

WASCO COUNTY SWCD PUBLIC MEETING POLICY

Preparation for Board Meetings

Distribution of Materials to Board Members

The agenda, prior meeting minutes, treasurer's report, supporting documents (including cost share applications), correspondence log, and the upcoming schedule of events 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 District Manager shall provide members with detailed information relative to the agenda, including existing Board policy pertinent to Agenda items, as well as manager reports such as grant status and work plan progress.

Distribution of Agenda to the Public

The proposed agenda will simultaneously be distributed to interested parties, local and other news media, on the District website and/or social media, and posted at one or more locations convenient for review by District personnel and the public.

Board Meeting Agenda

The clerk of the Board shall draft the agenda after conferring with the president of the Board. Unless modified by the Board, the agenda shall follow the following general format:

- Call to Order/Review Agenda/Call for Agenda Additions
- Roll call by Secretary-Treasurer or designee
- Approval of the minutes
- Secretary-Treasurer's report (including accounts payable / statement of bills)
- Audience participation (testimony from citizens) / Public Comment on Agenda Items
- Action Items / New Business
- Updates / Old business
- Agency Reports
- Committee Reports
- District Manager's Report
- Items not on agenda open to public, Board and staff participation
- Agenda suggestions for future meetings from Board members and District personnel
- Adjournment
- Executive Session (*include citation to statutory authority*)

Notice and Location of Meetings

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.

Compliance with Law

All meetings shall be conducted in accordance with the Oregon Public Meetings Law, ORS 192.610-192.705.

Location of Meetings

All meetings shall be held within the geographic boundaries of the District, except for training sessions held without any deliberations toward a decision. 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.

Meetings Held By 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.

Regular Meetings

The Board shall hold regular monthly meetings on the second Wednesday of each month. Such meetings shall be held at the USDA Service Center Conference Room, 2325 River Road, The Dalles, OR 97058, at 1:00 pm, or at such other places and times as the Board may designate from time to time.

Special Meetings

The Board may hold special meetings at the request of the President; the Vice-President in the absence of the President; or any three members of the Board. No special meeting shall be held upon less than 24 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 officer or directors calling the meeting shall recite the reason(s) for calling the emergency meeting, and the reason(s) shall be noted in the minutes. Only business related directly to the emergency shall be conducted at an emergency meeting. If the Board determines that the reasons for calling the meeting are insufficient, the meeting shall be immediately adjourned.

Notice of Meetings

Notice of the time, place, and principal subjects to be considered shall be given for all meetings. For regular or special 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 published or posted at the following locations within the District: SWCD Office at 2325 River Road, Suite 3, The Dalles, OR 97058.

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 emergency meetings, the District shall give as much notice as possible under the circumstances, but at minimum will contact local media to inform them of the meeting.

Executive Sessions

Notice for a meeting called solely to hold an executive session 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.

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 District Manager shall be responsible for developing and maintaining a list of

qualified interpreters and is responsible for arranging for attendance of an interpreter at any meeting for which an interpreter is requested.

Board Meeting Conduct

Presiding Officer

The Chair shall preside at Board meetings. In the Chair's absence, the Vice-Chair shall preside. If both the Chair and Vice-Chair are absent, the Secretary/Treasurer will preside. In the absence of all three executive officers, the remaining members shall select a board member to preside.

Conduct of Meetings

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

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 District Board of reasonable rules necessary to ensure 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 prior to consideration of the next order of business.

Quorum Requisites

A majority of the positions on the Board (filled or vacant) shall constitute a quorum. A quorum is required to be present in order for the Board to deliberate or take any final action. 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

Oregon's Indoor Clean Air Act prohibits smoking in District buildings and within 10 feet of all entrances, exits and accessibility ramps that lead to and from an entrance or exit, windows that open and air-intake vents. "Smoking" includes cigarettes, cigars, pipes, and the use of "inhalant delivery systems" (vaping); and other devices. The Board may adopt anti-smoking policies that are stricter than state law and prohibit smoking on District properties other than buildings.

