EVANS VALLEY FIRE DISTRICT #6
Standard Operational Policy

Chapter 9
Policies of the Board of Directors

Adopted by the Board of Directors of EVFD#6

Effective Date: December 10, 2009

CHAPTER 9, ARTICLE 1 MEMBERSHIP ON THE BOARD OF DIRECTORS POLICY

Section 9.1.01 Positions and Terms
(a) The board of directors of the district shall consist of five (5) members serving four (4) year staggered terms. No person shall be eligible to be a board member who is not at the time of election or appointment an elector or property owner of the District.
(b) Each Board seat shall hold a position number. Position numbers shall be transferred to the successors of each board member.
(c) All board members shall serve at large.

Section 9.1.02 Election of Board Members
(a) The election of board members shall be conducted as provided by the ORS 478.221 and ORS Chapter 255.

Section 9.1.03 Qualifications
(a) No person elected or appointed to the board shall be sworn in unless such person meets the qualifications for office set forth in ORS 478.050. If questions exist regarding the eligibility of any candidate, the board shall obtain an opinion from legal counsel prior to swearing in such person.

Section 9.1.04 Oath of Office
(a) Each newly elected or appointed board member shall take an oath of office at a board meeting prior to assuming the duties of the position. The oath may be administered by the Board Chair or other Board member.

Section 9.1.05 Term of Office – Starting Date
(a) Except where the board or the Jackson County Commission is filling a vacancy on the board, terms of office shall start on July 1

Section 9.1.06 Vacancies
(a) Vacancies on the board shall be filled by appointment by a majority of the remaining members of the board. If a majority of the membership of the board is vacant, or if a majority cannot agree, the vacancies shall be filled promptly by the county commission of Jackson County. The period of service of a person appointed to fill a vacancy shall expire on the June 30 after the next regular district election at which a successor is elected. The successor shall be elected to serve the remainder, if any, of the term of the position for which the appointment was made. If the term for which the appointment was made expires June 30 after election of the successor, the successor shall be elected to a full term. In either case, the successor shall take office July 1 next following his or her election.

Section 9.1.07 Removal from the Board
(a) A Board member may be removed during a term of office by submitting a written letter of resignation or by an election vote to recall said Board member(s).
(b) In the event that a Board member is unable or unwilling to attend three consecutive Board meetings, the Board Chair or Vice Chair will notify the member, in writing, by registered mail return receipt requested, that the absent member is to contact the Chair or Vice Chair within ten days of his or her intentions regarding his or her seat on the Board. Failure to reply shall be considered by the Board to constitute abandonment of his or her seat and the Board will pursue appropriate action.

Chapter 9, Article 2 -- Powers and Duties of the Board Policy

Section 9.2.01 Meeting the Needs of the District
(a) It is the policy of the Board of Directors to exercise those powers granted to it, and to carry out those duties assigned to it by law, in such a way as to best meet the needs of the District.

Section 9.2.02 Formulation and Interpretation of District Policy
(a) The most important activity of the board is the formulation and interpretation of district policies. The board shall establish policy, reserving to itself all authority and responsibility not expressly assigned to other district officers and personnel.

Section 9.2.03 Board Members Authorized By Official Board Action Only
(a) No individual board member may speak for or act on behalf of the board or district, except as authorized to do so by official board action as recorded in the official minutes, guidelines, or policies of the district.

Section 9.2.04 Ethical Standards
(a) Board members act as representatives of the citizens of the district. Therefore, board members shall adhere to the highest ethical standards in the conduct of District business.
Section 9.2.05 Board Member Education
(a) In order to effectively carry out their duties, board members must be adequately informed. Members are encouraged to attend such conferences and other training programs as the board may authorize.

Chapter 9, Article 3 -- Board Member Responsibilities

Section 9.3.01 Communications
(a) Develop regular channels of communication with board members and staff.
(b) Encourage participation of staff members on appropriate committees.
(c) Develop procedures for bringing staff opinions and recommendations to the board, as well as board opinions and decisions to the staff.
(d) Invite clients, non-board members, other local governments, and groups to board or committee meetings or other types of board sponsored assemblies to explore and develop approaches to common concerns.
(e) Recognize that certain information obtained at board meetings may be non-public and confidential making disclosure a breach of trust.
(f) Make use of educational sessions, workshops, and seminars to gain a further understanding of issues.
(g) Respect the opinion of other members and accept the principle of majority rule in board decisions.

