

**Santiam Water Control District  
Public Meeting Policy**

**June 2024**

**PUBLIC MEETING POLICY**

**Preparation for Board Meetings**

**Distribution of Materials to Board Members**

The agenda, District Manager's report, treasurer's report, and Monthly Accounts Payable 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 District Manager shall provide members with detailed information relative to the agenda, including existing Board policy pertinent to Agenda items.

**Distribution of Agenda to the Public**

The proposed agenda will simultaneously be posted on the window of the Santiam Water Control District office and posted to the District website; both are accessible to the public.

**Board Meeting Agenda**

The secretary 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  
Recording of members present Approval of  
the minutes Public Comment  
New Business Old  
business  
District Manager's Report Treasurer's  
Report Monthly Accounts Payable  
Financial Statement Review  
Items not on agenda open to public  
Agenda suggestions for future meetings from Board members and District personnel  
Adjournment  
Executive Session (*include citation to statutory authority*)

**Notice and Location of Meetings**

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



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### **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 based on race, creed, color, sex, age, national origin, or disability is practiced. All meetings shall be held in places accessible to people with disabilities. The SWCD conference room is upstairs in a building without an elevator. Public Meetings will be made available to members of the public upon timely request. If physical, language, or other accommodation is needed to attend the meeting, members of the public should contact the District office as soon as possible, and at least 48 hours prior to the meeting.

### **Meetings Held By Electronic Means**

All meetings of the Board, excluding executive sessions, must provide members of the general public, to the extent reasonably possible, an opportunity to access and attend the meeting by telephone, video or other electronic or virtual means.

### **Regular Meetings**

The Board shall hold regular monthly meetings on the SECOND MONDAY of each month. Such meetings shall be held at the Santiam Water Control District office, located at 284 East Water Street, Stayton OR 97383 at 2:00 pm, or at such other places and times as the Board may designate from time to time.

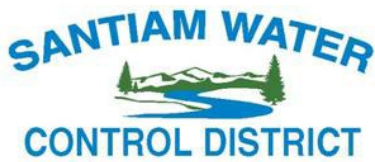
### **Emergency Meetings**

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 director(s) 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.

### **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.



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### **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, and to all persons or other media representatives that have requested notice in writing of every meeting. The agenda shall also be published or posted at the following locations within the District, front window of the District offices and the District internet site.

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.

### **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) and make a good faith effort to provide an interpreter for the hearing impaired at regularly scheduled Board meetings, this requirement does not apply to emergency meetings. The District must be given at least 48 hours' notice of the request, provided with the name of the requester, the requester's sign language preference, and any other relevant information which the District may require to secure the translator.

### **Board Meeting Conduct**

#### **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.

#### **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.

#### **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.

#### **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.



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### **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 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.

### **Quorum Requisites**

A majority of the positions on the Board (filled or vacant) shall constitute a quorum. A quorum is required to be present 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.

### **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.

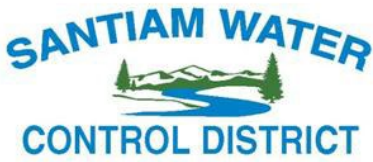
### **Adjournment**

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



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### 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(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.



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**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(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 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. 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



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### **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.

#### **New Training Requirements for Members of a Governing Body of a Public Body**

On Jan 1, 2024, HB 2805 added a new mandatory public meetings training requirement for every member of a governing body of a public body with total expenditures of \$1 million or more per fiscal year. These governing body members must receive approved Public Meetings Law training at least once during their term of office. The Oregon Government Ethics Commission (OGEC) is responsible to annually prepare training and best practices to enhance compliance with the new requirements. SWCD Board Members will need to complete this training requirement.



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Adopted by Board of Directors this 10<sup>th</sup> day of June 2024.

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President, Board of Directors

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Secretary, Board of Directors