

MEETING MINUTES

Rural Structural Fire Protection Review Taskforce (HB 2522)

Meeting: Thursday, January 18, 2024, 9:30 am
Location: Virtual Due to Weather

Introduction

CALL TO ORDER

Chief Johnson called the meeting to order at 9:32 AM.

Attendance

MEMBERS & ALTERNATES

Member	In Attendance	Not in Attendance
Roger Johnson, Chair	Virtually	
Christopher Griffin, OFDDA	Virtually	
Ty Darby, OFMA	Virtually	
Genoa Ingram, OFDDA/OFVA	Virtually	
Mike Cook, OFVA	Virtually	
Karl Koenig, OSFFC	Virtually	
Ben Stange, SDAO	Virtually	
Mike Hussey, OFCA	Virtually	
James Cleavenger, LOC	Virtually	
Brian Stuart, OFCA	Virtually	
Irik Rinnert, OSFFC	Virtually	
Kevin Cameron, AOC		x
Mariah Rawlins, OSFM	Virtually	
Travis Medema, OSFM	Virtually	

ALTERNATES

Member	In Attendance	Not in Attendance
Rick Huffman, OFCA		x
Alvin Klausen, AOC		x
Scott Hollett, LOC		x

STAFF

Member	In Attendance	Not in Attendance
Mariana Ruiz-Temple, GFSPC Executive Director	Virtually	
Eric Gemmil, OSFM	Virtually	
Erik Rau, OSFM	Virtually	
Adam Meyer, OSFM, Administrator	Virtually	
Kassie Keller, OSFM	Virtually	
Alison Green, OSFM	Virtually	
Amanda Wright, OSFM, Scribe	Virtually	
Christy Monson, DOJ	Virtually	

OTHERS in ATTENDANCE

Member	In Attendance	Not in Attendance
Scot Langton, Guest Speaker	Virtually	
Claire McGrew	Virtually	
Isis Thornton-Sa, Public	Virtually	

Meeting Notes

Notice of this meeting was published through the Oregon Transparency Website:

<https://www.oregon.gov/transparency/Pages/Public-Meetings.aspx>.

Meeting

On Thursday, January 18, 2024, at 9:30 am, Chair Chief Roger Johnson called the HB2522 Task Force Committee Meeting to order.

Meeting Minutes Review

Task Force Chair, Chief Johnson

The December 20, 2023, meeting minutes were reviewed and approved unanimously.

The Meeting Minutes can be viewed at the following link: [Oregon State Fire Marshal: State of Oregon](#).

Follow-up on ORS 478.001 – 478.160

Task Force Chair, Chief Johnson, Adam Meyer, Director of External Affairs

478.001: Revisit once all sections are complete

478.002: DOJ Strongly recommended not to change.

- **Per DOJ:** While it is true that they are old and that they are never “used,” we very strongly recommend leaving them as is. They were part of a substantial effort to fix a voting problem when the districts were created. They protect and insulate certain existing districts from claiming they were created illegally due to the voting restrictions that required property ownership to vote on FD matters. With these statutes, the legislature abolished the existing illegally created districts and re-created them via statute.
- A resident is someone who lives in the area most of the time. This can be justified by looking at utility bills and mail.
- The committee unanimously recommended moving forward as written.

478.004: DOJ Strongly recommended not to change.

- **Per DOJ:** They were part of an effort to fix a voting problem when the districts were created. They protect and insulate certain existing districts from a claim that they were created illegally due to the voting restrictions on FD matters. With these statutes, the legislature abolished the existing illegally created districts and re-created them via statute.
- The committee unanimously recommended moving forward as written.

478.010: Subcommittee Follow-up

- **Taskforce Member Attendees:** Genoa Ingram, Mike Cook, Mariah Rawlins, Roger Johnson.
- Everyone agreed section **(2)(c)** is **out of scope** for our taskforce based on the language in HB 2522 “(b) May not review provisions of ORS chapter 478 that relate to forestland assessment, field burning or consultation with the State Forestry Department.”
- **Section (1)** would be a better place to address **formation issues**.
- **Section (2)(a) and (2)(d)** were recommended to **leave as is**.
- There was a desire to **better understand Section (2)(b) regarding water supply districts, and section (2)(e) addressing ocean shores**.