Section 9.3.02 Financial
(a) Approve the annual budget.
(b) Monitor district finances and the budget, setting policy or taking action to ensure the fiscal integrity of the organization.

Section 9.3.03 Policies, Objectives, and Plans
(a) Abide by and become familiar with all laws and policies governing the operation of the district.
(b) Approve the annual strategic plan or plan of operations.
(c) Approve policies for the organization.
(d) A board member's basic function is policy making - not administrative.
(e) Develop and approve long-range plan of growth and development for the district.
(f) Approve specific important projects.
(g) Approve any significant departure from established plans or policy.
(h) Receive and pass on committee or other planning body recommendations.
(i) Ensure that program objectives are assigned to the proper planning or implementing subgroups.
(j) Where applicable, bring other local governments or community groups into the planning and decision-making process.
(k) Approve contracts binding the district.
(l) Approve major changes in the district's organization or structure.
(m) Approve board plans of action.
(n) Pass district resolutions, or adopt ordinances.

Section 9.3.04 Management
(a) Select the District Chair and other officers.
(b) Hire the district Fire Chief.
(c) Define the duties and responsibilities for the Board members, Fire Chief, officers, and major committee chairpersons.
(d) Select legal counsel and consultants for the board.
(e) Authorize officers or board agents to enter into contracts or to sign other written instruments and to take financial actions.
(f) Approve the plan, form, and amount of management compensation, that is, salaries, bonuses, vacation, travel, and so on.
(g) Annually evaluate the performance of the Fire Chief.
(h) Approve the form and amount of reimbursement for Board members.
(i) Approve programs for management development.
(j) Provide advice and consultation to management on matters within the purview of the Board's responsibilities.
(k) Recognize that the Fire Chief should have full administrative authority for properly discharging the duties of managing the operation within the limits of the established board policy.
(l) Give the Fire Chief the respect and consideration due dedicated people in their community service role.

Section 9.3.05 Employee Relations
(a) Approve any employee benefit plans.
(b) Insist that personnel complaints go through a proper chain of command. If not resolved, only then should the board get involved.
(c) Approve contracts with and between any unions involved with the district.
(d) Do not allow personnel problems, other than problems with the fire chief, to be brought into board considerations.

Section 9.3.06 Control
(a) Identify types of information needed by the board to analyze effectively the district's directions and achievement. Create a process for collecting and analyzing information.
(b) Realize that the citizens within the boundaries of the district are the true "owners" of the district.
(c) Review and assess the organization's performance against objectives, resources, plans, policies, and services rendered.
(d) Analyze major "shortfalls" in achievement.
(e) Identify obstacles, sense-changing needs, and propose new directions or goals.
(f) Ensure that the District is in compliance with all federal, state, and local laws.

Section 9.3.07 Board of Directors
(a) Motivate Board members to accept positions of leadership and responsibility.
(b) Appoint, change, or abolish committees of the Board.
(c) Define powers and responsibilities of committees of the Board.
(d) Appoint and compensate outside auditors and legal counsel.
(e) Approve contracts for professional services required by and for the Board.
(f) Make no commitments on any matter that should come before the Board as a whole.
(g) Recognize that an individual Board member has no legal status to act for the entire board.
(h) Realize that if a quorum of the Board meets, then the meeting is considered a public meeting and must comply with all of the requirements of the Oregon Public Meetings Laws.
(i) Recognize that e-mail to other Board members should be of an informational nature only and that the Oregon Public Meeting Laws may be violated by deliberation by more than two Board members using serial e-mail communications.
(j) Avoid discussions on matters of overall policy outside of regular Board meetings to prevent violation of the open meetings law.

