

# SILVERTON FIRE DISTRICT AGENDA

AGENDA CLOSSES AT 4:00 P.M., MONDAY, PRECEDING SCHEDULED MEETING.

REGULAR BOARD MEETING,  
February 14, 2023 at 7:00 P.M.  
Silverton Station # 1, 819 Railway Ave, Silverton, OR., 97381

## Join Zoom Meeting:

<https://us02web.zoom.us/j/81308440282?pwd=RjhORGZERzVkaEtlMWRPSlowRExqQT09>

Meeting ID: 813 0844 0282

Passcode: 315674

Dial in: 1(253) 215-8782 US (Tacoma)

### **I. ROLL CALL:**

Les Von Flue, President

Stacy Palmer, Vice-President

Rob Mengucci, Secretary-Treasurer

Ryan Bielenberg, Director

Dixon Bledsoe, Director

### **II. CALL MEETING TO ORDER:**

### **III. PLEDGE OF ALLEGIANCE:**

### **IV. APPROVAL OF MINUTES OF:**

a) Regular Board Meeting of January 10, 2023

### **V. OPEN FORUM**

### **VI. OLD BUSINESS:**

a) Review Board Policies 101-106

### **VII. FINANCE OFFICER'S REPORT:**

a) Check Summary

b) Departmental Expense Report

c) Bank Account Balance Comparison

### **VIII. CHIEF'S REPORT:**

a) Civil Service Discussion

a) Strategic Plan Update

### **IX. NEW BUSINESS:**

a) Appoint 2023-2024 Budget Officer

b) Resolution 23-358 Adoption of Civil Service Rules

c) Appoint Civil Service Commission

### **X. ITEMS PENDING:**

a) Work Session March 8, 2023 at 9:30 a.m.

### **XI. GOOD OF THE ORDER:**

### **XII. ADJOURNMENT:**

# SILVERTON FIRE DISTRICT

## MINUTES

***DRAFTED FOR APPROVAL, SUBJECT TO CHANGE AND OR CORRECTION***

REGULAR BOARD MEETING 7:00 P.M. January 10, 2023  
Silverton Fire District Station #1 (Silverton)

### **I. ROLL CALL:**

Les Von Flue, President  
Stacy Palmer, Vice President  
Robert Mengucci, Secretary-Treasurer

Dixon Bledsoe, Director  
Ryan Bielenberg, Director

### **ABSENT:**

*All Directors present*

### **IN ATTENDANCE:**

Chief Miles, Office Administrator Cantu, AC Grambusch, Deputy Chief Veit, FF Peterson, BC Terhaar, Lt. Dan Brown, Lt. Rick Heuchert, Lt. Randall Redman-Brown, Chris Devito, Rick Schmidt, Steven Dye

### **II. CALL MEETING TO ORDER:**

President Von Flue called the meeting to order at 7:00 p.m.

### **III. PLEDGE OF ALLEGIANCE**

President Von Flue led the group in the Pledge of Allegiance.

### **IV. APPROVAL OF MINUTES OF:**

#### **a) Board Work Session**

President Von Flue requested a spelling correction and clarification that the Board wanted Chief Miles to schedule a presentation with GIS to discuss the scope of service directly with the Chief and not the Board.

Director Bledsoe made a motion to approve the minutes, with the above corrections, of the December 8, 2022 Board Work Session. Vice President Palmer seconded the motion. The motion carried unanimously.

*(President Von Flue: Aye, Vice President Palmer: Aye, Secretary Treasurer Mengucci: Aye, Director Bielenberg: Aye, Director Bledsoe: Aye)*

#### **b) Regular Board Meeting**

Director Bledsoe made a motion to approve the minutes of the December 13, 2022 board meeting as written. Director Bielenberg seconded the motion. The motion carried unanimously.

*(President Von Flue: Aye, Vice President Palmer: Aye, Secretary Treasurer Mengucci: Aye, Director*

*Bielenberg: Aye, Director Bledsoe: Aye)*

**V. OPEN FORUM:**

Vice President Palmer questioned whether the Strategic Plan document was updated since it appeared that a number of goals were due in January. President Von Flue recommended that the topic could be addressed under Chief's Report.

**VI. OLD BUSINESS:**

**VII. FINANCE OFFICER'S REPORT:**

- a) **Check Summary**
- b) **Departmental Expense Report**
- c) **Bank Account Balance Comparison**

Vice President Palmer made a motion to approve the finance officer's report as presented. Director Mengucci seconded the motion. The motion carried unanimously.

*(President Von Flue: Aye, Vice President Palmer: Aye, Secretary Treasurer Mengucci: Aye, Director Bielenberg: Aye, Director Bledsoe: Aye)*

**VIII. CHIEF'S REPORT**

**a) Property & Casualty Insurance Renewal**

Chief Miles introduced Chris Devito and Rick Schmidt from Larsen-Flynn Insurance. Mr. Devito discussed the 12-month policy renewal for the District's Property and Casualty Insurance and how the larger losses that were paid out the previous year contributed to the loss of traditional credits to the premium this year. Mr. Devito also noted that the worker's compensation insurance would be transitioning from SDIS to SAIF Corporation.

**b) Standard of Cover**

Chief Miles reported that a comprehensive list was sent to Don Maxwell regarding Section 3 of the Standard of Cover document previously provided by GIS. Chief Miles stated that a meeting with Mr. Maxwell would occur after the 22<sup>nd</sup> and would include response times specifically.

**c) Civil Service Discussion**

Chief Miles reported that three individuals have agreed to serve on the Civil Service Commission: Steven Dye, Randal Thomas, and Chris Redling. Chief Miles stated that additional information would be available at the next board meeting, including options for Chief Examiner. President Von Flue suggested that the commissioners have the option of serving a two, three or four-year term. Chief Miles agreed and would move forward with that model. Mr. Dye was given the floor to ask questions/comments. Mr. Dye re-iterated that he was grateful for the opportunity to serve the Silverton Fire District.

**d) Board Candidacy Elections (Positions 1, 5)**

Chief Miles announced that Position 1, Vice President Palmer, and Position 5, Director Robert Mengucci, would be expiring this term. President Von Flue reminded the current members if they were interested in serving again to submit necessary paperwork to Marion County Elections.

**e) Strategic Plan**

Vice President Palmer brought up Strategic Plan Goals with January due dates. Chief Miles replied that those goals were in the process and in some cases were an ongoing practice that

the District had been observing. In regards to the Chief and Assistant Chief's succession plan, Chief Miles responded that the Assistant Chief position had been addressed and that the Chief's succession plan had been submitted to the Board previously, but would look into resubmitting a timeline.

**IX. NEW BUSINESS:**

**a) Review 23-24 Budget Calendar**

Director Bledsoe made a motion to approve the 23-24 Budget Calendar. Director Mengucci seconded the motion. The motion carried unanimously.

*(President Von Flue: Aye, Vice President Palmer: Aye, Secretary Treasurer Mengucci: Aye, Director Bielenberg: Aye, Director Bledsoe: Aye)*

**b) Review 23-24 Budget Committee**

The Board acknowledged the Budget Committee.

**c) Review Board Policies 101-106**

Director Mengucci requested a couple more days to submit recommendations, and so an extended submission time was accommodated to Monday, January 16<sup>th</sup>.

**X. ITEMS PENDING:**

**a) Schedule Future Board Work Session**

The Board agreed to meet March 8<sup>th</sup>, 2023 at 9:30am, topics to include, staff salaries and benefits and the Chief's evaluation.

**XI. GOOD OF THE ORDER:**

**XII. ADJOURNMENT:**

With no further business to come before the Board, the meeting was adjourned at 7:34 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
President

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# Accounts Payable

## Checks by Date - Detail by Check Date

User: candace  
 Printed: 2/6/2023 3:21 PM



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
199993	068535	911 SUPPLY INC	01/10/2023	
	INV-1-28128	WOMEN'S UNIFORM SHIRTS (3) @ 64.99 EA		194.97
	INV-1-28129	UNIFORM SHIRT + PATCHES/C. CANTU		91.75
Total for Check Number 199993:				286.72
199994	6091910	AMAZON CAPITAL SERVICES	01/10/2023	
	1XNW-JFWP-GLV9	SCENE LIGHTING FOR S413		99.00
	1XNW-JFWP-GLV9	REPL OFF-ROAD SWITCH FOR B437		11.99
	1XNW-JFWP-GLV9	SCENE LIGHTING (3) S413		297.00
	1XNW-JFWP-GLV9	WELSH FLAG FOR BERNIE'S FUNERAL		31.99
	1XNW-JFWP-GLV9	FIRE & EMER SVCS INSTRUCTOR BOOKS		248.85
	1XNW-JFWP-GLV9	P TOUCH TAPE WHITE ON BLK 24MM 3 PK		18.29
	1XNW-JFWP-GLV9	P TOUCH TAPE WHITE 12MM 6 PK		14.24
	1XNW-JFWP-GLV9	P TOUCH TAPE BLK ON YELLOW 24MM 3 I		18.29
	1XNW-JFWP-GLV9	P TOUCH TAPE ASSTD COLORS 12MM		18.99
	1XNW-JFWP-GLV9	MOURNING BADGES		40.16
	1XNW-JFWP-GLV9	BATTERY OP TABLE CANDLES FOR AWAR		13.59
	1XNW-JFWP-GLV9	PART FOR ST 3 GENERATOR		20.79
	1XNW-JFWP-GLV9	BRONZE BOAT SNAPS (10) TO ADHERE TO		97.00
	1XNW-JFWP-GLV9	PELICAN FLASHLIGHT FOR 412		129.95
	1XNW-JFWP-GLV9	BRONZE BOAT SNAPS TO ADHERE TO PUI		213.59
	1XNW-JFWP-GLV9	2 PKS FLAG CUPCAKE TOPPERS FOR AWA		15.10
	1XNW-JFWP-GLV9	2 PK JAR LIGHTS FOR AWARDS BANQ		25.98
Total for Check Number 199994:				1,314.80
199995	007150 84806143	BOUND TREE MEDICAL, LLC VARIOUS EMS SUPPLIES	01/10/2023	466.30
Total for Check Number 199995:				466.30
199996	6091912 22-12	BRASS ROOTS TRAINING SOLUTIONS TRAINING: DECEMBER 2022 CONSULTG	01/10/2023	2,150.00
Total for Check Number 199996:				2,150.00
199997	010172	CARSON OIL COMPANY	01/10/2023	
	1888775	CREDIT FROM 10/18/22 PYMT (REF 199806)		-223.58
	1888775	FUEL FOR U432		305.33
	1888775	FUEL FOR C401		38.82
	1888775	FUEL FOR C402		27.84
	1888775	FUEL FOR 421		75.80
	1888775	FUEL FOR 412		17.98
	1888775	FUEL FOR 400		46.07
	1888775	FUEL FOR C482		152.33
	1888775	FUEL FOR 421		18.00
	1888775	FUEL FOR S423		123.58
	1888775	FUEL FOR 412		61.25
	1888775	FUEL FOR S413		26.90

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	1888775	FUEL FOR D411		125.25
	1888775	FUEL FOR S414		15.98
	1888775	FUEL FOR S434		82.59
Total for Check Number 199997:				894.14
199998	096412 00167	CITY OF SCOTTS MILLS WATER USAGE AT STAT. 8 11/1-12/31	01/10/2023	178.40
Total for Check Number 199998:				178.40
199999	096998 5.05070.0 5.05071.0 5.05072.6	CITY OF SILVERTON WATER USAGE AT STAT. 1 11/16-12/19 WATER USAGE STAT. 1 MAINT BAY 11/18-1 WATER USE: STAT. 1 SPRINKLERS	01/10/2023	338.26 54.74 0.00
Total for Check Number 199999:				393.00
200000	011008 22-011	CLACKAMAS DIST FIRE DEFENSE FIRE DEF BRD ANNUAL DUES 2022	01/10/2023	100.00
Total for Check Number 200000:				100.00
200001	6091905 43632 43636 43638	CORPORATE SECURITY SERVICES INC (N. GUBBELS) PRE-EMPLOY BACKGRND C (G. NEVES) PRE-EMPLOY BACKGRND CK (J. HOMUTOFF) PRE-EMPLOY BACKGRND	01/10/2023	63.50 63.50 63.50
Total for Check Number 200001:				190.50
200002	013528 26891	CRUISE MASTER ENGRAVING HELMET SHIELD & PASSPORTS	01/10/2023	52.70
Total for Check Number 200002:				52.70
200003	015880 156499862	DEPT. OF MOTOR VEHICLES DMV REPORT FEE DEC 2022 ACCT 72818	01/10/2023	54.00
Total for Check Number 200003:				54.00
200004	6091940 8A7B001D-0004	DIGITAL DEPLOYMENT INC WEBSITE MGMT JAN 1-FEB 1 2023	01/10/2023	200.00
Total for Check Number 200004:				200.00
200005	033975 9551021752 9552233794	GRAINGER FIRE HOODS (10) FF BOOTS - A. MARTIN	01/10/2023	396.20 168.44
Total for Check Number 200005:				564.64
200006	097300 1-259820 1-260515 1-260521 1-270583 3-160482 9-932311 9-939713	HI-SCHOOL SHOWERHEAD UPSTAIRS ST. 1, PAINT TAP STRING LIGHTS & HOOKS ST. 1 CHISEL ST 1 SCBA BRACKETS, GUSSETS E416 BUNGEE CORDS VINYL TAPE MEASURE FOR TURNOUT FIT LAUNDRY SOAP ST 1	01/10/2023	75.31 81.98 5.69 12.99 11.96 2.69 29.98
Total for Check Number 200006:				220.60

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
200007	037800	HOME PLACE	01/10/2023	
	112	FOOD FOR FUNERAL PREP CREW		57.00
	92	FOOD FOR FUNERAL STANDBY CREW		56.70
Total for Check Number 200007:				113.70
200008	046700	JET INDUSTRIES, INC	01/10/2023	
	F226516	OS&Y VALVE REPAIR ST 1 BLDG A VAULT		680.00
	F236001	BACKFLOW REPAIR TO ASSBLY ST 1 BLDG		326.15
Total for Check Number 200008:				1,006.15
200009	6091891	RICKMAR ENTERPRISES INC	01/10/2023	
	623263	PEST CONTROL SERVICE JANUARY 2023		145.00
Total for Check Number 200009:				145.00
200010	055500	L.N.CURTIS & SONS	01/10/2023	
	775961	COMBI TOOL MAINT E485		334.55
Total for Check Number 200010:				334.55
200012	120185	MARK ZEITZER	01/10/2023	
	0007	MEDICAL DIRECTOR SVCS 4TH QTR 2022		125.00
Total for Check Number 200012:				125.00
200013	072925	METCOM 9-1-1	01/10/2023	
	FY202223-1160	DISPATCH SERV. FEE FOR FEB 2023		7,581.30
Total for Check Number 200013:				7,581.30
200014	6091957	MEZGO CORPORATION	01/10/2023	
	838	DRYWALL REPAIR / SKYLIGHTS ST 1 UPST		2,450.00
Total for Check Number 200014:				2,450.00
200015	073835	NORTHWEST SAFETY CLEAN	01/10/2023	
	22-34296	TURNOUT COAT & PANT REPAIR (NO OWN		160.26
Total for Check Number 200015:				160.26
200016	096976	SILVER CREEK AUTO PARTS, INC.	01/10/2023	
	461403	GEAR OIL FOR BUTTERCUP		29.27
	710018	GEAR OIL & TRANSMISSION OIL FOR BUT		117.08
	710069	FORKLIFT SERVICE/OIL CHANGE SUPPLIE		41.36
	710212	BUTTERCUP-LEN TAPE & GUNK		11.51
	710526	DEF STOCK		100.54
	710529	WINDOW REGULATOR D411		120.67
	710684	HITCH PINS: S423, 421 & STOCK		28.21
	710704	WINDOW REGULATOR & ASSEMBLY (RET		75.63
	711021	BATTERY B497		190.32
	711821	AIR FILTER B407		119.31
	711826	CABIN FILTERS (4) FOR STOCK		63.67
	711908	OIL FILTERS (3) FOR ANNUAL SERVICE: E		357.93
	712153	OIL FILTERS (3) FOR STOCK		318.12
	713051	FUEL FILTERS, ADD FOR ST. 1 GENERATOI		134.02
Total for Check Number 200016:				1,707.64
200017	190604	STAYTON FIRE DISTRICT	01/10/2023	
	21-441	ESO RECORDS MGMT SYSTEM 10/16/22 - 1		8,886.68



