

Klamath Interoperability Radio Group Policy & Procedures

Definitions

- Participants** – refers to the group as a whole consisting of founding IGA members and users.
Members – refers to participants that are not users of the Groups service and do not pay a user fee.
Users – refers to participants that use the Groups service and pay a user fee.
Executive Board (E-Board) – refers to the 7 member board governing the Group as set forth in the Bylaws.

Contents

(Chapter 1)	3
FINANCIAL MANAGEMENT POLICY 1	3
PURCHASE APPROVAL POLICY 2	5
SECURITY POLICY 3	6
(Chapter 2).....	8
EXECUTIVE BOARD POLICY 1.....	8
POWERS AND DUTIES OF THE E-BOARD 2.....	8
BOARD RESPONSIBILITIES POLICY 3	9
EXECUTIVE BOARD MEMBER ORIENTATION POLICY 4.....	11
BOARD OFFICER DUTIES POLICY 5.....	12
PREVENTION OF WORKPLACE DISCRIMINATION, HARASSMENT, AND RETALIATION (OREGON PUBLIC SECTOR) 6	13
(Chapter 3)	
.....	18
Local Budget Law 1	18
THE LOCAL BUDGET LAW PROCESS	18
GRANTS AND LOANS.....	19
(Chapter 4)	20
1.1 CONTRACTING LAWS AND RULES	20
1.2 CONTRACTING AUTHORITY: LOCAL CONTRACT REVIEW BOARD	21
1.2 DELEGATION OF AUTHORITY	21
(Chapter 5).....	22
.....	22
Meetings 1	22
1.1 PUBLIC NOTICE.....	22
1.2 CONTROL OF MEETINGS	22
1.3 VOTING.....	22

1.4 MINUTES AND RECORD KEEPING	22
1.5 EXECUTIVE SESSIONS	23
PUBLIC RECORDS 2	25

Accounting

(Chapter 1)

FINANCIAL MANAGEMENT POLICY 1

1.1 Objectives

To ensure that all financial systems, functions, and controls meet GAAP auditing standards.

Preserve capital through prudent banking and cash management activities.

To achieve the most productive use of cash, minimize operating costs, and to control receipts and disbursements.

To maintain competitive and good working relations with financial institutions.

To provide safety to participants.

1.2 Banking Services

Banking services shall be solicited at least every five years on a competitive basis, and banks submitting proposals must meet the following minimum criteria:

Verify that the bank you want to use is on the list of qualified depositories on the State Treasurer's website at:

[http://www.oregon.gov/treasury/Divisions/Finance/LocalGov/Pages/Qualified](http://www.oregon.gov/treasury/Divisions/Finance/LocalGov/Pages/Qualifiedhttp://www.oregon.gov/treasury/Divisions/Finance/LocalGov/Pages/Qualified-Depositories.aspx)<http://www.oregon.gov/treasury/Divisions/Finance/LocalGov/Pages/Qualified-Depositories.aspx>

Be insured by the Federal Deposit Insurance Corporation

Be able to facilitate transfers to and from the Local Government Investment Pool managed by the Oregon State Treasurer.

Provide annual audited financial statements.

Be authorized and approved by the Board.

1.3 Billing and Receipts

The Group will invoice all vendors for amounts due on a current basis. An accounts receivable age schedule will be prepared and monitored to ensure amounts due the Group. Invoices are due within 30 days of billing date.

State Funds/State Grants. If stage agency/grantor is willing and it is feasible, funds will be received via the Local Government Investment Pool.

1.4 Accounts Payable

The Group will maintain a system to age accounts payable. Invoices will be analyzed to take advantage of any discounts available.

All obligations paid to the Group will be reviewed to ensure proper documentation is attached and that all Group requirements are met.

1.5 Cash Forecasting

Each fiscal year, the Secretary-Treasurer of the Board will prepare an annual general fund cash flow budget for the Group for approval by the Board.

Each month the cash flow statement will be adjusted to reflect the current month's actual cash flow and revise the remaining estimated cash flow schedule.

1.6 Debt

If feasible, the Group may enter into long-term lease obligations or issue bonds to finance capital acquisitions upon approval of the Board.

Before issuing any debt, the Board will consult with appropriate internal and/or external financial advisors.

All leases, as reported in the Group's annual financial report, will be limited as follows.