Section 9.3.08 Public Accountability

(a) Keep the public informed on all district matters.
(b) Make decisions based on the wishes and needs of the public.
(c) Spend the district's money with prudence and trust.
(d) Place the needs of the public above the ambitions of the board or the district.

Chapter 9, Article 4 -- Board Member Orientation Policy

Section 9.4.01 Cooperation with Board Candidates

(a) The Board, through its staff, shall cooperate impartially with candidates for the Board and provide them with information about board policies, administrative regulations, and other aspects of the operation of the District.

Section 9.4.02 Orienting New Board Members

(a) The Board and its staff shall assist each Board candidate, new member-elect and appointee to understand the board's functions, policies, and procedures before he or she takes office. The following methods shall be employed:
   (i) New members shall be invited to attend and participate in public Board meetings prior to being sworn in.
   (ii) The Fire Chief shall provide material pertinent to district meetings and respond to questions regarding such material.
   (iii) New members shall be invited to meet with the Fire Chief and other District personnel to discuss the services each performs for the District.
   (iv) The Fire Chief shall give each new board member:
       1) An updated copy of the district's policies and procedures.
       3) Copies of the minutes of all Board meetings, except for executive sessions, for the preceding twelve (12) months.
4) Copies of the District's last five (5) budgets.
5) Copies of all such documents as the attorney[s] for the District may recommend with respect to any pending claims or lawsuits.
6) A list of all District personnel by position.
7) Such other materials as the Board may direct or the Fire Chief deems appropriate.

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CHAPTER 9, ARTICLE 5 -- REIMBURSEMENT OF BOARD MEMBER EXPENSES POLICY

Section 9.5.01 Board Member Compensation and Reimbursement
(a) Pursuant to ORS 198.190, board members may receive daily compensation not to exceed $50.00 for their services on the board. Currently, Board member compensation has been set at $0.00 per day for their service to the District. Such compensation may be reset by majority vote of the Board. Board members shall also be reimbursed for their actual and reasonable travel and other expenses incurred in the performance of official District duties.

Section 9.5.02 Reimbursement Documentation
(a) Board members incurring reimbursable expenses shall submit proper documentation of such expenses to the Fire Chief or such other designee for reimbursement by the district.

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CHAPTER 9, ARTICLE 6 -- BOARD OFFICER DUTIES POLICY

Section 9.6.01 Duties of the Board Chair:
(a) The Board Chair shall preside at meetings of the Board of Directors. The Board Chair shall perform all of the duties prescribed by the Oregon Revised Statutes.
(b) The Board Chair shall consult with the Fire Chief regarding the preparation of each Board meeting agenda.
(c) The Board Chair shall have the same right as other members of the board to discuss and to vote on questions before the board.
(d) The Board Chair may call special meetings of the board as described by the Oregon Public Meetings Law.
(e) The Board Chair shall sign official District documents on behalf of the Board when authorized to do so by a majority of the Board.

Section 9.6.02 Duties of the Board Vice-Chair
(a) In the Board Chair's absence, or during any disability of the Board Chair, the Board Vice-Chair shall have the powers and duties of the Board Chair as prescribed by
District policy. The Board Vice-Chair shall have such other powers and duties as a majority of the Board may from time to time determine.

Section 9.6.03 Duties of the Secretary-Treasurer

(a) The Secretary-Treasurer of the Board shall cause accurate minutes of each board meeting to be taken, transcribed, and distributed to each Board member in a timely manner for review prior to approval. The Secretary-Treasurer shall maintain properly authenticated official minutes in chronological order. Any of the foregoing responsibilities may be delegated to staff members under the supervision of the Secretary-Treasurer.

(b) The Secretary-Treasurer of the Board shall assure that accurate accounting and financial records are maintained by the District.

(c) The Secretary-Treasurer shall annually review the District's financial audit with District personnel prior to submitting the audit to the balance of the Board. The Secretary-Treasurer shall send copies of the audit to state or local agencies requiring its submission.

Section 9.6.04 Duties of the Clerk

(a) The Clerk of the Board shall be the Fire Chief of the District or the Board may designate any other person. The duties of the Clerk of the Board are:

(i) Respond directly to routine correspondence.

