

RESOLUTION NO. 24-05

A RESOLUTION ADOPTING A REVISED PUBLIC MEETINGS POLICY

WHEREAS, by Resolution No. 20-05 the Board of Directors (“Board”) of the Roseburg Urban Sanitary Authority (“RUSA”) adopted policies for conducting public meetings in compliance with Oregon law; and

WHEREAS, the Board seeks to address recent changes in Oregon law, to clarify existing policies, and to consolidate RUSA’s public meetings policies into a single document;

NOW, THEREFORE, the Board hereby resolves as follows:

1. The revised Public Meetings Policy attached hereto is hereby adopted.
2. Upon the effective date of this Resolution, Resolution No. 20-05 is hereby rescinded and replaced in entirety by the attached Public Meetings Policy.

**ADOPTED BY THE ROSEBURG URBAN SANITARY AUTHORITY’S BOARD OF DIRECTORS
THIS 9th, DAY OF October, 2024.**



John Dunn, Board Chair

ATTEST:



James V. Baird, General Manager



ROSEBURG URBAN SANITARY AUTHORITY

ROSEBURG, OR • FOUNDED 1983

PUBLIC MEETINGS POLICY

This policy applies to all meetings of the Board of Directors of the Authority, and, unless the context clearly indicates otherwise, 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.

Board Meetings

Preparation. The agenda, General Manager's report, statement of bills and semi-annual finance report shall be given to each member of the Board of Directors at least four (4) days prior to any regularly scheduled Board meeting. The General Manager shall also provide members with detailed information relating to items on the agenda, including any applicable Board policies.

Agenda. After conferring with the Board Chair, the clerk of the Board shall draft the agenda according to the following general format:

- Call to order (by Board Chair or designee)
- Roll Call (by Board designee)
- Review and Approve Minutes from Prior Meeting
- Audience Participation (testimony from citizens)
- General Manager's Report
- Finance Director Budget to Actual Report (Semiannually)
- New Developments Report (Engineering Department)
- Staff Report (Collections Department, Engineering Department, Finance Department)
- Plant Operations Report (Jacobs)
- Accounts Payable
- Other Business
- Agenda suggestions for future meetings from Board members and Authority personnel
- Executive Session (*if required -- include citation to statutory authority*)
- Adjournment

Notice and Location of Meetings

Compliance with Law. All meetings shall be conducted in accordance with the Oregon Public

Meetings Law, ORS 192.610-192.705.

Location of Meetings. All meetings shall be held within the geographic boundaries of the Authority, except for training sessions held without any deliberations toward a decision. No meeting shall be held in any place where discrimination on the basis of race, creed, color, sex, age, national origin, or disability is practiced. All meetings shall be held in a facility accessible to those with disabilities.

Meetings Held By Electronic Means. All meetings of the Board, excluding executive sessions, must provide to members of the general public, to the extent reasonably possible, an opportunity to:

- (a) Access and attend the meeting by telephone, video or other electronic or virtual means;
- (b) If in-person oral testimony is allowed, submit during the meeting oral testimony by telephone, video or other electronic or virtual means; and
- (c) If written testimony is allowed, submit written testimony, including by electronic mail or other electronic means, so that the governing body is able to consider the submitted testimony in a timely manner.

Regular Meetings. Unless otherwise agreed by a majority of the Board, the Board shall hold regular monthly meetings at 4 p.m. (Pacific Time) on the second Wednesday of each month. Such meetings shall be held at RUSA's Administrative Office, 1297 NE Grandview Drive, Roseburg Oregon, or at such other places and times as the Board may designate from time to time.

Special Meetings. The Board may hold special meetings at the request of the Board Chair; the Vice-Chair in the absence of the Board Chair; or any three members of the Board. No special meeting shall be held upon less than 24 hours' public notice.

Emergency Meetings. Emergency meetings may be held at the request of persons entitled to call special meetings, upon less than 24 hours' notice when 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 Authority which would be substantially increased by a delay of 24 hours' notice. The convenience of Board members is not grounds for calling an emergency meeting.

