



BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY
STATE OF OREGON

In the Matter of the Adoption of)
By-Laws for the Josephine County)
Fire Protection Committee)

RESOLUTION NO. 2006-078

WHEREAS the Board of County Commissioners established the Fire Protection Committee on November 1, 2006 (Board Order No. 06-178); and


WHEREAS, the Board of County Commissioners have formulated By-Laws for said committee; and

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Josephine County Board of Commissioners approves and adopts By-Laws for the Josephine County Fire Protection Committee, which are attached hereto as Exhibit 1.

DONE and DATED this 13th day of November, 2006.

JOSEPHINE COUNTY BOARD OF COMMISSIONERS


Dwight F. Ellis, Chair


Jim Raffenburg, Vice Chair


Jim Riddle, Commissioner

JOSEPHINE COUNTY FIRE PROTECTION COMMITTEE BYLAWS

1. Name.

This advisory board will be known as the Josephine County Fire Protection Committee.

2. Mission.

To serve the interests of the citizens of Josephine County by establishing a boundary to provide structural fire services in the “unprotected” area of Josephine County; establish standards for providing services, training of firefighters, and equipment/infrastructure levels; establish a rate mechanism process for providers; and establish a contractual model for prospective providers; all as a recommendation to the Board of County Commissioners for their approval.

3. Purpose of Josephine County Fire Protection Committee

The committee is established in accordance with Order No. 2006-178 adopted on November 1, 2006. The committee will serve the public interest in an ethical and responsible manner. The committee is subject to the laws applicable to public bodies.

4. Goals.

- a. Establish service boundaries. Break up the service area by population density, i.e. urban (within the UGB), suburban, rural, and isolated rural to assist in determining the standards which should apply to each area.
- b. Establish standards for each area identified in Goal #1. Standards should cover service delivery levels, training levels, and equipment/infrastructure requirements.
- c. Establish a process for setting rates within the service area. Evaluate whether rates should be set relative to locations (urban, suburban, rural, isolated rural), size of home, cost or assessed value of home, or some other criteria, or any combination of criteria. The purpose is to balance standards set in Goal #2 with affordable costs. The prime question is what level of service will people expect and be willing to pay for.
- d. Hold public hearings to obtain feedback from citizens.
- e. Try to have a series of recommendations ready to present to the Board of County Commissioners by the end of March, 2007.

5. Membership.

- a. Appointment. The committee shall be comprised of 11 members, who shall be appointed by the Josephine County Board of Commissioners and serve at the Board of Commissioners' pleasure. Members shall be appointed for terms of two years or until goals are completed.
- b. Duties/expectations. Members will complete tasks assigned by the chair and will carry out assignments from committees to which they have been appointed. Members are expected to be knowledgeable about the essential matters confronting the board, including policy guidelines. Members are expected to assist each other in orientation and education related to board responsibilities.
- c. Members will work at a public policy level. The committee has been created to accomplish the mission and goals listed. The committee will not spend time discussing current providers and their rates or service levels.
- d. Members will work on a professional level and be open to new ideas and approaches.

6. Termination.

a. Removal by Board of Commissioners. All Fire Protection Committee members serve at the pleasure of the Board of Commissioners. The Board of Commissioners may remove a board member without cause, at any time, on its own motion or upon the recommendation of the Fire Protection Committee. The Board of County Commissioners shall provide the member being removed with an opportunity to address the Board of County Commissioners concerning their removal prior to removal.

b. Removal by committee. If the Fire Protection Committee determines by a majority vote that a member should be removed, the chair of the Fire Protection Committee shall report that recommendation to the Board of Commissioners for its consideration.

c. Resignation. Resignations by members shall be submitted in writing to the Fire Protection Committee chair and announced at the next regularly scheduled meeting. The chair shall forward a copy of the resignation to the Board of Commissioners office.

