

The COMMUNIQUE

Summer 2022



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...plus more!

The
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MISSION

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

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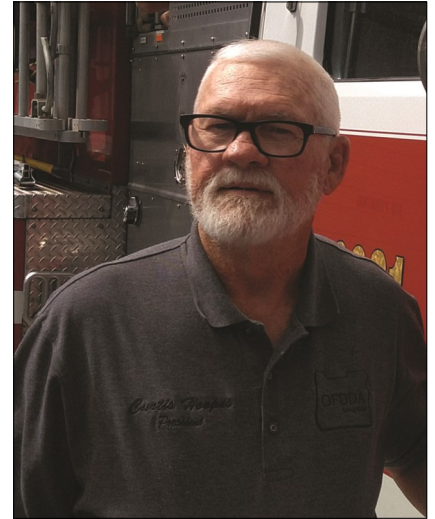
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PRESIDENT'S MESSAGE

by Curtis Hoopes
OFDDA President

As summer approaches and with COVID-19 appearing to wane, we look forward to life returning to normal. We all excitedly anticipate enjoying the great outdoors with all its wonders and socializing with family and friends. As OFDDA President, I assure the 120-plus member districts represented by OFDDA that we will continue to provide information and training to directors so they can best provide necessary resources enabling Fire and EMS personnel to serve their communities.



Along with our fire service partners, OFDDA continues to be a strong voice in Salem, lobbying on behalf of fire districts' interests and providing information to our member districts. Of note: Our participation in the HB-4087 working group regarding press access to wildfires and natural disasters under certain circumstances resulted in language giving the incident commander final say. Other work groups included: firefighter capacity work group; disaster recovery authority group; and wildfire public education task force. All may result in future legislation.

OFDDA continues to administer the Length of Service Awards Program (LOSAP), which has seen growth through the addition of districts. If you are not yet familiar with LOSAP, please contact OFDDA staff for information.

OFDDA Staff and Conference Committee members are excited about the upcoming annual Fire Service Conference scheduled for November 1–5 at the Best Western Hotel in Hood River, Oregon. Program sessions and speakers are being set. The annual conference provides attendees the opportunity to gain valuable knowledge, network with colleagues, and meet with vendors—all in one place. Mark your calendar! It will be a pleasure to see you in Hood River.

As always, OFDDA's mission, "to Serve and strengthen through provision and Coordination of timely information and legislation," remains my highest priority along with a commitment to provide the best service to members.





Oregon Fire Service Office Administrators Update

By Julie Spor, Sisters-Camp Sherman FD
OFSOA President



The Oregon Fire Service Office Administrators is an educational and networking organization created to support your administrative staff and help give them tools to be successful in their careers in the fire service.

OFSOA just wrapped its first in-person conference in almost 32 months. We had 61 of your staff join us at Oregon Gardens for two full days of classes. It was great to see everyone in person again.

Day one we learned about OR-Alerts from William Chapman the Statewide Interoperability Coordinator, Workplace Ergonomics from Nathan Sweet with OR-OSHA consultative services and Sandy Roberts from Albany Fire Department. Kori Sarret from Acuity Accounting Service provided more information on the new GASB 87 auditing requirements coming up this audit cycle. We had an update on conflagration billing from Mariah Rawlins and Sonya Kunkle at the Office of State Fire Marshal, Kiley Breitling gave a presentation on First Net and Corrine Haning talked about Project Lifesaver. Day two started off with a presentation on Firefighter Cancer Awareness and Protection by Captain Jon Peterson from Medford Fire, followed by Chief Thompson from Medford Fire who presented on the Alameda Fire in 2020. We finished the day with June Vining and the Trauma Intervention Program. It was a great two days of training and I appreciate all of you who allowed your staff the time away during budgets and just a generally busy time of the year.

OFSOA is celebrating its 30th anniversary this year at Salishan in October at our fall conference. The dates are October 5-7. Please encourage your administrative staff to attend as we have another great line-up of classes scheduled. More information, including registration forms, will be available on our website as we get closer.

If you have office staff who aren't currently a member, please consider having them join OFSOA. Our dues are very low at only \$40 per year. You can find more information about membership on OFSOA'S website www.ofsoa.com.

Please reach out to me at president@ofsoa.com if OFSOA can assist your District.