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 200017:	8,886.68
200018	119000	WILCO	01/10/2023	
	698268	REPLACEMENT BOLT CUTTERS E416		59.99
	698303	SOLVENT TAK FILTERS		11.99
	698303	WREATH FOR E485		29.99
			Total for Check Number 200018:	101.97
200019	034015	ZIPLY FIBER	01/10/2023	
	12/25-1/24 RL	503-001-0586-110204-5		27.30
	12/25-1/24 ST1	503-873-2805-070997-5		190.70
	12/25-1/24 ST3	503-873-3190-062193-5		60.96
	12/25-1/24 ST8	503-873-6215-090168-5		84.56
	12/25-1/24 ST9	503-873-5645-012395-5		60.96
	12/25-1/24 STA2	503-873-5097-071291-5		68.13
			Total for Check Number 200019:	492.61
			Total for 1/10/2023:	30,170.66
200027	007075 168571	BOCHSLER HARDWARE 40 GAL WATER HEATER - UPPER BAYS	01/17/2023	689.00
			Total for Check Number 200027:	689.00
200028	010185	CARDMEMBER SERVICE	01/17/2023	
		COAST BIOMEDICAL EQUIPMENT PART # :		5,039.00
	1139	TOW ROPE FOR BUTTERCUP		17.99
	1139	DINNER/WKSHOP OFC 1		47.00
	1139	FOOD FOR STDBY CREW		39.90
	1139	LODGING/OFC 1 CLASS		189.67
	2503	BREAKFAST FOR STDBY CREW		69.30
	2503	POSTAGE TO DPSST		10.37
	2503	ZOOM SUBSCR		14.99
	2503	FOOD FOR BOARD WK SESS		23.77
	2675	CALLCENTRIC 12/1-12/31		39.80
	2675	PSWD PROTECT		60.00
	3400	PHOTO POSTER-B. PALMER SERVICES		31.99
	3400	OHA - EMR M. CRAWFORD		45.00
	3400	HAIX BOOTS - J. HULETT		449.00
	3400	CERT MAIL IRS		7.25
	3400	ROCKER DECALS		159.80
	3400	FOOD - STBY CREW, ICE STORM		140.19
	3400	AWARDS BANQUET INVITATIONS-VISTAP		113.44
	3400	CARHARTT JACKET - MODEL		139.99
	4845	THERMOCOUPLE FOR WATER HEATER ST.		9.95
	4845	PAINT & SUPPLIES		45.95
	7480	EMS SUPPLIES		34.88
	7480	EMS SUPPLIES		18.80
	8105	OFFICE SUPPLIES		25.99
	8105	REHAB SUPPLIES/COSTCO		134.83
	8105	SUNRIVER RESORT/LODGING		711.36
	8105	COSTCO MEMBERSHIP RENEWAL		120.00
	8105	ZOOM SUBSCR		14.99
	8105	REHAB SUPPLIES/COSTCO		88.76
	8105	SHUTTERSTOCK IMAGE CATALOG		29.00
	8105	OFFICE SUPPLIES		32.46

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 200028:	7,905.42
200029	6091881 53835922	JAMES RUKS ASSOC MTG FOOD/SAFEWAY	01/17/2023	70.33
			Total for Check Number 200029:	70.33
200030	098725 65151	LOCAL GOVERNMENT LAW GROUP P. ATTY SVCS 12/6 & 12/8	01/17/2023	286.00
			Total for Check Number 200030:	286.00
200031	076000 23-1506	OFDDA 2023 MEMBERSHIP DUES	01/17/2023	1,500.00
			Total for Check Number 200031:	1,500.00
200032	6091868 40800	OREGON SEWER & DRAIN DECEMBER 2022 PORTABLE UNIT SERVIC	01/17/2023	112.00
			Total for Check Number 200032:	112.00
200033	065870 0228647-IN	PETRO CARD BULK FUEL ST. 1	01/17/2023	1,154.90
			Total for Check Number 200033:	1,154.90
200034	083200 0074320000 2603340000 3700411000 5974190000 8950420000	PORTLAND GENERAL ELECTRIC STAT. 2 ELECTRIC SERV. 12/05-01/05 STAT. 1 ELECTRIC SERV. 12/05-01/05 STAT. 3 ELECTRIC SERV. 12/05-01/05 STAT. 9 ELECTRIC SERV. 12/05-01/05 STAT. 8 ELECTRIC SERV. 12/05-01/05	01/17/2023	36.46 1,335.18 61.76 42.86 169.85
			Total for Check Number 200034:	1,646.11
200035	012100 S96242	RADIO COMMUNICATIONS SERVICE, KENWOOD RADIOS (5), KITS, ACCESSORII	01/17/2023	14,912.40
			Total for Check Number 200035:	14,912.40
200036	092090 3-0456-0116748 3-0456-0978205	REPUBLIC SERVICES #456 STAT. 1 GARBAGE SERV. 12/1-12/31 STAT. 8 GARBAGE SERV. 12/1-12/31	01/17/2023	182.25 43.22
			Total for Check Number 200036:	225.47
200037	010050 2205	SELAH SPRINGS INVESTMENTS LLC FIRE ALARM MONITORING & CELL UNITS	01/17/2023	1,320.00
			Total for Check Number 200037:	1,320.00
200038	201523 DEC 2022 DEC 2022 DEC 2022 DEC 2022 DEC 2022 DEC 2022 DEC 2022 DEC 2022	TOWNSHIP HEALTH DPC FF PHYSICAL BROCK DEAN FF PHYSICAL ROBERT GUENTHER FF PHYSICAL DEREK HOAGLAND FF PHYSICAL ABIGAIL HULETT FF PHYSICAL ISAAC KUENZI FF PHYSICAL JAMIE MORRISON FF PHYSICAL BEN NETTER FF PHYSICAL JOSEPH MARINOS	01/17/2023	270.00 270.00 270.00 270.00 270.00 270.00 270.00 270.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	DEC 2022	FF PHYSICAL ASHTON MARTIN		270.00
	DEC 2022	FF PHYSICAL KALEB SCHURTER		270.00
	JAN 2023	FF PHYSICAL NATE GUBBELS		270.00
	JAN 2023	FF PHYSICAL JARED BREITBACH		270.00
	JAN 2023	FF PHYSICAL RILEY HAMILTON		270.00
Total for Check Number 200038:				3,510.00
200039	112435	VERIZON WIRELESS	01/17/2023	
	9924329716	E. GRAMBUSCH CELL SERV.: 12/2-1/1		41.67
	9924329716	K. VEIT CELL SERV.: 12/2-1/1		41.67
	9924329716	K. MILLER CELL SERV.: 12/2-1/1		41.67
	9924329716	M. HUGHES CELL SERV.: 12/2-1/1		41.67
	9924329716	C. CANTU CELL SERV.: 12/2-1/1		41.67
	9924329716	B. MILES CELL SERV.: 12/2-1/1		41.67
	9924329716	I. PETERSON CELL SERV.: 12/2-1/1		41.67
	9924329716	482 IPAD SERV.: 12/2-1/1		40.01
	9924329716	401 IPAD SERV.: 12/2-1/1		40.01
	9924329716	415 IPAD SERV.: 12/2-1/1		40.01
	9924329716	407 IPAD SERV.: 12/2-1/1		40.01
	9924329716	423 IPAD SERV.: 12/2-1/1		40.01
	9924329716	485 IPAD SERV.: 12/2-1/1		40.01
	9924329716	405 IPAD SERV.: 12/2-1/1		40.01
	9924329716	411 IPAD SERV.: 12/2-1/1		40.01
Total for Check Number 200039:				611.77
Total for 1/17/2023:				33,943.40
200041	001098 11006	ADVANCE DESIGN SYSTEMS, INC. IT SUPPORT FOR DECEMBER 2022	01/27/2023	690.00
Total for Check Number 200041:				690.00
200042	010172	CARSON OIL COMPANY	01/27/2023	
	CP-00428429	FUEL FOR C402		39.89
	CP-00428429	FUEL FOR C482		121.68
	CP-00428429	FUEL FOR C401		34.85
	CP-00428429	FUEL FOR 421		89.13
	CP-00428429	FUEL FOR S423		96.02
	CP-00428429	FUEL FOR 412		94.04
	CP-00428429	FUEL FOR S413		25.95
	CP-00428429	FUEL FOR D411		33.35
	CP-00428429	FUEL FOR S434		75.69
Total for Check Number 200042:				610.60
200043	013528 26963	CRUISE MASTER ENGRAVING PASSPORTS/HELMET SHIELDS FOR TRAIN	01/27/2023	126.60
Total for Check Number 200043:				126.60
200044	035075 1	HRA VEBA TRUST YA462 HRA/VEBA: JAN	01/27/2023 PR Batch 00004.01.2023 YA4	1,600.00
Total for Check Number 200044:				1,600.00
200045	055500 INV668129	L.N.CURTIS & SONS SCBA PARTS	01/27/2023	740.61

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 200045:	740.61
200046	091893 GR0011460 GR0011460	LIFEMAP ASSURANCE CO. LIFEMAP: EMPLOYEE CONTRIB.: FEB AD&D/LIFE INS. EMPLOYER CONTIB: FEB	01/27/2023 PR Batch 00004.01.2023 LIF PR Batch 00004.01.2023 AD&	48.75 67.50
			Total for Check Number 200046:	116.25
200047	076430 2023-3759	OVFA 2023 ANNUAL DUES	01/27/2023	520.00
			Total for Check Number 200047:	520.00
200048	6091892 U028D374	PACER PROPANE PROPANE STA. 8	01/27/2023	470.86
			Total for Check Number 200048:	470.86
200049	6091901 869090	PACIFIC OFFICE AUTOMATION (SALE CARTON OF STAPLES FOR COPIER	01/27/2023	107.00
			Total for Check Number 200049:	107.00
200050	6091896 5023509481	PACIFIC OFFICE AUTOMATION INC COPIER LEASE 2/1-2/28	01/27/2023	179.01
			Total for Check Number 200050:	179.01
200051	097875 3740109	ROTARY CLUB OF SILVERTON QTR #2&3 DUES & FEES FOR B. MILES	01/27/2023	100.00
			Total for Check Number 200051:	100.00
200052	190401 12023-0166 12023-0187 12023-0207 122022-2270	SDAO 2023 SDAO ANNUAL CONFERENCE CONF 2023 SDAO ANNUAL CONFERENCE CONF 2023 SDAO ANNUAL CONFERENCE CONF 2023 SDAO ANNUAL CONFERENCE CONF	01/27/2023	230.00 230.00 230.00 230.00
			Total for Check Number 200052:	920.00
200053	098720 03-0052823 03-0052823 03-0052823 03-0052823	SDIS LTD: EMPLOYER CONTRIB.: FEB COBRA PREMIUM C. MILES: FEB MEDICAL: EMPLOYEE CONTRIB.: FEB MEDICAL: EMPLOYER CONTRIB.: FEB	01/27/2023 PR Batch 00004.01.2023 LTD PR Batch 00004.01.2023 MEI PR Batch 00004.01.2023 MEI	235.76 756.43 1,492.26 13,430.22
			Total for Check Number 200053:	15,914.67
200054	096976 714017 717372 717387 717611	SILVER CREEK AUTO PARTS, INC. AIR HORN RELAYS (3) E415, PLUS ONE FO LIGHT SOCKET S413 PLUG TAP LICENSE PLATE LIGHT SOCKET, CREDIT F	01/27/2023	72.68 20.90 2.74 -8.64
			Total for Check Number 200054:	87.68
200055	027039 930943	SUN LIFE FINANCIAL 930943 LIFE INS. PREMIUM: FEB	01/27/2023	411.73
			Total for Check Number 200055:	411.73

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
200056	211619 000016A6X1023	UPS SHIPPING ON SAMPLE-L. FACTOR LAB SV	01/27/2023	15.05
Total for Check Number 200056:				15.05
200057	6091829 1/12-2/11	WAVE 056639301-0008873 CONV. BOX	01/27/2023	80.64
Total for Check Number 200057:				80.64
200058	119609 2301-500407	WITHERS LUMBER SUPPLIES FOR FORCIBLE ENTRY PROP	01/27/2023	72.00
Total for Check Number 200058:				72.00
200059	120190	ZOLL MEDICAL CORP. GPO ITEM NO 8700-000850-40 AUTOPULSE QUIC ITEM NO. 8700-0711-01 AUTOPULSE BACKI ITEM NO. 8700-0708-01 AUTOPULSE GRIP S ITEM NO. 8700-0710-01 AUTOPULSE HEAD ITEM NO. 8700-0709-01 AUTOPULSE SHOUI	01/27/2023	970.20 68.55 27.34 109.66 117.50
Total for Check Number 200059:				1,293.25
Total for 1/27/2023:				24,055.95
Report Total (58 checks):				88,170.01

## BANK ACCOUNT BALANCE COMPARISON

<u>November 30, 2021</u>		<u>November 30, 2022</u>	
Columbia Bank Checking	\$ 221,232.58	Columbia Bank Checking	\$ 211,981.23
Columbia Bank MM	\$ 279,310.38	Columbia Bank MM	\$ 377,624.35
Local Gov't Pool	\$ 2,690,926.06	Local Gov't Pool	\$ 2,667,431.09
<b>Sub Total</b>	<b>\$ 3,191,469.02</b>	<b>Sub Total</b>	<b>\$ 3,257,036.67</b>
<b><i>OPERATING BUDGET AHEAD \$65,567.65</i></b>			

<u>December 31, 2021</u>		<u>December 31, 2022</u>	
Columbia Bank Checking	\$ 170,432.31	Columbia Bank Checking	\$ 221,189.74
Columbia Bank MM	\$ 184,118.93	Columbia Bank MM	\$ 375,869.39
Local Gov't Pool	\$ 2,814,014.45	Local Gov't Pool	\$ 2,751,149.63
<b>Sub Total</b>	<b>\$ 3,168,565.69</b>	<b>Sub Total</b>	<b>\$ 3,348,208.76</b>
<b><i>OPERATING BUDGET AHEAD \$179,643.07</i></b>			

<u>January 31, 2022</u>		<u>January 31, 2023</u>	
Columbia Bank Checking	\$ 226,882.35	Columbia Bank Checking	\$ 184,592.50
Columbia Bank MM	\$ 160,539.50	Columbia Bank MM	\$ 282,923.65
Local Gov't Pool	\$ 1,503,746.98	Local Gov't Pool	\$ 1,592,719.81
<b>Sub Total</b>	<b>\$ 1,891,168.83</b>	<b>Sub Total</b>	<b>\$ 2,060,235.96</b>
<b><i>OPERATING BUDGET AHEAD \$169,067.13</i></b>			

# General Ledger

## Expense vs Budget with Encumbrances

User: candace

Printed: 02/06/23 15:20:49

Period 01 - 07

Fiscal Year 2023

Account Number	Description	Budget	End Bal	Available	% Available
25-1-51001	PERSONNEL	\$ 702,000.00	\$ 361,396.38	\$ 340,603.62	48.52%
25-1-51002	EXTRA PERSONNEL	\$ 1,500.00	\$ -	\$ 1,500.00	100.00%
25-1-51003	WORKERS COMP COVERAGE	\$ 26,300.00	\$ 20,360.95	\$ 5,939.05	22.58%
25-1-51004	SOCIAL SECURITY	\$ 63,947.00	\$ 40,038.57	\$ 23,908.43	37.39%
25-1-51005	GROUP HEALTH INSURANCE	\$ 219,930.00	\$ 102,293.43	\$ 117,636.57	53.49%
25-1-51006	GROUP LIFE INSURANCE	\$ 22,363.00	\$ 7,983.08	\$ 14,379.92	64.30%
25-1-51007	PERS	\$ 234,791.00	\$ 127,180.09	\$ 107,610.91	45.83%
25-1-51008	UNEMPLOYMENT INSURANCE	\$ 1,200.00	\$ 272.38	\$ 927.62	77.30%
25-1-51009	OVERTIME	\$ 35,000.00	\$ 50,142.74	\$ (15,142.74)	-43.26%
25-1-51010	VOLUNTEERS	\$ 84,000.00	\$ 116,568.27	\$ (32,568.27)	-38.77%
25-1-51012	MEDICAL SAVINGS PLAN	\$ 24,000.00	\$ 11,200.00	\$ 12,800.00	53.33%
25-1-51013	DIRECTORS EXPENSES	\$ 600.00	\$ -	\$ 600.00	100.00%
<b>PAYROLL RELATED EXP</b>		<b>\$ 1,415,631.00</b>	<b>\$ 837,435.89</b>	<b>\$ 578,195.11</b>	<b>40.84%</b>
25-1-61001	OFFICE SUPPLIES	\$ 3,500.00	\$ 2,391.36	\$ 1,108.64	31.68%
25-1-61002	DUES AND SUBSCRIPTIONS	\$ 8,500.00	\$ 4,055.99	\$ 4,444.01	52.28%
25-1-61003	CONTRACT SERVICES	\$ 20,000.00	\$ 18,899.34	\$ 1,100.66	5.50%
25-1-61004	TELEPHONE	\$ 20,000.00	\$ 8,137.19	\$ 11,862.81	59.31%
25-1-61005	POSTAGE AND FREIGHT	\$ 2,500.00	\$ 136.47	\$ 2,363.53	94.54%
25-1-61006	UTILITIES	\$ 40,000.00	\$ 22,008.91	\$ 17,991.09	44.98%
25-1-61007	ELECTION EXPENSES	\$ 2,500.00	\$ -	\$ 2,500.00	100.00%
25-1-61008	BUILDING MAINT./JANITORIAL	\$ 20,000.00	\$ 15,036.79	\$ 4,963.21	24.82%
25-1-61009	LGIP FEES	\$ 50.00	\$ 0.40	\$ 49.60	99.20%
25-1-61011	ANNUAL AUDIT	\$ 9,000.00	\$ 9,250.00	\$ (250.00)	-2.78%
25-1-61012	EMPLOYEE RECOGNITION	\$ 3,000.00	\$ 1,542.50	\$ 1,457.50	48.58%
25-1-61013	RECRUITING EXPENSE	\$ 2,000.00	\$ 2,185.99	\$ (185.99)	-9.30%
25-1-61014	TRAINING SUPPLIES	\$ 2,000.00	\$ 156.94	\$ 1,843.06	92.15%
25-1-61015	TRAINING EXPENSE	\$ 50,000.00	\$ 35,329.19	\$ 14,670.81	29.34%
25-1-61016	CONFERENCE EXPENSE	\$ 5,000.00	\$ 920.00	\$ 4,080.00	81.60%
25-1-61017	SHOP EXPENSE	\$ 3,500.00	\$ 875.91	\$ 2,624.09	74.97%
25-1-61018	EMS SUPPLIES	\$ 7,000.00	\$ 2,708.51	\$ 4,291.49	61.31%
25-1-61019	INSURANCE	\$ 68,000.00	\$ -	\$ 68,000.00	100.00%
25-1-61021	TRAVEL EXPENSE	\$ 2,500.00	\$ -	\$ 2,500.00	100.00%
25-1-61022	EQUIPMENT MAINTENANCE	\$ 6,500.00	\$ 3,809.10	\$ 2,690.90	41.40%
25-1-61023	UNIFORM ALLOWANCE	\$ 8,000.00	\$ 5,323.26	\$ 2,676.74	33.46%
25-1-61024	FUELS AND LUBRICANTS	\$ 35,000.00	\$ 24,783.16	\$ 10,216.84	29.19%
25-1-61025	RURAL ADDRESSING	\$ 650.00	\$ 388.26	\$ 261.74	40.27%
25-1-61026	RADIO MAINTENANCE	\$ 6,500.00	\$ 717.17	\$ 5,782.83	88.97%
25-1-61027	COMPUTER MAINTENANCE	\$ 15,000.00	\$ 7,576.77	\$ 7,423.23	49.49%
25-1-61031	LEGAL SERVICES	\$ 10,000.00	\$ 884.00	\$ 9,116.00	91.16%
25-1-61032	FIREFIGHTING CHEMICALS	\$ 1,500.00	\$ -	\$ 1,500.00	100.00%
25-1-61033	APPLIANCES	\$ 2,500.00	\$ -	\$ 2,500.00	100.00%
25-1-61037	ADMINISTRATION SERVICES	\$ 40,000.00	\$ 10,094.71	\$ 29,905.29	74.76%
25-1-61042	SAFETY/PROTECTIVE CLOTHING	\$ 6,500.00	\$ 3,720.90	\$ 2,779.10	42.76%
25-1-61044	SMALL TOOLS AND EQUIPMENT	\$ 6,500.00	\$ 3,908.84	\$ 2,591.16	39.86%
25-1-61045	HAZMAT SUPPLIES	\$ 500.00	\$ 285.88	\$ 214.12	42.82%

