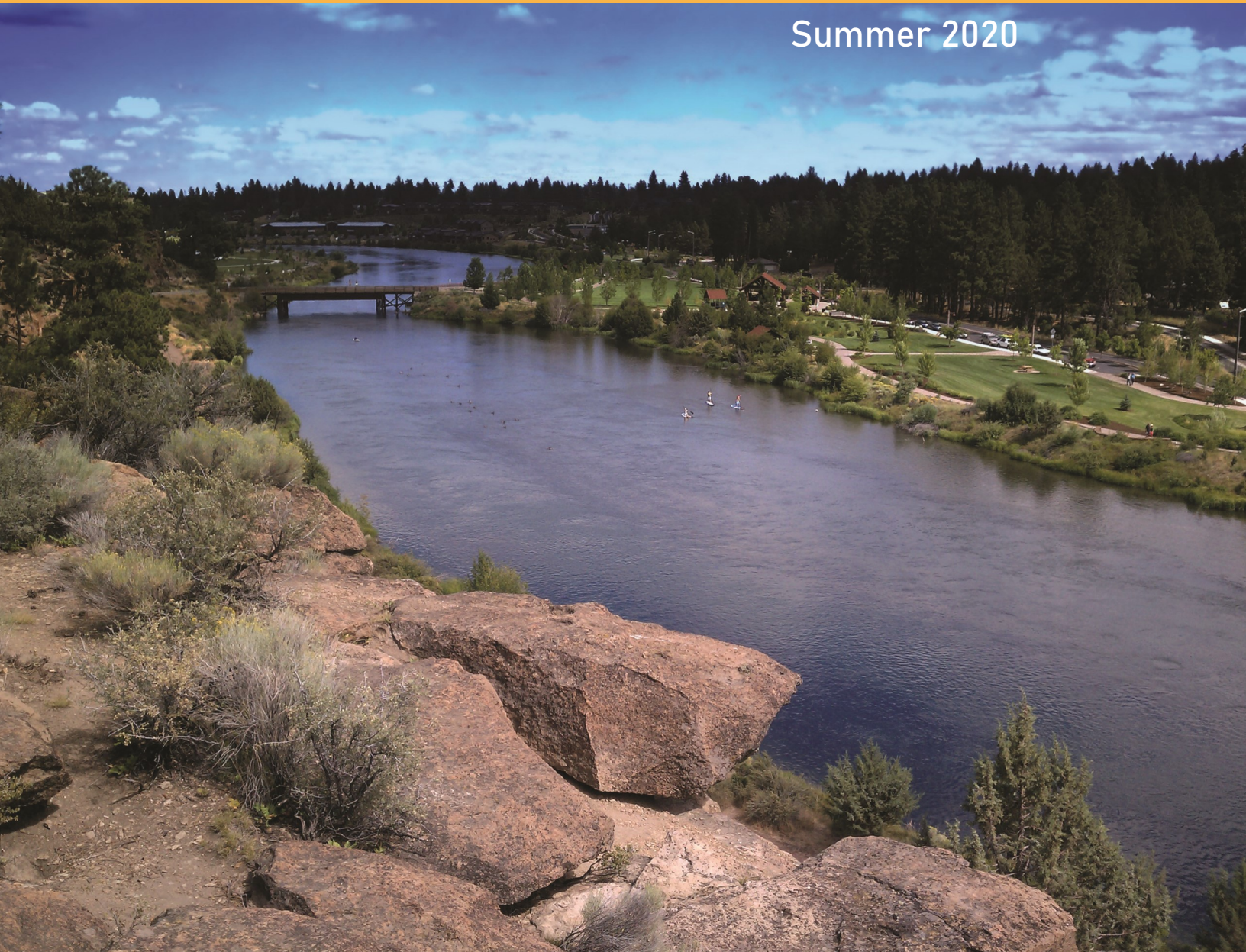


The COMMUNIQUE

Summer 2020



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publication includes...*

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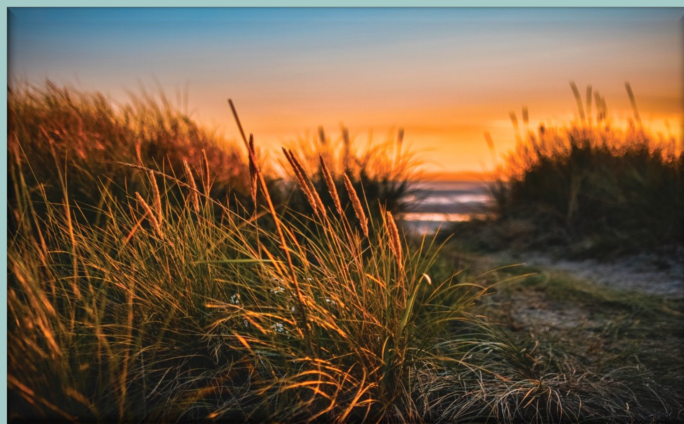
To serve and strengthen through the provision and coordination of timely information, education, and legislation.

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PRESIDENT'S MESSAGE

by John Dunn
OFDDA President



The COVID-19 virus has affected each fire district uniquely throughout the state. Some districts have adjusted policies to allow for video conferencing of board meetings. All districts are reviewing protocols, seeking to keep volunteers and staff safe. New questions arise continually, such as, *How do we ensure the safety of a firefighter's family if the district member was involved in a call that potentially exposed them to COVID-19?* Of course, we must work through many other challenges while dealing with this pandemic.

By the time this article comes out, our state will be actively reopening. Different counties will open sooner than others, depending on their individual situations. The new normal will be with us for quite a while, though, and it is up to our districts to keep their people safe and educated. We must also meet the challenge of providing needed PPE and creating an environment that will set us up for successfully navigating the difficulties ahead.

Thank you to our volunteers, firefighters, staff, and their families. Our communities depend on you to be there when needed. We all have friends and family who are hurting in some way. The small businesses in our communities need our help and support now more than ever. I encourage you to reach out and support them when you can.

