

# POLICY 103: PUBLIC MEETINGS

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*Revised: March 14, 2023*

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## PURPOSE

This Board policy details the applicable requirements needed for conducting public meetings including; notice and location of public meetings, how preparation for meetings is conducted, meeting agenda formatting and distribution, conduct and decorum during meetings, executive sessions and meeting minutes.

## APPLICATION

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.

It will be the policy of the District Board to recognize itself as a policy making body that deliberates at regularly scheduled meetings and each board member shall make a diligent effort to be present and participate fully.

## COMPLIANCE WITH LAW

It is the policy of the Fire Board that all meetings be conducted in accordance with Oregon Public Meetings Law, ORS 192.610-192.710~~705~~, and 192.990, ~~the decisions of the courts and with proper regard to "Due Process" procedures.~~ In so doing, the Board will seek information from staff and other sources as appropriate, before decisions are made on policy and procedural matters.

## LOCATION OF MEETING

All meetings shall be held within the geographic boundaries of the District. Exceptions to this would be training sessions held without any deliberative action and special meetings held within the geographic boundaries of an adjoining District attending the meeting. No meeting shall be held in any place where discrimination on the basis of race, creed, color, gender, age, national origin or disability is practiced. All meetings shall be held in places accessible to the handicapped.

## REGULAR MEETING

Regular meetings of the Fire District Board shall be held on the second Tuesday of the month, at 7:00 P.M., at the Silverton Fire District Main Station, 819 Rail Way NE., Silverton, Oregon 97381. During the months of January, April, July, and October, the board will meet at the Scotts Mills fire station at 7:00 P.M., 490 3<sup>rd</sup> Street, Scotts Mills, Oregon, 97375. The Board reserves the right to change the meeting date, time, or place upon a specific action of the Board.

## MEETINGS HELD BY ~~TELEPHONE~~ELECTRONIC MEANS

All meetings of the Board, excluding executive sessions, must provide to members of the general public, to the extent reasonably possible, an opportunity to:

- (a) Access and attend the meeting by telephone, video or other electronic or virtual means;
  - (b) If in-person oral testimony is allowed, submit during the meeting oral testimony by telephone, video or other electronic or virtual means; and
  - (c) If in-person written testimony is allowed, submit written testimony, including by electronic mail or other electronic means, so that the governing body is able to consider the submitted testimony in a timely manner.
- ~~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 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).~~

## SPECIAL MEETINGS

The Board shall hold special meetings at the request of the Board President or any two members of the Board or by request of the Fire Chief. If the Board President is absent from the District, special board meetings may be held at the request of the Vice-President. No special meeting shall be held upon less than forty-eight (48) hours' public notice.

## EMERGENCY MEETINGS

Emergency meetings may be held at the request of persons entitled to call special meetings, upon less than 24 hours' 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 hours' notice before conducting the meeting. The convenience of Board members is not grounds for calling an emergency meeting.

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 hours' 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.

## NOTICE OF MEETINGS

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 on Silverton Fire District's website ([www.silvertonfire.com](http://www.silvertonfire.com)) as well as the following locations within the District:

Silverton Fire District (Station 1)  
819 Rail Way NE

Silverton Fire District (Station 8)  
490 3<sup>rd</sup> St.

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.

All meetings of the Fire District Board are open to the public, except as provided for executive sessions. Notice of all meetings and a copy of the proposed agenda shall be sent to all persons making a request in writing and to the news media prior to the day of the meeting. ~~(ORS 192.610—192.690).~~

## **INTERPRETERS FOR THE HEARING IMPAIRED**

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:

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 hours' 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;

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

The requirement for an interpreter does not apply to emergency meetings.

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.

## **PREPARATION FOR BOARD MEETINGS**

### **DISTRIBUTION OF MATERIALS TO BOARD MEMBERS**

The agenda and financial report shall be given to each member of the Board of Directors at least four (4) days prior to any regularly scheduled board meeting.

At the same time, the Fire Chief shall provide Board members detailed information relative to the ~~A~~ agenda, including existing ~~b~~ Board policy pertinent to agenda items.

### **DISTRIBUTION OF AGENDA TO THE PUBLIC**

All meetings are to have at least a twenty-four (24) hour advance notice except as in the case of emergency. ~~(ORS 192.640).~~ Board meeting notices are to be posted on the Silverton Fire District website, at the main fire station, the Scotts Mills fire station and posted at one or more locations convenient for review by district personnel and the public.

