



# PHILOMATH FIRE & RESCUE

## BOARD OF DIRECTORS

## POLICIES AND PROCEDURES

**PHILOMATH FIRE & RESCUE  
BOARD POLICY & PROCEDURES**

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# PHILOMATH FIRE & RESCUE BOARD POLICY & PROCEDURES

## ARTICLE I - PURPOSE OF THE FIRE DISTRICT

Philomath Fire & Rescue, hereafter referred to as the District, is established in accordance with the laws of the State of Oregon, in order of priority:

1. Fire protection services within the boundaries of the District.
2. Emergency medical and rescue service within the boundaries of the District.
3. Emergency services to out-of-district organizations according to cooperative mutual aid agreements and automatic aid agreements.
4. Emergency services out-of-district requested by public organizations and public authorities.

## ARTICLE II - PURPOSE OF DISTRICT POLICY

Board policy provides for and assumes the businesslike operation of the District.

Board policy is not meant to be all inclusive of the District rules, nor is the policy meant to negate federal, state or local laws.

Board policy is developed with input from members of the District and adopted by the Board of Directors.

The District will base its policies, procedures and regulations on the best available information and input from affected parties. Except when deemed inadvisable by the Board of Directors, due to emergency or other circumstances warranting or requiring immediate action, any proposed adoption, amendment or repeal of a policy will be introduced for discussion at one meeting, but not acted upon until the following or a subsequent meeting. The proposed action will be included in the notice of the meeting posted in accordance with the Public Meeting Law.

Board policy will be reviewed annually at a regular meeting of the Board of Directors.

## ARTICLE III - ORGANIZATION AND METHOD OF ORGANIZATION

### SECTION 1. District Organization

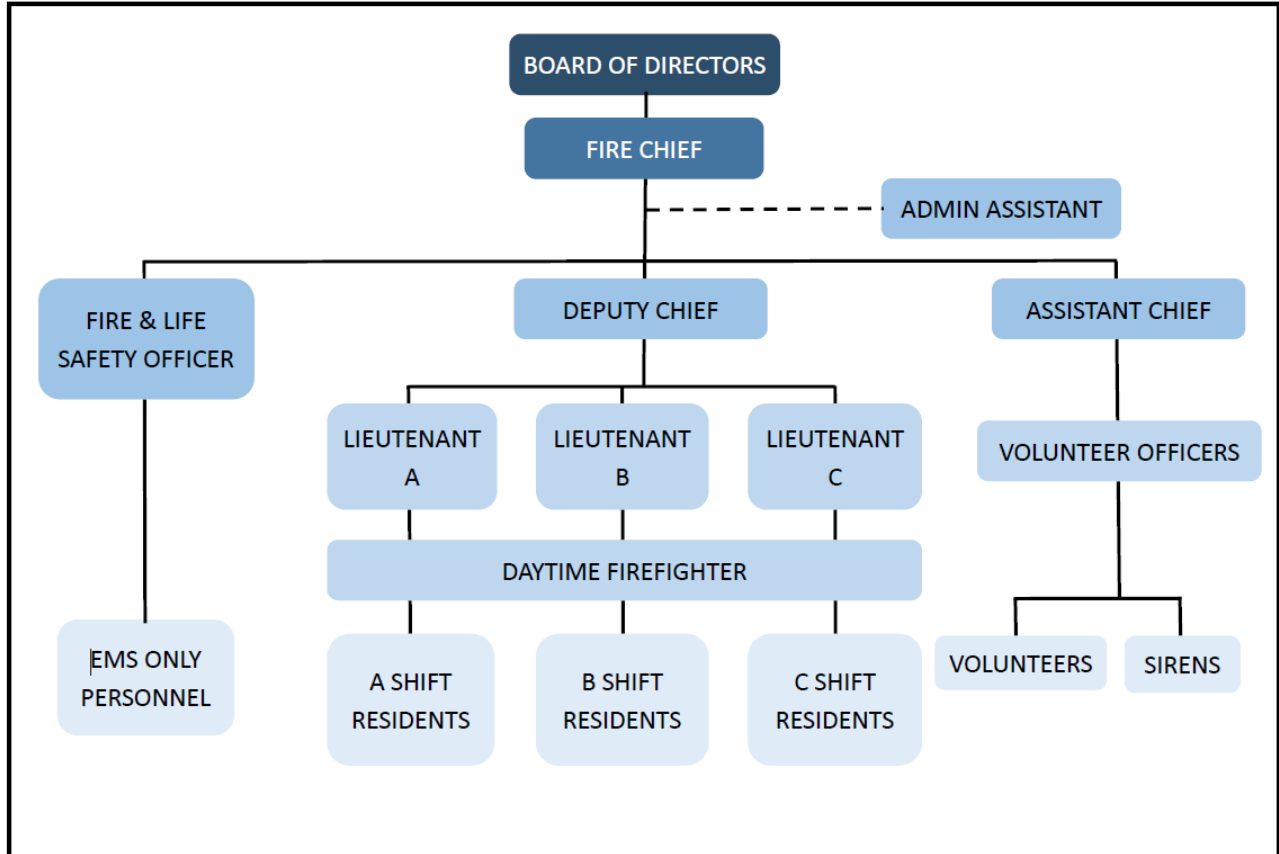
The agency will be organized as follows:

1. Board of Directors
2. Fire Chief
3. Assistant Chief
4. Paid Personnel and Volunteer Officers
5. Volunteers

See the below organizational chart:

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**ORGANIZATIONAL CHART**



**SECTION 2. Method of Organizing:**

- A. Board members will be elected at large, by position number, by electors of the District. (ORS 478.221(2b))
- B. Vacancies will be filled on the Board pursuant to article IV, section 4.
- C. The Board of Directors will hire the Fire Chief. (ORS 478.260)
- D. The Fire Chief, with Board approval, will hire all other employees.
- E. The Fire Chief will select and appoint volunteer officers with input from volunteers and staff.
- F. The Fire Chief will select and appoint all volunteers.

**ARTICLE IV - QUALIFICATIONS AND AUTHORITY OF BOARD MEMBERS**

**SECTION 1. Elector or Property Owner:**

A District Board member will be an elector or property owner within the District, per ORS 478.050.

**SECTION 2. Employees and Volunteers:**

As of September 4, 2003, no District employee or volunteer can serve on the District Board of Directors, per ORS 478.050 and District ORD. 103 passed in accordance with ORS 478.050.

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## SECTION 3. Elections:

The five District Board members are legally elected to four-year terms. Elections are held in odd-numbered years, with two positions filled at one election and three positions filled at the next election.

## SECTION 4. Vacancies:

In the event of a vacancy on the District Board of Directors, the Board will advertise the position as vacant and allow reasonable time for all interested persons to submit a letter of interest for the position. At the first regular scheduled District Board meeting after notice has been given and sufficient time for letters of interest to be reviewed, the Board will appoint a member from those individuals who submitted letters of interest. The top three applicants will be interviewed by the Board of Directors. Applicants will meet qualifications set by ORS 478.050 and District Board policy.

The period of service of a person appointed under this section will expire on June 30 following the next regular County election, at which time a successor is elected. The successor will be elected to serve the remainder of the term for which appointment was made. If the term for which the appointment was made expires June 30 after the election of the successor, the successor will be elected to a full term. In either case the successor will take office July 1 following the election. (ORS 198.320 (1) (2))

## SECTION 5. Actions as Board Member:

No individual Board Member may speak for or on behalf of the Board of Directors, except as authorized to do so by official action as recorded in the official minutes, guidelines or policies of the District. All official actions of the Board must be taken by public vote. The Board will not be bound by any actions or statements on the part of any individual Board member, past or present.

## SECTION 6. Board Positions:

- A. At the regular scheduled meeting in July the Board will elect for a one-year term members for the following positions. President
- B. Vice President
- C. Secretary
- D. Treasurer

The same Board Member may serve as both Secretary and Treasurer.

## ARTICLE V - RESPONSIBILITIES OF THE BOARD MEMBERS

### SECTION 1. Board as Policymakers:

The Board is responsible for policymaking, not administration.

### SECTION 2. Board and Funding:

In anticipating and budgeting for District expenditures, the Board will allocate funds necessary to select, outfit, train, and maintain the best possible emergency services force, including personnel, apparatus and equipment. The Board will review financial reports and monthly expenditures. The time, place and manner of such reviews will be determined by subsequent Board resolution.