Account Number	Description	Budget	End Bal	Available	% Available
25-1-61050	DISPATCH SERVICES	\$ 90,976.00	\$ 60,650.40	\$ 30,325.60	33.33%
25-1-61055	MEDICAL MEMBERSHIPS	\$ 5.00	\$ -	\$ 5.00	100.00%
25-1-61056	HEALTH AND WELFARE	\$ 12,000.00	\$ 8,071.01	\$ 3,928.99	32.74%
25-1-61057	VEHICLE MAINTENANCE	\$ 40,000.00	\$ 22,518.64	\$ 17,481.36	43.70%
25-1-61060	MAJOR FIRE LOSS EXPENSE	\$ 500.00	\$ 170.71	\$ 329.29	65.86%
25-1-61063	GRANT EXPENDITURES	\$ 320,000.00	\$ 27,324.66	\$ 278,037.94	86.89%
25-1-61064	EQUIPMENT TESTING	\$ 15,000.00	\$ 7,832.00	\$ 7,168.00	47.79%
25-1-61065	SCBA MAINTENANCE	\$ 3,000.00	\$ 862.56	\$ 2,137.44	71.25%
25-1-61066	INVESTIGATIONS	\$ 500.00	\$ -	\$ 500.00	100.00%
25-1-61070	CONFLAGRATION EXPENSES	\$ 1,500.00	\$ 152.02	\$ 1,347.98	89.87%
25-1-61092	FIRE PREVENTION SUPPLIES	\$ 1,500.00	\$ 1,317.94	\$ 182.06	12.14%
25-1-61093	FIRE PREVENTION	\$ 1,500.00	\$ 285.98	\$ 1,214.02	80.93%
25-1-61094	HEALTH/MEDICAL	\$ 15,000.00	\$ 3,513.30	\$ 11,486.70	76.58%
25-1-61095	PROTECTIVE EQUIP MAINT	\$ 4,000.00	\$ 844.86	\$ 3,155.14	78.88%
	<b>MATL SUPP &amp; EXP</b>	<b>\$ 913,681.00</b>	<b>\$ 318,671.62</b>	<b>\$ 580,371.98</b>	<b>63.52%</b>
25-1-71001	PROPERTY IMPROVEMENTS MAJOR	\$ 20,000.00	\$ 18,579.00	\$ 1,421.00	7.11%
25-1-71002	PROTECTIVE EQUIPMENT	\$ 45,000.00	\$ 36,833.63	\$ 342.39	0.76%
25-1-71003	MAJOR EQUIPMENT	\$ 10,000.00	\$ 999.00	\$ 9,001.00	90.01%
25-1-71004	COMMUNICATION EQUIPMENT	\$ 8,500.00	\$ 1,658.31	\$ 6,841.69	80.49%
25-1-71010	EQUIPMENT REPLACEMENT	\$ 6,000.00	\$ 2,320.36	\$ 3,679.64	61.33%
25-1-71015	HOSE REPLACEMENT	\$ 7,500.00	\$ -	\$ 7,500.00	100.00%
25-1-71138	COMPUTER EXPENSE	\$ 20,000.00	\$ 2,286.12	\$ 17,713.88	88.57%
25-1-71139	TRAINING EQUIPMENT	\$ 15,000.00	\$ 2,795.04	\$ 9,309.47	62.06%
	<b>CAPITAL OUTLAY</b>	<b>\$ 132,000.00</b>	<b>\$ 65,471.46</b>	<b>\$ 55,809.07</b>	<b>42.28%</b>
25-1-90001	CONTINGENCIES	\$ 106,788.00	\$ -	\$ 106,788.00	100.00%
	<b>CONTINGENCY</b>	<b>\$ 106,788.00</b>	<b>\$ -</b>	<b>\$ 106,788.00</b>	<b>100.00%</b>
25-5-92006	ENDING FUND BALANCE	\$ 700,000.00	\$ -	\$ 700,000.00	100.00%
	<b>UNAPPROPRIATED</b>	<b>\$ 700,000.00</b>	<b>\$ -</b>	<b>\$ 700,000.00</b>	<b>100.00%</b>
25-1-91025	TRANSFER OUT (FUND 24)	\$ 14,000.00	\$ 14,000.00	\$ -	0.00%
25-1-91026	TRANSFER OUT (FUND 29)	\$ 100,000.00	\$ 100,000.00	\$ -	0.00%
25-1-91027	TRANSFER OUT (FUND 31)	\$ 25,000.00	\$ 25,000.00	\$ -	0.00%
	<b>TRANSFER OUT</b>	<b>\$ 139,000.00</b>	<b>\$ 139,000.00</b>	<b>\$ -</b>	<b>0.00%</b>
25-1-93001	LEASE PRINCIPAL	\$ 52,135.00	\$ 52,133.39	\$ 1.61	0.00%
25-1-93002	LEASE INTEREST	\$ 1,343.00	\$ 1,343.00	\$ -	0.00%
	<b>DEBT SERVICE</b>	<b>\$ 53,478.00</b>	<b>\$ 53,476.39</b>	<b>\$ 1.61</b>	<b>0.00%</b>
<b>Expense Total</b>		<b>\$ 3,460,578.00</b>	<b>\$ 1,414,055.36</b>	<b>\$ 2,021,165.77</b>	<b>58.41%</b>



# SILVERTON FIRE DISTRICT BOARD POLICY MANUAL



***Silverton Fire District***  
***Board Manual***

**Table of Contents**

---

POLICY 101: ADOPTING & REVISING POLICIES .....	2
BOARD GUIDELINES AND POLICIES.....	2
POLICY ADOPTION, CHANGES AND REVIEW.....	2
POLICY 102: MEMBERSHIP OF THE FIRE DISTRICT BOARD OF DIRECTORS & THE BOARD RULES.....	4
MEMBERSHIP OF THE BOARD.....	4
DIRECTOR’S REIMBURSEMENT.....	4
VACANCIES ON THE BOARD .....	5
POLICY 103: PUBLIC MEETINGS.....	6
APPLICATION .....	6
COMPLIANCE WITH LAW .....	6
LOCATION OF MEETING .....	6
REGULAR MEETING.....	6
MEETINGS HELD BY TELEPHONE .....	7
SPECIAL MEETINGS .....	7
EMERGENCY MEETINGS.....	7
NOTICE OF MEETINGS.....	7
INTERPRETERS FOR THE HEARING IMPAIRED .....	8
PREPARATION FOR BOARD MEETINGS .....	8
DISTRIBUTION OF MATERIALS TO BOARD MEMBERS.....	8
DISTRIBUTION OF AGENDA TO THE PUBLIC .....	8
BOARD MEETING AGENDA.....	9
MEETING AGENDA.....	9
CONDUCT OF BOARD MEETINGS .....	9
PRESIDING OFFICER .....	9
AUTHORITY TO CONDUCT MEETINGS .....	9
PUBLIC PARTICIPATION .....	10
RECORDING OF VOTES .....	10
QUORUM REQUISITES .....	10
VOTE EXPLANATIONS .....	10
CONFLICT OF INTEREST .....	10
ADJOURNMENT.....	11
EXECUTIVE SESSIONS.....	11
NOTICE.....	11
NO FINAL DECISIONS .....	11

***Silverton Fire District***  
***Board Manual***

PURPOSES.....	11
CONDUCT OF EXECUTIVE SESSION.....	11
MINUTES OF MEETING.....	11
WRITTEN MINUTES.....	11
MINUTES OF EXECUTIVE SESSIONS.....	12
DISCLOSURE OF EXECUTIVE SESSION MATTERS.....	12
RETENTION.....	12
AVAILABILITY TO THE PUBLIC.....	12
POLICY 104: PUBLIC RECORDS.....	13
COMPLIANCE WITH OREGON LAW.....	13
POLICY.....	13
PUBLIC RECORDS DEFINED.....	13
TYPES OF PUBLIC RECORDS.....	14
PUBLIC RECORDS EXEMPT FROM DISCLOSURE.....	14
COMPLIANCE.....	15
FEES FOR PUBLIC RECORDS.....	16
AUTHORIZATION REQUIRED FOR REMOVAL OF ORIGINAL RECORDS.....	16
ON-SITE REVIEW OF ORIGINAL RECORDS.....	17
UNAUTHORIZED ALTERATION, REMOVAL OR DESTRUCTION OF ORIGINALS.....	17
PATIENT CONFIDENTIALITY.....	17
RELEASE OF PATIENT INFORMATION.....	17
POLICY 105: DUTIES, RESPONSIBILITIES, & GOVERNANCE OF THE BOARD.....	18
DUTIES AND RESPONSIBILITIES.....	18
MEETING THE NEEDS OF THE DISTRICT.....	18
FORMULATION AND INTERPRETATION OF DISTRICT POLICY.....	18
MANAGEMENT AND COMMUNICATION BETWEEN BOARD AND STAFF.....	18
BOARD MEETING CONDUCT.....	18
BOARD MEMBERS AUTHORIZED BY OFFICIAL BOARD ACTION ONLY.....	19
ETHICAL STANDARDS.....	19
BOARD MEMBER EDUCATION.....	19
DISCIPLINE.....	19
GOVERNANCE.....	19
COMMUNICATIONS.....	19
FINANCIAL.....	20
POLICIES, OBJECTIVES, AND PLANS.....	20
MANAGEMENT.....	20
EMPLOYEE RELATIONS.....	21

***Silverton Fire District***  
***Board Manual***

CONTROL.....	21
BOARD OF DIRECTORS .....	21
PUBLIC ACCOUNTABILITY .....	21
POLICY 106: BOARD MEMBER ETHICS & CONFLICTS OF INTEREST.....	22
FINANCIAL GAIN .....	22
GIFTS .....	22
CONFLICT OF INTEREST .....	22
POLICY 201: PERSONNEL .....	24
BOARD PERSONNEL GUIDELINES AND POLICIES.....	24
POLICY 202: EXAMINATIONS FOR PERSONNEL.....	26
PROCEDURE.....	26
RECORDS .....	26
POLICY 203: EMPLOYEE ASSISTANCE PROGRAM.....	27
POLICY 204: HARASSMENT .....	28
POLICY .....	28
DEFINITIONS.....	28
COMPLAINT PROCESS.....	29
DISCIPLINARY ACTION.....	31
RETALIATION.....	31
CONFIDENTIALITY.....	31
FALSE COMPLAINTS.....	31
POLICY 205: HEALTH CARE BENEFITS FOR RETIREES .....	32
POLICY .....	32
VOLUNTEERS .....	32
NO VESTING OF RIGHTS .....	32
POLICY 206: EMPLOYEE HRA VEBA MEDICAL EXPENSE PLAN .....	33
POLICY 207: WHISTLEBLOWER PROTECTION.....	34
OVERVIEW .....	34
POLICY 301: FIXED ASSETS & INVENTORY CONTROL.....	35
PROPERTY MONETARY AND USEFUL LIFE .....	35
PROPERTY IDENTIFICATION .....	35
PROPERTY ACCOUNTABILITY .....	35
POLICY 302: PURCHASING .....	37
SCOPE.....	37
RESPONSIBILITIES .....	37
BIDS/REQUEST FOR PROPOSAL (RFP) .....	37
APPROVAL REQUIREMENTS.....	37

***Silverton Fire District***  
***Board Manual***

POLICY 303: REIMBURSEMENT FOR DISTRICT SERVICES .....	38
SCOPE .....	38
COST RECOVERY AND RELATED CHARGES .....	38
RELATED INFORMATION .....	39
POLICY 304: PUBLIC CONTRACTING .....	40
DEFINITIONS.....	40
LOCAL CONTRACT REVIEW BOARD .....	40
CONTRACTING AGENCY .....	40
MODEL RULES.....	40
PUBLIC CONTRACTING AUTHORITY .....	41
FORMAL COMPETITIVE SELECTION PROCEDURES-EXEMPTIONS.....	41
EXCEPTIONS FOR CONTRACTS PROVIDED BY STATUTE .....	43
NOTICE OF PUBLIC CONTRACTS.....	44
DISPOSAL OF SURPLUS PROPERTY .....	44
PERSONAL SERVICE CONTRACTS .....	44
PROCEDURES FOR PERSONAL SERVICES CONTRACTS .....	44
PERSONAL SERVICES CONTRACTS, EXEMPTIONS FROM FORMAL COMPETITIVE SELECTION PROCEDURES.....	45
PERSONAL SERVICES CONTRACTS-SCREENING CRITERIA .....	46
PERSONAL SERVICES CONTRACTS-SELECTION PROCESS .....	46
DECLARATION OF EMERGENCY .....	47
POLICY 305: INTERNAL FINANCIAL CONTROLS.....	48
AUTHORIZATION.....	48
MULTIPLE SIGNATURES .....	48
VERIFICATION OF RECEIPTS .....	48
ACCOUNTS PAYABLE (AP).....	48
DEPOSITS.....	48
PETTY CASH/CASH TRANSACTIONS .....	49
CHECK STOCK.....	49
BANK STATEMENT .....	49
REVIEW OF FUNDS AND EXPENDITURES .....	49
POLICY 401: COMMUNICABLE DISEASE (RESCINDED).....	50
POLICY 403: SUBSTANCE ABUSE (RESCINDED).....	51
POLICY 501: LAW ENFORCEMENT LIAISON (RESCINDED).....	52
POLICY 502: LOSS PREVENTION & SAFETY .....	53
OVERVIEW .....	53
POLICY 503: HAZARD COMMUNICATION (RESCINDED).....	54
POLICY 504: FIRE COMPANY WARNING LIGHTS (RESCINDED).....	55

***Silverton Fire District***  
***Board Manual***

POLICY 505: COURT ORDERED COMMUNITY SERVICE .....	56
AUTHORITY .....	56
GUIDELINES.....	56
POLICY 506: HAZARDOUS ENERGY LOCK-OUT & TAG-OUT (RESCINDED) .....	57
POLICY 507: RESPIRATORY PROTECTION PROGRAM (RESCINDED) .....	58

*Silverton Fire District*  
*Board Manual*

**POLICY 101: ADOPTING & REVISING POLICIES**

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*Originated: January 10, 1989*  
*Revised: January 11, 2022*  
*Reviewed: August 10, 2021*

**PURPOSE**

This policy has been created to outline the process for the adoption of new board policies and reviewing and revising current board policies.

**BOARD GUIDELINES AND POLICIES**

It is the policy of the Fire District Board to be governed by a set of policies. The policies and rules shall be adopted by the Board and made available to staff, citizens and others as public documents.

The policies and rules of the District Board will be drafted, adopted and amended with full consideration for the Board's desire to provide fire and life safety protection of the best obtainable quality for the residents of the District within the limitations of the District's ability to support it.

The Board of Directors, representing the people of the District, is the governing body which determines all questions of policy to be employed in the conduct of fire district business.

In the event that a board policy is found to be in conflict with the state or federal law or the rules and regulations of a high authority such policy is automatically null and void without board action and will be deleted from the accumulated body of policies, rules and regulations.

In the event of a disagreement over the application, extent or interpretation of a policy, the resolution of the conflict will be based on the majority opinion of the Board. If such an interpretation is deemed to have future significance, it is suggested that it be appended to the applicable policy as a board rule which will clearly specify the intent of the Board in interpreting the policy.

