

**Oregon Fire District Directors Association
April 10, 2021
ZOOM Teleconference Meeting**

MINUTES

President Curtis Hoopes called the meeting to order at 10:00 p.m. A quorum was present:

Present:

Curtis Hoopes, President
John Dun, Immediate Past President
Scott Breeden
David Burnett
Allen Forster

Guests:

Christy Monson

Staff:

Kate Cochran
Genoa Ingram
Laureal Williams

Not Present/Excused:

Jay Cross, Vice President
Laura Green
Joe Morneau

Minutes

The Board reviewed the minutes of the January 16, 2021, Board meeting.

MOTION: Moved by John Dunn and seconded Allen Forster to approve the minutes of the January 16, 2021, meeting as presented. **Motion passed.**

Financial Report

Laureal Williams reviewed the financial reports and member status as of March 31, 2021.

MOTION: Moved by John Dunn and seconded by David Burnett to approve the financial reports as presented. **Motion passed.**

President's Report

No additional report.

Staff Report

LOSAP: Laureal provided an update on LOSAP transactions for 2021 to date. The current value of the plan is \$15,871,000. To date, \$250,000 in plan contributions have been processed, along with \$35,000 in forfeitures back to districts and more than \$29,000 in individual cash distributions.

Newburg Plan Christy Monson and Laureal Williams provided background information of the closure of the Newburg plan and efforts to encourage Tualatin Valley Fire and Rescue to accept responsibility for oversight of the plan. Since TVF&R has declined to accept the plan or service the volunteer LOSAP accounts, Christy recommended that the OFDDA Board adopt Resolution #2021-01 documenting efforts

to return those funds and outlining a plan to distribute the funds to the plan participants and close the Newberg plan . (EXHIBIT A)

MOTION: Moved by Scot Breeden and seconded by Allen Forster to adopt Resolution #2021-01. **Motion passed.**

Legislative: Genoa thanked the Board for the quick responses confirming support of SB 762, the wildfire omnibus bill. She also acknowledged the work of the Oregon Fire Chiefs Association and Chief Roger Johnson, in particular, for their work on the legislation.

Genoa also reported that the letter to the Governor requesting a portion of the \$130 million in American Rescue Plan Act Funding had been sent.

Board Outreach: No outreach since January.

Committee Reports

BPSST: The Board has not met since the last OFDDA Board meeting.

Bylaws and Policies: No report at this time.

Governor's Fire Service Policy Council: The Council is scheduled to meet virtually on Thursday, April 22, at 1:00 pm.

Conference Committee: The Committee is scheduled to meet immediately after the Board meeting. Working with the program originally developed for 2020, staff is confirming speaker availability and interest. The Committee is considering options for conducting the event in a hybrid event for both in person and virtual participation

NAEFO: Dave Burnett noted that NAEFO had mistakenly billed OFDDA for an incorrect amount for membership but a new invoice is on the way.

Nominations Committee: Staff noted that Don Thompson had offered to fill the Board vacancy.

MOTION: Moved by John Dunn and seconded by David Burnett to approve appointment of OFDDA Past President Don Thompson to fill Board position #3. **Motion passed.**

Oregon Life Safety Team: John Dunn reported that he was scheduled to replace Kevin Van Dyke, who has stepped away from OLSLT due to illness.

Property Committee: Allen Forster reviewed a number of items affecting the property at 1284 Court Street:

- Siding: It was originally thought that there was an issue with gaps in the siding but that issue has since been explained and will be confirmed with Comfort Heating.
- Cracks in Asphalt: Allen recommends sealing cracks as soon as possible before they become potholes.

- Carpet Cleaning: It was confirmed that the carpet will be shampooed on a regular basis as needed.
- Roof: There are currently no immediate issues but Genoa recommends an inspection within the next 1-2 years to head off any future issues.
- Limbs: Laoreal has contacted the urban forester and is waiting to hear back on remedies for the loose limbs that are hanging from the tree.
- Sprinklers: Laoreal recounted conversations regarding inspection of the sprinkler system. Apparently, OFDDA's sprinklers were recalled in the late 1990s but the recall was not identified in previous inspections. OFDDA is current seeking bids to remedy.

Ambassador Committee: No report at this time.

Budget Committee: Initial work on the budget will begin within the next two months.

Past Presidents' Committee: No report at this time. Staff will forward an updated contact list.

Old Business:

SDAO/OFDDA Director Accreditation: Kate Cochran provided an update of the program and shared a banner prepared by SDAO. She also reported that SDAO had requested a list of classes that would be eligible for credits. Genoa offered to supply that information to SDAO.