Adjournment

Upon completion of the entire agenda, or at an hour pre-determined for the meeting to end, a board member shall make a motion to adjourn the meeting. Another board member shall second the motion, and the board chair (or acting board chair) shall declare the meeting adjourned.

Special circumstances: in the case of emergency circumstances (medical emergency, threat to public safety, etc.), the meeting may be adjourned without motion or preamble. If a loss of board quorum occurs for any reason during the course of the meeting, the meeting is considered adjourned at that point. The minutes of the meeting shall reflect how and why the meeting was adjourned.

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

No Final Decisions

The Board may fully discuss board members' views but may not make any final decisions during any executive session.

Authorized Purposes

Executive sessions shall be held only for the following purposes:

ORS 192.660(2)(a). To consider the employment of a public officer, employee, staff member or individual agent if:

- A. The District has advertised the vacancy;
- B. The Board has adopted regular hiring procedures;

- C. In the case of an officer, the public has had the opportunity to comment on the employment of the officer; and
- D. In the case of a chief executive officer, the governing body has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

This authority does not apply to:

- (1) The filling of a vacancy in an elective office.
- (2) The filling of a vacancy on any public committee, commission or other advisory group.
- (3) The consideration of general employment policies.
- (4) The employment of the chief executive officer, other public officers, employees and staff members of a public body when the procedures listed above have been followed.

ORS 192.660(2)(b). To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.

ORS 192.660(2)(c). To consider matters pertaining to the function of the medical staff of a public hospital licensed pursuant to ORS 441.015 to 441.119 and 441.993 including, but not limited to, all clinical committees, executive, credentials, utilization review, peer review committees and all other matters relating to medical competency in the hospital.

ORS 192.660(d). To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

ORS 192.660(e). To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

ORS 192.660(f). To consider information or records that are exempt by law from public inspection.

ORS 192.660(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.

ORS 192.660(h). To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

ORS 192.660(i). To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

ORS 192.660(j). To carry on negotiations under ORS chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.

ORS 192.660(k). To consider matters relating to school safety or a plan that responds to safety threats made toward a school.

ORS 192.660(n). To discuss information about review or approval of programs relating to the security of any of the following:

- (A) A nuclear-powered thermal power plant or nuclear installation.
- (B) Transportation of radioactive material derived from or destined for a nuclear-fueled thermal power plant or nuclear installation.
- (C) Generation, storage or conveyance of:
 - (i) Electricity;
 - (ii) Gas in liquefied or gaseous form;
 - (iii) Hazardous substances as defined in ORS 453.005 (7)(a), (b) and (d);
 - (iv) Petroleum products;
 - (v) Sewage; or
 - (vi) Water.
- (D) Telecommunication systems, including cellular, wireless or radio systems.
- (E) Data transmissions by whatever means provided.

ORS 192.660(o). To consider matters relating to the safety of the governing body and of public body staff and volunteers and the security of public body facilities and meeting spaces.

ORS 192.660(p). To consider matters relating to cyber security infrastructure and responses to cyber security threats.

ORS 192.660(3). Labor negotiations IF negotiators for both sides request that negotiations be conducted in executive session. Labor negotiations conducted in executive session are not subject to the notification requirements of ORS 192.640.

Conduct of Executive Session

The 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 Chair shall direct any representatives of the news media who are present not to report information from 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 Board Meetings

Minutes

The Board shall keep minutes of all of its meetings, including executive sessions, in accordance with the requirements of ORS 192.650. Minutes may be taken in writing or by audio recording, and 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.
- A reference to any document discussed at the meeting.

Minutes of executive sessions shall be kept separately from minutes of open meetings.

Disclosure of Executive Session Minutes

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.

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.

Availability to the Public

Written minutes of public sessions shall be made available to the public within a reasonable time after the meeting.