Public Records—Judges Order Disclosure!

By Mark Wolf

Local Government Law Group P.C.

Oregon courts recently ruled on two cases affecting public records and Oregon's open records laws. In one case, the Oregon Court of Appeals ordered disclosure of a city councilor's notes taken during council meetings. In another case, the Oregon Supreme Court ordered that the City of Portland disclose attorney-client privileged documents that are more than 25 years old.

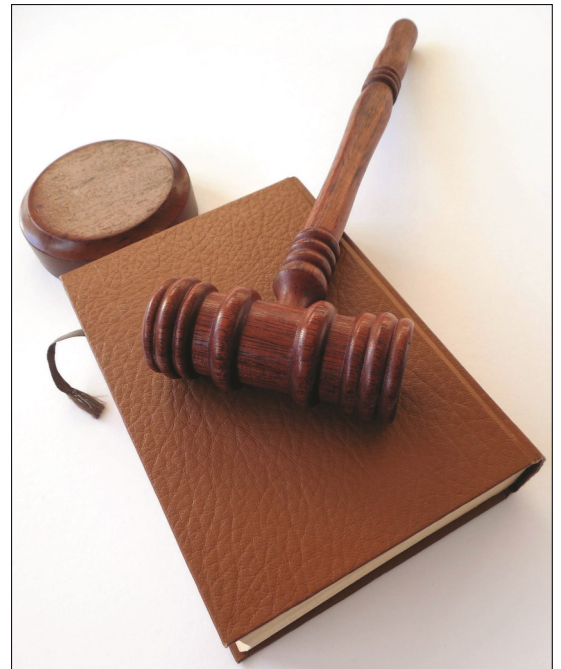
Below, I give a brief summary of each case, along with some potential steps districts can consider in light of these rulings.

Bialostosky v. Cummings, 319 Or App 352 (2022)

In this case, the Oregon Court of Appeals held that a city councilor's notes taken during council meetings, work sessions, and meetings with constituents were public records subject to disclosure.

Cummings, a West Linn City Councilor, had refused to disclose handwritten notes that she took in her role as City Councilor, arguing that she was not a "public body" and thus she was not subject to Oregon's public records law. The Court disagreed. It analyzed Oregon's public records law and engaged in a lengthy statutory interpretation, ultimately holding that a city councilor is a "public body" and thus any records relating to the public's business are subject to disclosure unless otherwise exempt.

To Do: Districts can rely on this case to confirm with board members that any notes taken in the course and scope of their role as board members are, in fact, "public records" and must be turned over in the face of a valid public records request, absent any applicable exemptions. Board members may want to consider keeping their notes and other written documents in an organized fashion to help process records requests and reduce the risk of a challenge. One option is to keep some sort of a board meeting binder and to turn the binder into the custodian of records on a semi-regular basis. Board members are also reminded that they should cooperate with District staff as part of any public records request.



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Portland v. Bartlett, 369 Or 606 (2022)

In this case, the Oregon Supreme Court ruled that attorney-client privileged documents that are more than 25 years old must be disclosed in response to a public records request. This case presented the Court with considering the relationship between two statutes that protect important interests: (1) the attorney-client privilege, which gives a lawyer's client a "privilege to refuse to disclose" confidential information; and (2) Oregon's public records laws, which gives every person a right to inspect any public record of this state, unless otherwise expressly exempted from disclosure. Under Oregon's public records law, attorney-client privileged information is normally exempt from disclosure under ORS 192.355(9)(a). However, another related statute within Oregon's public records law, ORS 192.390, requires disclosure, with some limited exceptions, of records that are more than 25 years old.

The Court ultimately held that the clear language in ORS 192.390 requires a governing body to disclose otherwise privileged information and records in response to a public records request. As a result, attorney-client advice that is over 25 years old is very likely subject to disclosure.

To Do: If faced with a public records request, districts should be aware that a blanket denial based upon the attorney-client privilege may not suffice. Be sure to consider the age of such documents when making denials. There also may be other grounds to deny access to the responsive documents, such as ongoing litigation.

2022 Oregon Fire Service Conference planning is underway!

When: November 3-5, 2022

Where: Best Western Plus Hood River Inn

Keynote Address: Doug Grafe, State Wildfire Programs Director

Sessions Include: Grant Writing; Ethics for Public Officials; Resources & Challenges for Small Districts

More to come! Watch ofdda.com for information over the summer months.