At the beginning of any emergency meeting, the officer or directors calling the meeting shall recite the reason(s) for calling the emergency meeting, and the reason(s) shall be noted in the minutes. Only business related directly to the emergency shall be conducted at an emergency meeting. If the Board determines that the reasons for calling the meeting are insufficient, the meeting shall be immediately adjourned.

Notice of Meetings. Notice of the time, place, and principal subjects to be considered shall be given for all meetings. For regular or special meetings, the notice shall be in the form of an agenda, which shall be sent to all Board members, local media, and to all persons or other media representatives having requested notice in writing of every meeting. The agenda shall also be published or posted at the following locations within the Authority: RUSA's web site www.rusa-or.org, RUSA's Administrative Offices 1297 NE Grandview Drive, Roseburg Oregon.

Written notice shall also be sent to any persons who the Authority knows may have a special interest in a particular action, unless such notification would be unduly burdensome or expensive. For emergency meetings, the Authority shall give as much notice as possible under the circumstances, but at minimum will contact local media to inform them of the meeting.

Executive Sessions. Notice for a meeting called solely to hold an executive session shall be given in the same manner as notice for regular, special and emergency meetings set forth above. The notice shall indicate the general subject matter to be considered and set forth the statutory basis for calling the executive session.

Interpreters for the Hearing Impaired. The Authority 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 Authority 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 Authority 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 Authority 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 Authority shall make reasonable efforts to have an interpreter present.
- The requirement for an interpreter does not apply to emergency meetings.
- The General Manager shall be responsible for developing and maintaining a list of qualified interpreters and is responsible for arranging for the attendance of an interpreter at any meeting for which an interpreter is requested.

Board Meeting Conduct

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

Presiding Officer. The Board Chair shall preside at Board meetings. In the Chair's absence, the Vice-Chair shall preside. If both the Chair and Vice-Chair are absent, the remaining members shall select a board member to preside.

Conduct of Meetings. The Board Chair or other presiding officer at any Board meeting shall have full authority to conduct the meeting. Meetings shall be conducted in such a manner as to provide a

full and fair opportunity for discussion of the issues in an efficient and timely manner. Any decision of the presiding officer at the meeting may be overridden by a majority vote of the Board.

Public Participation. If public participation is to be a part of the meeting, the presiding officer may regulate the order and length of appearances, and limit appearances to presentations of relevant points. Persons failing to comply with the reasonable rules of conduct outlined by the presiding officer, or causing any disturbance, may be asked or required to leave. Any individual who fails to leave the premises when asked to do so may be treated as a trespasser, and law enforcement personnel may be contacted to remove the individual.

Electronic Equipment. The presiding officer shall inform persons attending any meeting of the Board of reasonable rules necessary to ensure an orderly and safe meeting, including rules related to the operation of electronic recording equipment. The physical comfort and safety of members of the Board and the public attending the meeting shall be of primary concern in formulating such rules.

Recording of Votes. Votes shall be recorded in the meeting minutes. Any member may request that his or her vote be changed prior to consideration of the next order of business.

Vote Explanations. Members of the Board may append to the record, at the time of voting, a statement indicating the reason for any vote or abstention.

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

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

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

However, in emergency circumstances (medical emergency, threat to public safety, etc.), the meeting may be adjourned without motion or preamble. If a loss of board quorum occurs for any reason during the meeting, the meeting is considered adjourned at that point.

The minutes of the meeting shall reflect how and why the meeting was adjourned.

Executive Sessions

Notice. Notice for meetings called only to hold executive sessions shall be given in the same manner as notice for regular, special and emergency meetings set forth above, except that the notice shall indicate the general subject matter to be considered at the executive session and set forth the statutory basis for calling the executive session.

No Final Decisions. The Board may fully discuss board members' views but may not make any final decisions during any executive session.