### SECTION 3. Board Responsibilities

Board responsibilities include, but not limited to, the following:

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- A. Abide by, and become familiar with, all laws and policies governing the operation of the District.
- B. Approve all policies for the District and review as needed.
- C. Approve and review contracts and purchases for the District in accordance with the Fiscal Management Policy.
- D. Adopt ordinances and pass resolutions.
- E. Adopt an annual budget in accordance with ORS 294.
- F. Require reports by the Fire Chief concerning the conditions, performance and needs of the District.
- G. Keep abreast of the needs of the District by evaluation of the total program, consultation with advisory groups and District employees.
- H. Approve job descriptions.
- I. Approve wages and benefits for employees.

### SECTION 4. Planning:

It is the responsibility of the Board of Directors to keep abreast of all ongoing or anticipated planning processes, activities and functions of organizations or parties inside or bordering the District boundaries, which may affect the District in its operations or planning. Board members may be required to attend certain meetings with, or in lieu of, the Liaison Officer in order to obtain pertinent information. The District will develop and maintain a long-range plan concurrent with other planning organizations with a minimum of a five-year range.

### SECTION 5. Ethics:

Board members act as representatives of the citizens of the District. Therefore, Board members will adhere to the highest ethical standards in the conduct of District business as set forth in ORS Chapter 244.

### Section 6. Etiquette

The general board etiquette sets the stage for the Board of Directors to establish mutual trust and respect for each other and for the process of governance. Board members are encouraged to focus on problem solving and are encouraged to bring both concerns and solutions to the table. All board members should develop and respect a culture of collegiality. It is healthy for board members to disagree, challenge each other and offer alternative solutions to problems. However, bullying, disrespect, or belittling will not be tolerated. All board members, and guests of board meetings, are encouraged to abide by the following courtesies:

1. Good timekeeping is essential for the meeting to run as it should.
2. Do not use electronic devices for any other purpose than for referencing meeting items.
3. Refrain from interrupting other members as they speak and when it is your turn to contribute to the discourse, speak clearly and succinctly.
4. Do not try to chat with other members secretly. This includes whispers and notes.
5. You should not attempt to undermine other members with body language, looks, etc.
6. Prepare fully by reading and digesting the board packet. Bring relevant questions and possible solutions to the challenge at hand.
7. Ensure you know what you will be voting on and have a clear idea of the issues.

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8. Remain focused on the agenda items. Deviations from the agenda can cause the meeting to run long on time.
9. Declare conflicts of interest or potential conflicts of interest as they come up in conversation.
10. Treat everyone with respect, even if you disagree with their point.
11. Accept that the full board is responsible for the board's resolutions. All board members must support and uphold board decisions after the board has made a decision, even if they voted against them. Diversity and independence are important to the decision-making process, but consensus is how Board decisions are made.

### SECTION 6. Attendance:

In order to effectively carry out their duties, Board members must regularly attend Board meetings, and be adequately prepared and informed. Advance notice of absences is recommended. Members are encouraged to attend conferences and other training programs as the Board may authorize.

### SECTION 7. Proxy Voting:

Board members may not assign a proxy vote but may submit written comments on any agenda items if absent.

## ARTICLE VI - DUTIES of PRESIDENT, VICE-PRESIDENT, SECRETARY, and TREASURER

### SECTION 1. Duties of the President:

- A. The President will preside at meetings of the Board of Directors.
- B. The President will consult with the Fire Chief regarding the agenda and preparation of each Board meeting.
- C. The President will have the same right as other members of the Board, to discuss and vote on questions before the Board.
- D. The President will sign official District documents on behalf of the Board when authorized to do so by a majority of the Board and, after the Board, at an open meeting, has approved that document.
- E. The President will create and appoint special committees subject to approval by the Board.
- F. The President will have the authority to sign checks for the District.

### SECTION 2. Duties of the Vice President:

- A. In the absence of the President, the Vice President will have the powers and duties of the President.
- B. The Vice President will have such other powers and duties as approved by a majority vote of the Board.
- C. The Vice President will have the authority to sign checks for the District.

### SECTION 3. Duties of the Secretary:

- A. The Secretary will sign official District documents when two signatures are needed, on behalf of the Board; after the Board, at an open Board meeting, has approved that document.
- B. The Secretary will have the authority to sign checks for the District.

### SECTION 4. Duties of the Treasurer:

- A. Assure that accurate accounting and financial records are maintained by the District.



