

# PUBLIC MEETING POLICY

## **BOARD MEETINGS - from Board Duties-Responsibilities**

### Required Meetings

The district will hold regular monthly board meetings, in accordance with Oregon Public Meetings Law as described in ORS 192.610 to 192.690. Regular meetings will be open to the public. Board members' attendance at meetings is expected. At minimum a quorum of the board shall discuss, deliberate, and take action as appropriate on all agenda items.

Regularly monthly meetings shall be scheduled at a convenient time agreed upon by a majority of the Board members annually.

### Distribution of Materials to Board Members

The Agenda, District Director's Report, Financial Reports, and miscellaneous reports shall be given to each member of the Board of Directors at least two (2) days prior to any regularly scheduled Board meeting.

At the same time, the District Director shall provide members detailed information relative to the Agenda.

### Notice

Public notice for all meetings of the district, including executive sessions, shall be provided in the following manner:

- A. Notice of regular meetings shall be provided at least two calendar days prior to the meeting.
- B. Notice shall include the key topics expected to be discussed or decided at the meeting.
- C. Notice shall be given in at least two of the following ways:
  1. By publication in newspaper of general circulation in the community.
  2. By publication on the district website.
  3. By email notification to any distribution list maintained by the district of individuals who have requested to be notified, including members of the media.
  4. By physical posting in at least one public place, such as a community bulletin board or in a public area of the district office.
- D. Written notice shall also be sent to any persons who 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 by email to media or interested persons. For emergency meetings, the District shall attempt to contact local media and other interested people by email.

### Agenda

The President or Secretary shall prepare an agenda for each regular board meeting, special meeting, or executive session. If the responsibility to prepare the agenda is

delegated to the Secretary, the President shall review and approve the final agenda. The agenda shall specify all matters scheduled to come before the board at the meeting, under the following headings:

- A. CALL TO ORDER
- B. ROLL CALL
- C. PUBLIC HEARING (if any)
- D. PUBLIC COMMENT
- E. PRESENTATION AND REPORTS
- F. BOARD TRAINING
- G. OLD BUSINESS
- H. NEW BUSINESS
- I. GOOD OF THE ORDER
- J. ADJOURNMENT

Board members may request items to be placed on an agenda through the board president or secretary. Agenda suggestions by board members should be made at least five days in advance of meeting. The agenda and any attachments thereto, including any staff or financial reports, shall be made available to board members and to the public at least three days prior to each regular board meeting.

Board members should make every effort to ensure that agenda items they wish to be considered are submitted in a timely manner in advance of the meeting. However, a board member may also move to add an item to the agenda at the beginning of a meeting, subject to board approval. If approved by the board, item will be added to agenda to be considered as the last item under New Business.

The Board may place certain items on a Consent Agenda and approve them as one action. Any board member may request to remove an item from the Consent Agenda for discussion, modification and individual approval.

#### Executive Sessions

The Board may convene an executive session only for the specific statutorily authorized reasons outlined in ORS 192.660. Executive sessions shall be noticed in the same manner as regular board meetings and must include the specific authorizing statute under which the meeting is allowed. An executive session may be called as part of a regular, special, or emergency board meeting provided proper notice has been given. The board may also call a separate meeting that is exclusively an executive session.

Executive sessions may not be held for the purpose of taking any final action or making any final decision.

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. The notice shall indicate the general subject matter to be considered and set forth the statutory basis for calling the executive session.

Executive sessions are closed to the public, but the media cannot be excluded from an executive session, with the exception of sessions regarding labor negotiations. The President 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 President shall direct any representatives of the news media who are present not to report certain specified information from the executive session. The non-disclosure requirement should be no broader than the public interest requires. 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.