Annual leases will be limited to the economic life of the equipment or facilities to be purchased, and in no case, shall be extended beyond 20 years or as otherwise authorized by Oregon Revised Statutes.

Lease purchases of equipment and facilities will be limited to fit within the Group's stated mission, goal or government role.

All lease-purchase payments must be included in the annual approved budget.

The Board Secretary-Treasurer shall respond in writing to all external audit reports stating what actions have been taken to address the findings contained in the audit.

1.7 Internal Controls

Duties will be assigned to individuals in such a manner that no one individual can control all

phases of collecting cash, recording cash, and processing transactions in a way that permits errors or omissions to go undetected.

The Board is authorized to request the Secretary-Treasurer to provide financial reconciliation when deemed appropriate by the Board.

All accounting computer records must be kept secure. Persons authorized to edit or review the records must be given passwords which only enable them to access the system. Accounting records should be backed-up on a regular basis.

The books will be reviewed regularly by the Board or someone who does not write the checks.

Receipts should always be verified prior to paying an invoice by reconciling the receipts or packing slips to determine that merchandise or services have been received before payment.

Cash/ Petty Cash Funds: there will be no cash transactions or petty cash on hand.

Two signatures are required to sign checks.

1.8 Authorized Personnel/Security

Checking accounts require two manual signatures or stamps.

Checkbooks are to be in a secure place at all times during business hours and locked in a filing cabinet during non-business hours.

The Secretary-Treasurer is responsible for maintaining a current signature card with the appropriate financial institution.

1.9 Audits/Auditors

A financial audit will be conducted annually.

Board members are to cooperate with all auditors, external and internal, regarding any records maintained for or by the Group.

All external and internal audit reports are to be sent to the board, auditor, and filed with the State as required.

PURCHASE APPROVAL POLICY 2

2.1 Purpose

To provide a process for documenting approval guidelines and authorization levels for making purchases. This procedure will provide an accurate method of tracking purchases, provide

purchase approval documentation, assign accountability and improve staff's awareness of the Group's financial position in relation to budgeted line items.

2.2 Procedure

Analyze product availability, competitive pricing, product quality, delivery, and installation and/or service factors when considering available vendor sources.

Review the operating budget to determine if item is budgeted and to determine remaining budget availability for the related expense account(s).

If item under consideration is not specifically budgeted, or if insufficient account budget funds remain unavailable board approval prior to purchase is required.

2.3 Documentation

When a purchase decision is initiated retain ordering and/or shipping information. This documentation will be used for reconciliation to the item's invoice.

The Secretary-Treasurer will review and approve normal on-going budgeted operating invoices such as utility and rent.

SECURITY POLICY 3

3.1 Purpose: The purpose of this policy is to safeguard the Group's checks, stamps, financial records and other Group assets.

3.2 Check Stock: All checks will be locked in a filing cabinet. This includes both signed and unsigned checks. Checks will be locked in a drawer or safe at all times. The keys are to be kept in the possession of the appropriate personnel and not left on the premises.

Outgoing accounts payable checks are not to be left unattended, but will be held until entrusted to the mail carrier.

3.3 Financial Stamps: All stamps are to be locked in filing cabinet during non-business hours. During business hours they are to be kept in a secure location.

3.4 Bank Deposits: Bank deposits will be processed in a timely manner. Personnel making deposits and deposit times will be varied so as not to create a routine pattern.

3.5 General Security: The Groups business will be co-located at Klamath 911. Klamath 911 is a secure building with authorized personnel access only.

Board Member Duties and Responsibilities

(Chapter 2)

EXECUTIVE BOARD POLICY 1

1.1 Positions and Terms

The E-Board of the Group shall consist of 7 members, 4 positions, serving a minimum of 1 year term as outlined in the Bylaws 2.3, 3.1.

1.2 Qualifications

Members will be appointed by their representing agency to serve on the E-Board on its behalf.

1.3 Vacancies

Vacancies on the board shall be filled by appointment from participant agencies.

POWERS AND DUTIES OF THE E-BOARD 2

2.1 Meeting the Needs of the Group

It is the policy of the E-Board 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 Group.

2.2 Formulation and Interpretation of Group Policy

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

2.3 E-Board Members Authorized By Official Board Action Only

E-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 Group, except as authorized to do so by official board action as recorded in the official minutes, guidelines, or policies of the Group.

