

POLICY 2.2

POWER AND DUTIES OF THE DISTRICT'S BOARD OF DIRECTORS

ADOPTED: FEBRUARY 1, 2013

REVISED: FEBRUARY 21, 2017

A. 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.

B. FORMULATING AND INTERPRETATION OF DISTRICT POLICY

The most important activity of the Board is the formulation and interpretation of District policies. The Board shall establish policy, reserving to itself all authority and responsibility not expressly assigned to other District officers and personnel.

C. BOARD MEMBERS AUTHORIZED BY OFFICIAL BOARD ACTION ONLY

No individual Board member may speak for or act 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.

D. ETHICAL STANDARDS

Purpose

The purpose of this policy is to establish ethical standards for all Jefferson Fire District officials and employees. Oregon Government Ethics law may be found in Oregon Revised Statutes, Chapter 244. 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

1. Financial Gain

Each public official is prohibited from using the position as a public official to receive certain financial benefits if the opportunity for the financial benefit would not otherwise be available but for the position held by the public official. In addition each public official is prohibited from using or attempting to use the official position to obtain financial benefits for a relative or a member of the public official's household, or for a business with which the public official, a relative, or a member of the public official's household is associated.

The following is a list of financial benefits that may be received. These include:

- Official compensation
- Reimbursement of expenses
- Honorarium
- Unsolicited awards for professional achievement
- Some gifts

2. Gifts

No public official shall solicit or receive any gift(s) with a total value of more than \$50 from any single source who could reasonably be known to have a financial interest in the official actions of that public official. 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 limit. This does not mean that an official cannot receive any gifts. The law only restricts gifts from

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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. 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.

3. Conflict of Interest

Oregon Government law identifies and defines two types of conflicts of interest: actual conflict 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 disclosure is made depends on the position held. Public officials must use 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.

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. 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 is 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.

E. 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.