

*Silverton Fire District*  
*Board Manual*

**POLICY 105: DUTIES, RESPONSIBILITIES, & GOVERNANCE  
OF THE BOARD**

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*Originated: October 14, 2014*

*Revised: March 8, 2016*

*Reviewed: November 10, 2020*

**PURPOSE**

This policy is intended to outline and describe the responsibilities, authority and obligations Board members fulfill in the operation of the District. While some responsibilities are of a legal nature, others are not. Many duties overlap but the clear lines of responsibility and authority must be understood to prevent duplication of efforts and promote efficient operations.

**DUTIES AND RESPONSIBILITIES**

**MEETING THE NEEDS OF THE DISTRICT**

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.

**FORMULATION AND INTERPRETATION OF DISTRICT POLICY**

Board Members only have the right and responsibility to participate in Board meetings and vote on District matters as part of the Board. The most important activity of the Board in performing this responsibility is the formulation and interpretation of District policies. To this end, the Board shall establish policy, reserving to itself all authority and responsibility not directly assigned to other District officers and personnel.

**MANAGEMENT AND COMMUNICATION BETWEEN BOARD AND STAFF**

The primary responsibility of the Board is to make policy level decisions for the District. Management of the daily operations and staff is the responsibility of the Fire Chief. Unless otherwise authorized by a quorum of the Board, no individual Board member may direct or order a staff member on any matter that relates to the daily operations or administrative activities of the District. Moreover, unless otherwise authorized by the Board, no individual Board member may order, direct, or conduct any review of personnel records of any staff member or any other record that is exempt under Public Records Law.

**BOARD MEETING CONDUCT**

The Board 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, any other member of the Board may preside. Board members shall be respectful of one another and follow the direction of the Chair. They should avoid personal attacks and keep discussions on policy, not individuals. 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

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timely manner. Any decision of the President or other presiding officer at the meeting may be overridden by a majority vote of the Board.

### **BOARD MEMBERS AUTHORIZED BY OFFICIAL BOARD ACTION ONLY**

Board members have no individual powers separate from the powers of the Board and have no authority to act individually without delegation of authority from a quorum of the Board. Likewise, no individual Board member may speak for or 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.

### **ETHICAL STANDARDS**

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. As public officials they are required to comply with Oregon Ethics Laws. Each Board member should be provided with a copy of the Oregon Government Ethics Commissions *Guide for Public Officials*.

### **BOARD MEMBER EDUCATION**

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.

### **DISCIPLINE**

The Board has the right to enforce its rules and expect ethical and honorable conduct from its members. The Board will make every effort to resolve an issue by speaking to the individual privately. Should disciplinary action need to be taken, the following actions may be considered:

- A motion that the member must apologize;
- A motion that the member must leave for the remainder of the meeting;
- A motion to censure the member; or
- A motion to suspend a member's rights for a designated period of time.

### **GOVERNANCE**

#### **COMMUNICATIONS**

- Develop regular channels of communication with Board members and staff.
- Encourage participation of staff members on appropriate committees.
- Invite 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.
- Recognize that certain information obtained at Board meetings may be non-public and confidential making disclosure a breach of trust.
- Respect the opinion of other members and accept the principle of majority rule in Board decisions.

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### FINANCIAL

- Approve the annual budget.
- Monitor District finances and the budget, setting policy or taking action to ensure the fiscal integrity of the organization.

### POLICIES, OBJECTIVES, AND PLANS

- Abide by and become familiar with all laws and policies governing the operation of the District.
- Approve the annual strategic plan or plan of operations.
- Approve policies for the organization.
- 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. The Board's basic function is policy making – not administrative.
- Develop and approve long-range plan of growth and development for the District.
- Approve specific important projects.
- Approve any significant departure from established plans or policy.
- Receive and pass on committee or other planning body recommendations.
- Ensure that program objectives are assigned to the proper planning or implementing subgroups.
- Where applicable, bring other local governments or community groups into the planning and decision-making process.
- Approve contracts binding the District.
- Approve major changes in the District's organization or structure.
- Approve Board plans of action.
- Pass District resolutions, or adopt ordinances.