2.4 Ethical Standards

E-Board members act as representatives of the participants of the Group. Therefore, board members shall adhere to the highest ethical standards in the conduct of Group business.

BOARD RESPONSIBILITIES POLICY 3

3.1 Communications

Develop regular channels of communication between the E-Board and Participants.

Encourage participation of members on appropriate committees.

Develop procedures for bringing staff opinions and recommendations to the board, as well as board opinions and decisions to the staff.

Respect the opinion of other members and accept the principle of majority rule in board decisions.

Provide agenda and minutes for all meetings representing a quorum of the E-Board.

3.2 Financial

Approve the annual budget.

Monitor finances and the budget, setting policy or taking action to ensure the fiscal integrity of the group.

3.3 Policies, Objectives, and Plans

Abide by and become familiar with all laws and policies governing the operation of the Group.

Approve the annual strategic plan or plan of operations.

Approve policies for the group.

Develop and approve long-range plan of growth and development for the Group.

Approve specific important projects.

Approve any significant departure from established plans or policy.

Where applicable, bring other local governments or community groups into the planning and decision-making process.

Approve contracts binding the Group.

Approve major changes in the Group's organization or structure.

Approve board plans of action.

Pass Group resolutions, or adopt ordinances.

3.4 Management

Select E-Board positions.

Define the duties and responsibilities for the Chair, Vice-Chair, and Secretary-Treasurer.

Select legal counsel and consultants for the board.

Approve contracts for professional services required by and for the board.

Authorize board agents to enter into contracts or to sign other written instruments and to take financial actions.

3.5 Control

Identify types of information needed by the board to analyze effectively the Group's directions and achievement. Create a process for collecting and analyzing information.

Review and assess the Groups performance against objectives, resources, plans, policies, and services rendered.

Analyze major "shortfalls" in achievement.

Identify obstacles, sense changing needs, and propose new directions or goals.

Ensure that the Group is in compliance with all federal, state, and local laws.

3.6 Executive Board of Directors

Motivate 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 individually 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 if a quorum is present.

3.7 Accountability

Keep the participants informed on all Group matters.

Make decisions based on the wishes and needs of the partners.

Spend the Group's money with prudence and trust.

Place the needs of the Group above the ambitions of the board.

EXECUTIVE BOARD MEMBER ORIENTATION POLICY 4

4.1 Orienting New Board Members

The board shall assist each new member appointee to understand the board's functions, policies, and procedures. The following methods shall be employed:

The Secretary-Treasurer shall provide material pertinent to meetings and respond to questions regarding such material.

Each new board member shall be provided:

An updated copy of the Group's policies and procedures.

A copy of the Attorney General's "Public Records and Meetings Manual."

Copies of the minutes of all board meetings, except for executive sessions, for the preceding twelve (12) months.

Copies of the Group's last five (5) budgets.
Copies of all such documents as the attorney[s] for the Group may recommend with respect to any pending claims or lawsuits.

BOARD OFFICER DUTIES POLICY 5

5.1 Duties of the Chair

The Chair of the board shall preside at meetings of the E-Board. The Chair shall perform all of the duties prescribed by the Oregon Revised Statutes.

The Chair shall consult with the Secretary of the board regarding the preparation of each board meeting agenda.

The Chair shall have the same right as other members of the board to discuss and to vote on questions before the board.

The Chair may call special meetings of the board as described by the Oregon Public Meetings Law.

The Chair of the board shall sign official Group documents on behalf of the board when authorized to do so by a majority of the board.

5.2 Duties of the Vice-Chair

In the Chair's absence, or during any disability of the Chair, the Vice-chair shall have the powers and duties of the Chair of the board as prescribed by Group policy. The Vice-chair shall have such other powers and duties as a majority of the board may from time to time determine.

5.3 Duties of the Secretary-Treasurer

The Secretary-Treasurer of the board shall cause accurate minutes of each board meeting to be taken, transcribed, and distributed to each board member in a timely manner for review prior to approval. The Secretary-Treasurer shall maintain properly authenticated official minutes in chronological order. Any of the foregoing responsibilities may be delegated to staff members under the supervision of the Secretary-Treasurer.

The Secretary-Treasurer of the board shall assure that accurate accounting and financial records are maintained by the Group.

The Secretary-Treasurer shall annually review the Group's financial audit with the board. The Secretary-Treasurer shall send copies of the audit to state or local agencies requiring its submission.