Many of us have family members who are considered front line workers: doctors, nurses, grocery clerks, truck drivers, teachers, and many more. Essential workers are there for us. A simple "thank you" goes a long way and might help reduce the stress they feel.

We will all get through this together. We are always stronger together. Once again, I thank you all for your dedication to making our state and communities a better place to live.

OFDDA 2020 Fundraiser

This year, OFDDA hopes to raise \$5,000 to provide scholarships for small districts and to help the Oregon Volunteer Firefighters Association, which had to cancel its conference because of COVID-19 safety concerns. Cancellation caused the organization to suffer a substantial monetary hit. If we achieve our \$5,000 goal, we will donate \$1,000 to help OVFA recuperate some of their loss.

We will offer chances to win an eight-night vacation for six people in a two-bedroom, two-bath condo at the winner's choice of selected resorts. We have confirmed a reservation at Eagle Crest, OR, for June 18-27, 2021. We also are requesting reservations throughout the summer of 2021 at Lake Tahoe, NV; Victoria, BC; and Long Beach, WA.

We will offer only 250 chances at \$20 each, with the drawing to take place at our conference in October. This is an opportunity for everyone to help support small districts and OVFA—with the bonus of possibly winning a great vacation for your family. Purchase as many chances as you like!

Last year we raised \$4,400, which provided us the ability to award several scholarships to districts. Together, we can make this happen. We will keep you all updated as our plans progress.



2020 Fire Service Conference

*by Curtis Hoopes
OFDDA 1st Vice President
Conference Committee Chair*

With Governor Brown starting to reopen business and social interaction in Oregon, the 2020 Oregon Fire Service Conference remains on track for October. The conference committee and staff continue to schedule sessions and book presenters.