7. Attendance.

All Fire Protection Committee members are expected to attend regularly scheduled meetings. Except as otherwise provided by federal or state law, any member who fails to attend two consecutive meetings or three meetings during any calendar year, whether regular, adjourned, or special, shall forfeit membership unless the member is prevented from attending by the serious illness of the member or the family of the member, or for any other cause that, in the judgment of the Board of County Commissioners, constitutes a valid reason for failing to attend. Before the Board of County Commissioners decides that a position has been vacated by a member for failing to attend meetings, the Board of County Commissioners shall give reasonable opportunity (30 days) to the member to justify the absences in writing to the Board of County Commissioners office.

8. Meetings.

a. Public meeting laws. The Fire Protection Committee is a public body subject to the public meetings and record laws as stated in ORS Chapter 192. All meetings will be open to the public.

b. Regular meetings. The Fire Protection Committee meetings will be every other week with subcommittees meeting on the intervening week. Regular meetings may be canceled or changed to another specific place, date and time provided that adequate notice is given.

c. Notice. The Fire Protection Committee will provide for and give public notice, 48 hours prior to the meeting, to board members, interested persons, news media, and the public. Notice shall include the time and place for holding regular meetings. The notice will also include an agenda listing the primary subjects anticipated to be considered at the meeting. Distribution of meeting notices will be in a manner, which maximizes the potential of the public to be aware of the proceedings and to participate. Whenever possible, matters resulting in a recommendation to the Board of Commissioners will be deliberated during a minimum of two meetings to assure maximum participation.

d. Agendas. Items may be placed on a meeting agenda by any Fire Protection Committee member, the Board of Commissioners or by county staff. The agenda will be distributed to members and the Board of County Commissioners at least 48 hours prior to a regular meeting.

e. Quorum. The majority of the appointed membership of the Fire Protection Committee will constitute a quorum for the transaction of all business at meetings.

f. Decision making procedure. Each Fire Protection Committee member will be entitled to one vote on all issues presented at meetings at which the member is present. A majority vote is the primary decision-making method.

g. Minutes. The staff member assigned to the Fire Protection Committee will cause meeting minutes to be prepared. Minutes will include who called the meeting to order and when, the date and place of the meeting, a description of the members present, motions, proposals, and their disposition, the results of all votes and a vote by each member by name, the substance of any discussions on any matter, and reference to any document discussed at that meeting. Minutes will be distributed to the membership prior to the bi-weekly meeting. Minutes are due in the Board of Commissioner's office 45 days from the date of the meeting and will be a signed original with a signature block for the Board of Commissioners. The Board's Office will submit these minutes to the County Clerk's Office for recording after the Board has signed them.

h. Special meetings. Special board meetings may be called by the Fire Protection Committee chair by notifying all members, the Board of Commissioners, and the general public through a news media notice not less than 24 hours prior to the time of the special meeting. A special meeting should be called only if necessary to conduct business that cannot wait until the next regularly scheduled meeting. When possible, notice should be provided as soon as possible to encourage public participation.

9. Officers.

a. Chair and vice-chair appointment. The members of the board will elect the chair and vice-chair, who shall serve at the pleasure of the Board of Commissioners. The chair shall serve a maximum term of one year. At the end of the first one-year term, the vice-chairperson shall become the chairperson and a new vice-chair will be elected.

b. Chair responsibilities. The chair will act as leader of the convened meeting. The chair will assist in creation of the agenda and assure that the agenda items are addressed. The chairperson is the official representative of the Fire Protection Committee and shall be the spokesperson to the media.

c. Vice-chair responsibilities. In the absence of the chair, the vice-chair will assume the chair's responsibilities. If neither the chair nor vice-chair is available for a publicly-convened meeting, then the assembled quorum of the meeting will select a temporary chairperson to conduct the meeting.

d. Parliamentarian responsibilities. The parliamentarian will enforce Fire Protection Committee directives, guidelines and membership rules and will guide the conduct of public meetings.

