

THE COMMUNIQUE

Spring 2024

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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

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

Mandy Grauerholz
Managing Editor
mandy@ofdda.com

Laureal Williams
LOSAP
laureal@ofdda.com

LEGAL COUNSEL

Carrie Connelly
Local Government Law Group PC
Phone: 541-485-5151
chc@localgovtlaw.com

MISSION

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

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OFDDA BOARD OF DIRECTORS

JOSEPH MORNEAU
President
Coburg Fire District
P: 541-228-8650
cnh_iron@yahoo.com

JAY CROSS
1st Vice President
Clackamas Fire District 1
jay.cross@clackamasfire.com

CHERYL JOHNSON
2nd Vice President
Illinois Valley Fire District
P: 541-415-0199
cajohnson614@gmail.com

CURTIS HOOPES
Immediate Past President/
Director Position #1
Chiloquin Fire & Rescue
C: 714-815-5115
choopespi@gmail.com

BRANDON FOWLER
Director—Position #2
Chiloquin Fire & Rescue
bfowler@chiloquinfire.com

DON THOMPSON
Director—Position #3
North Bay RFPD
C: 541-404-7180
djthompy56@gmail.com

ANGIE FRYE
Director—Position #4
Drakes Crossing RFPD
Angie.dcrfpd@gmail.com

BRAD KING
Director—Position #5
Junction City RFPD
brad@jcfire.org

BOBBY MEYER
Director—Position #6
Aurora RFPD #63
C: 503-929-4341
bmeyer@aurorafire.org

KENTON JOHNSON
Chaplain
Clackamas Fire District 1
C: 503-928-4737
Kenton.johnson@clackamasfire.com

PRESIDENT'S MESSAGE

By Joe Morneau
OFDDA President

Hello all,

I'm pleased to announce that the OFDDA Board and Conference Committee are in the final planning stages of the 2024 Fire Service Conference scheduled for November 6-9 in Sunriver, Oregon. This year's theme is "*Igniting the Power of Us*" with a sub-theme of "*Big or Small—Opportunities for All*". The Conference Committee has already confirmed multiple sessions for this year's conference including an Attorney Panel, Ethics and Board Policy, Grant Writing, Board Member Duties & Responsibilities 201, and more. For the Attorney Panel the Committee has arranged a good variety of qualified participants; membership will have the opportunity to submit any questions they would like addressed during the panel when registration opens. We have taken into account the SDAO/OFDDA Fire Academy and have identified sessions that will count towards the Academy's modules. The Board, Committee and I are very excited and looking forward to the upcoming conference in Sunriver!

The Board has been playing with the idea for a while now to stop publishing hard-copies of the quarterly newsletter. At the last Board meeting, OFDDA Directors agreed to stop distributing hard-copy newsletters with the exception of the one release before conference. This will help reduce costs for the Association while maintaining a well-rounded relationship with our members. Please reach out to OFDDA staff if you have any concerns regarding this change; staff and I are happy to address any concerns or questions that may arise.

OFDDA is represented on the DPSST Board, Governors Fire Service Policy Council, SDAO Legislative Committee, the National Association of Elected Fire Officials (NAEFO), Oregon OSHA Fire Service Advisor Committee Membership, and Life Safety Team. OFDDA also has its own committees within the Association including the Past Presidents Committee, Budget Committee, Ambassador Committee, Property Committee, Nominations Committee, Conference Committee, and Bylaws and Policies Committee. If you are interested in any of the above, please contact OFDDA staff at 503-378-0896 or mandy@ofdda.com.

Regardless of district size, OFDDA is here for you to address any questions or struggles your district maybe having. Please do not hesitate to reach out via phone or email: 503-378-0896 or mandy@ofdda.com.

Respectfully,

Joseph Morneau

541 228-8650
cnh_iron@yahoo.com
Coburg Fire District
OFDDA
BPSST Board

Ordinances, Resolutions, and Motions By Truman Stone, *Local Government Law Group*

This article provided a review of the fundamentals on how District Boards make formal decisions or exercise the Board's power. The first part outlines the options, with the second part providing some overview of the mechanics.