Respond directly to routine correspondence.

Handle correspondence of special interest to the board as follows:

- Draft replies in advance, when possible, for board consideration.
- Seek instruction for reply when necessary.
- Prepare correspondence as the board directs.

Prepare for board meetings.

- Prepare the agenda with the advice of the president.
- Maintain a calendar for the board's unfinished business.
- Call to the board's attention legal requirements and those matters for which the Group is responsible.
- Draft policy motions at the request of the board.

Board meeting duties:

- Attend all board meetings or designate an alternate.
- Make physical arrangements for board meetings.
- Provide notice of board meetings in accordance with the Public Meetings Law.

Maintain and update the Group's policy and procedure manual.

PREVENTION OF WORKPLACE DISCRIMINATION, HARASSMENT, AND RETALIATION
(OREGON PUBLIC SECTOR) **6**

Klamath Interoperability Radio Group (KIRG) is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, *KIRG* expects that all relationships among persons will be respectful and professional, free of bias, prejudice and harassment in the workplace, at work related events, or any activity coordinated by or through the organization. This policy applies to all representatives, business partners, elected officials, board or commission members, volunteers, interns and any other person we interact with in the course of accomplishing the work of the organization.

KIRG has developed this policy to ensure that all its representatives, business partners and volunteers can work in an environment free from unlawful harassment, discrimination and retaliation. *KIRG* will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of these policies will be investigated and resolved appropriately.

Discrimination, harassment and retaliation are not acceptable.

Any person who has questions or concerns about these policies should talk with their partner agency representative or as an alternative you may contact the *KIRG* Executive Board.

EQUAL EMPLOYMENT OPPORTUNITY

It is our policy to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, national origin, genetic information, or any other characteristic protected by law.

RETALIATION

We encourage reporting of all perceived incidents of discrimination or harassment. It is the policy of *KIRG* to promptly and thoroughly investigate such reports. We prohibit retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

SEXUAL HARASSMENT

Sexual harassment constitutes discrimination and is illegal under federal and state laws. For the purposes of this policy, “sexual harassment” is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or c) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment: a) quid pro quo and b) hostile work environment. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Oregon Law provides further protection from sexual assault defined as unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat, or intimidation.

HARASSMENT

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law, or that of his or her relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonably interfering with an individual's work performance, or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes labels, insults or negative stereotyping; threatening, intimidating or hostile acts; demeaning jokes; and written or graphic material that belittles or shows hostility or dislike toward an individual or group that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.

REPORTING AN INCIDENT OF HARASSMENT, DISCRIMINATION OR RETALIATION

KIRG encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct should discuss their concerns with their affiliate agency representative or *the KIRG Executive Board*. See the complaint procedure described below.

In addition, we encourage individuals who believe they are being subjected to such conduct to promptly advise the offender that their behavior is unwelcome and to request that it stop. Often this action alone will resolve the problem. We recognize, however, that an individual may prefer to pursue the matter through complaint procedures.

Following receipt of a complaint or concern, management will follow-up every three months for one year to ensure no further concerns or retaliation are experienced. Persons should not wait for the representative follow-up to share related experiences. If a person would like the follow-up to discontinue the follow-up process a request must be submitted in writing to their affiliate agency representative or the KIRG Executive Board.

INTERNAL COMPLAINT PROCEDURE

Individuals who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with *their affiliate agency representative* if you are unable to reach the primary contact please reach out to *the KIRG Executive Board*. We encourage representatives, business partners, elected officials, board or commission members, volunteers, interns to document the event(s), associated date(s), and potential witnesses.

KIRG encourages the prompt reporting of complaints or concerns so that quick and helpful action can be taken before relationships become irreparably broken. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. However, complaints and concerns may be brought forward within four years of the alleged violation.

Any reported allegations of harassment, discrimination or retaliation will be investigated quickly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the event(s) or may have other relevant knowledge.

KIRG will maintain confidentiality throughout the investigatory process to the extent possible with acceptable investigation and appropriate corrective action.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling or corrective action as deemed necessary by the affiliate agency representative or by the *KIRG* Executive Board as believes appropriate under the circumstances.

False and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.

EXTERNAL COMPLAINT PROCEDURES

We encourage representatives, business partners, elected officials, board or commission members, volunteers or interns to bring their concerns and complaints to the organization, and understand that, at times, this may not be their choice. Below is a list of the external complaint options. Please reach out to the preferred choice to determine the appropriate timelines for their processes.