(ii) Handle correspondence of special interest to the board as follows:

(1) Draft replies in advance, when possible, for Board consideration.

(2) Seek instruction for reply when necessary.

(3) Prepare correspondence as the Board directs.

(iii) Prepare for board meetings.

(1) Prepare the agenda with the advice of the Board Chair.

(2) Maintain a calendar for the Board's unfinished business.

(3) Call to the Board's attention legal requirements and those matters for which the District is responsible.

(4) Draft policy motions at the request of any board member.

(iv) Board meeting duties:

(1) Attend all Board meetings or designate an alternate.

(2) Make physical arrangements for board meetings.

(3) Provide notice of Board meetings in accordance with the Public Meetings Law.

(v) Maintain and update the District's policy and procedure manual.

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Chapter 9, Article 7 -- Preparation for Board Meetings

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Section 9.7.01 Distribution of Materials to Board Members

(a) The Agenda, Chief's Report, Treasurer's Report, and Statement of Bills shall be given to each member of the Board of Directors prior to any regularly scheduled Board meeting.
(b) At the same time, the Fire Chief shall provide members detailed information relative to the Agenda, including existing Board policy pertinent to Agenda items.

Section 9.7.02 Distribution of Agenda to the Public
(a) The proposed Agenda will simultaneously be distributed to all District offices and other facilities, local and other news media, and posted at one or more locations convenient for review by District personnel and the public.

CHAPTER 9, ARTICLE 8 – BOARD MEETING AGENDA

Section 9.8.01 Agenda
(a) The Clerk of the Board shall draft the Agenda after conferring with the Board Chair. The following general order shall be observed:

1. Call to order
2. Roll call by Secretary-Treasurer or designee
3. Consent of the Agenda
4. Approval of the Minutes.
6. Communications
7. Old Business.
10. Good of the Order.
11. Adjournment.

CHAPTER 9, ARTICLE 9, NOTICE AND LOCATION OF MEETINGS

Section 9.9.01 Application
(a) This policy applies to all meetings of the Board of Directors of the District, and to any meetings of subcommittees or advisory groups appointed by the Board if such subcommittees or advisory groups normally have a quorum requirement, take votes, and form recommendations as a body for presentation to the Board of Directors.

Section 9.9.02 Compliance With Law
(a) All meetings shall be conducted in accordance with the Oregon Public Meetings Law, ORS 192.610-192.710, and 192.990.
Section 9.9.03 Location of Meetings
(a) All meetings shall be held within the geographic boundaries of the District, except for training sessions held without any deliberative action. No meeting shall be held in any place where discrimination on the basis of race, creed, color, sex, age, national origin or disability is practiced. All meetings shall be held in places accessible to the handicapped. Unless otherwise advertised all meetings will be held at the Evans Valley Fire District 6 Fire Station, 8677 E. Evans Creek Road, Rogue River, OR.

Section 9.9.04 Meetings Held by Telephone
(a) Meetings held by telephone or other electronic communication are subject to the Public Meetings Law if they otherwise qualify by virtue of their deliberative purpose and the presence of a quorum. ORS 192.670(1). Notice and opportunity for public access shall be provided when meetings are conducted by electronic means. At least one location shall be provided where meetings held by telephone or other electronic means may be listened to by members of the public. ORS 192.670(2). The media shall be provided access to a listening location whenever executive sessions are conducted electronically, unless such executive sessions are exempt from media attendance pursuant to ORS 192.670(1) and 192.660(3).

Section 9.9.05 Regular Meetings
(a) The Board shall hold regular monthly meetings on the second Thursday of each month. Such meetings shall be held at 8677 East Evans Creek Road, Rogue River, Oregon at 6:30 P.M. or at such other places and times as the Board may designate from time to time.

Section 9.9.06 Special Meetings
(a) The Board shall hold special meetings at the request of the Board Chair or any three members of the Board. If the Board Chair is absent from the District, special Board meetings may be held at the request of the Board Vice-Chair. No special meeting shall be held upon less than 24 hour public notice.