- Would it be possible to get **more context from DOJ** on these two sections, including references to ORS 264.340 & 390.605?
- The committee unanimously recommends requesting more clarification and guidance on 2b and 2c on Water Supply Districts and Ocean shores.

478.090: DOJ Strongly recommended not to change.

- Very strongly recommend leaving them as is.
- They were part of an effort to fix a voting problem when the districts were created.
- They protect and insulate certain existing districts from claiming they were created illegally due to the voting restrictions on FD matters.
- With these statutes, the legislature abolished the existing illegally created districts and re-created them via statute.
- The committee unanimously recommended moving forward as written.

ORS Chapter 478.210 – 478.390 Review

Committee

478.210: The committee unanimously recommended forming a subcommittee to discuss further and report back in February.

- Form Subcommittee

478.215: The committee unanimously recommended moving forward as written.

478.221: The committee unanimously recommended moving forward as written.

478.225: The committee unanimously recommended moving forward as written.

478.228: The committee unanimously recommended forming a subcommittee to discuss further and report back in February.

- The subcommittee will include Ben Stange, Genoa Ingram, and Mike Hussey.
- Are there any subdistricts around the state?

478.231: The committee unanimously recommended moving forward as written.

478.234: The committee unanimously recommended moving forward as written.

478.240: The committee unanimously recommended moving forward as written.

478.250: The committee unanimously recommended the same subcommittee as 478.210 to discuss further and report back in February.

- The subcommittee will include Ben Stange, Genoa Ingram, Mike Hussey, Ty Darby, and Brian Stuart.
- Add flexibility to not have a monthly meeting.

478.260: This section should be discussed with DOJ, Adam Meyer, and Erik Rau for clarification and report back in February.

- **Section 1** - I would like to see language made clearer; punctuation could be better.
- Changing the word "conduct" to "operation."
- Remove fire experience/training from fire chief qualification. (4) Recognize and provide authority to provide medical services
- **Section 2** Strike Bell whistle
- **Section 4** Striking "emergency" from medical services.
- Related clauses in [ORS 682](#). Keep in mind EMS modernization.

478.270: This section should be discussed with DOJ, Adam Meyer, and Erik Rau for clarification and report back in February.

- **Section 1** wordsmith “shall report monthly” check with how the rule aligns with the statute; also look at legislative intent 1983/2021 and report back in February. Report quarterly as an option? It has always been interpreted as the required reporting under NFIRS Hazmat, and any leadership changes. Should this be more explicit? The change is that these used to be hard copy reports that are now digital. The consensus is to explore the legislative intent and report back in February.

478.280: This section should be discussed with DOJ, Adam Meyer, and Erik Rau for clarification and report back in February.

- Assistant is a broad term.
- Unsure of how many boards hire personnel.

478.290: This section should be discussed with DOJ, Adam Meyer, and Erik Rau for clarification and report back in February.

478.300: This section should be discussed with DOJ, Adam Meyer, and Erik Rau for clarification and report back in February. It could be out of scope.

- [Open Burning](#)
- [Field Burning](#)
- [ORS 478.960](#)
- [Chapter 340, Division 266 Field Burning](#)
- Refer to 478.001(2)(d)(g)

478.305: This section should be discussed with DOJ, Adam Meyer, and Erik Rau for clarification and report back in February.

- How does this interact with the States peace app guidance?
- Recommend modernized revision of language to allow expanded availability to allow for more communication systems.
- APCO and SEIC should be involved; language in section 2 is more open vs very restrictive in section 1.

478.308: The committee unanimously recommended moving forward as written.

478.310: The committee unanimously recommended forming a subcommittee to discuss further and report back in February.

- Subcommittee to Mariah Rawlins, Mariana Ruiz-Temple, Brian Stewart, and Chief Johnson (find people at the local level as well).
- There is language in the Rule that does point to the mobilization plan for that. But there is a statute or a rule elsewhere.
- [SB1068](#) is connected.

478.315: The committee unanimously recommended forming a subcommittee to discuss further and report back in February.

