**ELSIE-VINEMAPLE Rural Fire Protection District**

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**RESOLUTION #2024-002**

 **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ELSIE-VINEMAPLE RURAL FIRE PROTECTION DISTRICT, IMPLEMENTING A COST RECOVERY PROGRAM FOR FIRE PROTECTION, MOTOR VEHICLE ACCIDENT SCENE RESPONSE AND TRAFFIC SAFETY FOR EMERGENCY RESPONSE INCIDENTS AND RELATED SERVICES.**

**WHEREAS,** Responses to and/or recovery from emergencies and disaster requires purchases to replace supplies, periodic and scheduled maintenance on apparatus, fuel purchases, staffing expenses, cleaning and repair and/or replacement of protective gear and equipment as required by the agency or by law; and

**WHEREAS**, ORS 478.310 and ORS 466.640authorize fire protection departments and districts to recover reasonable and necessary costs incurred in the course of protecting life and property that exceed the usual and customary expenses anticipated. Elsie-Vinemaple Rural Fire Protection District will affix a $250.00 minimum preparedness and response cost to all incidents where a liable party is responsible for said action. This cost will begin to offset (but is not limited to) special education and training, wear of equipment, staffing costs, fuel consumption, loss, or damage to publicly owned equipment, purchase or lease of any special equipment or services required to protect the environment, community property and the public; and

**WHEREAS,** Elsie-Vinemaple Rural Fire Protection District believes that its taxpayers should not be required to bear the extraordinary costs of responding to hazardous materials incidents, regardless to size, and that such extraordinary costs should be borne by the responsible party, and/or shippers of hazardous materials to reimburse the agency, and

**WHEREAS,** Elsie-Vinemaple Rural Fire Protection District has determined that vehicle accidents frequently involve traffic control, scene safety, detours and other services required to reduce further liability claims, damage, or injury to non-involved parties, and

**WHEREAS,** standard response requires placement of emergency flares, as well as dealing with spillage or leakage of liquids, such as oil, battery acid, fuel, antifreeze, brake fluid, transmission fluid, and other petroleum products, all of which constitute hazardous materials; and

**WHEREAS,** Elsie-Vinemaple Rural Fire Protection District must appoint those in oversight of recovering data pertinent to filing a claim for loss of time and supplies, an amount to recover reasonable data collection, processing and administrative costs will be applied to each claim. This cost will be affixed to the total loss of the claim that shall be paid by the liable party causing said claim.

**WHEREAS,** the governing board of the Elsie-Vinemaple Rural Fire Protection District has determined a Cost Recovery plan pursuant to ORS 466.640 and ORS 478.310 is necessary to assure the responsible parties are liable for expenses incurred in the mitigation of emergency incidents; and

**WHEREAS,** Elsie-Vinemaple Rural Fire Protection District designates EF Recovery as its administrative agency and representing authority in establishing a claim on behalf of the agency. All data collection, processing and administrative costs will be included in each claim.

Enacted this 19th day of March, 2024by the Board of Directors of the Elsie-Vinemaple Rural Fire Protection District,

Signed:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Vivian McCann, Chair, EVRFPD Board of Directors

Signed:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Wayne Carmichael, Secretary, EVRFPD Board of Directors