

- Fund training opportunities for Oregon's 8,760+ volunteer firefighters.
- Support the Association's Relief Fund to assist volunteer firefighters and their families experiencing a hardship resulting from death, injury, or illness of a firefighter.

Learn more about at www.ovfa.org.

NEWS FROM THE CAPITOL

Putting Oregon's Public Safety First

On December 26, 2017, Governor Kate Brown announced her decision for Oregon to opt-in to FirstNet, a wireless broadband network which will modernize communications technology and transform the way Oregon's fire, police, EMS and other public safety personnel communicate and share information. Learn more about how this will save lives and protect U.S. communities at <https://firstnet.gov/news/oregon-transform-communications-public-safety>.

New Laws Go Into Effect on January 1, 2018

Below are a few of the 750 bills passed during Oregon's 2017 legislative session which go into effect on New Year's Day 2018.

Transportation Taxes

The Legislature's \$5.3 billion transportation funding plan will fund highway and infrastructure upgrades statewide for at least a decade say lawmakers. Oregon drivers will notice an increase in the:

- Statewide gas tax from 4 cents to 34 cents.
- Car registration fees from \$13 to \$43.
- Title fees from \$16 to \$93.

Move Over Law

Oregon's "move over" law now includes non-emergency vehicles. The law requires drivers to move over a lane for all vehicles stopped on the side of the road if that vehicle is using hazard lights or an emergency sign. If there's only one lane, drivers must slow down to at least five miles under the posted speed limit.

Firearm Confiscation

If a family member or police officer convinces a judge that a person is at risk of suicide or hurting someone else, the judge can now order that person to temporarily give up their guns. Issued orders last for one year.

Expanded Bottle Bill

The opportunity to turn in empty bottles to redeem a 10-cent deposit now applies to beverages beyond beer, water, and soft drinks including bottles that contain coffee, tea, hard cider, fruit juice, coconut water, kombucha, and other drinks.

Seismic Rehabilitation Grant Deadline Rapidly Approaching

Applications for the next round of Seismic Rehabilitation Grant funding, which includes \$25 million for school projects and \$10 million for emergency service projects, will be accepted until January 31, 2018, at 5 p.m. Learn more at: <http://tinyurl.com/pukfg8c>.

If you have any questions, please contact Gloria Zacharias, the Seismic Program and Policy Coordinator, at 503-986-0132 or Gloria.Zacharias@oregon.gov or Joe Parrott, OFCA representative to the State Seismic Grant Advisory Committee, at 503-803-5976 or parrottj@aol.com.



OREGON FIRE DISTRICT
DIRECTORS ASSOCIATION
EDUCATION • COORDINATION • LEGISLATION

1284 Court St NE
Salem OR 97301

800-223-9708

www.ofdda.com



OFDDA Board of Directors Update

We are excited to announce Jamal Mercado is the newest member on the OFDDA Board of Directors. Jamal, Board Vice President at Lebanon Fire District, was elected at the 2017 Oregon Fire Service Conference in Ashland to fill the Director - Position #4 seat.

It is with sincere appreciation that we recognize Gary Ollerenshaw's two years of service on the OFDDA board. Gary, who stepped down from the OFDDA board in November, had filled the Director - Position #5 seat. His absence creates a vacancy on the board.

The OFDDA by-laws Article IV. Section B state, "Vacancies on the Board of Directors shall be filled by appointment by a majority vote of the remaining members of the Board until the annual meeting when the general membership shall elect a successor." If you are a member in good standing and wish to express your interest in being considered to serve on the OFDDA board, notify OFDDA nominating committee chair Dennis Rogers at 971-240-4738 or ddrogers@onlinenw.com. Next, complete and submit a Board Member Application, which can be found under the Forms tab on our website, www.ofdda.com.

The Oregon Fire District Directors Association was founded in 1950 when a group of like-minded individuals connected over the desire to form rural fire protection districts in Oregon. The founders understood, as we do today, that working together creates greater opportunities for Oregon's fire service. More than 67 years later, we continue to exchange information for the mutual benefit of fire districts' operations and improve the operations of fire districts in Oregon through our unified approach to legislation.

We are successful thanks to volunteers like Jamal and Gary who give of their valuable time, knowledge, and resources to serve Oregon's fire service!