Section 9.9.07 Emergency Meetings
(a) Emergency meetings may be held at the request of persons entitled to call special meetings, upon less than 24 hour notice in situations where a true emergency exists. An emergency exists where there are objective circumstances which, in the judgment of the person or persons calling the meeting, create a real and substantial risk of harm to the District which would be substantially increased if the Board were to delay in order to give 24 hour notice before conducting the meeting. The convenience of Board members is not grounds for calling an emergency meeting.

(b) At the beginning of any emergency meeting, the Director or Directors calling such meeting shall recite the reasons for calling such meeting, and the reasons the meeting could not have been delayed in order to give at least 24 hour notice, which reasons shall be noted in the minutes. The Board shall then determine if the
reasons are sufficient to hold an emergency meeting and, if not, shall immediately adjourn such meeting. Only business related directly to the emergency shall be conducted at an emergency meeting.

Section 9.9.08 Notice of Meetings
(a) Notice of the time, place, and principal subjects to be considered shall be given for all meetings. For regular meetings, the notice shall be in the form of an agenda, which shall be sent to all Board members, local media, and to all persons or other media representatives having requested notice in writing of every meeting. The agenda shall also be posted at the following locations within the District:
   ○ District web site: www.evfire.org
(b) Written notice shall also be sent to any persons which the District knows may have a special interest in a particular action, unless such notification would be unduly burdensome or expensive. For special meetings, press releases shall be issued or phone calls made to wire services and other media; and interested persons shall be notified by mail or telephone. For emergency meetings, the District shall attempt to contact local media and other interested persons by telephone to inform them of the meeting. A sample "Notice of Meetings" is contained in the Appendices to this Manual in the "Outline of the Oregon Public Meetings Law."

Section 9.9.09 Executive Sessions
(a) Notice for meetings called only to hold executive sessions shall be given in the same manner as notice for regular, special and emergency meetings set forth above, except that the notice need only indicate the general subject matter to be considered at the executive session, but it shall also set forth the statutory basis for calling the executive session. A sample "Notice of Executive Session" is contained in the Appendices to this Manual in the "Outline of the Oregon Public Meetings Law."

Section 9.9.10 Interpreters for Hearing Impaired
(a) The District shall comply with ORS 192.630(5) regarding the provision of interpreters for the hearing impaired at Board meetings, in accordance with the following rules:

1. The District shall make a good faith effort to have an interpreter for hearing impaired persons provided at any regularly scheduled meeting if the person requesting the interpreter has given the District at least 48 hour notice of the request, provided the name of the requester, the requester's sign language preference, and any other relevant information which the District may require. "Good faith efforts" shall include contacting the Oregon Disabilities Commission, or other state or local agencies that maintain a list of qualified interpreters.

2. If a meeting is held upon less than 48 hour notice, the District shall make reasonable efforts to have an interpreter present.

3. The requirement for an interpreter does not apply to emergency meetings.
4. The Fire Chief shall be responsible for developing and maintaining a list of qualified interpreters, and shall have the responsibility for making the required good faith effort to arrange for attendance of an interpreter at any meeting for which an interpreter is requested.

CHAPTER 9, ARTICLE 10 – BOARD MEETING CONDUCT

Section 9.10.01 Presiding Officer
a) The Board Chair shall preside at Board meetings. In the Chairperson’s absence, the Board Vice-Chair shall preside. If both the Board Chair and Board Vice-Chair are absent, any other member of the Board may preside.

Section 9.10.02 Authority to Conduct Meetings
a) The Board Chair or other presiding officer at any Board meeting shall have full authority to conduct the meeting. Meetings shall be conducted in such a manner as to provide a full and fair opportunity for discussion of the issues in an efficient and timely manner. Any decision of the Board Chair or other presiding officer at the meeting may be overridden by a majority vote of the Board.

Section 9.10.03 Public Participation
a) If public participation is to be a part of the meeting, the presiding officer may regulate the order and length of appearances, and limit appearances to presentations of relevant points. Persons failing to comply with the reasonable rules of conduct outlined by the presiding officer, or causing any disturbance, may be asked or required to leave. Upon failure to do so, such persons become trespassers.

