

# THE COMMUNIQUE

## Fall 2023

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Publication Of The  
**OREGON FIRE DISTRICT  
DIRECTORS ASSOCIATION**  
EDUCATION-COORDINATION-LEGISLATION

# 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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Complimentary subscriptions are provided to member districts and boards.

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# PRESIDENT'S MESSAGE

By Curtis Hoopes  
OFDDA President



I want to commend the conference committee and OFDDA staff for all the work and planning that resulted in a successful Fire Service Conference in Seaside. Thanks to all the members who attended. Special thanks to the speakers who presented valuable instruction in several subjects relevant to member needs. I'd also like to thank the vendors and sponsors for supporting OFDDA's efforts to provide our members knowledge and training to better serve their districts.

Congratulations to President-Elect Joe Morneau. I pledge to support him and executive officers Jay Cross and Cheryl Johnson in the coming year. Welcome to the newly elected 2024 board members: Brandon Fowler, Angie Frye, Brad King, and Bobby Meyer. Congratulations!

OFDDA board and staff continue to provide timely information and training to our members. In partnership with SDIS/SDAO, OFDDA provides training to members throughout the year. SDAO/OFDDA Fire District Directors Academy and Fire Service Conference are examples of this dedication.

OFDDA continues to be a strong voice in the Legislature by speaking to fire district interests and keeping members updated during legislative sessions.

As always I want to confirm OFDDA's mission "to serve and strengthen through provision and coordination of timely information, education, and legislation" remains my priority with a strong commitment to provide the best service to its members.

An advertisement for Complete Wireless Solutions. The ad features a radio tower icon on the left. The text "Complete Wireless Solutions" is in a large, blue, serif font. Below this, it says "KENWOOD Authorized Dealer" in a black box. There are three logos: OFDDA (Oregon Fire District Directors Association, Since 1950), INASPO (International Fire Service Union), and BK TECHNOLOGIES. At the bottom, it provides the address "1758 22nd St SE, Salem" and phone number "503-362-1388". The background of the ad shows firefighters in yellow gear working at a fire scene.

In closing, I would like to thank everyone for the opportunity to serve as President of OFDDA over the past three years. I greatly appreciate the opportunity to work with and receive support from staff and board members. During my tenure, I have enjoyed meeting and working with the many talented and dedicated people throughout the fire service. My personal goal was, "to do no harm and leave OFDDA better for my service".

THANKS FOR THE EXPERIENCE!

*Curtis Hoopes*

# Save The Dates

2024 Oregon Fire Service  
Conference

**November 7-9**  
**Sunriver Resort, Oregon**

*Dial: (855) 420-8206 and mention OFDDA  
for lodging reservations.*

**2023 OFDDA District of The Year Award Recipient:**  
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**2023 OFDDA / SDAO Innovative Safety Award Recipient:**  
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# Senate Bill 1068: What You Should Know

Emily Guimont, Local Government Law Group

This past legislative session, the Oregon legislature passed Senate Bill (“SB”) 1068 to allow rural fire protection districts (“RFPD”) to annex lands within a defined “coverage area.” The legislature intends SB 1068 to close a potential loophole in previous law that allows “islands” of untaxed land to receive RFPD services without contributing towards the cost of providing such services. SB 1068 has the potential to be a powerful tool for RFPDs to increase their service areas and tax base. However, annexation is a complicated process; it is vital that RFPDs understand the potential risks and rewards of using this new tool. This article outlines the annexation process established by SB 1068 and identifies some policy points for RFPDs to consider when deciding whether to establish a coverage area. If you have additional questions beyond the scope of this article, we encourage you to contact your legal counsel.

SB 1068 allows, but does not require, RFPDs to annex lands within their coverage areas. Therefore, a board’s first step is to decide whether it wants to use this tool. If so, it must establish a “coverage area.” An RFPD’s coverage area includes the following:

All lands within an RFPD’s jurisdiction, and

Some or all lands that are within seven road miles of the RFPD’s fire station and not within any other RFPD.

Lands already within the RFPD’s jurisdiction will automatically become part of its coverage area. However, SB 1068 allows RFPDs to select which lands within seven road miles of its fire station it wants to include. For that reason, before claiming all land allowed within your coverage area, carefully examine a map and geography. Base your decision regarding which lands to include in a coverage area on practical considerations such as response times, geographic and access barriers, and whether areas are also within another RFPD’s coverage area.

Once an RFPD has identified lands it wishes to include in its coverage area, it must send notice to other RFPDs whose coverage area may overlap to determine whose coverage area will include those areas. Notified RFPDs have 90 days to respond regarding their intent to include the overlapping lands in their own coverage areas. If 90 days pass without a response or the notified RFPDs respond that they do not intend to include the overlapping lands, then your coverage area can include those lands. However, if any of the notified RFPDs respond that they do intend to bring overlapping lands within their coverage areas, SB 1068 requires “good faith” negotiating “for up to 90 days.” If no agreement is reached within 90 days, the RFPD whose fire station is closest to the overlapping land gets to include that contested area within its coverage area. Note, SB 1068 does not clarify how an RFPD will be closest to the overlapping lands. However, because coverage area is determined by road miles, it is likely that road miles will also be used to measure “closest.”