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- B. Annually review the District's financial audit with the District personnel prior to submitting the audit to the Board.
- C. Send, or cause to have sent, copies of the audit to state or local agencies requiring its submission.
- D. The Treasurer will have the authority to sign checks for the District.

### SECTION 5. Duties of other Board members:

- A. In the absence of the President and Vice-President, someone other than the Secretary will preside over Board meetings with powers and duties of the President.
- B. Board members will have the authority to sign checks for the District.

## ARTICLE VII - MEETINGS AND AGENDA

### SECTION 1. Regular Meetings:

Regularly scheduled Board meetings will be held monthly, at the time and location posted. All meetings of the Board of Directors and of Board appointed committees of the District will comply with the Oregon Public Meeting Law (ORS 192.610 to 192.690). Members may meet remotely using technology as needed and are encouraged to communicate this need to the Office Administrator at least 2 weeks in advance. Public comment will be received at the Board meeting and should pertain to agenda items. While the public is encouraged to give comment in the board meetings, it is recognized that the meeting is the business of the Board.

### SECTION 2. Agenda:

The agenda of meetings of the Board of Directors of the District will be published in accordance with ORS 192.640.

Recommended agenda for meeting:

- A. Roll Call.
- B. Approval of Previous Minutes.
- C. Financial Report.
- D. Visitors.
- E. Staff Reports – President, Chief, Secretary, Treasurer.
- F. Representative Reports - Volunteers.
- G. Unfinished Business.
- H. New Business.
- I. Adjournment.

### SECTION 3. Special Meetings:

A Special Meeting may be called by the President or any three Board members at any time, with at least 24 hours' notice. The required 24-hour Special Meeting notice will be given to the public as outlined in section 2 of this article and the news media, if they have requested meeting notification, as per ORS 192.640 (3). Notice will give a reason for the special meeting, and no business will be transacted other than the posted purpose or purposes for the Special Meeting.

### SECTION 4. Emergency Meetings:

Emergency Meetings may be called by the President or any three Board members. An Emergency Meeting may be called with less than 24-hour notice. The President or Board members calling the

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meeting will recite the reason at the beginning of the Emergency Meeting and the minutes for the meeting will describe the emergency justifying less than 24-hour notice.

An emergency exists when 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, such as a specific physical threat to District property, which would be substantially increased if the Board were to delay in order to give 24-hour notice before conducting the meeting. An Emergency Meeting is to be held only in rare and extreme situations. The convenience of Board members is not grounds for calling an Emergency Meeting.

When calling an Emergency Meeting, every effort should be made to notify the public and news media, as appropriate to the circumstance.

Only business related directly to the emergency will be conducted at the Emergency Meeting (ORS 192.640 (3)).

### SECTION 5. Executive Session:

- A. Notice. Notice of Executive Session will be provided in accordance with Article VII Section 2, or under Article VII Section 4.
- B. Voting. The Board will not make any final decisions while in Executive Session. This policy, however, will not prohibit full discussion of Board members' views during Executive Session.
- C. Announcement. The President or other presiding officer will announce the statutory authority for the Executive Session before going into closed session. Once the Executive Session has been convened, the President will direct any representatives of the news media who are present not to report certain specified information from the Executive Session. The extent of the non-disclosure requirement will 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 will not discuss or disclose Executive Session proceedings outside of the Executive Session without prior authorization of the Board as a whole.
- D. Purposes. Executive Sessions will only be held for the following purposes:
  1. Employment of Personnel ORS 192.660(1)(a).
  2. Discipline of Public Officers and Employees ORS 192.660(1)(b).
  3. Consultation with Labor Negotiator ORS 192.660(1)(d).
  4. Real Property Transactions ORS 192.660(1)(e)
  5. Exempt Records ORS 192.660(1)(f).
  6. Litigation/Consultation with Legal Consul ORS 192.660(1)(h).
  7. Performance Evaluations ORS 192.660(1)(i).
  8. Labor Negotiations ORS 192.660(2).

### SECTION 6. Meetings:

The Board of Directors is composed of five members, whereby all meetings will require the presence of a Board quorum, which is three, and all votes will require a majority of the total Board, which is at least three. If only three members are present, a unanimous vote will be required to take final action.