Section 9.10.04 Electronic Equipment
a) The authority to control the meetings of the District Board extends to control over equipment such as cameras, tape recorders and microphones. The presiding officer shall inform persons attending any meeting of the District Board of reasonable rules necessary to assure an orderly and safe meeting. The physical comfort and safety of members of the Board and the public attending the meeting shall be of primary concern in formulating such rules.

Section 9.10.05 Recording of Votes
a) Votes shall be recorded. Any member may request that his or her vote be changed, if such request is made prior to consideration of the next order of business.

Section 9.10.06 Quorum Requisites
a) Three (3) members shall constitute a quorum. If only a quorum is present, a unanimous vote shall be required to take final action.

Section 9.10.07 Vote Explanations
a) Members of the Board may append to the record, at the time of voting, a statement indicating either the reason for their vote or abstention.

Section 9.10.08 Conflict of Interest/Ex Parte Contacts
a) In the event of a potential conflict of interest, a member of the board shall declare such conflict, on the record, before discussing or voting the matter. Said member may participate in discussions and vote.

b) In the event of an actual conflict of interest, a member of the Board shall declare such conflict, on the record, before discussing or voting on the matter. Said member shall then refrain from talking or voting unless the District cannot act without the vote of this member.

c) In the event any member of the Board has had any ex parte contact in a quasi-judicial matter, the member shall declare such contact prior to participating in discussion on the matter.

Section 9.10.09 Smoking
a) Pursuant to ORS 192.710, smoking during public meetings and/or within public buildings is not allowed. In addition, a person may not smoke or carry any lighted smoking instrument within 10 feet of any entrance, exit, widows that open or a ventilation intake that serves an enclosed area.

Section 9.10.10 Adjournment
a) The meeting shall be adjourned by a majority vote or as a result of the loss of a quorum.

Chapter 9, Article 11 – Executive Session

Section 9.11.01 Notice
a) Public notice of executive sessions shall be provided in accordance with district policy

Section 9.11.02 No Final Decisions
a) The Board shall not make any final decisions during any executive session. This policy, however, shall not prohibit full discussion of Board members' views during executive sessions.

Section 9.11.03 Purposes
Executive sessions shall be held only for the following purposes:

(a) Employment of Personnel: ORS 192.660(1)(a). To discuss the employment of a public officer, employee, or staff member, but only if the following requirements have been met:
(1) The vacancy for the position has been advertised;
(2) Regularized procedures for hiring have been adopted;
(3) There has been opportunity for public input into the employment of such employee or officer;
Where employment of a Fire Chief is under consideration, the standards, criteria and policy directives to be used in hiring such officer must have been adopted at a meeting open to the public at which the public has had an opportunity to comment. No executive session may be held under ORS 192.660(1)(a) for purposes of filling a vacancy in an elective office.

(b) Discipline of Public Officers and Employees: ORS 192.660(1)(b). To consider the dismissal or disciplining of a public officer, employee, staff member or individual agent, or to hear complaints or charges brought against such persons, unless the person complained against requests an open hearing.

(c) Consultation with Labor Negotiator: ORS 192.660(1)(d). To conduct deliberations with persons designated by the Board to carry on labor negotiations on its behalf. News media representatives may be excluded from executive sessions called under this section.

(d) Real Property Transactions: ORS 192.660(1)(e). To conduct deliberations with persons designated by the Board to negotiate real property transactions.

(e) Exempt Records: ORS 192.660(1)(f). To consider records that are exempt by law from public inspection. Examples of such records include medical records pertaining to personnel, confidential communications from legal counsel, employment tests or examination materials, and other materials exempted from public disclosure under the Public Records Law, ORS 192.501 and 192.502.

(f) Trade or Commerce: ORS 192.660(1)(g). To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

(g) Litigation/Consultation with Legal Counsel: ORS 192.660(1)(h). To consult counsel concerning the District's legal rights and duties, as well as current litigation or litigation likely to be filed. Whenever written legal advice received from counsel is to be discussed, the Board may utilize an executive session to discuss the writing under the authority of ORS 192.660(1)(f), as well. This section authorizes an executive session to consider records which are exempt by law from public inspection.