The program will have sessions of interest to seasoned and new directors as well as to fire service professionals. The keynote speaker, Kris Paronto, is a true American hero with a motivational story. The session speakers represent vast experience and expertise beneficial to all.

OFDDA is excited and optimistic that the conference will take place as scheduled, and we invite you to register and attend.

- ✓ **Mark** October 22-24 on your calendar.
- ✓ **Register** online, coming soon at ofdda.com.
- ✓ **Reserve** your room at the Grand Hotel, Salem Convention Center, by calling 877-540-7800.

Supporting Our Members Through Uncertain Times



The COVID-19 pandemic has greatly changed all of our lives both personally and professionally. District operations have been greatly modified or put on pause for some. As the world monitors this fast-changing situation, SDAO remains committed to protecting the safety and health of our employees, our members, and the communities we serve.

Since March, our legislative activities have been nonstop both at the state and federal levels. The first initiative was to obtain a declaration from the governor to temporarily change public meetings requirements to accommodate for COVID-19 stay-at-home orders. It was also important to temporarily change the budget committee hearings and approval process. This was quite a difficult task for our government affairs team, but they completed it successfully and without having to schedule a special session.

The next big task was to get special districts included in the COVID-19 expense relief funds that the governor and legislature decided to share with local governments. Our team did a fantastic job of making sure that special districts were included in the first round of funding. The state gave local governments just five days to apply for these much needed reimbursements. Understanding how difficult that short time frame would be for our members, we advocated for a deadline extension and received an extra week. We are pleased to report that 116 districts applied for \$4 million of COVID-19 relief funds and are awaiting decisions from the state. SDAO also is currently participating in a work group with LOC, AOC, and select legislators to arrive at a plan to distribute additional COVID-19 relief funds to special districts, cities, and counties.



In addition to being busy legislatively, we assigned SDAO Risk Management Consultant Jason Jantzi to be our COVID-19 point person on filtering, interpreting, and distributing information to our members. He has been instrumental in ensuring that members have the resources they need while navigating these uncertain times.

When this newsletter goes to print, it is projected that a majority of our state will be in phase two of Governor Kate Brown's reopening plan. As we learn of guidance from the state, we will share it with you right away and continue to provide you with important COVID-19 resources.

For up to date information about the pandemic, please continue to watch for our emails and visit our COVID-19 page at www.sdao.com/coronavirus-disease-2019-covid-19.

2020 Volunteer of the Year



OVFA selected Captain Troy Snelling of Corbett Fire District #14 as the Volunteer of the Year. Joe Fahlman nominated Captain Snelling, describing Troy as a “committed, talented, natural leader, hardworking, dedicated volunteer.” Captain Snelling has volunteered for 23 years, serving faithfully and always seeking to increase his knowledge through professional training.

Captain Snelling gives of his time by training other firefighters, helping with the district’s Scholarship Breakfast, visiting education centers, attending the annual Open House, and providing community representation in the Fourth of July parade. Captain Snelling is praised for his “sincere desire to serve and give back to the community.”

Thank you, Captain Troy Snelling, for your service to your community and the Oregon Volunteer Firefighters Association!


2020 Lifetime Achievement Award

OVFA selected Captain Dale Miller of Clackamas County Fire District #1 for the Lifetime Achievement Award. Jeff Kearney nominated Captain Miller, describing Dale as displaying “leadership skills” that helped heal a rift in his team to such an extent “that the President of the IAFF local 1149 frequently stated that he knew of no other combination District where there was a closer working relationship between career and volunteer staffs.” Captain Miller is proud of his track record, especially that “no volunteer was ever injured at a fire that he commanded.”

Captain Miller’s interest in firefighting started when he was only 10 years old, being the son of a firefighter. Captain Miller joined the Army at 18; upon honorable discharge from the Army, he began volunteering as a firefighter and has continued to do so for 30 years.



Thank you, Captain Dale Miller, for your service to your community and the Oregon Volunteer Firefighters Association!