Unlike Federal and State systems, local governments typically do not have separation of powers. For instance, a Fire District Board may in a single meeting act like a legislature by passing a fire code, or act as an executive branch by approving a contract. The type of decision will dictate the form used.

When adopting generally applicable laws that would apply in future circumstances, the board acts like a legislature. In that case, an ordinance is the proper vehicle. You could compare this to a bill coming before the Oregon Legislature. Those ordinances or bills are often then compiled together into a code to make it easier to track and research the enactment. Ordinances typically go into effect thirty (30) days after adoption, with notable exceptions.

Hiring employees, awarding a construction bid, instructing staff to work on things, or approving a contract are common examples of acting in an executive capacity to run the government. The more formal of these decisions are typically made by resolution and the less formal by motion, but both are types of the same action. Resolutions or motions typically go into effect the day following adoption or at a later specified date.

Clients frequently ask about the structure within the document itself. Documents usually start with recitals which contain brief explanations of why the action is being taken. This creates a legislative history for future reference. These paragraphs often start with a "Whereas" meaning that the board is finding this specific fact or circumstance exists that caused the board to act. Sometimes these facts are more general, and sometimes they are absolutely required by a statute to be found to exist, for instance a factual finding of an emergency.

Sometimes the findings are extensive, and it would create readability problems to list those all out in the main document. For those occasions, you may include factual findings in exhibits to attach and make a reference to the exhibit in the body of the main document. An example: "Wherefore, the board makes and adopts the findings set out in the attached Exhibit A, which is incorporated by this reference."

Actions come at the bottom in the section that often starts with "Therefore." Because of the facts above, *therefore*, the following action is undertaken. All the action happens here, not in the recitals. If you expect someone to do something, it should be in this part of the document.

If you have questions, you should contact legal counsel well ahead of the board meeting while the documents are being drafted.

It is important to look to your city charter or enabling legislation (i.e., principle act) for specific requirements that may apply to your government. We are always here to help; so if you are unsure, give us a call.





OFDDA Shapes Policies on Key Committees

Genoa Ingram, OFDDA Executive Director

The Oregon Legislature has tasked the fire service with several policy recommendations over the 2023-24 interim. The Oregon Fire District Directors Association is participating in several task forces implemented to address those decisions.

Review of Rural Fire Protection District Statutes [HB 2522](#) requires the Oregon Fire Marshal (DSFM) to convene a work group for the purpose of conducting a comprehensive review of ORS Chapter 478, relating to rural fire protection districts and structural fire protection. Some of those provisions have not been updated in more than 50 years. OFDDA's Board of Directors asked its Executive Director, along with Tangent Fire Chief Chris Griffin, to represent the perspective of rural fire districts. The group is chaired by Chief Roger Johnson, Sisters-Camp Sherman Fire District, who has proven to be a collaborative and thoughtful leader in the process. Adam Meyer, Director of Government Affairs, Policy and Planning for the State Fire Marshal, is the lead agency staff, along with several other key staff members. The discussion has been thorough and task force members have been fortunate to have the assistance of Christy Monson, Oregon Department of Justice and former OFDDA legal counsel, for legal research and historical perspective. The task force has met eight times and will meet three more times before reporting to the legislature in September.

SB 5701 Work Group (funding for wildfire mitigation) [SB 5701](#), passed during the 2024 legislative session, contained a budget note that requires the State Fire Marshal to create a work group relating to sustainably funding for wildfire mitigation, suppression and mobilizations, land classification, and managing the intersection between forest land protection districts and structural fire protection districts. Oregon Department of Forestry and the DSFM shall jointly present a report on the workgroup's progress to the December 2024 meeting of the Emergency Board and to the Joint Committee on Ways and Means during the 2025 legislative session. At minimum, the progress report shall include a list of alternative funding strategies along with the following information for each strategy:

1. A description of the strategy.
2. Identification of the barriers to implementation.
3. Identification of the sustainability risks.
4. Estimate of the fiscal and revenue impact

The first meeting is scheduled for June 3 in Central Oregon.