Board policies may also be based on pertinent statutes. In this context they are designed to explain, detail, or otherwise organize the application of a policy consistent with the statutes. Board policies may also be applied to remind the Board, staff, and public of the existence of applicable statutes.

Proposals regarding adoption of district policy or changes, deletions, additions or repeal may originate from any of several sources including a taxpayer, an employee or an employee organization, volunteer of the Fire District, a member of the Board, the Fire Chief, a consultant, a civic group, etc.

**POLICY ADOPTION, CHANGES AND REVIEW**

In its deliberations leading to the establishment or amendment of board policy, the Board's central concern will be for increased efficiency and effectiveness in carrying out its legally mandated tasks and general policies in the interest of the public good.

It will be the policy of the District Board to recognize that all board policies shall remain flexible and be subject to review and change.

# *Silverton Fire District*

## *Board Manual*

To maintain efficiency and to facilitate the quality of Board policy review, the following review schedule has been established:

- Policy series 100, 300 and 500 will be reviewed during odd numbered years
- Policy series 200, 400 and 600 will be reviewed during even numbered years

Policies to be reviewed will be done during the first, third and fourth quarter of the fiscal year. These policies will be included in the board packet for July, October and January (March is reserved for budget and fiscal year ending work product). The review will be completed during the quarter in which it was presented and suggestions for change will be provided to the Fire Chief during the next scheduled board meeting, i.e.; series 100 policies are presented to the Board in their packet in July. All 100 series policies will be reviewed during July, August and September. Approved changes will be presented at the October board meeting.

In order to provide consistency, stability and integrity to board policies, it is recognized that changes in policies, except in the case of emergency, shall be executed in a precise manner and without undo haste.

An emergency shall be defined as an unforeseen circumstance requiring immediate action so as to prevent diminishment of the welfare of the District.

New proposed policies will be in writing and a copy will be given to each board member. Prior to adoption or revision, a new policy will be discussed at a Board meeting and the agenda will indicate that a proposed policy will be discussed. A copy of the proposed policy will be posted in a conspicuous place in the District Administrative Office's for at least ten (10) days prior to the board meeting. Prior to adopting a policy the Board will consider all input received from the public, the Chief, staff, volunteers and other board members. If the Board determines that a specific new policy is of such urgency or of an emergency nature, the Board may, upon a majority vote, suspend the 10 day posting requirement.

A copy of each new approved policy will be posted for thirty (30) days in a conspicuous place in the District Administrative Office's.

After a policy is adopted and is later revised, the existing wording will be viewed as a "strikeout" with the draft revised wording to be "underlined" for clarification.

The revised document presented will be marked as "Draft". When the revision is adopted, all portions in "strikeout" will be removed from the document and the revised date will be added.

The Board shall provide for a regular procedure for the evaluation of the way in which the policies and rules are functioning, and for the revision of those standards as necessary or as needed to update them in keeping with changes or laws and rules of other agencies or by court decision.

The assembled policies of the Board, known collectively as the "Board Policy Manual", shall be the reference instrument for conducting the business of the Fire District Board and shall be considered binding upon the actions of the Board, within the latitudes of policy interpretation, until such time as they are repealed or changed by prescribed process or such circumstances prevail so as to demonstrate an emergency requiring immediate change or temporary suspension.



*Silverton Fire District*  
*Board Manual*

**POLICY 102: MEMBERSHIP OF THE FIRE DISTRICT BOARD  
OF DIRECTORS & THE BOARD RULES**

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*Originated: December 11, 2001*

*Revised: October 8, 2019*

*Reviewed: November 10, 2020*

**PURPOSE**

This Board policy details how Board of Directors membership is achieved through election or appointment of a vacant position, required work session planning for new Directors and Director compensation/reimbursement for qualifying expenses.

**MEMBERSHIP OF THE BOARD**

The Board of the Silverton Fire Protection District # 2 shall consist of five (5) members serving four (4) year staggered terms. No person shall be eligible to be a Board member, who is not at the time of election or appointment an elector or property owner in the District. A firefighter, (volunteer or paid), or any other employee of the Silverton Fire Protection District # 2 shall not serve as a director of the District, pursuant to ORS 478.050.

Each Board member shall be identified by position number and will serve at large representing the District as a whole.

The election of Board members shall be conducted as provided by ORS 255 and others.

No person elected or appointed to the District Board shall be sworn in unless they are determined by the Board to meet the qualifications as set forth in ORS 478.050. If a question exists as to the eligibility of any candidate the Board will obtain an opinion from legal counsel prior to appointment.

Prior to assuming the duties as a Board member, the official must take an oath of office.

Unless filling a vacancy on the Board, the term of office will officially begin on July 1<sup>st</sup>.

The Fire Chief in cooperation with the Board President will schedule a work session for new Board members to acquaint them with the facilities, equipment, personnel and to provide copies and an overview of:

- Fire Board Polices;
- District Territory and Boundaries Map;
- District Membership Handbook

**DIRECTOR'S REIMBURSEMENT**

It will be a policy of the Board that Directors shall receive compensation for services as a member of the Board plus reimbursement for reasonable expenses actually incurred on Fire District business when presented for reimbursement and supported by appropriate documentation in accordance with generally accepted accounting procedures. Expenses incurred for lodging shall be covered at the actual cost of lodging for single or dual occupancy.

# *Silverton Fire District*

## *Board Manual*

Travel will be covered at current IRS rates when private autos are used or the actual cost where commercial transportation is provided.

Meals will be reimbursed at the actual cost so long as these are reasonable and prudent. Excessive expenditures may be denied reimbursement upon examination by and a majority vote of the Board.

It will be the responsibility of each Board member to prepare and present an account of expenses verified by receipts prior to reimbursement. Such reimbursement requests are to be considered public and will be attached to the monthly register of bills to be paid.

It will be the policy of the Board to keep all financial transactions strictly public in an effort to preserve the public trust.

### **VACANCIES ON THE BOARD**

It will be the policy of the Board to declare a position on the Board vacant upon any occurrence set forth by ORS 236.010.

When a vacancy becomes available on the Board between elections, the vacancy shall be filled by appointment by a majority of the remaining Board members as provided by ORS 198.320(2). If a majority of the Board is vacant or if a majority cannot agree, the county court shall fill the position (ORS 198.320)(1). The appointee will serve until a successor can be elected at the next regular district election. Term limits for a vacant position(s) that have been filled shall be in compliance with ORS 198.320(2) (3).

New Board members shall take an oath of office prior to assuming the duties of the position.

It will be the policy of the Board to delegate to the Board President and the Fire Chief the responsibility to arrange for the appropriate orientation of newly selected Board Members.

*Silverton Fire District*  
*Board Manual*

**POLICY 103: PUBLIC MEETINGS**

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*Originated: September 3, 2003*

*Revised: November 10, 2020*

*Reviewed: August 10, 2021*

**PURPOSE**

This Board policy details the applicable requirements needed for conducting public meetings including; notice and location of public meetings, how preparation for meetings is conducted, meeting agenda formatting and distribution, conduct and decorum during meetings, executive sessions and meeting minutes.

**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.

It will be the policy of the District Board to recognize itself as a policy making body that deliberates at regularly scheduled meetings and each board member shall make a diligent effort to be present and participate fully.

**COMPLIANCE WITH LAW**

It is the policy of the Fire Board that all meetings be conducted in accordance with Oregon Public Meetings Law, ORS 192.610-192.710, and 192.990, the decisions of the courts and with proper regard to “Due Process” procedures. In so doing, the Board will seek information from staff and other sources as appropriate, before decisions are made on policy and procedural matters.

**LOCATION OF MEETING**

All meetings shall be held within the geographic boundaries of the District. Exceptions to this would be training sessions held without any deliberative action and special meetings held within the geographic boundaries of an adjoining District attending the meeting. No meeting shall be held in any place where discrimination on the basis of race, creed, color, gender, age, national origin or disability is practiced. All meetings shall be held in places accessible to the handicapped.

**REGULAR MEETING**

Regular meetings of the Fire District Board shall be held on the second Tuesday of the month, at 7:00 P.M., at the Silverton Fire District Main Station, 819 Rail Way NE., Silverton, Oregon 97381. During the months of January, April, July, and October, the board will meet at the Scotts Mills fire station at 7:00 P.M., 490 3<sup>rd</sup> Street, Scotts Mills, Oregon, 97375. The Board reserves the right to change the meeting date, time, or place upon a specific action of the Board.

# *Silverton Fire District*

## *Board Manual*

### **MEETINGS HELD BY TELEPHONE**

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 when meetings are conducted by meetings held by telephone or other electronic means may be listened to by members of the public. ORS 192.670(2). The media shall be provided access to a listening location whenever executive sessions are conducted electronically, unless such executive sessions are exempt from media attendance pursuant to ORS 192.670(1) and 192.660(3).

### **SPECIAL MEETINGS**

The Board shall hold special meetings at the request of the Board President or any two members of the Board or by request of the Fire Chief. If the Board President is absent from the District, special board meetings may be held at the request of the Vice-President. No special meeting shall be held upon less than forty-eight (48) 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 Director, or 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.

### **NOTICE OF MEETINGS**

Notice of the time, place, and principal subjects to be considered shall be given for all meetings. For regular 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 posted on Silverton Fire District's website ([www.silvertonfire.com](http://www.silvertonfire.com)) as well as the following locations within the District:

Silverton Fire District (Station 1)  
819 Rail Way NE  
Silverton, OR 97381

Silverton Fire District (Station 8)  
490 3<sup>rd</sup> St.  
Scotts Mills, OR 97375

Written notice shall also be sent to any persons which 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 or phone calls made to wire services and other media; and

# *Silverton Fire District*

## *Board Manual*

interested persons shall be notified by mail or telephone. For emergency meetings, the District shall attempt to contact local media and other interested persons by telephone to inform them of the meeting.

All meetings of the Fire District Board are open to the public, except as provided for executive sessions. Notice of all meetings and a copy of the proposed agenda shall be sent to all persons making a request in writing and to the news media prior to the day of the meeting (ORS 192.610 – 192.690).

### **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 Fire Chief 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.

### **PREPARATION FOR BOARD MEETINGS**

#### **DISTRIBUTION OF MATERIALS TO BOARD MEMBERS**

The agenda and financial 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 Fire Chief shall provide Board members detailed information relative to the Agenda, including existing board policy pertinent to agenda items.

#### **DISTRIBUTION OF AGENDA TO THE PUBLIC**

All meetings are to have at least a twenty-four (24) hour advance notice except as in the case of emergency (ORS 192.640). Board meeting notices are to be posted on the Silverton Fire District website, at the main fire station, the Scotts Mills fire station and posted at one or more locations convenient for review by district personnel and the public.

# *Silverton Fire District*

## *Board Manual*

### **BOARD MEETING AGENDA**

#### **MEETING AGENDA**

The Fire Chief with the assistance of the President of the Board will prepare an agenda for all regular meetings of the board. Items of business may be suggested by Board Members, the Fire Chief or his/her designated deputy in his/her absence, or patrons of the district for consideration in the next meeting agenda.

The Fire Board will provide in the agenda of its regular meeting a specific time to hear the comments, concerns and suggestions from its citizens or from visitors with interests in the district. Any resident of the district may request that matters be placed on the meeting agenda. In order to ensure consideration at the next regular meeting, requests should reach the Board President or Fire Chief at least ten (10) days before the next regular meeting.

The agenda will minimally include, but not be limited to:

- Roll Call
- Call Meeting to Order
- Pledge of Allegiance
- Approval of Prior Board Meeting Minutes
- Open Forum
- Old Business
- Finance Officer's Report
- Chief's Report
- New Business
- Items Pending
- ~~Good of the Order~~
- Adjournment

### **CONDUCT OF BOARD MEETINGS**

#### **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, any other member of the Board may preside.

#### **AUTHORITY TO CONDUCT 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 President or other presiding officer at the meeting may be overridden by a majority vote of the Board.

Robert's Rules of Order has been adopted as the official procedures for conducting board and committee meetings except where they are in conflict with other procedures adopted by the Board.

# *Silverton Fire District*

## *Board Manual*

### **PUBLIC PARTICIPATION**

It is the intent of the Fire District Board to encourage attendance and participation at board meetings by all interested persons and residents of the district.

In the matter of motions before the Board, audience participation will be dependent upon the time available and the matter under discussion. The Board President may set a time limit on comments by an individual on any given issue.

In order to accomplish the tasks of the board in an orderly and expeditious manner the Board will attempt to limit repetitious testimony and discussion whenever possible as to not inconvenience those persons bringing business before the Board.

Persons failing to comply with reasonable rules of conduct outlined by the presiding officer, or causing any disturbance, may be asked or required to leave. Upon failure to do so, such persons become trespassers.

### **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.

The “Ayes” and “Nays” upon votes taken shall be entered on the records on all questions called by the president. Any member may request that their vote be changed if such a request is made prior to consideration of the next order of business. Any member may request that a roll-call vote be taken on any question.

### **QUORUM REQUISITES**

Three members shall constitute a quorum. If only a quorum is present, a unanimous vote is required to approve a motion.

### **VOTE EXPLANATIONS**

Any Board Member may append onto the record, at the time of voting, a statement indicating the reasoning behind the vote, or the reason for abstaining or choosing not to participate interest in a Board matter and abstain from voting.

### **CONFLICT OF INTEREST**

In accordance with ORS Chapter 244, members having an actual or potential conflict of interest must declare it. If the conflict of interest is actual, the member must abstain from voting. If the member’s vote is necessary to meet the minimum number of votes to take official action, and the issue is emergent to the district, the member may vote, but not participate in any discussion or debate on the issue related to the actual conflict of interest.

# *Silverton Fire District*

## *Board Manual*

### 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 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 take any votes during any executive session, nor make any final decisions during any executive session. This policy, however, shall not prohibit full discussion of Board members' views during executive sessions.

#### PURPOSES

Executive sessions shall be held only for the purposes allowed by State statues (ORS 192.660(i)).

#### CONDUCT OF EXECUTIVE SESSION

The Board President or other presiding officer shall announce the executive session by identifying the authorization under ORS 192.660 for holding the session and by noting the subject of the executive session before going into closed session. Once the executive session has been convened, the Board President shall direct any representatives of the news media who are present not to report certain specified information from the executive session. In general, the extent of the non-disclosure requirement should be no broader than the public interest requires, and the news media will ordinarily be allowed to report the general topic of discussion in 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 MEETING

#### WRITTEN MINUTES

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



# *Silverton Fire District*

## *Board Manual*

- Results of all votes, including the vote of each member by name;
- The substance of any discussion on any matter;
- Subject to ORS 192.410 - 192.505 relating to public records, a reference to any document discussed at the meeting.

### **MINUTES OF EXECUTIVE SESSIONS**

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 audio recording. If minutes of an executive session are kept by audio 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 audio 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 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. ORS 192.650(1). Minutes are available at the office of the Main Station located at 819 Rail Way NE, in Silverton.

*Silverton Fire District*  
*Board Manual*

**POLICY 104: PUBLIC RECORDS**

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*Originated: September 9, 2003*

*Revised: October 8, 2019*

*Reviewed: November 10, 2020*

**PURPOSE**

The purpose of this Public Records Policy is to establish an orderly and consistent procedure for responding to public records requests; to establish the basis for a fee schedule designed to reimburse the District for the actual costs incurred in responding to public records requests; and to inform citizens of the procedures and guidelines that apply to public records requests.

**COMPLIANCE WITH OREGON LAW**

The Silverton Fire District recognizes that Oregon Public Records Law (ORS 192.410-192.505) gives members of the public the right to inspect and copy certain public records maintained by the District. The District also recognizes that certain records maintained by the District are exempt from public disclosure, or that disclosure may require balancing the right of the public to access the records against individual privacy rights, governmental interests, confidentially issues and attorney/client privilege. Additionally, when the District receives a request to inspect or copy public records, costs are incurred by the District in responding to the request. The purpose of this Public Records Policy is **(a)** to establish an orderly and consistent procedure for responding to public records requests; **(b)** to establish the basis for a fee schedule designed to reimburse the District for the actual costs incurred in responding to public records requests; and **(c)** to inform citizens of the procedures and guidelines that apply to public records requests.

**POLICY**

It is the policy of the District to respond in an orderly, consistent and reasonable manner in accordance with the Oregon Public Records Law to requests to inspect or receive copies of public records maintained by the District. When a request is submitted in writing, the District will respond within five business days acknowledging the receipt of the request. The District will have an additional ten business days to fulfill the request or issue a written response estimating how long fulfillment will take. The District is not subject to the response timeframe if the District is awaiting a response from the requester seeking clarification of the inquiry or if the requester has not agreed to pay in advance for requested record(s). Additional time may be needed and will vary based on the size and complexity of the request, availability of staff time and resources, and whether legal counsel needs to be consulted prior to disclosing the requested record(s).

**PUBLIC RECORDS DEFINED**

Oregon Public Records law defines a public record as:

*“any writing containing information relating to the conduct of the public’s business, including but not limited to court records, mortgages, and deed records, prepared, owned, used or retained by a public body regardless of physical form or characteristics.”* ORS 192.410(4).

# *Silverton Fire District*

## *Board Manual*

### **TYPES OF PUBLIC RECORDS**

A record may be handwritten, typed, photocopied, printed, microfilmed, and exist in an electronic form such as e-mail or a word processing document, or other types of electronic recordings.