Emergency Contracting— When and How

by Ross M. Williamson
Local Government Law Group PC

Given all the recent emergency measures enacted by government entities, this seems like a great time to explore the contours of “emergency” contracting under Oregon’s public contracting regulations. In this article, I discuss when an emergency is an “emergency” for public contracting purposes and how to use the emergency contracting provisions properly.

Oregon’s public contracting regulations allow all manner of contracts to use the simplified emergency procurement procedures if a true emergency exists. An emergency can provide the justification for the purchases of goods, services, consulting services, or construction services.

A state of emergency (whether declared at a national, state, or local level) does not open the door for districts to use the emergency contracting provisions under Oregon’s public contracting regulations. Instead, the applicable contracting regulations require an individualized determination that links the emergency situation to the particular contract.

The first step is to determine whether there is a true “emergency” under the regulations. An emergency is an “emergency” for public contracting purposes when the district is confronted with circumstances that: “(A) Could not have been reasonably foreseen; (B) Create a

substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety; and (C) Require prompt execution of a contract to remedy the condition.” (ORS 279A.010(f).)

Each of these three elements must be present. While the COVID-19 health emergency certainly created opportunities for certain emergency contracts, due to the third element, not every contract during the health emergency would qualify for emergency treatment. For example, there were likely situations early in the health emergency when a district could justify the purchase of PPE under an emergency contract. Under the right circumstances, such a contract could be seen to remedy an immediate need for additional inventory for use by our first responders. But the same could not be said for other purchases, such as the purchase of a new copy machine.

Once it is determined that a true “emergency” exists as defined above, the law still requires districts to follow certain procedures. The district should follow these steps to enter into an emergency contract:

- ◆ The district must document the nature of the emergency and justify that the emergency is a true “emergency.”

Continued next page...

- ◆ The district must document the method that will be used for the selection of the particular contractor or vendor. For this step, the district should explain why the selection method is justified under the circumstances and why a more thorough solicitation is not possible given the emergency situation. The intent here is that the district should provide a level of competition that is reasonable and appropriate under the circumstances.
- ◆ The district should set a solicitation time period that the contracting agency determines to be reasonable under the emergency circumstances and may issue written or oral requests for offers or make direct appointments without competition in cases of extreme necessity.
- ◆ The documentation created for the emergency procurement should be maintained in district files. If requested, it must be made available for public inspection.

In addition to adhering to the procedures above, the following are some additional points to keep in mind as you head down the path of an emergency contract:

- ◆ The scope of the contract must be limited to work that is necessary and appropriate to remedy the conditions creating the emergency. Likewise, be very careful when considering any contract amendments, as amendments must also be tied to the original justifications for the emergency contract.

- ◆ There is no requirement to issue a notice of intent to award the emergency contract.
- ◆ With emergency contracts for construction services, the usual requirement for performance and payment bonds can be excused. However, I caution districts to think carefully about this issue and only excuse the bond requirements if necessary.
- ◆ An emergency declaration does not negate the public works bond requirement if the contract is for a public works project.

Perhaps the most important note for the emergency contract process is that a lack of planning or the potential loss of funds at the end of a fiscal year does not constitute an emergency condition. In other words, a district cannot create its own emergency through poor planning for upcoming deadlines.

While emergency situations can ease certain public contracting requirements and allow a district to act quickly to obtain goods and services, there are still legal processes that need to be addressed. The above provides the basics for navigating the emergency contracting processes. But, as is often the case, it is best to work with your legal counsel as these circumstances arise to make sure every obligation is covered.



Celebrating the Class of 2020

High school graduations around the nation took a new form this year. As school districts scrambled to figure out distance education, graduation requirements, and socially distanced commencement ceremony activities, fire districts, police, and EMTs came alongside school boards to help celebrate seniors.



Sheridan, SW Polk, and West Valley Fire Districts support the Sheridan High School Class of 2020, including one of their volunteers, Tegan Eggers, during a drive through graduation and parade!