### MANAGEMENT

- Select the District President and other Board officers.
- Hire the Fire Chief.
- Define the duties and responsibilities for the President, Fire Chief, Officers, and major committee chairpersons.
- Select legal counsel and consultants for the Board.
- Approve contracts for professional services required by and for the Board.
- Authorize officers or Board agents to enter into contracts or to sign other written instruments and to take financial actions.
- Approve the plan, form, and amount of management compensation, that is, salaries, bonuses, vacation, travel, and so on.
- Evaluate the performance of the Fire Chief annually.
- Approve the form and amount of reimbursement for Board members.
- Approve programs for management development.
- Provide advice and consultation to management on matters within the purview of the Board's responsibilities.

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### EMPLOYEE RELATIONS

- Approve any employee benefit plans.
- Insist that personnel complaints go through a proper chain of command. If not resolved, only then should the Board get involved.
- Do not allow personnel problems, other than problems with the Fire Chief, to be brought into Board considerations.

### CONTROL

- 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.
- Realize that the citizens within the boundaries of the District are the true "owners" of the District.
- Review and assess the organization's performance against objectives, resources, plans, policies, and services rendered.
- Identify obstacles, sense-changing needs, and propose new directions or goals.
- Ensure that the District is in compliance with all federal, state, and local laws.

### BOARD OF DIRECTORS

- Motivate Board members to accept positions of leadership and responsibility.
- Appoint, change, or abolish committees of the Board.
- Define powers and responsibilities of committees of the Board.
- Do not make commitments on any matter that should come before the Board as a whole.
- Recognize that an individual Board member has no legal status to act for the entire Board.
- Realize that if a quorum of the Board meets to make a decision or to deliberate, then the meeting is considered a public meeting and must comply with all of the requirements of the Oregon Public Meetings Laws.
- Discussions on matters of overall policy outside of regular Board meetings can violate the open meetings law.

### PUBLIC ACCOUNTABILITY

- Keep the public informed on all District matters.
- Spend the District's money with prudence and trust.
- Place the needs of the public above the ambitions of the Board or the District.

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**POLICY 106: BOARD MEMBER ETHICS & CONFLICTS OF  
INTEREST**

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*Originated: February 1, 2016*

*Revised:*

*Reviewed: November 10, 2020*

**PURPOSE**

The purpose of this policy is to establish ethical standards of conduct for all district public officials in accordance with Oregon Government Ethics law.

**FINANCIAL GAIN**

No Board member will use his/her official position or office to obtain personal financial benefit or to avoid financial detriment for him or herself, relative or household members, or for any business with which the Board member, a household member or a relative is associated.

This prohibition does not apply to any part of an official compensation package, honorarium allowed by ORS 244.042, reimbursement of expenses, or unsolicited awards of professional achievement.

**GIFTS**

No public official shall solicit or accept a gift or gifts with an aggregate value in excess of \$50 in a calendar year from any single source who could reasonably be known to have a financial interest in the official actions of that public official. The \$50 gift limit applies separately to the Board member, and to the Board member's relatives or members of household, meaning that the Board member and each member of their household and relative can accept up to \$50 each from the same source/gift giver.

A gift is defined as something of value given to a public official, for which the official does not pay an equal value. Gifts of entertainment are included in the \$50 gift limit.

This does not mean that an official cannot receive any gifts. The law only restricts gifts from sources that have an administrative or legislative interest in the public official's actions, and does allow the public official to receive up to \$50 worth of gifts from each source. A legislative or administrative interest means an economic interest distinct from that of the general public, in any action subject to the decision or vote of a person acting in the capacity of a Board member. In addition, unlimited gifts may be accepted from a source that does not have a legislative or administrative interest in the public official, and the public official may accept unlimited gifts from specified relatives.

**CONFLICT OF INTEREST**

No Board member will solicit or receive, either directly or indirectly, any pledge or promise of future employment based on any understanding that the Board member's vote, official action or judgement would be thereby influenced.

No Board member will attempt to use or use for personal gain any confidential information gained through his/her official position or association with the District.