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## SECTION 7. Voting at Board Meetings:

- A. Abstention: A Board member may explain for the record, when voting on an issue, a statement indicating either the reason for their vote or abstention.
- B. Conflict of Interest: Board members must publicly declare a potential or actual conflict of interest prior to discussion, recommendation, vote or other official action on an issue and explain the nature of any potential or actual conflict of interest. The declaration and the nature of the conflict will be recorded in the minutes per ORS Chapter 244
  - Potential Conflict of Interest:  
With a potential conflict of interest, a Board member may participate in the action once the declaration has been made.
  - Actual Conflict of Interest:  
With an actual conflict of interest, a Board member must refrain from taking any official action on the issue. If the Board member's vote is necessary for the Board to achieve a quorum, the Board member may vote, but may not discuss or debate the issue.
- C. Votes will 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 8. Minutes of Meetings:

### Public Meetings:

The Board will keep written minutes of all of its public meetings in accordance with the requirements of ORS 192.650. Minutes of public meetings will include at least the following information:

1. All members of the Board present.
2. All motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition.
3. Results of all votes, including the vote of each member by name.
4. The substance of any discussion on any matter.
5. Subject to ORS 192.410 - 192.505 relating to public records, a reference to any document at the meeting.
6. Written minutes of public meetings will be made available to the public within a reasonable time after the meeting in accordance with ORS 192.650(1).

### Executive Sessions:

Minutes of Executive Sessions will be kept separately from minutes of public meetings. Minutes of Executive Session 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. Robert's Rules of Order:

Robert's Rules of Order will govern the conduct and parliamentary proceedings of the meetings, unless otherwise provided for in Board Policy and/or rules consistent with the laws of the State of Oregon.

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## ARTICLE VIII - OUTSIDE DISTRICT OPERATIONS

Refer to Organizational Manual, Section O, Operating Guidelines, Procedure O-13 – Staffing for Response.

## ARTICLE IX - FEES FOR OBTAINING PUBLIC RECORDS

Refer to Organizational Manual, Section C, General Administration, Procedure C-13 – Policy on Fees For Obtaining Public Records.

## ARTICLE X - REIMBURSEMENT GUIDELINES

### SECTION 1. Training Reimbursements:

The Fire Chief will authorize schooling, training and conferences, including related expenses for employees and volunteers.

### SECTION 2. Travel Reimbursements:

The Board of Directors, by majority vote, will authorize travel and other expenses for the Fire Chief and Board members.

### SECTION 3. Reimbursement Expectations:

All Board members, employees and volunteers can reasonably expect to receive reimbursement for authorized travel, lodging, meals, registration, tuition and other related expenses for schooling, training, conferences and meetings representing the District as per the Organizational Manual, Section C, General Administration, Procedure C-5 Reimbursement for Training.

### SECTION 5. Reimbursements for Guests:

Any Board member, employee or volunteer who is accompanied by a spouse or guest will pay any excess costs of registration, lodging or meals, attributable to their spouse or guest.

### SECTION 6. Exercise Good Judgement:

Board members, District employees and volunteers are expected to use good judgement regarding the expenditure of District funds for travel expenses.

## ARTICLE XI - PURCHASING

Refer to Operational Guidelines, Section C, General Administration, Procedure C-8 – Financial Management Policy (Attachment D).

## ARTICLE XII - RECOGNITION

The Board of Directors may recognize any member of the District and any civilian personnel who has performed any act of outstanding service on behalf of the District or rendered a life-saving service to any citizen, any District personnel who perform in an exemplary manner in the achievement of higher levels of education or skills. Any retiring Board member who has performed appropriate service to the District may also be recognized.

## ARTICLE XIII - GENERAL PROVISIONS

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## SECTION 1. Repeal:

All previously adopted rules; regulations, policies or standard operating guidelines in conflict with this policy are hereby repealed.

## SECTION 2. Nondiscrimination:

Pursuant to the District's nondiscrimination and harassment policy, no provision of this policy is intended as discrimination against any individual on the basis of any protected class as defined by the State of Oregon and the Federal Government.

## SECTION 3. Severability:

If any part, term or clause of this policy is, or becomes, in conflict with any law, the validity of the remaining provisions and clauses will not be affected and the policy will remain in force as if it did not contain the particular part, term or clause in conflict with law.

Board President                      Signature \_\_\_\_\_

Board Member                      Signature \_\_\_\_\_