e. Vacancies or removal of officers. The Board of Commissioners may remove a chair or vice-chair on its own motion or upon the recommendation of the Fire Protection Committee when it determines that it is in the interest of the Fire Protection Committee or the county to do so. If the chair is removed, the vice-chair will assume the chair's position. If the vice-chair is removed, the Fire Protection Committee will appoint or recommend a person for appointment to the position.

f. Staff Support. The staff support will prepare agenda packets and provide public notice 48 hours prior to the meeting date, notify advisory board members and the Board of County Commissioners Office at least two months prior to the expiration of member's terms.

10. Standing Committees.

a. Appointment. The chair may appoint committee members to standing committees. Standing committees for the Fire Protection Committee will include:

- Boundaries
- Standards
- Rate Mechanism

All appointed standing committees are required to report their information and/or recommendations to the Fire Protection Committee during a regular public meeting.

11. Special Committees.

The Fire Protection Committee may authorize the chair to appoint members to special committees as necessary to deal with specific problems or issues. All appointed special committees are required to report their information and/or recommendations to the Fire Protection Committee during a regular public meeting.

12. Conflicts of Interest.

a. Declaration. The Fire Protection Committee is subject to ORS 244.020, 244.040(1), and 244.120 to 244.030, defining conflict of interest and establishing protocols for members of public bodies in Oregon. Fire Protection Committee members are expected to declare a conflict of interest prior to consideration of any matter causing a potential or actual conflict.

b. Potential conflict defined. A potential conflict of interest exists when a Fire Protection Committee member takes an action that reasonably could be expected to have a financial impact on that member, a relative, or a business with which the member or members' relative is associated. The Fire Protection Committee member may participate in an action after declaring the potential conflict and announcing its nature.

c. Actual conflict defined. An actual conflict of interest exists when an action is reasonably certain to result in a special benefit or detriment to the Fire Protection Committee member, a relative, or a business with which the member or members' relative is associated. The member will declare the actual conflict and announce its nature. The member must then refrain from taking any official action, except when the member's vote is necessary to achieve a quorum. When a vote is necessary to achieve a quorum, the member may vote, but may not participate in any discussion or debate on the issue out of which the actual conflict arises.

13. Amendment to Bylaws.

a. Initiated by advisory board. The Fire Protection Committee may propose amendments to the bylaws. Any recommendations agreed upon by the majority of the Fire Protection Committee shall be forwarded to the Board of Commissioners for its approval. The Board of County Commissioners shall have the sole authority to adopt, amend or repeal bylaws.

b. Distribution. Upon the Board of Commissioners approval of bylaw amendments, the BCC Staff will make any required revisions to the bylaws and distribute them to all members of the Fire Protection Committee, through the assigned staff person.

14. Community Relations/Public Input.

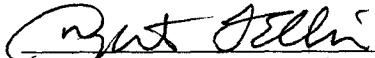
Any member of the public will be welcome to attend and provide input at Fire Protection Committee meetings. Public comments will be encouraged and will be accepted verbally or in writing. (Anyone who wishes to voice an opinion or present information or concerns to the Fire Protection Committee should attend meetings or contact either the chair, the vice-chair,

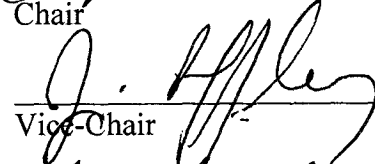
or staff of Josephine County Board of Commissioners. Arrangements will be made and time will be allotted at meetings as appropriate to assure broad public participation.)

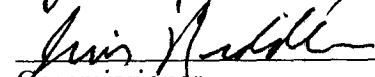
ADOPTED BY Fire Protection Committee,

this 13 day of November 2006.

APPROVED BY THE JOSEPHINE COUNTY BOARD OF COMMISSIONERS


Chair


Vice-Chair


Commissioner

Date: 13 NOV. 2006