- Oregon Bureau of Labor and Industries at the following web address:
https://www.oregon.gov/boli/CRD/Pages/C_Crcompl.aspx
- Civil or Criminal Action. In these circumstances, a Notice of Claim must be provided to us in accordance with ORS 30.275.

AGREEMENTS

No representative, business partner, elected official, board or commission member, volunteer or intern will be required or invited to sign an agreement requiring the non-disclosure of information related to discrimination or sexual assault as a condition of employment, continued employment, promotion, compensation or the receipt of benefits. An employee may request this type of agreement and, upon request, will be provided at least seven (7) days to change their mind.

ADDITIONAL SUPPORT SERVICES

Representatives, business partners, elected officials, board or commission members, volunteers or interns may choose to use other support services provided by their affiliate agency throughout and following instances related to concerns and complaints.

Budgeting, Grants & Loans

(Chapter 3)

Local Budget Law 1

The Group will operate within a fiscal year beginning on July 1 and ending the following June 30. The Groups authority to spend money or incur debt obligations expires on June 30 of each fiscal year. Besides outlining programs for the coming year, the budget controls the Groups spending authority. Since the budgeting process encourages citizen input, the budget is also a vehicle for obtaining public opinion about proposed programs and fiscal policies of the Group.

THE LOCAL BUDGET LAW PROCESS

Local budget law process requires that certain, specific actions must happen as a local government prepares its annual or biennial budget.

1.2 Budget Officer Appointed

A Budget Officer will be appointed by the board. The Budget Officer does not have to live within the boundaries of the Group. (ORS 294.331)

1.3 Budget Committee Appointed

The budget committee is made up of the governing body and an equal number of appointed registered voters of the local government. Members are appointed for three-year terms. Appointed members of a budget committee that prepares a biennial budget serve for four years. The terms must be staggered so that, as near as practicable, one-third or one-fourth of the terms will end each year. The appointed members cannot be officers, agents or employees of the Group. All members of the budget committee have equal authority.

The budget committee has several purposes. It conducts public meetings to hear the proposed budget message and review the budget proposed by the budget officer. One of its most important purposes is to listen to comments and questions from interested citizens. It considers this public input as it deliberates on the budget. It can revise the proposed budget to reflect changes it wants to make to the local government's fiscal policy.

1.4 Proposed Budget Prepared

The budget officer is responsible for preparing or supervising preparation of the proposed budget to present to the budget committee. (ORS 294.331) A budget message is required as part of the budget preparation. The statute requires that the budget message contain a brief description of

the financial policies reflected in the proposed budget and, in connection with the financial policies, explain the important features of the budget. The budget message must also explain proposed changes from the prior year's budget and explain any major changes in financial policies.

1.5 Budget Committee Meetings

Budget committee meetings will be held for the purpose of:

- Receiving the budget message and budget document, and
- Providing members of the public with an opportunity to ask questions about and comment on the budget.
- Prior notice will be given for all budget committee meetings in accordance with ORS 192.630.

1.6 Budget Committee Approves Budget

When the budget committee is satisfied with the budget it is approved. Approval of the budget should be made by motion and be recorded in the minutes of the meeting.

1.7 Budget Summary and Notice of Budget Hearing Published

After the budget is approved, a budget hearing will be scheduled in accordance with ORS 294.438.

1.8 Adopting the Budget

The Board will by a resolution or ordinance formally adopt the budget and make appropriations. The resolution or ordinance will be adopted no later than June 30.

During the budget year, spending will not exceed the amounts specified in the resolution unless additional budgeting steps are taken. The Group is subject to local budget law, but does not levy taxes. A copy of the resolution adopting the budget and making appropriations is to be sent to the Department of Revenue on or before July 15. A copy of the complete budget must also be sent to the county clerk on or before September 30.

GRANTS AND LOANS

Acquisition of Grants or Loans will be reviewed by the Board to determine the need and appropriate steps taken to ensure the acquisition thereof is acceptable to the Group. Grants and loans can be an excellent way to get funds for improving the services Groups provide. Usually funds must be used for specific programs that add value to the community. Funds are generally not granted to meet normal operating expenditures.