Many public records requests are requests for information that would actually require the creation of a new public record. Public bodies are not obligated under Oregon's Public Records Law to create new public records where none exists in order to respond to requests for information. Although a public body may, if it chooses, create a new record to provide information, the public body does not have to create a new record and only has a duty to allow the inspection and copying of an existing public record.

The District is obligated to provide public records in the format in which they exist. If requested public records are in electronic form, the District will make arrangements to inspect the record with the appropriate device, such as a computer or tape recorder. The District is not obligated to provide a public record in another form, such as a written transcript. The District may provide the public record in an alternative format such as a transcript if it wishes and the person making the request fully reimburses the District for the costs of providing the record in such alternative form. This District will provide records in alternative format at no cost, if necessary to provide reasonable accommodation to persons with disabilities.

The minutes of the meetings of the Fire Board will be maintained by the fire district staff designee and shall provide for information as required by law (ORS 192.650 (1)) and board policies.

The Board secretary or designee will record all proceedings of the Fire Board meetings and file these in chronological order in books provided for that purpose. The official minutes of board meetings, including supporting documents, will be open for inspection by the public at the office of the Fire Chief during regular business hours. Minutes of executive meetings are not subject to this provision in accordance with ORS 192.660.

The Fire District budget, statistical compilations, reports, notices, bulletins, memoranda, minutes of meetings and official communications between governmental branches in whatever form are public records and access to them during normal business hours shall be granted to any citizen upon request.

In accordance with the public records law, certain records, such as executive meeting minutes and personnel records, are not included in the category of records to which the right of access is to be granted by the fire district.

Original minutes and records in any form of executive sessions will not be viewed, reviewed, or released without a written request and subsequent written authorization from the Board of Directors and Fire Chief upon advice from the district's attorney. Any and all cost incurred by the district to produce the requested documentation will be paid by the requesting party for actual costs of producing the records.

### **PUBLIC RECORDS EXEMPT FROM DISCLOSURE**

There are numerous types of public records that are exempt from disclosure. Many of these exemptions may be found in ORS 192.501 and ORS 192.502. Others may be located in other Oregon statutes. A few specific exemptions worth special notice are as follows:

# *Silverton Fire District*

## *Board Manual*

Personal Safety Exemption - ORS 192.445(1): If an individual requests in writing that a public body not disclose the phone number or address of the individual, the public body is prohibited from disclosing the information if the safety of the individual or family member would be in danger.

Public Records Relating to Pending Litigation - ORS 192.501(1): If a public body is involved in litigation, or if litigation is reasonably likely in the future, the public records relating to the litigation are exempt from disclosure.

Archeological Sites or Objects - ORS 192.501(11): Information concerning the location of archeological sites or objects are exempt from disclosure, unless requested by the governing body of an affected Indian tribe.

Personal Discipline Actions - ORS 192.501(12): Public records of a discipline action or materials or documents supporting that action are exempt from disclosure.

Threatened or Endangered Species - ORS 192.501(13): Certain information regarding the habitat, location or population of any threatened or endangered species is exempt from disclosure.

Personal Privacy Exemption - ORS 192.502(2): Information of a personal nature, such as that kept in a medical or personal file, is exempt from disclosure if disclosure would be an unreasonable invasion of privacy, unless disclosure is in the public interest by clear and convincing evidence. Personal information includes home address, phone number, weight and age.

Public Employees Addresses, Dates of Birth and Telephone Numbers - ORS 192.502(3): The addresses, dates of birth and phone numbers of public employees and volunteers which are maintained by the public body in personnel files are exempt from disclosure.

Confidential Information Submitted by Citizens - ORS 192.502(4): Information submitted to a public body in confidence and not required to be submitted, where the information should reasonably be considered confidential, and the public body has in good faith obliged itself to keep the information confidential, is exempt from disclosure.

Records Deemed Confidential or Privileged under federal and state laws or regulations - ORS 192.502(8) & (9): Communications that are subject to attorney/client privilege, such as communications between District legal counsel and a District staff member are exempt from disclosure.

Social Security Numbers: No social security numbers will be disclosed without prior consultation with District legal counsel.

## COMPLIANCE

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

Specificity of Request: A request for public records that are in the custody of the Silverton Fire District may be made by submitting a written request to the Fire Chief or his/her designee. The request may be submitted in person, by mail, by fax or by email to the Office Administrator who will coordinate requests received by the public. The request must:

- Include name and address of the person requesting the public record;
- Include telephone number or other contact information for the person requesting the public record; and

# *Silverton Fire District*

## *Board Manual*

- Include a detailed description of the record(s) requested to allow Silverton Fire District to search for and identify responsive records.
- Be dated and signed by the person requesting the public record.

Access: The District shall permit inspection and examination of its non-exempt public records during regular business hours in the District's offices, or such other locations as the Fire Chief 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.

Certified Copies: Certified copies of non-exempt public records shall be furnished upon request and receipt of payment therefore.

### FEES FOR PUBLIC RECORDS

In order to recover its costs for responding to public records requests, the following fee schedule from *Ordinance Number 07-01, adopted on March 13, 2007* by the District:

Copies of Public Records: Copies of public records shall be a minimum \$15.00 per copy page with each additional page to be .15 cents per copy for standard, letter size copies. Copies shall be certified for an additional charge of \$5.00 per copy (Certification document attached).

Copies of Sound Recordings: Copies of sound recordings of meetings shall be imposed such as are necessary to reimburse the District for its actual costs of producing the records per copy.

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 District.

Research Fees: If a request for records requires district personnel to spend more than 15 minutes searching or reviewing records prior to their review or release for copying, the minimum fee shall be \$20.00 per hour and additional charges shall be in ¼ hour increments. The district shall estimate the total amount of time required to respond to the records request, and the person making the request shall make payment for the estimated cost of the search and copying of the records in advance. If the actual time and costs are less than estimated, the excess money shall be refunded to the person requesting the records. If the actual costs and time are in excess of the estimated time, the difference shall be paid by the person requesting the records at the time the records are produced.

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

Reduced Fee or Free Copies: Whenever the Fire Chief determines that furnishing copies of public records in the District's possession at a reduced fee or without costs would be in the public interest, the Fire Chief may so authorize ORS 192.440(4).

### AUTHORIZATION REQUIRED FOR REMOVAL OF ORIGINAL RECORDS

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

# *Silverton Fire District*

## *Board Manual*

### **ON-SITE REVIEW OF ORIGINAL RECORDS**

If a request to review original records is made, the District shall permit such a review provided that research fees are paid in advance in accordance with paragraph F.4 above. A representative shall be present at any time original records are reviewed, and the charges for standing by while the records are reviewed shall be the same as the charges for searching or reviewing records.

### **UNAUTHORIZED ALTERATION, REMOVAL OR DESTRUCTION OF ORIGINALS**

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

### **PATIENT CONFIDENTIALITY**

It is the responsibility of the District not to breach the confidentiality of a patient's medical records at any time. This applies to gaining medical information from the patient at the scene, written information on Patient Care Report Forms (PCRF), storing patient records and appropriate release of patient information and other applicable laws.

### **RELEASE OF PATIENT INFORMATION**

The pre-hospital care report is considered privileged information and shall be treated as such. Access to same, upon completion, will be restricted to authorized staff only (treating medic personnel, EMS Officer, Training Officer, billing staff, supervising physician).

PHCR or detailed information concerning patient medical history shall not be copied except as required for CONFIDENTIAL quality improvement review EXCEPT that:

Copies may be provided to: upon receipt of a release form (see attached Patient Release of Information) to;

- *The patient (with identification)*
- *The patient's legal representative, upon written request/release signed by the patient*
- *The patient's legal guardian (with proof of guardianship and identification) or a written request from the legal guardian, along with proof of legal guardianship*
- *Person providing a subpoena for the record*

The District will cooperate within the above limits as much as possible to assist law enforcement investigative efforts; however, law enforcement agencies shall not be exempt from obtaining a subpoena for copies of the records. Law enforcement personnel may be given patient name, age, DOB, address, and relevant information verbally from the PHCR.

**SILVERTON FIRE DISTRICT**

**PUBLIC RECORDS REQUEST**

**Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Information/Public Record Requested:** *(Be specific, including dates and other details to assist in locating the record sought)*

**Fees for Public Records Requests**

8.5 x 11 Copies..... \$15 / copy page; .15 / page  
 Maps & Nonstandard Documents ..... Actual reproduction cost  
 Sound..... Actual reproduction cost  
 CD/DVD..... \$5 / ea  
 Electronic Searches/Server..... \$5 CD/DVD plus research fee  
 Research Fee's: Up to 15 minutes..... Reproduction cost only  
 1 hour and over..... \$20 / hr

*I understand that fees will be charged to reimburse the Silverton Fire District of its actual cost in making the records available. Such calculation may include staff time, costs for summarizing, or compiling a record to meet my request. I hereby request that the Silverton Fire District produce, as best to their ability, the records specified above. Payment in advance is required for charges estimated to be over \$15.*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

<b>INFORMATION BELOW TO BE COMPLETED BY OFFICE ADMINISTRATOR</b> <i>In accordance with ORS 192.440(2), this is to acknowledge our receipt of your request</i>			
Date request was received:		<input type="checkbox"/>	Copies of all requested public records for which Silverton Fire District does not claim exemption from disclosure under ORS 192.410 to 192.505 are enclosed
Date records were sent:		<input type="checkbox"/>	Silverton Fire District [does not possess / is not the custodian of] the requested record (s).
Records sent by:		<input type="checkbox"/>	Silverton Fire District is uncertain whether we possess the requested record (s). We will search for the record and make an appropriate response as soon as practicable.
Fee Total:		<input type="checkbox"/>	Silverton Fire District is the custodian of at least some of the requested public records.
Payment Received:		<input type="checkbox"/>	State / Federal law prohibits Silverton Fire District from acknowledging whether the requested record (s) exist (s).

*Silverton Fire District*  
*Board Manual*

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

---

*Originated: October 14, 2014*

*Revised: March 8, 2016*

*Reviewed: November 10, 2020*

**PURPOSE**

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

**DUTIES AND RESPONSIBILITIES**

**MEETING THE NEEDS OF THE DISTRICT**

It is the policy of the Board of Directors to exercise those powers granted to it, and to carry out those duties assigned to it by law, in such a way as to best meet the needs of the District.

**FORMULATION AND INTERPRETATION OF DISTRICT POLICY**

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

**MANAGEMENT AND COMMUNICATION BETWEEN BOARD AND STAFF**

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

**BOARD MEETING CONDUCT**

The Board President shall preside at Board meetings. In the President's absence, the Vice-President shall preside. If both the President and Vice-President are absent, any other member of the Board may preside. Board members shall be respectful of one another and follow the direction of the Chair. They should avoid personal attacks and keep discussions on policy, not individuals. Meetings shall be conducted in such a manner as to provide a full and fair opportunity for discussion of the issues in an efficient and



# *Silverton Fire District*

## *Board Manual*

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

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

Board members have no individual powers separate from the powers of the Board and have no authority to act individually without delegation of authority from a quorum of the Board. Likewise, no individual Board member may speak for or on behalf of the Board or District, except as authorized to do so by official Board action as recorded in the official minutes, guidelines, or policies of the District.

### **ETHICAL STANDARDS**

Board members act as representatives of the citizens of the District. Therefore, Board members shall adhere to the highest ethical standards in the conduct of District business. As public officials they are required to comply with Oregon Ethics Laws. Each Board member should be provided with a copy of the Oregon Government Ethics Commissions *Guide for Public Officials*.

### **BOARD MEMBER EDUCATION**

In order to effectively carry out their duties, Board members must be adequately informed. Members are encouraged to attend such conferences and other training programs as the Board may authorize.

### **DISCIPLINE**

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

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

### **GOVERNANCE**

#### **COMMUNICATIONS**

- Develop regular channels of communication with Board members and staff.
- Encourage participation of staff members on appropriate committees.
- Invite non-Board members, other local governments, and groups to Board or committee meetings or other types of Board sponsored assemblies to explore and develop approaches to common concerns.
- Recognize that certain information obtained at Board meetings may be non-public and confidential making disclosure a breach of trust.
- Respect the opinion of other members and accept the principle of majority rule in Board decisions.

# *Silverton Fire District*

## *Board Manual*

### FINANCIAL

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

### POLICIES, OBJECTIVES, AND PLANS

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

### MANAGEMENT

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

# *Silverton Fire District*

## *Board Manual*

### EMPLOYEE RELATIONS

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

### CONTROL

- Identify types of information needed by the Board to analyze effectively the District's directions and achievement. Create a process for collecting and analyzing information.
- Realize that the citizens within the boundaries of the District are the true "owners" of the District.
- Review and assess the organization's performance against objectives, resources, plans, policies, and services rendered.
- Identify obstacles, sense-changing needs, and propose new directions or goals.
- Ensure that the District is in compliance with all federal, state, and local laws.

### BOARD OF DIRECTORS

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

### PUBLIC ACCOUNTABILITY

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

*Silverton Fire District*  
*Board Manual*

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

---

*Originated: February 1, 2016*

*Revised:*

*Reviewed: November 10, 2020*

**PURPOSE**

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

**FINANCIAL GAIN**

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

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

**GIFTS**

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

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

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

**CONFLICT OF INTEREST**

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

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

# *Silverton Fire District*

## *Board Manual*

If a Board member participates in the authorization of a public contract, the Board member may not have a direct beneficial financial interest in that public contract for two years after the date the contract was authorized.

Individual Board members and the Board as a public entity are bound by the Code of Ethics for public officials as stated in Oregon Law.

Oregon Government Ethics law identifies and defines two types of conflicts of interest: actual conflict of interest and potential conflict of interest.

The difference between an actual conflict of interest and a potential conflict of interest is determined by the words “would” and “could.”

A public official is met with an actual conflict of interest when the public official participates in action that would affect the financial interest of the official, the official’s relative or a business with which the official or a relative of the official is associated.

A public official is met with a potential conflict of interest when the public official participates in action that could affect the financial interest of the official, a relative of that official or a business with which the official or the relative of that official is associated.

A public official must announce or disclose the nature of a conflict of interest. The way the disclosure is made depends on the position held. The following public officials must use the methods described below:

- Potential Conflict of Interest: Following the public announcement, the public official may participate in official action on the issue that gave rise to the conflict of interest. Abstaining from a vote does not meet the legal requirement of publicly stating a potential conflict.
- Actual Conflict of Interest: Following the public announcement, the public official must refrain from further participation in official action on the issue that gave rise to the conflict of interest.

If a public official is met with an actual conflict of interest and the public official’s vote is necessary to meet the minimum number of votes required for official action, the public official may vote. The public official must make the required announcement and refrain from any discussion, but may participate in the vote required for official action by the governing body. These circumstances do not often occur. This provision does not apply in situations where there are insufficient votes because of a member’s absence when the governing body is convened. Rather, it applies in circumstances when all members of the governing body are present and the number of members who must refrain due to actual conflicts of interest make it impossible for the governing body to take official action.

**SILVERTON FIRE DISTRICT  
RESOLUTION NO. 23-358**

**A RESOLUTION OF THE BOARD OF DIRECTORS FOR THE  
ADOPTION OF CIVIL SERVICE RULES**

**WHEREAS**, ORS 242.702 to 242.824 requires a civil service system for fire districts with four or more fire fighters employed on a full-time basis excluding positions exempt from civil service; and

**WHEREAS**, ORS 242.704 allows a district governing body to adopt regulations substantially accomplishing the general purposes of civil service; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Silverton Rural Fire Protection District adopts the rules attached hereto as the civil service rules for the Silverton Rural Fire Protection District.

**BE IT FURTHER RESOLVED** that those rules shall be amended by the process established within the rules.

**ADOPTED BY THE BOARD OF DIRECTORS** of the Silverton Fire District at a regular scheduled meeting held on this day of February 14, 2023. This resolution takes effect upon its adoption.