Legislative and Policy Priorities for the Fire Service Apart from the legislative directives, the State Fire Marshal Mariana Ruiz-Temple has also convened a work group to identify common ground policy issues for the fire service. The intent is to identify priority issues that the fire service can focus on during the legislative session. The following individuals have volunteered to serve on behalf of OFDDA:

Angie Frye, Drakes Crossing
Jay Cross, Clackamas Fire District 1
Brandon Fowler, Chiloquin Fire
Curtis Hoopes, Chiloquin Fire
Bobby Meyer, Aurora Fire District

Many thanks to all those who have volunteered to serve on these important undertakings on behalf of OFDDA.

To Whom it May Concern,

The Oregon State Fire Marshal is excited to announce a new grant for Oregon communities to help increase wildfire defensible space across the state.

The new grant will open for applications on May 20. Local structural fire agencies, counties, and municipalities are eligible to apply to fund defensible space projects in their communities.

Applications will be evaluated based on fire risk, social vulnerability index, and project clarity. Awards will range from \$50,000 to \$75,000. The grant application will close on July 19, with decisions expected to be announced in September.

As we get closer to the application period opening, we will share more information about the grant and a grant manual to help applicants through the process.

We invite all eligible entities to apply for this grant and contribute toward enhancing wildfire resilience in our communities. Click “open grants” on the [OSFM grants webpage](#) for updates and to access to application documents starting May 20, 2024.

Thank you for your commitment to protecting Oregon against wildfire. Together, we can make a significant impact, reducing wildfire risk and enhancing community safety.

Best regards,



Shaun Parkman
Grants Manager
Michelle Slay
Grants Coordinator
Oregon State Fire Marshal

Mobile 503-791-1956
Email osfm.grants@osfm.oregon.gov

Need an appointment? [Book Here](#)

A special *Thank You* to Special Districts Association of Oregon, title sponsor of the 2024 Oregon Fire Service Conference

S | D | A | O

SPECIAL DISTRICTS
ASSOCIATION OF OREGON

Volunteer Benefits

Length of Service Award Program (LOSAP) Update

The Oregon Fire District Directors Association serves as the plan administrator for a unique program designed to help recruit and retain fire district volunteers – LOSAP. As a deferred compensation plan (defined by the IRS as a 457-e-11 plan), LOSAP is an easy way to recognize and honor volunteers' service to their communities. Participating fire districts and departments can set their own vesting schedule, basic guidelines for eligibility, and contribution methodology.

Per IRS guidelines, participating volunteers must be 18 or older and may not be a member of the district's board of directors. Districts are not required to make annual contributions, so no liability is created for the district by participating in LOSAP. Any funds contributed by the district to volunteer accounts belong to the district until the volunteer has vested in the program. Accounts for volunteers who separate from service prior to vesting are returned to the district for future re-distribution.

Vested, separated volunteers can access their funds as early as six months after separation. Working within the IRS guidelines, OFDDA has developed a policy to consider in-service distributions for vested volunteers or waiver of the waiting period for distribution.

Currently, the maximum amount that can be contributed into a volunteer's account is \$7,500, for the 2024 tax year. If you are interested in learning more about LOSAP, please contact the OFDDA office at 503-378-0896.

Accidental Death Benefit

The Oregon Volunteer Firefighters Association (OVFA) partners with American Income Life to provide all volunteers of OVFA-member districts with no-cost \$4,000 AD&D coverage. This complimentary coverage will benefit the volunteer's family in the event of accidental death or dismemberment.

If your district is a member of OVFA, please make sure your volunteers are aware of and have enrolled in this complimentary program. If you need additional information or enrollment forms, please contact the OVFA office at 503-378-0896.



Corebridge Financial is our service provider for the Length of Service Awards Program. They also provide education and financial services. Register for upcoming free workshops or a consultation using the links below to find out more.

[Click here to register for one of our Financial Wellness workshops.](#)

[Meet with an advisor to enroll, review, or update your plan.](#)



≡≡≡ **SAVE THE DATE!** ≡≡≡

Join Us for the

2024 OVFA ANNUAL CONFERENCE JUNE 20–23

Brooks Training Center

Brooks, Oregon



OVFA

1284 COURT STREET NE
SALEM, OR 97301
Phone: (503) 378-0896
www.ovfa.org