- Employment of Personnel: ORS 192.660(2)(a). To discuss the employment of a public officer, employee, or staff member, but only if the following requirements have been met:
  - The vacancy for the position has been advertised.
  - Regularized procedures for hiring have been adopted.
  - There has been opportunity for public input into the employment of such employee or officer.
  - Where employment of a Chief Executive Officer 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(2)(a) for purposes of filling a vacancy in an elective office.
- Discipline of Public Officers and Employees: ORS 192.660(2)(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.
- Consultation with Labor Negotiator: ORS 192.660(2)(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.
- Real Property Transactions: ORS 192.660(2)(e). To conduct deliberations with persons designated by the Board to negotiate real property transactions.
- Exempt Records: ORS 192.660(2)(f). To consider records which 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.
- Trade or Commerce: ORS 192.660(2)(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.
- Litigation/Consultation with Legal Counsel: ORS 192.660(2)(h). To consult

with legal counsel concerning the District's legal rights and duties, relating to current litigation or litigation likely to be filed. Whenever written legal advice received from counsel is to be discussed, the Board may discuss the writing in executive session under the authority of ORS 192.660(2)(f), which authorizes an executive session to consider records which are exempt from public inspection.

- Performance Evaluations: ORS 192.660(2)(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 Chief Executive Officer or other District personnel concerning agency goals, objectives, operations or programs.
- Public Investments: ORS 192.660(2)(j). An executive session may be called to negotiate with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.
- Labor Negotiations: ORS 192.660(2)(n). Labor negotiations may be held in executive session if either side requests an executive session.

### Special and Emergency Meetings

- A. Special Meetings: If a need arises to address, deliberate or act on a given topic and cannot wait until the next regular board meeting, the board may convene a special meeting to address the issue. Special meetings are open to the public and require a minimum of 24 hours' notice. The agenda for a special meeting shall only include the particular item for which the special meeting is being called, and the meeting shall address only that agenda item, and then adjourn.
- B. Emergency Meetings: The board may convene an emergency meeting with less than 24 hours' notice, if necessary, when unforeseen circumstances arise. An actual emergency must exist that requires immediate action of the board. Notice must be appropriate to the circumstances and should include a reasonable attempt to contact the media and other known interested persons. An emergency meeting shall relate only to the urgent items in question and does not permit consideration of any additional district business. At the beginning of any emergency meeting, the District Director or Board 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.

## Minutes

Written minutes shall be taken at every meeting of the district. Minutes do not need to be a verbatim transcript of the proceedings but should accurately reflect the matters discussed and views of the participants. The board secretary is responsible for ensuring that accurate minutes are transcribed and distributed to board members and available to the public within a reasonable time after the meeting. The secretary shall also keep official copies of properly authenticated minutes, in chronological order, on file with the district permanently.

Tape or video recordings of meetings are not required, but may be utilized at the board's discretion, and will be subject to the same permanent retention requirement. Minutes of an executive session will be kept in the form of a tape recording rather than written minutes, and such minutes are generally not considered public records. Executive session minutes shall be labeled and stored separately from public meeting minutes to avoid inadvertent disclosure.

Meeting minutes shall comply with ORS 192.650 and at minimum contain the following:

- A. Name of board members and staff present;
- B. All motions, resolutions, orders, measures and ordinances proposed and their disposition;
- C. The result of any votes, including the names of each board member and how they voted;
- D. The substance of the discussion on any matter; and
- E. Reference to any document discussed at the meeting.

Meeting minutes may be amended as necessary. Upon receipt and review of the minutes, board members may submit any corrections or additions to the secretary so that a corrected copy may be issued to the board and public prior to the next meeting for board approval. The Board must authorize any changes to the meeting minutes.

- Minutes of Executive Session

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).

- 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 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. It is required that minutes be retained forever.

- 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)

- Procedural Rules

To ensure focused and efficient meetings, the Board will adhere to the following procedures and meeting protocol. In the event a parliamentary procedure issue is not addressed by this policy, the Board shall use Robert's Rules of Order to decide such issue.