(h) Performance Evaluations: ORS 192.660(1)(i). To review and evaluate the employment-related performance of the chief executive officer, other officers, employees or staff members, pursuant to standards, criteria and policy directives adopted by the District, unless the person whose performance is being reviewed and evaluated requests an open hearing. The standards, criteria and policy directives to be used in evaluating chief executive officers must first have been adopted by the Board in meetings open to the public in which there was an opportunity for public comment. Executive sessions called pursuant to this section may not include a general evaluation of any District goal, objective or operation, and may not include any directive to the Fire Chief or other District personnel concerning agency goals, objectives, operations or programs.

(i) Labor Negotiations: ORS 192.660(2)(n). Labor negotiations may be held in executive session if either side requests an executive session.
Section 9.11.04  CONDUCT OF EXECUTIVE SESSION
(a) The Board Chair or other presiding officer shall announce the statutory authority for the executive session before going into closed session. Once the executive session has been convened, the Board Chair shall direct any representatives of the news media who are present not to report certain specified information from the executive session. In general, the extent of the non-disclosure requirement should be no broader than the public interest requires, and the news media will ordinarily be allowed to report the general topic of discussion in the executive session. Board members, staff and other persons present shall not discuss or disclose executive session proceedings outside of the executive session without prior authorization of the Board as a whole.

CHAPTER 9, ARTICLE 12 – MINUTES OF BOARD MEETINGS

Section 9.12.01  WRITTEN MINUTES
(a) The Board shall keep written minutes of all of its meetings in accordance with the requirements of ORS 192.650. Minutes of public meetings shall include at least the following information:
(i) All members of the Board present.
(ii) All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition.
(iii) Results of all votes, including the vote of each member by name.
(iv) The substance of any discussion on any matter.
(v) Subject to ORS 192.410 - 192.505 relating to public records, a reference to any document discussed at the meeting.

Section 9.12.02  MINUTES OF EXECUTIVE SESSIONS
(a) Minutes of executive sessions shall be kept separately from minutes of public meetings. Minutes of executive sessions may be kept either in writing, in the same manner as minutes of public sessions, or by tape recording. If minutes of an executive session are kept by tape recording, written minutes are not required, unless otherwise provided by law. ORS 192.650(2).

Section 9.12.03  DISCLOSURE OF EXECUTIVE SESSION MATTERS
(a) If disclosure of material in the executive session minutes would be inconsistent with the purpose for which the executive session was held, the material may be withheld from disclosure. No executive session minutes may be disclosed without prior authorization of the Board. ORS 192.650(2).

Section 9.12.04  RETENTION
(a) Any tape recordings or written minutes of public Board meetings or executive sessions shall be retained by the District until such time as their disposal is authorized by rule or specific authorization of the State Archivist pursuant to ORS 192.105.
Section 9.12.05 AVAILABILITY TO THE PUBLIC
(a) Written minutes of public sessions shall be made available to the public within a reasonable time after the meeting. ORS 192.650(1)

Section 9.13.01 COMPLIANCE
(a) The District shall fully comply with the Oregon Public Records Law, ORS 192.410-192.505.

1. Specificity of Request: In order to facilitate the public's access to records in the District's possession, and to avoid unnecessary expenditure of staff time, persons requesting access to public records for inspection or copying, or who submit written requests for copies of public records, shall specify the records requested with particularity, furnishing the dates, subject matter and such other detail as may be necessary to enable District personnel to readily locate the records sought.

2. Access: The District shall permit inspection and examination of its non-exempt public records during regular business hours in the District's offices, or such other locations as the Fire Chief may reasonably designate from time to time. Copies of non-exempt public records maintained in machine readable or electronic form shall be furnished, if available, in the form requested. If not available in the form requested, such records shall be made available in the form in which they are maintained. ORS 192.440(2).