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Les Von Flue  
President, Board of Directors

---

Robert Mengucci  
Secretary-Treasurer, Board of Directors

**ATTEST:**

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Candace Cantu  
District Clerk



**SILVERTON FIRE DISTRICT  
CIVIL SERVICE COMMISSION**

<b><u>COMMISSIONER</u></b>	<b><u>POSITION</u></b>	<b><u>TERM OF SERVICE</u></b>
<b>Christopher Redling</b>	<b>1</b>	<b>02/07/2023 - 6/30/2025</b>
<b>Stephen Dye</b>	<b>2</b>	<b>02/07/2023 - 6/30/2026</b>
<b>Randal Thomas</b>	<b>3</b>	<b>02/07/2023 - 6/30/2027</b>

PROPOSED

# SILVERTON RURAL FIRE PROTECTION DISTRICT CIVIL SERVICE RULES

*as approved by the*  
Civil Service Commission

On \_\_\_\_\_, 2023

*and by the*  
Board of Directors

On \_\_\_\_\_, 2023





# Table of Contents

<b>GENERAL STATEMENT OF POLICY</b> .....	<b>4</b>
SECTION 1    PURPOSE OF RULES .....	4
<b>DEFINITIONS</b> .....	<b>5</b>
SECTION 1    DEFINITION OF TERMS .....	5
<b>ADOPTION AND AMENDMENT OF RULES</b> .....	<b>9</b>
SECTION 1    ADOPTION OF CIVIL SERVICE RULES .....	9
SECTION 2    EFFECT OF ADOPTION UPON INCUMBENT EMPLOYEES .....	9
SECTION 3    AMENDMENT OF RULES .....	9
SECTION 4    APPLICATION OF RULES .....	9
SECTION 5    PERSONNEL RULES OF THE BOARD OF DIRECTORS .....	9
<b>DISTRICT SERVICE</b> .....	<b>10</b>
SECTION 1    CLASSIFIED SERVICE .....	10
SECTION 2    EXEMPT SERVICE .....	10
<b>ORGANIZATION FOR PERSONNEL ADMINISTRATION</b> .....	<b>11</b>
SECTION 1    CIVIL SERVICE COMMISSION .....	11
SECTION 2    COMMISSION CHAIRPERSON .....	11
SECTION 3    MEETINGS OF THE COMMISSION .....	11
SECTION 4    REMOVAL OF COMMISSIONERS .....	11
<b>CLASSIFICATION PLAN</b> .....	<b>12</b>
SECTION 1    MAINTENANCE OF PLAN .....	12
SECTION 2    AMENDMENT OF PLAN .....	12
SECTION 3    CLASSIFICATION OF POSITIONS .....	12
SECTION 4    USE OF CLASS TITLE .....	13
<b>APPLICATIONS AND EXAMINATIONS</b> .....	<b>14</b>
SECTION 1    EXAMINATION ANNOUNCEMENTS .....	14
SECTION 2    ELIGIBILITY TO COMPETE IN EXAMINATIONS .....	14
SECTION 3    APPLICATIONS .....	14
SECTION 4    ADMISSION TO EXAMINATIONS .....	15
SECTION 5    DISQUALIFICATION OF APPLICANTS .....	15
SECTION 6    EXAMINATION ADMINISTRATION .....	16
SECTION 7    POSTPONEMENT OR CANCELLATION OF EXAMINATIONS .....	16
SECTION 8    CHARACTER OF EXAMINATIONS .....	16
SECTION 9    RATING OF EXAMINATIONS .....	17
SECTION 10    NOTIFICATION OF EXAMINATION RESULTS .....	17
SECTION 11    PREFERENCE FOR VETERANS .....	17
SECTION 12    VOLUNTEER PREFERENCE .....	17
<b>REGISTERS</b> .....	<b>18</b>
SECTION 1    ESTABLISHMENT OF REGISTERS .....	18
SECTION 2    KINDS OF REGISTERS .....	18

SECTION 3	ORDER OF NAMES ON ENTRANCE REGISTERS.....	18
SECTION 5	REMOVAL OF NAMES FROM LISTS .....	19
SECTION 6	RESTORATION OF NAMES TO ELIGIBLE LISTS.....	20
SECTION 7	AVAILABILITY OF ELIGIBLES.....	20
<b>CERTIFICATION AND APPOINTMENT .....</b>		<b>21</b>
SECTION 1	FILLING VACANT POSITIONS .....	21
SECTION 2	CERTIFICATION OF ELIGIBLES .....	21
SECTION 3	KINDS OF APPOINTMENTS.....	23
SECTION 4	TRANSFERS .....	23
<b>PROBATIONARY PERIOD.....</b>		<b>25</b>
SECTION 1	PURPOSE.....	25
SECTION 2	DURATION OF PROBATIONARY PERIOD.....	25
SECTION 3	DISMISSAL DURING ENTRANCE PROBATIONARY PERIOD.....	25
SECTION 4	UNSATISFACTORY PERFORMANCE DURING PROMOTIONAL PROBATIONARY PERIOD.....	25
SECTION 5	REGULAR STATUS.....	25
SECTION 6	REMOVAL FROM ELIGIBILITY REGISTER.....	26
<b>SEPARATION IN GOOD STANDING.....</b>		<b>27</b>
SECTION 1	REDUCTION IN FORCE.....	27
SECTION 2	RETURN OF NAMES OF LAID OFF EMPLOYEES TO THE ELIGIBLE LISTS..	27
<b>DISCIPLINARY ACTIONS.....</b>		<b>28</b>
SECTION 1	CAUSES FOR DISCIPLINARY ACTIONS .....	28
SECTION 2	PROCEDURE FOR TAKING DISCIPLINARY ACTION.....	29
<b>APPEALS, HEARINGS AND INVESTIGATIONS.....</b>		<b>30</b>
SECTION 1	APPEALS.....	30
SECTION 2	DISCIPLINARY HEARINGS.....	31
SECTION 3	COMMISSION FINDINGS.....	32
SECTION 4	APPEAL TO CIRCUIT COURT .....	32
<b>RECORDS AND REPORTS.....</b>		<b>33</b>
SECTION 1	ROSTER.....	33
SECTION 2	REPORTS TO THE COMMISSION.....	33
SECTION 3	DESTRUCTION OF RECORDS.....	33
SECTION 4	PUBLIC RECORDS.....	33
<b>PROHIBITIONS AND PENALTIES.....</b>		<b>34</b>
SECTION 1	PROHIBITED CONDUCT GENERALLY .....	34
SECTION 2	POLITICAL CONTRIBUTIONS AND ACTIVITIES.....	34

## RULE I

### GENERAL STATEMENT OF POLICY

#### SECTION 1 PURPOSE OF RULES

The purpose of these rules is to implement provisions of Civil Service for the employees of Silverton Rural Fire Protection District. These rules are intended to comply with the provisions of ORS 242.704 as substantially accomplishing the general purposes of ORS 242.702 through ORS 242.824. Therefore, unless specifically referenced in these Rules, ORS 242.702 through ORS 242.824 do not apply to the Silverton Fire District and the Rules as adopted herein are the Civil Service System for Silverton Rural Fire Protection District.

- A. To establish a system of personnel administration based on merit principles and scientific methods, governing the appointment, tenure, promotion, layoff, removal and discipline of its officers and employees, and other incidents of employment, and to provide an exemption from ORS 242.702 through 242.824 as provided in ORS 242.704.
- B. To promote and increase economy and efficiency.
- C. To establish and maintain a uniform plan of classification based upon the relative duties and responsibilities of positions in the service of Silverton Rural Fire Protection District.
- D. To provide an equal opportunity to all qualified persons to gain employment on a basis of demonstrated merit and fitness to be ascertained by open recruitment and competitive examinations.
- E. To develop a program of recruitment and advancement that will make a career in the District service attractive to persons who possess both ability and integrity.

## RULE II

### DEFINITIONS

#### SECTION 1 DEFINITION OF TERMS

As used in these rules, unless the context clearly requires otherwise:

- A. "Absence" means a circumstance in which a permanently appointed employee is not present due to vacation, sick leave or other type of leave, or due to temporary or provisional appointment, or transfer to another position and when the absent employee is expected to return to said position after a period of time.
- B. "Act" means the State Civil Service Law for Fire Fighters, (ORS 242.702 to 242.990) and specifically ORS 242.704 under which section the establishment of these rules by the Civil Service Commission is based.
- C. "Allocation" means the assignment of an individual position to an appropriate classification on the basis of the kind, difficulty and responsibility of the work actually performed in the position.
- D. "Appointing Power" or "Appointing Authority" means the Fire Chief of the District who is vested by the Board of Directors with authority to appoint to any Civil Service position; discipline and dismiss employees; and set compensation subject to these rules, applicable labor agreements and law.
- E. "Appointment" means all means of selection.
- F. "Civil Service" means the civil service system established by this act.
- G. "Chief Examiner" means the person appointed by the Commission to administer the examinations and any other aspect of the Civil Service program assigned by the Commission. The Chief Examiner may serve as the secretary to the Commission. [The District may desire the Fire Chief to be the Chief Examiner.]
- H. "Class" or "Classification" means a group of positions in the classified service sufficiently alike in duties, authority and responsibilities that the same qualifications may reasonably be required for, and the same schedule of pay can be equitably applied to all positions in the group.
- I. "Class Specification" means the written description of a class containing a title, statement of duties, authority and responsibilities and the desired minimum qualifications for the class.
- J. "Classified Service" means all positions in the District service for which the appointment of employees is subject to the Act and these Rules.

- K. "Commission" means the Civil Service Commission created under the Act.
- L. "Commissioner" means a Civil Service Commission member.
- M. "Demotion" The appointing power may reduce to a lower grade or rank either by permission or for cause.
- N. "Dismissal" means removal by the appointing power from a position or service within the Fire District either by permission or for cause.
- O. "District" means the Silverton Rural Fire Protection District.
- P. "Employees" means persons whose principle duties consist of preventing or combating fire or preventing the loss of life or property from fire, except those listed as exempt.
- Q. "Entrance Register" means a list of persons who have been found qualified by an entrance test for appointment to a position in a particular class.
- R. "Entrance Examination" means a test for positions in a particular class, admission to which is not limited to persons employed by the District.
- S. "Examiner" means a person appointed by the Chief Examiner to conduct examinations. Such examiner shall not be a classified employee of a rank equal to or less than the rank subject to the examination. Specifically, an examiner does not include classified employees serving as monitors, proctors, or performing other ministerial functions.
- T. "Governing Body" means the Board of Directors of Silverton Rural Fire Protection District.
- U. "Layoff" means a separation from the service because of a shortage of funds or materials, abolishment of a position or for other reasons not reflecting discredit on an employee and for reasons outside his/her control.
- V. "Military Leave" means the leave of absence granted to employees entering the armed forces of the United States.
- W. "Personnel Action" means any action taken with reference to appointment, compensation, promotion, transfer, layoff, dismissal or any other action affecting the status of employment.
- X. "Personnel Rules" means the personnel rules adopted by order of the Board of Directors relating to hiring, discipline, attendance, compensation, leave, retirement, or any other factor of employment.
- Y. "Political" in such terms as "political, religious or racial reasons", "political office", and "political party or candidate" shall be understood as referring to partisan politics and contested nomination or election to public office only.
- Z. "Position" means any office, place or appointment.

- AA. "Probationary Period" means a working test period of twelve months during which an employee is required to demonstrate by actual performance of the duties, fitness for the position.
- AB. "Promotion" means a transfer of an employee from a position in one class to a position in another class having a higher maximum salary rate.
- AC. "Promotion Register" means a list of names of persons presently in the employ of the District who have been found qualified by promotional examination for appointment to a position in a particular class.
- AD. "Promotional Examination" means a test which is limited to employees who hold regular or probationary status and have held a position or positions in other classes for a period of not less than six months.
- AE. "Provisional Appointment" means an appointment to a position, limited to three months, in the absence of names of qualified candidates on the register or registers for the class, of a person meeting the minimum qualifications specified for the class.
- AF. "Public Notice" means written or printed notification conspicuously posted on official bulletin boards in all areas of employment, published in a newspaper of general circulation in the District, directed to department heads, with a copy to the secretary of the District for District records.
- AG. "Reclassification" means a change in allocation of an individual position by raising it to a higher class, reducing it to a lower class or moving it to another class at the same level on the basis of significant changes in the kind, difficulty or responsibility of the work performed in such position.
- AH. "Regular Employee" means either an employee who has been appointed to a position in accordance with the rules of the Civil Service Commission and who has successfully completed a probationary period, or an employee who acquired status through appointment to a position in the classified service on or before February 14, 2023.
- AI. "Rules" means the Civil Service rules adopted by the Civil Service Commission as provided by the Act.
- AJ. "Suspension" means a temporary removal from duty, with or without pay, of an employee for disciplinary purposes or for the purpose of investigation of accusations brought against an employee.
- AK. "Temporary Appointment" means a non-status appointment to assure continuation of required work.
- AL. "Termination" means the involuntary cessation of employment with the Fire District for cause.
- AM. "Transfer" means any change of an employee from one position to another in the same class. A normal rotational move is not to be considered a transfer.
- AN. "Vacancy" means a position newly created and not filled or a position that is no longer occupied by

its incumbent due to separation from the service, promotion, demotion, or transfer and the incumbent is not expected to return.

- AO. "Voluntary Demotion" means a demotion requested by an employee in order to retain employment when layoff from a position is imminent or for other reasons where the action is still entirely voluntary on the part of the employee.
- AP. "Work Day" or "Working Day" means a calendar day unless otherwise specified.

DRAFT

## RULE III

### ADOPTION AND AMENDMENT OF RULES

#### SECTION 1            ADOPTION OF CIVIL SERVICE RULES

Rules relating to the administration of the Civil Service Act shall be adopted by the Commission only after public hearing open to any citizen, officer or employee of the District. Five or more days public notice of such hearing shall be given, setting forth the place and the time of the hearing and the purpose for which it is called. Rules adopted by the Commission shall become effective on a date specified by the Commission and shall be posted on all official bulletin boards of the District.

#### SECTION 2            EFFECT OF ADOPTION UPON INCUMBENT EMPLOYEES

Within one day after the adoption of the civil service, all persons employed in a position subject to civil service and who have been employed by the District for at least six months and who have otherwise passed all probationary requirements of the District shall be immediately placed in their existing positions as classified by civil service as if they were a regular employee. The appointing authority shall file a list of names of such persons with the civil service commission, including their names, residence, occupation, length of continuous service and compensation.

#### SECTION 3            AMENDMENT OF RULES

A request for change in the Civil Service Rules may be submitted at any time by any interested party in a written communication to the Commission indicating the proposed change and the reasons, therefore. The procedure for adoption of the rules in Section 1 shall also apply to amendments to the rules. Notwithstanding the foregoing, when Oregon Revised Statutes pertaining to Civil Service are amended or otherwise changed, the Commission shall have the authority to make corresponding changes in the Rules in order to maintain conformance with applicable statutes without holding a public hearing on the changes.

#### SECTION 4            APPLICATION OF RULES

Any personnel action taken prior to the official adoption of new or amended rules shall be governed by the rules in effect at the time of the action and shall not be affected by the proposed new or amended rules unless such rule provided for a retroactive effect.

#### SECTION 5            PERSONNEL RULES OF THE BOARD OF DIRECTORS

Personnel rules relating to salaries, wages, leave, attendance, hours of work, holidays, retirement or any other factor of employment having direct budgetary implications in the classified and exempt service shall be established and administered by the governing body in conformance with laws pertaining to such matters. This is mentioned so there is no confusion as to the limits of these rules. Rules governing the general conduct of employees, work regulations and assignment schedules shall be adopted and administered by the governing body. Such rules shall be readily available for review by employees.



## RULE IV

### DISTRICT SERVICE

#### SECTION 1            CLASSIFIED SERVICE

The classified service shall include all positions now existing or hereafter created in the District service and not specifically exempted by these rules. Every position in the classified service shall be filled in accordance with procedures provided in these rules.

#### SECTION 2            EXEMPT SERVICE

The exempt service shall include the following positions:

- A. Positions on the Board of Directors
- B. Positions on the Civil Service Commission
- C. Persons employed as professional consultants on a fee basis to provide special or technical assistance
- D. Members of special boards, Commissions, or committees appointed by the Board of Directors, who serve without compensation
- E. Volunteer employees of the District
- F. Fire Chief
- G. Assistant Chief
- H. Temporary employees/Volunteer trainees
- I. Clerical employees of the District
- J. Any employee whose principal duties do not consist of preventing or combating fire, or preventing the loss of life or property from fire

## RULE V

### ORGANIZATION FOR PERSONNEL ADMINISTRATION

#### SECTION 1            CIVIL SERVICE COMMISSION

The Civil Service Commission consists of three members appointed or confirmed by the governing body of the District, a Chief Examiner and such assistants as may be necessary. All actions of the Chief Examiner shall be subject to review and approval or disapproval of the Commission.

#### SECTION 2            COMMISSION CHAIRPERSON

The Commission shall elect a chairperson at the first meeting of each calendar year.

#### SECTION 3            MEETINGS OF THE COMMISSION

The Commission shall hold such meetings as may be required for the proper discharge of its duties with a meeting every 90 days (if there is business to perform) and such additional meetings as are requested by any Commission member. Any person subject to civil service may request a special meeting of the Commission, which request shall be granted when good cause is shown therefor. Two members of the Commission shall constitute a quorum, and the votes of any two members of such Commission concurring shall be sufficient for the decision of all matters and the transaction of all business to be decided or transacted by the commission. In any event, there shall be at least one Civil Service Commission meeting each year.

#### SECTION 4            REMOVAL OF COMMISSIONERS

The governing body of the District which appoints Commissioners may remove any Commissioner for incompetence, dereliction of duty or other good cause, after giving due notice in writing of the charges against the Commissioner and an opportunity to be heard publicly on such charges before the body which appointed the Commissioner. A copy of the charges and a transcript of the record of the hearing shall be filed with the governing body of the District.

## RULE VI

### CLASSIFICATION PLAN

#### SECTION 1            MAINTENANCE OF PLAN

The Commission shall adopt and maintain a classification plan which shall group all positions in the classified service into classes based upon their duties, authorities, responsibilities, and compensation. The Commission may assign the review of the classification plan to the Chief Examiner who will be responsible for keeping the classification plan current by conducting periodic studies of positions and making appropriate recommendations to the Commission.

#### SECTION 2            AMENDMENT OF PLAN

- A. Request for Change. Any officer or employee in the District service may initiate a request to the Commission to amend the classification plan. If the Chief Examiner determines the request to be in good cause, he/she shall then conduct the necessary investigation of any such request. The Chief Examiner shall also make classification studies or surveys at other times on own initiative and as directed by the Commission. If the Chief Examiner finds that substantial change in organization, creation or change of positions or other pertinent conditions makes necessary the modification of an existing class or the establishment of a new class, recommendation for such an amendment shall be made to the Commission by the Examiner.
- B. Hearings on Changes. The Commission shall hold public hearings on changes in the classification plan and shall give at least three days public notice prior to such hearings. After hearing suggestions and recommendations, the Commission shall review this information and act on classification revisions with such modifications as it believes proper.
- C. Changes in ORS. If changes in Oregon Revised Statutes pertaining to Civil Service require the Commission to make corresponding changes in these Civil Service Rules, they may be made without holding a public hearing on changes.