Authorized Purposes. Executive sessions may be held only for the following purposes:

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

- A. The Authority has advertised the vacancy;
- B. The Board has adopted regular hiring procedures;
- C. In the case of an officer, the public has had the opportunity to comment on the employment of the officer; and
- D. In the case of a General Manager, the governing body has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

This authority does not apply to:

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

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

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

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

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

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

ORS 192.660(g). To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

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

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

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

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

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

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

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

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

responses to cyber security threats.

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

Conduct of Executive Session. The Board Chair or other presiding officer shall announce the statutory authority for the executive session before going into closed session. Once the executive session has been convened, the Chair shall direct any representatives of the news media who are present not to report information from the executive session. Board members, staff and other persons present shall not discuss or disclose executive session proceedings outside of the executive session without prior authorization of the Board as a whole.

Minutes

Minutes. The Board shall keep minutes of all of its meetings, including executive sessions, in accordance with the requirements of ORS 192.650. Minutes may be taken in writing or by audio recording, and shall include at least the following information:

- All members of the Board present.
- All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition.
- Results of all votes, including the vote of each member by name.
- The substance of any discussion on any matter.
- A reference to any document discussed at the meeting.

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

Disclosure of Executive Session Minutes. If disclosure of material in the executive session minutes would be inconsistent with the purpose for which the executive session was held, the material may be withheld from disclosure. No executive session minutes may be disclosed without prior authorization of the Board.

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

Availability to the Public. Written minutes of public sessions shall be made available to the public within a reasonable time after the minutes have been approved by the Board.

Remote Public Meetings

The following procedures apply to meetings held by telephone or electronic means, pursuant to ORS 192.679:

1. Meetings, whether remote or physical, will continue to be held at normally scheduled dates and times. This schedule will continue to be publicized on the Roseburg Urban Sanitary Authority's (RUSA) website (www.rusa-or.org).
2. Agendas and prior minutes will continue to be published on the RUSA website.
3. Meetings will be held using the Zoom® Webinar platform and a link to each meeting will be published on the RUSA website.
4. When board members, staff, and other special attendees must also attend remotely, they will enter the webinar as panelists. In this capacity, not only will they be able to listen, but they will also have permission to be seen on camera, to turn off the camera if they so desire, to speak, or to have their microphones muted. The reason for the ability to mute their microphones is to be able to cut down on background noise if it becomes a problem. They will also have the ability to see any questions that may be presented via the Q&A section of Zoom® and to respond to those questions. The ability to join by phone is also an option.
5. If for any reason a panelist does not have a camera and microphone, RUSA, at the discretion of the general manager, will provide adequate equipment for them.
6. The public will join the webinar as regular attendees, with the ability to watch, listen, and ask questions via the Q&A or chat functionality of the Zoom® program. Regular attendees will not, by default, have the ability to speak. This is to help eliminate background noise, to hold an orderly meeting, and to prevent such things as "Zoom Bombing."
7. Attendee questions or comments can be submitted to the Board by mail or email to be presented at the Board meeting. Attendees may also ask a question of or make a statement to the board by calling the regular office phone number (541) 672-1551 and ask that it be presented to the board via staff. In the event that a regular attendee would like to be heard by the board during the meeting, the meeting administrator (in most cases the General Manager), may decide to temporarily promote an attendee to a panelist position to enable the attendee to unmute and address the board.
8. The broadcasting of the meeting will be monitored by an employee of RUSA and if, for whatever reason, the broadcast fails, the meeting will be paused until the

broadcast can be reestablished.

9. The audio of all meetings will be recorded and retained in accordance with ORS 192.650 and ORS192.105.

RUSA is dedicated to doing everything within its ability to make all public meetings as transparent as possible and to give all RUSA customers the ability to attend and be heard at said meetings.

For the purposes of this policy, the term meeting and webinar are used interchangeably. When speaking of the “electronic meeting” this document is referring to Zoom® Webinars.