## BOARD MEETING AGENDA

### MEETING AGENDA

The Fire Chief with the assistance of the President of the Board will prepare an agenda for all regular meetings of the board. Items of business may be suggested by Board Members, the Fire Chief or his/her designated deputy in his/her absence, or patrons of the district for consideration in the next meeting agenda.

The Fire Board will provide in the agenda of its regular meeting a specific time to hear the comments, concerns and suggestions from its citizens or from visitors with interests in the district. Any resident of the district may request that matters be placed on the meeting agenda. In order to ensure consideration at the next regular meeting, requests should reach the Board President or Fire Chief at least ten (10) days before the next regular meeting.

The agenda will minimally include, but not be limited to:

- Roll Call
- Call Meeting to Order
- Pledge of Allegiance
- Approval of Prior Board Meeting Minutes
- Open Forum
- Old Business
- Finance Officer's Report
- Chief's Report
- New Business
- Items Pending
- Adjournment

## CONDUCT OF BOARD MEETINGS

### PRESIDING OFFICER

The President shall preside at board meetings. In the President's absence, the Vice President shall preside. If both the President and Vice-President are absent, the Secretary-Treasurer ~~any other member of the Board may~~ shall preside.

### AUTHORITY TO CONDUCT MEETINGS

The President 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 President or other presiding officer at the meeting may be overridden by a majority vote of the Board.

Robert's Rules of Order has been adopted as the official procedures for conducting board and committee meetings except where they are in conflict with other procedures adopted by the Board.

## PUBLIC PARTICIPATION

It is the intent of the Fire District Board to encourage attendance and participation at board meetings by all interested persons and residents of the district.

In the matter of motions before the Board, audience participation will be dependent upon the time available and the matter under discussion. The Board President or presiding officer may set a time limit on comments by an individual on any given issue.

In order to accomplish the tasks of the board in an orderly and expeditious manner the Board will attempt to limit repetitious testimony and discussion whenever possible as to not inconvenience those persons bringing business before the Board.

Persons failing to comply with 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.

## RECORDING OF VOTES

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.

The “Ayes” and “Nays” upon votes taken shall be entered on the records on all questions called by the president. Any member may request that their vote be changed if such a request is made prior to consideration of the next order of business. Any member may request that a roll-call vote be taken on any question.

## QUORUM REQUISITES

Three members shall constitute a quorum. If only a quorum is present, a unanimous vote is required to approve a motion.

## VOTE EXPLANATIONS

Any Board Member may append onto the record, at the time of voting, a statement indicating the reasoning behind the vote, or the reason for abstaining or choosing not to participate interest in a Board matter and abstain from voting.

## CONFLICT OF INTEREST

~~In accordance with ORS Chapter 244,~~ Any Board members having an actual or potential conflict of interest must declare it. If the conflict of interest is actual, the member must abstain from voting. If the member’s vote is necessary to meet the minimum number of votes to take official action, and the issue is emergent to the district, the member may vote, but not participate in any discussion or debate on the issue related to the actual conflict of interest.

## ADJOURNMENT

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

## EXECUTIVE SESSIONS

### NOTICE

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.

### NO FINAL DECISIONS

The Board shall not take any votes during any executive session, nor make any final decisions during any executive session. This policy, however, shall not prohibit full discussion of Board members' views during executive sessions.

### PURPOSES

Executive sessions shall be held only for the purposes allowed by State statutes as described under ~~ORS~~ 192.660~~(+)~~.

### CONDUCT OF EXECUTIVE SESSION

The Board President or other presiding officer shall announce the executive session by identifying the authorization under ORS 192.660 for holding the session and by noting the subject of the executive session before going into closed session. Once the executive session has been convened, the Board President 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.

## MINUTES OF MEETING

### WRITTEN MINUTES

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:

- All members of the Board present;
- All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;
- Results of all votes, including the vote of each member by name;
- The substance of any discussion on any matter;

- ~~Subject to ORS 192.410–192.505 relating to public records, a~~ reference to any document discussed at the meeting.

## MINUTES OF EXECUTIVE SESSIONS

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 audio recording. If minutes of an executive session are kept by audio recording, written minutes are not required, unless otherwise provided by law. ORS 192.650(2).

## DISCLOSURE OF EXECUTIVE SESSION MATTERS

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).

## RETENTION

Any audio 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 the State Archivist pursuant to ORS 192.105.

## AVAILABILITY TO THE PUBLIC

Written minutes of public sessions shall be made available to the public within a reasonable time after the meeting. ORS 192.650(1). Minutes are available at the office of the Main Station located at 819 Rail Way NE, in Silverton.