#### SECTION 3            CLASSIFICATION OF POSITIONS

- A. Determining Classification. In determining the class to which any position shall be allocated, the specification describing each class shall be considered as a whole. Consideration shall be given to the general duties, specific tasks, responsibilities, qualifications and requirements and their relationship to other classes, as a composite description of the kind of employment which the class is intended to embrace.
- B. New Positions. When the appointing power desires to create a position, a notice of such proposed action together with a description of the duties of the new position shall be submitted to the Chief Examiner. The Chief Examiner shall promptly assign the appropriate class therein on the basis of its

duties, authority, responsibilities, and compensation and shall notify the appointing power of the official classification.

- C. Reclassification of Positions. Whenever the appointing power desires to make a permanent and substantial change in the duties, authority, responsibilities, or compensation of a position, written notification of the proposed change shall be submitted to the Chief Examiner for the determination of the effect, if any, on the classification of the position. The Chief Examiner may, upon own initiative or at the request of the appointing power or employee, study the duties of any position to determine if the current classification is proper. Whenever the Chief Examiner finds that the change in duties is such that the current classification is no longer correct, he/she shall report to the Commission the nature of such changes. The Commission may revise the classification of such positions as it deems proper.
1. Effect of Reclassification on Employee Status
    - a. No person holding any position under any established classification or grade shall be affected by such change so as to deprive the person of any of the benefits attached to the classification or grade applicable to the position then held by the person.
    - b. When a position is reclassified to a class that carries a higher salary range, the incumbent regular or probationary employee shall be accorded probationary status in the higher class if eligible for certification from the appropriate register.
    - c. If the position is reclassified to a class that carries a lower salary range, the employee's name shall be placed on the promotion register in the same manner as provided for in voluntary demotion.
- D. Minimum Qualifications Statements. Personal qualifications commonly required of an employee in any class, such as good citizenship, honesty, loyalty, sobriety, industry, amenability to supervision and suggestions of superiors for improvement of service, and willingness to cooperate with associates, shall be implied as qualifications required for entrance to every class, even though such traits may not be specifically mentioned in the specifications.

#### SECTION 4            USE OF CLASS TITLE

The class title shall be the official title of every position allocated to the class for the purpose of personnel actions and shall be used on all payrolls, budget estimates and official records and reports relating to the position. Any other working title desired and authorized to be used by the appointing power may be used as a designation of any position for the purpose of internal administration or in contacts with the public.

## RULE VII

### APPLICATIONS AND EXAMINATIONS

#### SECTION 1            EXAMINATION ANNOUNCEMENTS

- A. Distribution of Announcements. Public announcements of examinations shall be given at least two weeks in advance of the last date for filing applications. Such announcements shall be posted on the official bulletin boards of the District and at least two other public places, and once a week for two weeks in a newspaper of general circulation in the District. The Chief Examiner may provide for such other publicity as deemed advisable to attract sufficient numbers of qualified candidates. In the case of promotional examinations, announcements shall be posted on bulletin boards provided for such purpose. The appointing power shall take necessary steps to bring announcements to the attention of all eligible employees.
- B. Content of Announcements. Official notices of examinations shall state the duties and pay of positions in the classes for which the examinations are to be held, the qualifications required, the time and place and the manner of making application for admission to such examinations, the different parts of tests, closing date for filing applications and any other information which may be considered pertinent.

#### SECTION 2            ELIGIBILITY TO COMPETE IN EXAMINATIONS

- A. Who May Compete. Examinations designed to establish entrance lists shall be open to all persons who appear to meet minimum qualifications and other requirements for the class as stated in the class specification and as set forth in the announcement.
- B. Entrance Requirements. The Governing Body shall establish and may revise requirements regarding experience, training, physical condition, residency, and other factors that relate to the ability of candidates to perform effectively the duties of a class.
- C. Competition in Promotional Examinations. Promotional examinations shall be open to employees who have acquired regular or probationary status, meet the minimum qualifications as stated in the class specification and as set forth in the announcement, and who have held a position in the classified service in another class or classes for a period of not less than six months immediately preceding the filing date specified on the announcement. The governing body of the District reserves the right to declare whether any open or new position shall be filled by a promotional or entrance examination. If an entrance examination is selected, it would be open to both qualified employees and non-employees.

#### SECTION 3            APPLICATIONS

- A. Filing of Applications. All applications must be made upon official District application blanks filled

out as therein directed, and filed in the office of the Commission or postmarked on or before the closing date specified in the examination announcement. Each application must be signed by the applicant, and such signature constitutes a certification that all information contained therein is true to the best of the knowledge of the applicant. The Commission may conduct pre-employment investigations to verify the past employment record and to obtain other information relating to the qualifications of the applicant.

- B. Freedom from Bias. The application form shall contain no question so formed as to elicit any information concerning political, racial, or religious affiliations of the applicant. However, this provision shall not prevent inquiry as to whether the applicant supports the Constitution of the United States of America.

#### SECTION 4                    ADMISSION TO EXAMINATIONS

Each candidate whose application has been accepted for an examination shall be notified at least 48 hours in advance of the examination by mail or personal service of the time and place of the examination and such notice shall be considered authorization for admission. No person shall be permitted to take an examination without such authorization or other satisfactory evidence of the acceptance of application. Any applicant whose application has been accepted but who, because of illness or other good cause, is unable to appear, may at the discretion of the Chief Examiner, be given the examination at a later date.

#### SECTION 5                    DISQUALIFICATION OF APPLICANTS

The Chief Examiner may reject the application of any person for admission to an examination or decline to examine any applicant who:

- A. Is found to lack the qualifications prescribed for admission to the examination as announced in the public notice.
- B. Is found to be unfit because of previous employment or driving record or for other reasons reflecting discredit on the applicant.
- C. Is physically unfit, even with reasonable accommodation, to perform effectively the duties of the class.
- D. Has been convicted of a crime involving moral turpitude or who has been dismissed from the public service for delinquency or misconduct, or has been dishonorably discharged from the armed forces of the United States.
- E. Has used, or attempted to use, political pressure or bribery to secure an advantage in testing or appointment.
- F. Has made false statements of any material fact or practiced, or attempted to practice, deception or fraud in application or examination.

- G. Has taken the same examination within the six-month period preceding the examination date; or
- H. Has otherwise violated the provisions of these rules.

Any person whose application has been rejected by the Chief Examiner may appeal such action to the Civil Service Commission.

#### SECTION 6                    EXAMINATION ADMINISTRATION

- A. Conduct of Examinations. Written or performance examinations shall be conducted in such places as are necessary for the reasonable convenience of applicants within the practical limits for proper administration and control. The Chief Examiner shall designate the number of examiners necessary to conduct examinations, and provide them with instructions. The Chief Examiner may also arrange for the use of public buildings in which to conduct these examinations.
- B. Frequency of Examinations.
  - 1. Entrance examinations may be given at least every thirty months if there is a need.
  - 2. Promotional examinations may be given at least every thirty months. For those classes with less than four positions, examinations may be given as necessary.
- C. Anonymity of Applicants. The identity of persons taking written examinations shall not be disclosed to examiners except where conditions of anonymity are impractical.

#### SECTION 7                    POSTPONEMENT OR CANCELLATION OF EXAMINATIONS

In the event a sufficient number of qualified applicants have not made application for any test, the Chief Examiner may postpone the last filing date, or cancel the test. In such case, written notice shall be given to the applicants and appointing authorities concerned.

#### SECTION 8                    CHARACTER OF EXAMINATIONS

Tests shall be practical and competitive, and must be designed to determine the qualifications, fitness and ability of candidates to perform the duties of the class for which a register is to be established. They may be written, oral, physical, in the form of a demonstration of skill, an evaluation of training and experience, or any combination of such types. They may take into consideration education, experience, aptitude, capacity, knowledge, character, physical fitness, length and quality of service, and other qualifications to determine the relative fitness of the candidates, and shall not be related to political or religious preference. Applicants selected for appointment shall be required to pass a pre-employment physical examination administered by a licensed physician.

- A. Open-Continuous Examinations. When necessary to meet continuing requirements for filling positions, and when there is no immediately available large pool of applicants for a class, the closing date for any test may be indefinite, and the applicants may be tested continuously in such manner and at such times and places as the Chief Examiner may provide. A closing date for an open-continuous test may be set at any time by giving public notice, at least two weeks prior to the effective date.

## SECTION 9                    RATING OF EXAMINATIONS

- A.    Method of Rating. In all tests a minimum rating shall be established which is required to achieve eligibility. Such minimum ratings may also apply to the rating on any parts of the test, and candidates may be required to obtain minimum ratings on separate parts in order to receive passing grades, or to be rated on the remaining parts of the tests. The final earned rating of each competitor shall be determined by adding the earned rating on each part of the test in accordance with weights established prior to the date of the test. Ratings shall be based on a scale of 100 points.
- B.    Rating of Experience and Training. When a rating of experience and training forms a part of a test, the Chief Examiner shall develop procedures for the evaluation of those factors that will serve to assist in the selection of the best qualified candidates. Procedures that are adopted shall give due regard to quality, recency, and amount of experience, and to the pertinence and amount of training. In establishing the value that a rating of experience and training shall bear to the total test, and in determining the length of time for which experience credit shall be awarded, consideration shall be given to the amount of learning time required to perform efficiently the duties of the position.

## SECTION 10                    NOTIFICATION OF EXAMINATION RESULTS

The rating of each test shall be completed and the resulting list established as soon as practical after the date on which the test was held. Each person competing in a test shall be given notice of their final rating. Each person competing in a test may, during the immediate thirty-day period following notification of examination results, review their examination papers and have the rating reviewed and corrected if an error is found. No correction shall invalidate any appointment previously made from the list. The right to review the test is limited to the applicant, Commissioners, their staff and members of the governing body. Tests may be reviewed only during regular business hours at the office of the Commission.

## SECTION 11                    PREFERENCE FOR VETERANS

In all competitive entrance examinations, preference status shall be given to every veteran and disabled veteran who has successfully completed all phases of a civil service test. Preference means that the score of a veteran who has passed the test shall be increased by five percentage points of the total points available and the score of a disabled veteran who has passed the test shall be increased by ten percentage points. All such points shall be added to the total combined test score of the veteran and shall not be allocated to any single feature or part of the examination. This provision is to be interpreted to comply with ORS 408.225 - .235 and any modifications thereof.

## SECTION 12                    VOLUNTEER PREFERENCE

In all competitive entrance examinations, preference status shall be given to all active Silverton Rural Fire Protection District volunteer firefighters who have served a minimum of 12 months/ 1 year. The Silverton volunteer meeting District requirements shall qualify for an increase in their score of ten percent of the total points available providing a passing grade has been received. All such points shall be added to the total combined test score of the volunteer and shall not be allocated to any single feature or part of the examination.



## RULE VIII

### REGISTERS

#### SECTION 1            ESTABLISHMENT OF REGISTERS

The Commission shall establish and maintain lists of eligibles necessary to provide an adequate supply of qualified candidates for positions in the classified service. Lists shall be established by class of employment and shall be District wide in application.

#### SECTION 2            KINDS OF REGISTERS

- A. Entrance Register. An entrance register shall be established for such class of positions to be filled on an entrance basis and shall consist of the names of all persons who have passed the entrance test for that class.
- B. Promotion Registers. A promotion list shall be established for each class of positions to be filled on a promotional basis and shall consist of the names of all employees who have passed a promotion test for the class.

#### SECTION 3            ORDER OF NAMES ON ENTRANCE REGISTERS

- A. Entrance Registers.
  - 1. Laid-off Employees. Each entrance register shall be headed by the names of persons who have been regular employees and who were laid off from a position in that class through no fault of their own.
  - 2. Eligibles. Names of eligibles shall be placed on lists in the order of their final earned ratings plus any veterans or volunteer preference credits to which they may be entitled. Where ties exist, names shall be arranged in order of the candidate whose application was received first.
- B. Promotion Registers.
  - 1. Demoted Employees. Each promotion register shall be headed by the names of persons who have been regular employees and who were demoted or reclassified to a lower class from a position in that class through no fault of their own.
  - 2. Eligible Employees. Names of eligibles shall be placed on lists in the order of their final earned ratings. Where ties exist, names shall be arranged in order of the candidate whose application was received first.
- C. The order of names of persons laid-off or demoted in "A" or "B" of this section shall be in inverse order of the date of their layoff or demotion.

#### SECTION 4 DURATION OF REGISTERS

- A. Entrance Registers. The duration of an entrance register is limited to thirty (30) months from the date the register was certified. An entrance register may be extended not to exceed an additional twelve (12) months if, in the opinion of the Commission, the best interests of the District would be served thereby. An entrance register may be deemed exhausted when, in the opinion of the Appointing Power or Commission, it does not contain requisite eligible(s).
- B. Promotion Registers. The duration of a promotion register is limited to thirty (30) months from the date the register was established. A promotion register may be extended, not to exceed an additional twelve (12) months if, in the opinion of the Commission, the best interests of the District would be served thereby. A promotion register may be deemed exhausted when, in the opinion of the Appointing Power or Commission, it does not contain requisite eligible(s).

#### SECTION 5 REMOVAL OF NAMES FROM LISTS

The Chief Examiner may remove a name from a list permanently or temporarily for any of the following reasons:

- A. Certification and appointment of an applicant from the list to fill a regular position.
- B. Certification and appointment to fill a regular position with the same or higher salary range from a different list. However, any applicant whose name is so removed may have it restored by making written application to the Chief Examiner.
- C. Failure to respond within five days to a written inquiry of the Chief Examiner or an appointing power relative to availability for appointment.
- D. Refusal of an offer of an appointment without adequate explanation.
- E. Failure to report for duty within the time specified by the appointing power.
- F. Expiration of the term of eligibility on the register.
- G. Failure to maintain a record of current address with the Commission as evidenced by the return of properly addressed unclaimed letter, or other evidence.
- H. Certification three times to the same appointing authority without receiving appointments.
- I. Willful violation of any rules of the provisions of the Civil Service Rules for firefighters or these rules.
- J. In case of promotion lists, separation from the District service.
- K. Upon a finding by the Chief Examiner or Commission that the person is not qualified to perform the duties of the class.

L. Upon a finding of the appointing power and concurrence by the Commission that the applicant is not qualified to perform the duties of the class.

M. Upon request of the eligible to have his/her name removed.

Any person whose name is removed from the register shall be promptly notified by the Chief Examiner of the reason for such removal.

SECTION 6                    RESTORATION OF NAMES TO ELIGIBLE LISTS

An eligible whose name is removed from a list may make a written request to the Chief Examiner for restoration of his/her name to the list. The request must specify the reasons advanced for the requested restoration. The Chief Examiner, subject to appeal to the Commission, shall determine whether evidence submitted justifies approval of the request.

SECTION 7                    AVAILABILITY OF ELIGIBLES

It shall be the responsibility of eligibles to notify the Commission [District] in writing of changes in address, or other changes that may affect availability for employment. However, the Chief Examiner may, from time to time, circulate registers or use other methods to determine current availability of eligibles.

## RULE IX

### CERTIFICATION AND APPOINTMENT

#### SECTION 1            FILLING VACANT POSITIONS

The District has designated the Fire Chief as its Appointing Power for filling vacancies in Civil Service positions within the District. As the Appointing Power, the Fire Chief is authorized to appoint individuals to Civil Service positions as outlined in these Rules. The District is an equal employment opportunity employer and does not discriminate against any qualified applicant on the basis of race, national origin, age, gender, religion, political affiliation or other status protected by applicable law. All appointments will be based upon the District's evaluation of merit, efficiency, and fitness for the vacant position.

All vacancies in classified positions shall be filled as provided in these rules. Whenever an appointing power wishes to fill a vacancy in the classified service, a request for names of qualified eligibles shall be submitted to the Commission. No appointment to a classified position shall be made without prior authorization of the Chief Examiner.

#### SECTION 2            CERTIFICATION OF ELIGIBLES

- A. Order of Use of Eligible Lists. Upon receipt of a request for certification of eligibles, the Chief Examiner shall certify the proper number of available eligibles from an appropriate list. If no appropriate list exists, the Chief Examiner shall authorize appointment by other prescribed means. Certification shall be made from the promotion or entrance register based upon the decision of the appointing authority. The name selected is at the discretion of the appointing authority, regardless of their standing on the certified list.
- B. Order and Number of Names Certified. Names shall be certified in order of standing on the list. The number of names certified from the entrance list shall be three. When more than one vacancy exists, the number of names shall equal the number of vacancies plus two in addition. From the promotional list, the number of names certified shall be two plus one for each additional vacancy.
- C. Order in Which Certification Will Be Issued. Eligibles shall be certified for vacancies occurring in a class in order of receipt of requisitions.
- D. Additional Certification to a Vacancy. The Chief Examiner may certify additional names to a vacancy upon receipt of a written report from an appointing power that, in the Commission's judgment, justifies a finding that one or more of the eligibles certified would not be suitable for the position that is to be filled. Religious, racial, or political reasons shall not be considered as valid reasons for rejection of a candidate. If the rejection of the appointing authority is not approved by the Commission, the Commission shall notify the appointing power of each disapproval and, upon receipt of such notice, the appointing power shall immediately appoint the certified candidate in question.