New Business:

Allen Forster asked about the history of OFDDA Board members wearing the blue blazers and if there was a policy requiring them. Genoa confirmed that there was no official policy. President Hoopes offered that, while there was no official policy, it is a matter of respect particularly at the Memorial. However, he believed it should be the decision of each Board member.

Next Meeting

The next meeting had been scheduled for Wednesday, June 9, in conjunction with the OVFA Conference but that event has been cancelled. The OFDDA Board meeting may be moved as a result.

Adjourn

There was no further business and the meeting was adjourned at 11:07 a.m.

RESOLUTION NO. 2021-01

OREGON FIRE DISTRICT DIRECTORS ASSOCIATION

**RESOLUTION OF THE OREGON FIRE DISTRICT DIRECTORS ASSOCIATION TERMINATING
NEWBERG RURAL FIRE DEPARTMENT'S LOSAP PLAN AND PROVIDING GUIDANCE TO
OFDDA LOSAP STAFF**

WHEREAS, the Oregon Fire District Directors Association (OFDDA) is the administrator for a LOSAP plan owned by the Newberg Fire Department (a subdivision of the City of Newberg) and is (erroneously) named in the LOSAP Plan Document as the "Newberg Volunteer Fire Department"; and

WHEREAS, the Newberg Rural Fire Protection District (NRFPD) is a separate and independent fire service governmental entity that entered into an intergovernmental agreement with the Newberg Fire Department, which allowed the NRFPD to provide all administrative fire and emergency services for the City in the surrounding area; and

WHEREAS, in 2018, the Newberg Fire Department and NRFPD were each dissolved and newly annexed into the Tualatin Valley Fire & Rescue Fire District (TVF&R); and

WHEREAS, during this annexation, the annexing parties failed to list the OFDDA LOSAP Plan as an asset, failed to account for this asset in the transition plan, and failed to transfer over this asset to the surviving District (TVF&R); and

WHEREAS, OFDDA was not timely informed of the dissolution/annexation; and

WHEREAS, such actions left the OFDDA LOSAP Plan without a legal owner although the LOSAP Plan still had approximately \$360,000 in its Participant accounts; and

WHEREAS, in April 2020, the OFDDA LOSAP Administrator contacted the TVF&R attorney officially informing TVF&R that the LOSAP account is properly a TVF&R asset and should have automatically transferred over to TVF&R in the annexation process; and

WHEREAS, OFDDA sought direction from TVF&R regarding the account; however, TVF&R confirmed in writing that it did not desire to take any responsibility or ownership of the LOSAP Plan, the LOSAP funds, or the LOSAP account and also confirmed that it is not interested in accepting or distributing any LOSAP funds or providing any ownership direction to OFDDA; and

WHEREAS, OFDDA also contacted the former attorney for the Newberg Rural Fire Protection District and a former District Board member named in the TVF&R Dissolution Plan to seek further direction, but was unable to receive further direction regarding the LOSAP account; and

WHEREAS, these OFDDA good faith, due diligence efforts are duly documented and stored in OFDDA records.

NOW, THEREFORE, it is hereby resolved by the Oregon Fire District Directors, acting as the Board of Trustees for the administration of the OFDDA LOSAP Plan that:

1. The Board of Trustees hereby terminates the Newberg Rural Fire Department's LOSAP Plan and directs the OFDDA LOSAP Administrator staff to take all actions necessary to finalize and implement such termination, including contacting VALIC to obtain: approval of this termination process; assurance that VALIC will continue holding funds until termination; and assurance that VALIC will issue the 1099s, perform all necessary withholdings, and make all necessary distributions.

2. OFDDA staff is directed, prior to making any distributions, to assemble and distribute to all Newberg Rural Fire Department LOSAP Participants a packet including this termination resolution, any information from VALIC, each Participant's estimated distribution, vesting status, and obtain a Participant 'consent and waiver form' approving of any distribution.

3. OFDDA LOSAP administrative staff is also directed to attempt to personally contact each Participant to answer any questions about this process and encourage participants to sign the 'consent and waiver form'.

4. OFDDA staff is hereby directed to submit any unclaimed monies from the LOSAP plan at issue over to the State of Oregon, following the State's proper process for unclaimed assets.

DATED this 10th day of April, 2021.

Curtis Hoopes, President,
Board of Directors

ATTEST:

Genoa Ingram, Executive Director
Board of Directors