There are three main sources for grants and loans: the Federal government, State government, and private sources. Funding sources will be identified and recommendations made regarding the type of funding most appropriate.

Contracting

(Chapter 4)

The Group is required to comply with public contracting laws when purchasing goods and services, and for construction projects.

1.1 CONTRACTING LAWS AND RULES

Chapter 279 governs public contracting, and is divided into three subparts, as follows:

ORS 279A (General Provisions – applies to all public contracts)

ORS 279B (Public Procurement – applies to the purchase of goods and routine services (“procurements”) and, for state agencies, to the purchase of personal services)

ORS 279C (Public Improvements – applies to contracts for construction, reconstruction, or major renovation of real property by or for a public agency. Also applies to state contracts for services with architects, engineers, and land surveyors.)

For any public contract, a special Group need look either to ORS 279A and 279B (for procurements), or ORS 279A and 279C (for public improvements). Similarly, the Model Public Contracting Rules are found in Oregon Administrative Rules Chapter 137, as follows:

Division 46 – General Provisions (apply to all public contracts)

Division 47 – Public Procurements for Goods and Services (implements ORS 279B)

Division 48 – Consultant Selection: Architectural, Engineering and Land Surveying and Related Services Contracts (may adopt own rules of procedure as provided in ORS 279A.065(a).)

Division 49 – General Provisions Related to Public Contracts for Construction Services (implements ORS 279C)

1.2 CONTRACTING AUTHORITY: LOCAL CONTRACT REVIEW BOARD

The E-Board is the Local Contract Review Board for Group contracting and will follow appropriate ORS and OAR when this process is required. Most contracting meets Sole Source or is under thresholds for other methods. For those that might not be, the LCRB will move forward consistent with ORS and based upon the specific need and circumstance.

The roles of the LCRB are to:

- Adopt certain rules for public contracting;
- Establish rules for carrying out its public contracting duties;
- Grant exemptions from competitive bidding;
- Hold hearings on exemptions, when necessary; and
- Hear and decide appeals of disqualified bidders.

1.2 DELEGATION OF AUTHORITY

Some portions of ORS Chapter 279 require certain authority to be exercised by the LCRB. This authority cannot be delegated because it is expressly granted in the Code. However, some portions of ORS Chapter 279 assign responsibility to the “contracting agency,” which means the Group’s E-Board unless the Board delegates this authority to someone else. Through ORS 279A.075, certain administrative contracting responsibilities may be delegated to others, usually a Group manager or purchasing officer.

Meetings and Records

(Chapter 5)

Meetings 1

All meetings shall be conducted in accordance with the Oregon Public Meetings Law, ORS 192.610-192.710, and 192.990

1.1 PUBLIC NOTICE

Public notice will be given of the time and place of all meetings. This includes regular, special, and emergency meetings and workshops, and also includes meetings of subcommittees and advisory committees established by the Board.

1.2 CONTROL OF MEETINGS

The Chair has the inherent authority to keep order and impose reasonable restrictions necessary for the orderly and efficient conduct of a meeting. Unless the board decides otherwise, the Chair may regulate or disallow public input, may limit public input to relevant points, and may establish time limits for such input. 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.

1.3 VOTING

All official actions of the Board will be by vote and the results of such vote, including how each board member voted on each issue recorded in the minutes.

1.4 MINUTES AND RECORD KEEPING

Written minutes will be taken of all meetings. Minutes are to provide a true reflection of matters discussed at the meeting and the views of the participants. Minutes will be prepared and available to the public within a reasonable time after each meeting.

Any tape recordings or written minutes of public Board meetings or executive sessions shall be retained by the Group until such time as their disposal is authorized by rule or specific authorization of the State Archivist pursuant to ORS 192.105.

1.5 EXECUTIVE SESSIONS

Group boards may meet in executive (closed) session only under certain, statutorily authorized situations, and there are civil penalties for violation of executive session laws. The following are among the permissible purposes for executive sessions:

1.6 Employment of Public Officers, Employees, and Agents

A meeting to discuss the specific hiring of a public officer, employee, or staff member. This provision applies only if the vacancy for the position has been advertised, regular procedures for hiring have been adopted, and, for a public officer, the public has the opportunity to comment on the employment. [ORS 192.660(2)(a)]

- **Discipline of Public Officers and Employees**

A meeting called to discuss the discipline or termination of a public officer, employee, or staff member, or hear complaints or charges brought against that person, unless the person asks for an open hearing. [ORS 192.660(2)(b)]