Once an RFPD establishes its coverage area, it then sends notice to the owners of the lands within its coverage area that are not already part of its jurisdiction. The notice must inform the owners that:

Owners have 90 days to consent to annexation via the process in ORS 478.140.

The RFPD can choose to not provide services to those lands if the owners do not consent to annexation or before the owners communicate their consent. In such a situation, if the RFPD does provide services, it can then charge those owners up to three times the cost of those services, based upon the State Fire Marshal’s standardized cost schedule.

If a property owner does not consent to annexation by an RFPD, the owner cannot hold the RFPD liable for declining to provide services to the owner’s land. This is an important protection for RFPDs. Additionally, if an RFPD does provide services to that land, it can file a lien against the land, free of charge, if the owner does not pay for the costs of such services.

After an RFPD establishes a coverage area, the RFPD must annex any land within the coverage area, but not

*(Continued on page 6)*

within the jurisdiction, when:

Ownership transfers;

A new structure “subject to damage by fire” is built on the land;

A building permit that relates to the lands is issued; or

A land use decision, as defined in ORS 197.015; a limited land use decision, as defined in ORS 197.015; or a decision concerning a partition, as defined in ORS 92.010; or a subdivision, as defined in ORS 92.010, that relates to the lands is approved or issued.

Annexation in these situations is a requirement. Once a RFPD has chosen to establish a coverage area, it has committed itself to annexing property when any of the above-stated events occur. Be sure to consider this requirement when deciding whether to establish a coverage area. While payment for *voluntary* responses may be attractive, once annexed, response is required. An RFPD may be forced into annexing more lands than it can handle.

Once annexed, lands are added to the assessment roll for the tax year beginning July 1 of the calendar year following the year in which the lands are annexed and are subject to any fees imposed for services under ORS 478.410.

SB 1068 is a powerful piece of legislation that gives RFPDs teeth to obtain payment for extraterritorial service and ultimately bring lands into their tax base. However, be sure your board understands these procedures and policy choices before diving in. As always, contact your legal counsel with any questions.



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# 2024 SDAO Annual Conference: Registration Open!

The conference will take place on the northern coast in beautiful Seaside. With 20 educational sessions and multiple opportunities for interacting with colleagues through business meetings, caucus meetings, networking receptions and more, you will want to be sure to join us.

We will be offering several opportunities to receive credit for the **SDAO/OFDDA Fire District Directors Academy**. To get a preview of which sessions will offer credit, visit our website at [www.sdao.com/annual-conference](http://www.sdao.com/annual-conference) and download the conference brochure.

## More Information and How to Register

Registration is now open and available online through our conference registration website. Please visit <https://cvent.me/XRYXZr> to register and for more information including session descriptions, speaker information, and more.

## Registration Rates for SDAO Members and SDIS Agents

*\*Nonmember Rate: Add \$100*

Registration	Price
Pre-Conference Session (Full Day)	\$85
Pre-Conference Session (Half Day)	\$50
One Day Only Experience (Friday <i>OR</i> Saturday)	\$140
Full Onsite Experience (Includes Thursday evening to Sunday morning)	\$230

## Lodging

### Best Western Plus Ocean View Resort | Rates starting at \$139/night plus tax

Book by Phone: 800-234-8439 and press "0". Mention Group: Special Districts Association of Oregon

### Rivertide Suites | Rates starting at \$139/night plus tax

Book by Phone: 877-871-8433. Mention Group: Special Districts Association of Oregon

### Inn at Seaside | Rates range from \$84-\$140/night plus tax depending on day

Book by Phone: 503-738-9581. Mention Group: Special Districts Association of Oregon

### Holiday Inn Express & Suites | Rates range from \$140-170/night plus tax depending on day

Book by Phone: 503-717-8000. Mention Group: Special Districts Association of Oregon

## Cancellation

Registrations must be canceled by February 1, 2024, for a full refund. No shows will be charged the full registration amount. To cancel your registration, you may do so using the link in your confirmation email or by contacting SDAO Member Services at [memberservices@sdao.com](mailto:memberservices@sdao.com) or 800-285-5461.

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: Special thank you to SDAO, OFDDA's title sponsor, for their continuous support. :  
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## **OFDDA Dues Renewal**

Coming January, OFDDA will send out their annual dues renewal notice including a renewal statement for 2024. OFDDA dues are based on the district's total assessed value as reported by the Oregon Department of Revenue for fiscal year 2022-23.

As we look forward to a new year, your participation in OFDDA is more important than ever. OFDDA is your voice in the legislature, protecting the rights of districts to be compensated for their services and to maintain equal footing with other local governing bodies.

**Remember, OFDDA is the only organization that represents rural fire protection districts exclusively.**