A. Motions - General

1. All Board members have the right to make motions, discuss questions and vote on any issue before the Board.
2. Board member motions will be clearly and concisely stated. The president will state the name of the board members making the motion and the second.
3. The President will repeat the motion prior to a Board vote.
4. Motions for withdrawal of a motion, agenda order, roll call vote or point of order do not require a second.
5. A motion on which a second is not made but where discussion begins is deemed seconded by the member beginning the discussion. Motions requiring a second and not receiving such will die.
6. Discussion of a motion is open to all board members wishing to address it. A member must be recognized by the president prior to speaking on the motion.
7. The president may ask for a voice vote, but a roll call vote should be taken on all final decisions. All members will vote on each motion unless legally disqualified. A member abstaining from a vote must state the basis for any conflict of interest or other disqualification. The secretary will maintain a record of the votes.
8. The president will announce the results of any vote. Board members may explain their votes but must do so succinctly.

B. Ties: A motion receiving a tie vote fails.

C. Withdrawal: A motion may be withdrawn by the motion maker at any time without consent of the board.

D. Table: a motion to table is not debatable and precludes any amendment or further debate. If the motion carries, the item may only be taken from the table by adding it to a future agenda for continued discussion.

E. Postpone: A motion to postpone may be made to either postpone to a certain date or to postpone indefinitely. A motion to postpone to a certain date is debatable and amendable. A motion to postpone indefinitely is a motion to reject without a direct vote and is debatable and not amendable.

- F. Amendment: A motion to amend may be made to a prior motion that has been seconded but not voted on. Amendments will be voted on first, prior to the motion being amended (or not amended) and voted on. Motions to adjourn, table, take from table, reconsider, for point of order and agenda order may not be amended.
- G. Call for Question: A motion calling for the question ends debate on the item and is not debatable. A second is required, and each board member who wishes it should have one opportunity to speak before the motion is called. Once called, the president will inquire if any objection is raised. If there is an objection, the matter will be put to vote and either pass with a majority vote or fail. Debate may continue if the motion fails.
- H. Reconsideration: When a motion has been decided, a board member who voted with the majority may move for reconsideration. A motion for reconsideration may only be made at the meeting at which the motion was approved.
- I. Adjournment and Recess: Any meeting of the board may be continued or adjourned with a motion and majority vote of the board members present. A motion to adjourn will be in order at any time except while a vote is being taken or when made as an interruption of a member who is speaking. Upon the request of a board member, a short recess may be taken during a board meeting.
- J. Control of Meeting: The presiding officer shall have the authority to keep order and impose reasonable restrictions necessary for the orderly and efficient conduct of a meeting. Persons who fail to comply with such reasonable regulations or who otherwise disturb the meeting may be asked to leave, and upon failure to do so, may be treated as a trespasser.

- Order and Decorum

Board members will assist the Board President in preserving order and decorum during board meetings and will not delay or interrupt proceedings. Board members will comply with any ruling of the president or board, and the following rules will be observed to maintain order and decorum during meetings:

- A. Board members will review necessary information, including the agenda and meeting materials, before meetings, and will come to meetings prepared.
- B. Any board member desiring to be heard will request to the president to be heard. Board members will be given an opportunity to speak at least once on any pending motion or agenda item. Once recognized, the speaker will confine his or her remarks to the subject under consideration.
- C. When speaking on behalf of the board or district, board members will represent the board's official position, not their own personal opinion.
- D. Board members will be open and candid and should be succinct in stating their views. Board members should focus on a single issue or topic and any one time and allow one another to finish speaking without interruption.
- E. Board discussions are to focus on district issues; board members should avoid becoming involved with non-district issues not relevant to the current discussion.
- F. Board members should keep discussions moving and adhere to established time limits on discussions.

G. Board members will refrain from criticizing or berating each other, staff, or members of the public.

- 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 remaining members shall select a board member to preside.

- Conduct of 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 presiding officer at the meeting may be overridden by a majority vote of the Board.

- Conduct of Executive Session

The President 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 President shall direct any representatives of the news media who are present not to report information from the executive session. The extent of the non-disclosure requirement should be no broader than the public interest requires. 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.