- **Real Property Transactions**

A meeting to discuss or negotiate on a property transaction. May not include discussion of a public body's long-term space needs or general policies concerning lease sites. [ORS 192.660(2)(e)]

- **Exempt Public Records**

If any of the records or information considered exempt from Public Records Law is discussed at a meeting then the Group may hold an executive session. [ORS 192.660(2)(f)]

- **Legal Counsel**

A meeting may be held in executive session for the purpose of consulting with legal counsel concerning the legal rights and duties of current litigation or litigation likely to be filed. The governing body must bar any member of the news media from attending the executive session if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation. [ORS 192.660(2)(h)]

- **Public Investments**

An executive session may be called to negotiate with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments. [ORS 192.660(2)(j)]

1.7 Preparation for Board Meetings

Distribution of Materials to Board Members

The Agenda, Treasurer's Report, and Statement of Bills shall be given to each member of the Board at least four (4) days prior to any regularly scheduled Board meeting.

At the same time, the Secretary-Treasurer shall provide members detailed information relative to the Agenda, including existing Board policy pertinent to Agenda items.

1.8 Regular Meetings

The Board shall hold regular monthly meetings on the **second, Monday** of each month. Such meetings shall be held at **2543 Shasta Way at 1:00pm**, or at such other places and times as the Board may designate from time to time.

1.9 Special Meetings

The Board shall hold special meetings at the request of the Chair or any four members of the Board. If the President is absent from the Group, special board meetings may be held at the request of the Vice-Chair. No special meeting shall be held upon less than 24 hours public notice.

1.10 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 Group which would be substantially increased if the Board were to delay in order to give 24 hours notice before conducting the meeting.

1.11 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, any other member of the Board may preside.

Authority to Conduct Meetings: 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 Chair or other presiding officer at the meeting may be overridden by a majority vote of the Board.

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

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 a "recess" during which smoking shall be prohibited in the meeting room

Smoking Policy at Other Locations: If a meeting is held at a location other than one which is "rented, leased or owned" by the Group, 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.

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

1.12 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 make any final decisions during any executive session. This policy, however, shall not prohibit full discussion of Board members' views during executive sessions.

1.13 Minutes of Board Meetings

The Board shall keep written minutes of all of its meetings in accordance with the requirements of ORS 192.650.

PUBLIC RECORDS 2

2.1 Compliance

The Group shall fully comply with the Oregon Public Records Law, ORS 192.410-192.505.

Specificity of Request: In order to facilitate the public's access to records in the Group's possession, and to avoid unnecessary expenditure of time, persons requesting access to public records for inspection or copying, or who submit written requests for copies of public records, shall specify the records requested with

particularity, furnishing the dates, subject matter and such other detail as may be necessary to enable Group personnel to readily locate the records sought.

Access: The Board shall permit inspection and examination of its non-exempt public records during regular business hours in the Groups offices, or such other locations as the Board may reasonably designate from time to time. Copies of non-exempt public records maintained in machine readable or electronic form shall be furnished, if available, in the form requested. If not available in the form requested, such records shall be made available in the form in which they are maintained. ORS 192.440(2).

2.2 Fees for Public Records

In order to recover its costs for responding to public records requests, the following fee schedule is adopted by the Group:

Copies of Public Records will be made available for a fee of \$5 per page for standard, letter size copies.

Copies of Maps and Other Nonstandard Documents: Charges for copying maps or other nonstandard size documents shall be charged in accordance with the actual costs incurred by the Group.

Research Fees: If a request for records requires Board personnel to spend more than 15 minutes searching or reviewing records prior to their review or release for copying, the minimum fee shall be \$20 hour and additional charges shall be in ¼ hour increments.

Additional Charges: If a request is of such magnitude and nature that compliance would disrupt the Boards normal operation, the Board may impose such additional charges as are necessary to reimburse the Group for its actual costs of producing the record.

2.3 Authorization Required for Removal of Original Records

At no time shall an original record of the Group be removed from the Group's files or the place at which the record is regularly maintained, except upon authorization of the Board by resolution.

2.4 Unauthorized Alteration, Removal, or Destruction of Records

If any person attempts to alter, remove or destroy any Group record, the Group representative shall immediately terminate such person's review, and notify the attorney for the Group.