Similar activities took place across the state, including the coast where Nestucca RFPD Fire Chief James Oeder serves. Chief Oeder shares:

On June 5, the District helped the Nestucca High School Seniors with their graduation. With 6 apparatus and 20 personnel, we led a parade of 39 seniors and their families to the Cape Kiwanda parking lot for their graduation. The following week, we were asked to help celebrate the graduating preschool class of about 19 kids moving up to kindergarten.

Oregon Fire Service Museum: Moving Forward During COVID-19

by Jim Tormey



Some organizations, such as fitness clubs, offer memberships that provide specific benefits. Other organizations, such as political parties, do not directly benefit members but instead are beneficial to society in general. Oregon Fire Service Museum (OFSM) fits into the latter category. The museum's missions are to preserve and share with the public our structural and wildland fire service heritage with a focus on Oregon, raise public awareness of fire prevention and safety, and honor the fire service community.

To facilitate the fulfillment of these missions, OFSM is constructing a 6,800-square foot museum facility within Powerland Heritage Park, a community of 15 heritage museums located off I-5 near Salem at the Brooks/Gervais exit. We've completed the framing, insulation, rough-in electrical, and rough-in plumbing and have begun hanging OSB and wallboard. A grant from Marion Cultural Development Corporation enabled us to move one of the rare columns salvaged from the Oregon State Capitol that was destroyed by fire in 1935 into our museum and securely anchor it in place where it will be part of a permanent exhibit. A grant from Oregon Community Foundation will allow us to develop the outdoor memorial plaza, utilizing two additional columns and four bases from the capitol. However, we still need to raise an additional \$50,000 to be able to occupy the building and begin moving the museum's extensive collection of artifacts out of storage.

Due to the COVID-19 pandemic, we had to cancel our June fundraising event along with many of the events in which we promote the museum and collect donations.

Oregon Fire Service Museum maintains a separate operating fund account that is primarily funded by museum membership dues. The operating account covers expenses for utilities, costs for transporting the museum's fire apparatus when necessary, insurance, maintenance of apparatus, storage fees, and other office expenses. All museum board members and staff are volunteers. Expenses for the 25-year lease at Powerland Heritage Park are \$1 per year plus a nominal fee used to support the infrastructure at Powerland Heritage Park.

It is essential that we continue to insure our building and our substantial collection of fire apparatus and other artifacts, including rare items of significant value. And until we can move into the new building, we pay monthly storage fees. In addition, we rely on having power and water at the site, so we must keep the utility bills paid on time.

We realize these are difficult times and many people are facing financial challenges. More than ever, though, we need the support of fire districts and departments and individuals. Membership renewals will be in the mail soon. Memberships are available for individuals as well as fire service agencies. If you are not currently a member, please consider joining us. Membership forms are available on our website at oregonfiremuseum.org. If at all possible, also consider making an additional donation to help us continue with the museum's construction. We are so grateful for your past support, and we look forward to the day you walk through the door and see all that your generosity has enabled us to do to preserve and share our fire service heritage for generations to come.

Planning for your district's future?

Oregon Fire Service Length of Service Award Program Administered by OFDDA

Started as a retention program for volunteers, LOSAP is intended to provide a benefit for their service in the form of deferred compensation. Contributions are made on behalf of the volunteer similar to a retirement plan, but access to funds is based on vesting status, not age.

The participant must:

- ✓ Be a member in good standing as defined by the district.
- ✓ Not be a member of the district's Board of Directors.
- ✓ Be at least 18 years of age.
- ✓ Meet the participation requirements identified by the district.





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Don't miss this year's keynote speaker: American hero Kris "Tanto" Paronto.

More information will be provided in coming weeks, so watch for an email and check our website for your chance to hear Mr. Paronto speak in person.

Autographed copies of his book, *The Ranger Way*, will be sold on-site.

Information, including tickets and pricing, will be available later this year. Thank you for your patience as the Conference Committee finalizes details.