**A special *Thank You* to
SDAO, title sponsor of
the 2021 Oregon Fire
Service Conference in
Ashland, Oregon!**

SDIS Best Practices Program and Upcoming Events

by Jennifer Quisenberry,
Director of Membership Services
Administrators for SDIS, OPPA, and PACE
Direct: 503-798-9245 | Fax: 503-371-4781

Best Practices Program and Upcoming Events

This year's SDIS Best Practices Program credit opportunities have been established to help ensure your district directors are educated on duties and responsibilities related to being an elected official. Not only is this a great chance to brush up on the latest trainings, but it also offers your district a chance to earn credits on 2023 insurance contributions. The following categories each offer 2% credit for a total of up to 10% in insurance contribution credits:



- **Affiliate Organization Membership** – *Your OFDDA membership counts!*
- **Board Duties and Responsibilities Policy** – *Adopt a policy regarding board duties and responsibilities.*
- **Board Duties and Responsibilities Checklist** – *This is available on the Best Practices Survey located on the SDIS Insurance Site at www.sdis.org.*
- **SDAO/SDIS Training** – *All board members must attend one online or in-person training from the options listed at www.sdao.com/best-practices-program.*
- **Board Member Education Program** – *Have at least two members of your board sign up for the Fire District Directors Academy (trainings are not required to be taken) and receive a 2% credit.*

To learn more and view detailed information, please visit www.sdao.com/best-practices-program.

Upcoming Events

Below is a list of events we have planned for this summer:

Cybersecurity Virtual Trainings

Cybersecurity Basics | June 14th | 10:30am-12pm

Advanced Cybersecurity Topics | July 19th | 10:30am-12pm

Building and Funding a Cybersecurity Program | August 10th | 10:30am-12pm

Cybersecurity Basics | September 21st | 10:30am-12pm

Cybersecurity Compliance and Frameworks | October 18th | 10:30am-12pm

Visit www.sdao.com/cybersecurity-resources for more information and to register.

Risk Management Topics

Risk Management Hot Topics Conversation & Networking – White City | June 21st | 9-11am

Risk Management Back to Basics and Hot Topics – Salem | July 13th | 10am-12pm

Visit www.sdao.com/risk-management-regional-training-series for more information and to register.

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Board of Directors and Management Staff Regional Trainings

Aug. 3 | Pendleton | Exact Location TBD
Aug. 16 | Cottage Grove | Cottage Grove Events Venue
Aug. 17 | Ashland | Ashland Hills Hotel
Aug. 22 | Redmond | Eagle Crest Resort
Aug. 30 | Newport | Best Western Agate Beach Inn
Aug. 31 | Salem | Chemeketa Eola (Virtual Option)

Visit www.sdao.com/sdao-board-of-directors-and-management-staff-training-series for more information and to register.

SDAO Summer Conference and Awards Banquet

September 15 | Salem Convention Center

This will be a one-day conference celebrating being back in person with providing training and networking opportunities to members. After a full day of training, we will honor our 2022 award winners and follow that with entertainment. SDAO and SDIS are sponsoring this event and it will be **free** to all members. Secure your hotel room today by calling The Grand Hotel at 503-540-7800 and mentioning the Special Districts Association of Oregon room block. Rates range from \$169-209/night + tax. Rooms are also available at the Phoenix Inn Suites Salem for \$139-149/night + tax. You can reach Phoenix Inn at 503-588-9220.

SDAO Member Scholarship Golf Tournament

September 16 | Chehalem Glenn Golf Course | Newberg

Registration will open in July. Visit www.sdao.com for more information.

Please watch your email inbox and/or mailbox for more information about our summer trainings and events. We look forward to seeing you either in person or virtually!





Fire District Directors Academy Certificate Recipient

*by Jennifer Quisenberry,
Director of Membership Services
Administrators for SDIS, OPPA, and PACE
Direct: 503-798-9245 | Fax: 503-371-4781*

Congratulations to our first Fire District Directors Academy certificate recipient! James Wright with North Lincoln Fire & Rescue has received the bronze-level certificate of completion.