- E. Notice of Eligibles Not Appointed. Those persons certified to the District but not appointed shall be so notified by the appointing power within five days after an appointment is made. This rule will not apply in the case of persons who waive, decline, or fail to appear for an interview.
- F. Restoration of Names to the Register. The names of those persons certified to the District but not appointed shall be restored to the register unless subject to Rule VIII, Section 5.

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## SECTION 3

### KINDS OF APPOINTMENTS

- A. Probationary Appointment. The appointing power shall make probationary appointments from the list of candidates certified. Such appointments are conditioned upon and subject to the appointee's satisfactorily completing probation.
- B. Provisional Appointments. If there are no names of qualified candidates on either the promotional or entrance list for a class in which a vacancy exists, the Chief Examiner may authorize the provisional appointment of a person meeting the minimum prerequisites for the class to which the position is allocated. No position shall be filled by provisional appointment more than once in any calendar year. A provisional appointment is terminated after three months or when the Chief Examiner establishes an appropriate list, certifies available eligibles, and an appointment is made for the position. Notice of all such appointments made shall be reported to the Commission at its next regular meeting.
- C. Temporary Appointments. The appointing authority is authorized to make temporary appointments to assure continuation of required work. A temporary appointment is limited to twenty four calendar weeks. Temporary appointment shall require official personnel action and the Chief Examiner shall be so notified. The appointing authority will consider existing lists when making temporary appointments.
- D. Relief Appointments. Where a position exists, the appointing authority may make transfers or relief appointments to fill absences. Such relief appointments shall be made from the appropriate eligibility lists where administratively feasible, or the appointing authority may appoint individuals who meet the minimum prerequisites of the class who are known to have the ability necessary to perform in said position. Should such appointment to that position exceed eight weeks, the Chief Examiner shall be so notified. Relief appointment shall not be considered a promotion, if to a position which may have a higher pay scale, and return to the employee's regular position shall not be considered a demotion.

## SECTION 4

### TRANSFERS

- A. Assignment of Duties. An appointing power may, within division or organization unit, assign an employee from one position to another position in the same class without prior approval of the Commission.
- B. Method of Transfer. An appointing power may authorize the transfer of an employee to a similar position in the same classification. An employee may be transferred from a position in one division or organization unit to a position in the same class in another division. A transfer of an employee from a position in one class to a position in another class having a higher salary range constitutes a promotion and is subject to rules governing appointments and promotions. A transfer to a position in a class having a lower salary range constitutes a demotion and shall be subject to rules governing demotions. Transfers must be completed with no more than a ten-day break in service.

- C. Voluntary Demotions. If an employee is qualified and subject to the discretion of the appointing authority, the request may be granted, provided it would not result in the layoff of another employee. Notice of the action shall be provided to the Civil Service Commission.

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## RULE X

### PROBATIONARY PERIOD

#### SECTION 1            PURPOSE

A probationary period is an integral part of the examination process. It shall be utilized as an opportunity to observe the employee's work, to provide special training, to assist the employee in adjusting to the new position, and as an aid in making a decision to reject any employee whose work performance or personal conduct is unsatisfactory.

#### SECTION 2            DURATION OF PROBATIONARY PERIOD

Entrance level employment is subject to a probationary period of twelve (12) consecutive months of actual service. In determining such one (1) year service, time spent in training and schools, away from the District and sick or disability leave time shall not be included. Promotion to any other position within the classified service is subject to a twelve (12) consecutive month probationary period.

#### SECTION 3            DISMISSAL DURING ENTRANCE PROBATIONARY PERIOD

At any time during the entrance probationary period, the appointing power may terminate the appointment of the person certified if, during any performance test thus afforded, upon observation or consideration of the performance of duty, the appointed person is found unfit or unsatisfactory. The appointing power shall forthwith notify the employee and the Commission in writing of any such termination of employment. Such action by the appointing power is not subject to appeal.

#### SECTION 4            UNSATISFACTORY PERFORMANCE DURING PROMOTIONAL PROBATIONARY PERIOD

At any time during the promotional probationary period, the appointing power may terminate the promotional appointment of the person certified if, during the performance of duty, the person is found unfit or unsatisfactory, provided, however, that the appointing power shall forthwith notify the employee and the Commission, in writing, of any such termination of a promotional appointment. The appointed employee shall have the right to revert to a position in the last held regular class.

#### SECTION 5            REGULAR STATUS

If no action is taken by the appointing power to terminate, reduce in rank, or extend probation of a probationary employee during the probationary period, the employee shall be deemed to have satisfactorily completed the probationary period and the appointment shall be considered to be regular at the end of the specified period of time.



SECTION 6

REMOVAL FROM ELIGIBILITY REGISTER

If an appointment is not made “regular” because of the District’s dissatisfaction with the employee’s performance during the probationary period and the employee is terminated or reduced in rank, the employees name shall be removed from the eligibility register for the position.

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## RULE XI

### SEPARATION IN GOOD STANDING

#### SECTION 1            REDUCTION IN FORCE

- A. Reason for Layoff. The governing body may order the layoff of an employee because of abolition of a position, shortage of funds or work, a material change in duties, changes in an organizational unit, or for other reasons which do not reflect discredit on the service of the employee. Duties performed by laid off employees may be reassigned to other employees already working, who hold positions in appropriate classes. No temporary or permanent separation of an employee from the service as a penalty or disciplinary action shall be considered a layoff.
- B. Demotion in Lieu of Layoff. Any regular employee who is about to be laid off may file a written request with the appointing power for demotion in lieu of layoff. The appointing authority normally shall grant this request in any class for which the employee has established a right to Civil Service status, and where it appears that he/she may expect to perform satisfactorily. If, in the opinion of the appointing power the good of the service does not indicate the desirability of such action, the employee shall be immediately notified, in writing, giving the reasons for denying the request. The employee may request a review by the Commission of the reasons for denial. In all cases where employees are demoted in lieu of layoff, their names shall be placed on layoff lists for the classes from which they were demoted.

#### SECTION 2            RETURN OF NAMES OF LAID OFF EMPLOYEES TO THE ELIGIBLE LISTS

The names of regular employees laid off or demoted in lieu of layoff shall be placed on the appropriate register as provided in Rule VIII, Section 3.

## RULE XII

### DISCIPLINARY ACTIONS

#### SECTION 1      CAUSES FOR DISCIPLINARY ACTIONS

The tenure of persons subject to civil service shall continue during good behavior and such persons may be dismissed, demoted, suspended without pay or deprived of special privileges only for the following causes:

- A. Incompetency,
- B. Inefficiency,
- C. Inattention to duty,
- D. Dereliction of duty,
- E. Dishonesty of any type (including false or deliberately misleading information or omissions from employment application),
- F. Violation of the District's Drug and Alcohol policy,
- G. Insubordination,
- H. Discourteous treatment of the public or coworkers,
- I. Immoral conduct,
- J. Any plea of guilty or no contest, or conviction of crimes of moral turpitude (such as crimes involving dishonesty) or other crimes related to the ability to perform job duties,
- K. Repeated or serious violations of the District's policies or standards of employee conduct, or
- L. Any willful failure of good conduct tending to injure the public service.

Any action, which reflects discredit upon the service or is a direct hindrance to the effective performance of District functions, shall be considered cause for disciplinary action. Such cause shall also include misconduct, inefficiency, incompetence, insubordination, indolence, malfeasance, the willful giving of false information or withholding information with intent to deceive when making application, or willful violation of published District rules, the law or these Rules.

No person shall be dismissed, demoted, suspended without pay or deprived of special privileges for political, racial or religious reasons.

Nothing herein prohibits the Appointing Authority from using lesser forms of punishment or administrative action, including oral and written reprimands and suspension with pay to which this Rule does not apply.

SECTION 2                    PROCEDURE FOR TAKING DISCIPLINARY ACTION

If disciplinary action covered by this Rule is to be taken against an employee, it should be done in a manner that will not embarrass the employee before other employees or the public. For all forms of disciplinary action, the supervisor should follow established District procedures and should keep the Chief fully informed of any action taken. When it is necessary to suspend without pay, discharge, demote or deny special privileges to an employee, the following steps shall be taken:

- A. The supervisor shall prepare, in writing, a statement of the reason(s) for proposed disciplinary action, stating dates, location, rules and regulations violated, and particular actions, if appropriate. The written statement should include previous oral warnings given and any written warnings previously given the employee. The statement should be delivered to the Chief for review and necessary action.
- B. After a review of the supervisor's statement, the Chief shall present the employee with the information provided by the supervisor and outline to the employee any investigation to be made and the disciplinary action being considered by the Chief. The Chief should give the employee a reasonable opportunity to respond in person or in writing to the supervisor's statement before action is taken. If a hearing is requested with the Chief by the employee, the employee may be represented by any person of their choosing.
- C. If, after the employee has responded, the Chief still believes disciplinary action is appropriate, the Chief should prepare a letter outlining the course of action to be taken.
- D. The Chief shall notify the employee by certified mail, or if possible, by hand delivering the letter and the personnel action form. A copy of these materials should be provided to the Civil Service Commission.

## RULE XIII

### APPEALS, HEARINGS AND INVESTIGATIONS

#### SECTION 1      APPEALS

- A. Appeals Related to Civil Service Exams and Hiring. Applicants who want to appeal their final exam rating may do so within ten (10) calendar days of the date the test results are mailed by sending a written notice of appeal to the Chief Examiner. The notice of appeal must provide a detailed explanation of why the applicant believes the rating is incorrect. The Chief Examiner will review the rating and correct the rating if an error is found. Corrections will be prospective only; no correction will invalidate any appointment previously made from the list.

Applicants whose names are removed from an entrance or promotion register (other than due to the expiration or cancellation of the register as outlined in these rules), may appeal within ten (10) calendar days of the date the notice is mailed by sending a written notice of appeal to the Chief Examiner. The appeal must request restoration to the Register and must include a detailed explanation of why the applicant should be restored to the Register as well as any supporting documentation. The Chief Examiner will review the information and provide a written decision. Applicants who are still not satisfied after receiving the Chief Examiner's decision may appeal to the Commission within fifteen (15) calendar days from the date the decision is mailed. The written appeal to the Commission must include a copy of all material provided to the Chief Examiner, the Chief Examiner's decision, and a detailed explanation of why the applicant believes the Chief Examiner's decision is incorrect. The Commission will investigate and issue a written decision within thirty (30) calendar days.

- B. Appeals of Demotions, Reductions in Pay, Suspensions Without Pay, or Discharges. Employees in Civil Service positions may appeal disciplinary demotions, reductions in pay, suspensions without pay, and discharges only as outlined in these Rules. Lesser forms of discipline are not subject to appeal under these Rules.
1. *Union Employees.* All probationary and regular employees whose employment is governed by the terms of a current collective bargaining agreement and who want to appeal a demotion, reduction in pay, suspension without pay or discharge decision must use the grievance and arbitration procedure in their union contract. Such employees do not have appeal rights under these Rules unless they waive, in writing and in a timely manner, all rights granted to them to appeal such decision under the current collective bargaining agreement including acceptance of such waiver by an authorized bargaining unit representative.
  2. *Non-Union Employees.* Regular non-union employees in Civil Service positions who have been demoted, reduced in pay for discipline, suspended without pay or discharged may appeal those forms of discipline to the Commission. Non-union employees in their initial probationary period do not have appeal rights under these Rules, regardless of the form of discipline. During their probationary period, promoted non-union employees have appeal rights

under these Rules for the referenced actions, except demotion.

3. All appeals under this section must be made in writing and must be filed with the Commission chair within seven (7) days after the effective date of the demotion, disciplinary reduction in pay, suspension without pay or discharge. In order to be considered by the Commission, written appeals must include:
  - a. A detailed explanation of the facts leading up to the discipline and the reasons why the employee believes the disciplinary action was improper,
  - b. The names of all relevant witnesses, and
  - c. A copy of all materials and documentation supporting the complaint.

## SECTION 2            DISCIPLINARY HEARINGS

- A. Procedure. Commission hearings on appeals from disciplinary action shall be open to the public and informal. Both the employee and the Appointing Power shall be given written notification of the time and place of a hearing at least ten (10) days in advance, and shall have the right to have subpoenas issued by the Commission, present witnesses, and give evidence before the Commission.
- B. Witness Fees. Every person served with a subpoena requiring attendance before the Commission shall be entitled to the same fees and mileage as are allowed by law to witnesses in civil suits and actions, except that no person shall be entitled to any fees or mileage who is employed in the Public Service or political subdivision to which they are called as a witness. The fees and mileage allowed by this section need not be pre-paid, but the governing body of the political subdivision shall provide for payment thereof when certified by the Commission.
- C. Conduct of Hearings. A hearing before the Commission is intended solely for the purpose of receiving evidence either to refute or to substantiate specific charges which the Commission has been requested to examine. It shall not be made an occasion for uttering irresponsible accusations, attacking the character or conduct of an employer or employee or making other derogatory comments having no bearing on the charges under investigation. The Commission in conducting such hearings is not bound by the standard Rules of Evidence.
- D. Counsel or Representative. In appealing a disciplinary action to the Commission, an employee is not required to have counsel. The appellant may examine and cross-examine witnesses, make statements, summarize testimony, and otherwise conduct a hearing. An employee may choose to be represented by counsel or other person.

## SECTION 3

## COMMISSION FINDINGS

- A. Commission Findings. If, after receiving evidence presented in a hearing on disciplinary actions, the Commission finds the complained-of action taken by the Appointing Power was made in good faith for cause, the Commission may affirm or modify the action. If the Commission finds that the complained-of action taken by the Appointing Power was not made in good faith or cause, the employee shall be reinstated to the previous position and shall not suffer any loss of pay or status. The Commission, in lieu of affirming the disciplinary action, may modify the order as the circumstances may warrant. The action of the Commission shall be certified in writing to the Appointing Power who shall put it into effect. All other findings of the Commission resulting from any hearing on complaints or suggestions normally shall be in the form of recommendations. Commission findings will be issued within thirty (30) days of the conclusion of the hearing.
- B. Other Commission Investigations. The Commission will conduct an investigation into the enforcement and effect of these Rules whenever a resident of the District or an employee in a Civil Service position submits a verified written complaint alleging violation(s) or abuse(s) of these Rules. All written complaints must be submitted within thirty (30) days after the alleged violation or abuse, must be signed, and must include:
1. A detailed explanation of the alleged violation(s) or abuse(s) of these Rules,
  2. The Civil Service position(s) that the person believes to be affected by the violation(s) or abuse(s) of these Rules,
  3. The names of relevant witnesses, and
  4. A copy of all materials and documentation supporting the complaint.

In addition, the Commission will conduct an investigation whenever it decides that any violation(s) or abuse(s) of these Rules may have occurred within the previous thirty (30) days. Commission investigations will generally include an inspection of all Civil Service positions cited in the complaint and a determination of whether there has been a violation of these Rules. The Commission's decision will be made in writing and will address all matters investigated.

## SECTION 4

## APPEAL TO CIRCUIT COURT

- A. Appeal to Circuit Court. Any decision of the Commission affecting any regular employee or employees may be appealed to the Circuit Court of Marion County, Oregon in accordance with ORS 242.804.

## RULE XIV

### RECORDS AND REPORTS

#### SECTION 1            ROSTER

The Commission shall establish and maintain a roster of all employees in the classified service showing for each employee the class title, assignment, salary rate, date of employment, and such other employment data as is deemed pertinent.

#### SECTION 2            REPORTS TO THE COMMISSION

Every appointment, transfer, promotion, demotion, dismissal, change of salary rate, leave of absence without pay, or other temporary or permanent change in the status of classified employees shall be reported to the Commission in writing on such forms as the Commission may require.

#### SECTION 3            DESTRUCTION OF RECORDS

Records other than examination papers may be destroyed after four years. Original examination papers shall be retained for four years, after which time they may be microfilmed.

#### SECTION 4            PUBLIC RECORDS

Except for examination material, service ratings, personal history, and other confidential papers as may be specified in these rules or by action of the Commission, records of the Commission shall be public records. Such records shall be open to inspection by the public during regular office hours in accordance with such procedures as the Commission may provide.



## RULE XV

### PROHIBITIONS AND PENALTIES

#### SECTION 1            PROHIBITED CONDUCT GENERALLY

No person shall:

- A. Alone or in cooperation with one or more persons, defeat, deceive or obstruct any person in respect to the right of that person of examination or registration according to the regulations prescribed by the Commission under these Civil Service Rules.
- B. Falsely mark, grade, estimate or report upon the examination or proper standing of any person examined, registered or certified pursuant to these Civil Service Rules, or aid in so doing, or make any false representation concerning the same or concerning the person examined.
- C. Furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, registered or certified or to be examined, registered or certified.
- D. Impersonate any other person to permit or aid in any manner any other person to impersonate the individual in connection with any examination or registration or application or request to be examined or registered.

#### SECTION 2            POLITICAL CONTRIBUTIONS AND ACTIVITIES

No person holding any position subject to civil service is under any obligation to contribute to any political or religious fund or to render any political service to any person or party. No person shall be removed, reduced in grade or salary or otherwise prejudiced for refusing to do so. No person shall discharge, promote, demote or in any manner change the official rank, employment or compensation of any person subject to civil service or promise or threaten to do so for giving, withholding or neglecting to make any contribution of money or services or any other valuable thing for any political, racial or religious purpose.

The Commission shall prohibit persons subject to civil service from furthering the cause of any candidate for nomination or election to the governing body of the political subdivision by which they are employed.