- Subcommittee to Mariah, Mariana, Brian Stewart, and Chief Johnson (find people at the local level as well).
- Link with 478.310

478.325: The committee unanimously recommended moving forward as written.

478.335: This section should be discussed with DOJ, Adam Meyer, and Erik Rau for clarification and report back in February.

- [ORS 243](#) Public Employees Rights and Benefits.

478.340: This section should be discussed with DOJ, Adam Meyer, and Erik Rau for clarification and report back in February.

- [ORS 243](#) Public Employees Rights and Benefits.
- Could this affect the Paid Leave Oregon?
- What is the intent?

478.355: The committee unanimously recommended moving forward as written.

- What is the intent? Could there be an unintended consequence if we change it? How does it play out with Pers?

478.360: The committee unanimously recommended moving forward as written.

478.365: The committee unanimously recommended moving forward as written.

478.370: The committee unanimously recommended moving forward as written.

478.390: The committee unanimously recommended moving forward as written.

Deschutes County Tax Assessor Presentation

Scot Langton

Timeline: Base appraisal is done on January 1. The fiscal year starts in June; District certification is in July/August. Tax statements are mailed out in October. Districts start to receive taxes as of November.

Base appraisal is updated once a year, done in January, and based on what was on the property as of January 1. Values and inventory are typically ten months old; you will not see any new construction until next year.

RFPD and ODF use estimates, with the requirement being that you need to certify what your budget committee adopted or fees you're imposing to each county as of July 15th annually.

The constitution changed in 1997, and the maximum assessed value (measure 50) entities and residents are taxed at the lower value. Actual market value is what a willing buyer would pay a willing seller as of that base appraisal date. Measure 50 value is limited to 3%. Unless there's some change to the property, that maximum assessed value in the individual accounts is going to grow at 3%. If the district has a permanent taxing authority, they impose that annually. Even if there's no new growth in the district, you will see roughly a 3% increase in assessed value.

The statewide system applies equally throughout the state. The statute works in how an assessor takes the real market value and the maximum assessed value of all properties within the given subtype.

A lot of rural fire districts and ODF, are in rural areas are rural adjustment. The assessor takes all properties that did not change the real market value compared to the maximum assessed value and then multiplies the percentage that did change, creating the average.

EXAMPLE: in Deschutes County last year, it was 34%.

The district or that property is going to add \$1,000,000 to that market value, then take it times 34% and add \$340,000 to the maximum assessed, and that \$340,000 is what your tax rates applied and that the new additional revenues the district receives. That 34% is then applied to any property that did have a change so that in a new subdivision, a new house, a new barn, or whatever it happens to be, we'll put the market value.

The statutes direct the county, each year, to take all the properties within one of those subgroupings, take all the properties within the county, take all the properties that didn't have a new structure, didn't have any new partitioning, no new value on them and add the maximum assessed values for all unchanged properties, then come up with a ratio every year, and it changes of course, each year.

When we compare the Oregon Department of Forestry's fire patrol surcharges, those are not taxes. They are fees or charges. Traditionally, the property tax bill is based on ad valorem taxes. Ad valorem is according to value, so you have rates that are applied to that value; the more value, the higher your assessed value, the higher your taxes will be. There are very few exceptions on the property tax bill that are non-ad valorem fees or assessments that ODF charges are. RFPD says we want to put this amount of money on this property because they have so much timber or grazing. ODF charges have been around for a long time, and of the 36 counties, Sherman County is the only one that doesn't have ODF.

Measure 5 compression does not apply to ODF.

For example, if Parks and Rec had a 30-cent levy and RFPD had a 30-cent levy, then it would be split.

A city typically decides on urban renewal, but it could also be decided by a county. Taxes stay the same whether in urban renewal or not, but that 3% increase compounded goes to urban renewal and not other districts. Bonds and local options are excluded. All permanent rates are included, like education. Taxes are the same, but when something new is built, they get more than 3% off the property.

ADJOURNMENT

- Meeting adjourned at 1321 pm.
- Next meeting: February 23, 2024, from 9:30 AM to 3:00 PM at OSFM HQ, Salem
- Homework 478.410 – 478.665