The SDAO/OFDDA Fire District Directors Academy has been designed to ensure that Oregon's fire district directors have all the tools necessary to provide superior leadership and governance to their communities. Our program offers current, in-depth training and education opportunities in several areas including board member basics, statutory obligations, fire service, risk management, and human resources.

Participants can individualize their course of study to fit their unique needs with three different certificate tracks. Bronze, silver, gold, and platinum certificates are available to those that finish the corresponding module requirements.

Learn more at www.sdao.com/sdao-ofdda-fire-district-directors-academy.

Oregon Fire Service Museum *The Work Continues*

Progress continues on the fire museum building construction. Most interior painting and flooring has been completed. Light fixtures and plumbing fixtures have been installed and power connected to the building. All of the interior doors are in place, and door and window trim is being installed. The stairs to the mezzanine are mostly complete. We have received our Certificate of Occupancy and will begin moving portions of the collection into the Archives and Library spaces as well as setting up the office.

We have been fortunate to have received a couple of donated surplus apparatus already this year and are in the process of selling those to raise funds for exhibit construction. This program has raised a substantial portion of our construction funds. Please consider the museum when you are planning to dispose of surplus apparatus or equipment.

The promotional advertising bricks have been installed in the entry walk. Promotional bricks may still be ordered to be engraved onsite. Orders for commemorative or memorial bricks are still being accepted as well for installation in the courtyard.

The next major project is the concrete driveways from the apparatus bay doors to the street. The estimated cost of these is \$8,000.00, which includes a discounted price of the concrete itself. We would like to get these completed as soon as the necessary funds can be raised. Donations for this project or for exhibit construction will be appreciated.

The Great Oregon Steam-up at Powerland Heritage Park, a specific brand of tractor, is typically featured each year. This year, the event will feature fire apparatus. This will be a big undertaking for the museum and volunteers and visiting vintage apparatus are needed. Please contact us if you are willing to assist. The dates are July 30-31 and August 6-7.

Thank you to all of the fire departments and fire districts that maintain museum memberships. Your membership dues support the ongoing operations of the all volunteer non-profit museum. Individual memberships are also available.

For more information about the Oregon Fire Service Museum visit Oregonfiremuseum.org.

Oregon Fire Service Museum Upcoming Events!

Father's Day Firehouse Fun June 19, 2022 10:00-3:00

Apparatus Display, Bucket Brigade, Challenge Course

Great Oregon Steam-up 2022 July 30-31, August 6-7 7:00-6:00

Pacific NW Truck Show August 26-27 2022

Hops & Vines Wine, Beer, Spirits, & Cider Tasting, Oct. 1

Powerland Heritage Park

3995 Brooklake Rd. NE Salem Oregon

I-5 Exit 23 (Brooks/Gervais) then 1/4 mile west

Oregon Seismic Rehabilitation Grant Program



In 2002, Oregon voters gave the state the authority to issue general obligation bonds specifically for the seismic rehabilitation of schools, fire stations, hospitals, police stations, and dispatch centers. The program began funding rehabilitation projects in 2009. It is currently managed by Business Oregon, a state agency.

The Seismic Rehabilitation Grant Program (SRGP) provides funding to pay 100% of the cost of seismic rehabilitation up to a maximum of \$2.5 million per station. This includes structural as well as non-structural improvements. To date, the program has awarded over \$60 million to seismically strengthen 91 fire stations. The award announcement for the current round of \$22 million will be made shortly.

To apply for an SPGP grant, the agency must first have an engineering assessment done on the building. This assessment is done by a structural engineer and in accordance with ASCE 41-17 standards. Upgrades must bring the building up to Risk Category IV (immediate occupancy). Applications and the engineering assessments are reviewed by state agency staff and engineers to ensure the projects are valid and that the rehabilitation plan is appropriately designed. Finally, an advisory committee representing various interests (fire service is represented by a person appointed by the Oregon Fire Chiefs Association) reviews the applications and recommends which should be awarded grant funding.

Any fire station is eligible for funding, including those located in tsunami zones. Applications, as well as a variety of educational materials, are located [online](#). The next grant round should open for applications this fall.

For more information visit www.oregon.gov/biz/programs/SRGP/Pages/default.aspx or contact Gloria Zacharias, Seismic Program and Policy Coordinator, at 503-986-0132.





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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.

Seventy 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.

OFDDA's mission:

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