3. Certified Copies: Certified copies of non-exempt public records shall be furnished upon request, and receipt of payment thereof.

Section 9.13.02 FEES FOR PUBLIC RECORDS
(a) In order to recover its costs for responding to public records requests, the following fee schedule is adopted by the District:


2. Copies of Sound Recordings: Copies of sound recordings of meetings shall be $10.00 per copy.

3. Copies of Maps and Other Nonstandard Documents: Charges for copying maps or other nonstandard size documents shall be charged in accordance with the actual costs incurred by the District.

4. Research Fees: If a request for records requires District personnel to spend more than 15 minutes searching or reviewing records prior to their review or release for copying, the minimum fee shall be $20.00 per hour and additional charges shall be in ¼ hour increments. The District shall estimate the total amount of time required to respond to the records request, and the person making the request shall make payment for the estimated cost of the search and copying of the records in advance. If the actual time and costs are less than estimated, the excess money shall be refunded to the person requesting
amount of time required to respond to the records request, and the person making the request shall make payment for the estimated cost of the search and copying of the records in advance. If the actual time and costs are less than estimated, the excess money shall be refunded to the person requesting the records. If the actual costs and time are in excess of the estimated time, the difference shall be paid by the person requesting the records at the time the records are produced.

5. **Additional Charges:** If a request is of such magnitude and nature that compliance would disrupt the District's normal operation, the District may impose such additional charges as are necessary to reimburse the District for its actual costs of producing the records.

6. **Reduced Fee or Free Copies:** Whenever it determines that furnishing copies of public records in its possession at a reduced fee or without costs would be in the public interest, the Board or Fire Chief may so authorize. ORS 192.440(4).

Section 9.13.03 AUTHORIZATION REQUIRED FOR REMOVAL OF ORIGINAL RECORDS
(a) At no time shall an original record of the District be removed from the District's files or the place at which the record is regularly maintained, except upon authorization of the Board of Directors or Manager of the District.

Section 9.13.05 ON-SITE REVIEW OF ORIGINAL RECORDS
If a request to review original records is made, the District shall permit such a review provided that search fees are paid in advance in accordance with paragraph B.4, above. A representative shall be present at any time original records are reviewed, and the charges for standing by while the records are reviewed shall be the same as the charges for searching or reviewing records.

Section 9.13.06 UNAUTHORIZED ALTERATION, REMOVAL OR DESTRUCTION OF ORI GINALS
(a) If any person attempts to alter, remove or destroy any District record, the District representative shall immediately terminate such person's review, and notify the attorney for the District.

Section 9.14 LEGAL COUNSEL POLICY *(adopted December 10, 2009)*
1. **Purpose and Scope:**
   a. It is the intent of Evans Valley Fire District 6 to conduct all business, including the hiring and firing of personnel, in a legal and ethical manner and to prevent the District from becoming a defendant in any legal proceedings.

2. **Requirements of the Board of Directors:**
   a. Prior to any decision which could result in a lawsuit a representative of the Board of Directors will first utilize Special Districts Association (SDAO) of Oregon's pre-loss legal services. Upon the recommendation of SDAO's legal services, or if they cannot assist, the District's representative will contact the
b. Prior to the termination of any paid employee or the Fire Chief, a representative of the Board of Directors will utilize SDAO’s free pre-termination legal service. Use of this service avoids the $10,000 deductible for terminating someone without first calling SDAO for legal advice. Upon the recommendation of SDAO’s legal services, or if they cannot assist, the District’s representative will contact the District’s attorney.

3. Authorization to seek legal counsel
a. Except in an emergency, a representative of the Board of Directors (usually a Director or the Fire Chief) will be appointed to seek legal counsel and incur legal expenses as necessary. This appointment will occur during an open meeting of the Board of Directors.

b. In an emergency, the Chair, Vice Chair or Secretary/Treasurer may contact legal counsel and, if necessary incur legal expenses for the District.
   1. In the event an emergency situation has developed and legal counsel must be consulted, a meeting of the Board of Directors will be scheduled as soon as possible to explain and document the emergency, counsel’s advice and possible outcomes.