- Public Participation

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. Any individual who fails to leave the premises when asked to do so may be treated as a trespasser, and law enforcement personnel may be contacted to remove the individual.

- Electronic Equipment

The presiding officer shall inform persons attending any meeting of the Board of reasonable rules necessary to assure an orderly and safe meeting, including rules related to the operation of electronic recording equipment. 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.

- 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.

- Quorum Requisites

Three members shall constitute a quorum. If only a quorum is present, a unanimous vote shall be required to take final action.

- Vote Explanations

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.

- Conflict of Interest/Ex Parte Contacts

Any Board member with a potential conflict of interest shall declare the conflict for the record but may participate in discussions and vote. Any Board member with an actual conflict of interest shall declare the conflict for the record, and refrain from discussion or voting. If any member of the Board has had any ex parte contact in a quasi-judicial matter, the member shall declare the contact prior to participating in discussion on the matter.

- Smoking

Pursuant to ORS 192.710, no person shall smoke or carry any lighted cigar, cigarette, pipe or other smoking equipment into a room where a meeting is being held by the Board or is to continue after a recess. For purposes of the statute, a meeting is deemed to have started at the time the agenda or meeting notice indicates it is to commence, regardless of the time the meeting actually begins. This rule shall apply at any regular, special or emergency meeting at which the Board intends to "exercise or advise in the exercise of any power of government." No quorum requirement shall apply for this smoking ban to apply. If the Board intends to reconvene after leaving a meeting room for an executive session, the Board will be deemed to be in "recess" during which smoking shall be prohibited in the meeting room.

- A. Smoking Policy at Other Locations: If a meeting is held at a location other than one which is "rented, leased or owned" by the District, such as a hotel meeting room, where no separate charge is made for the room, the smoking ban of ORS 192.710 shall not apply, but other laws prohibiting smoking except in designated areas, such as that found in ORS 433.845, may apply.
- B. Smoking Reminder: Whenever members of the public are in attendance at a meeting, the presiding officer shall remind those present of the no smoking rule at the beginning of the meeting to avoid potential embarrassment.

- Public Participation/Comment

In order to foster an atmosphere of cooperation and transparency, and in order to best serve the interests of the community, it will be the policy of the UCSLD to allow public comment at all open board meetings, under the following structure:

- A. Public testimony sign-up forms will be available at each regular board meeting. Virtual attendees can sign up through the chat function. The board will provide public comment time at the beginning of each regular meeting, according to the agenda (see Sect. 3.3. During this time members of the public may speak to the board about district items that are not already included on the agenda. Once recognized by the board president, members shall state their name and address for the record and address the

board. The board may set time limits for comments and may request that groups with similar comments or issues choose a spokesperson to present joint remarks.

- B. Board members should not respond to comments made during Public Comment time except to ask clarifying questions. Any public requests for board action should be referred to staff for review before being placed on a future agenda.
- C. The district is under no obligation to take public comment on any agenda item under discussion but may choose to do so at the discretion of the board president, unless otherwise decided by the board. The president may also limit duration or subject matter at his or her discretion.

- Virtual Attendance

In-person public meetings of the board of the UCSLD shall also allow for remote attendance by any member of the public who wishes to attend in such a 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. 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). In order to comply with this regulation, the district will accommodate remote/virtual attendance as follows:

- A. The board shall designate the District Director or other such staff person as deemed appropriate to ensure the ability for the public to attend UCSLD board meetings virtually.
- B. Virtual attendees will have the same opportunity as in-person attendees for Public Comment time, if requested. The delegee in charge of monitoring the remote aspect of the meeting shall, upon starting the virtual meeting, receive any requests for Public Comment time. Virtual attendees requesting such will state their name and address and be added to the public testimony sign-up form.

- 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:

- A. 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.
- B. If a meeting is held upon less than 48 hours' notice, the District shall make reasonable efforts to have an interpreter present.
- C. The requirement for an interpreter does not apply to emergency meetings.
- D. The District Director 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.

- Adjournment

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