

PORT LUDLOW FIRE & RESCUE

Board Guidelines

Foreword

In serving as a public official for Port Ludlow Fire & Rescue, (also referred herein as "District"), there are many issues Fire Commissioners will become involved with. This manual attempts to centralize information on common issues related to the role of a member of the Board of Commissioners.

The issues addressed in this manual are often complex and subjective. The manual is intended to be a guide and is not a substitute for Washington state statutes governing your conduct as Commissioners and the counsel, guidance, and/or opinion of legal counsel.

The Board of Commissioners has formally adopted the guidelines in this reference document. Provisions contained in this manual will be reviewed as needed. The Board, by majority vote, in its sole discretion, reserves the right to revise this manual at any time, without notice.

TABLE OF CONTENTS

	Forward-----	1
Chapter 1:	Introduction and Overview-----	3
	1.01 Purpose of the Policy Manual-----	3
	1.02 Overview of Basic District Documents-----	3
Chapter 2:	Board of Commissioners General Powers and Responsibilities-----	5
	2.01 Board of Commissioners-----	5
	2.02 Role of Board Members-----	6
	2.03 Organization of the Board-----	7
	2.04 Absence of Board Members-----	7
	2.05 Resignation of a Board Member-----	7
	2.06 Appointment of Fire Chief / Management of District Personnel-----	7
Chapter 3:	Financial Matters-----	8
	3.01 Board Compensation-----	8
	3.02 Financial Disclosure-----	8
	3.03 Travel Policy-----	8
	3.04 State Public Disclosure Act and Open Meetings Act-----	9
Chapter 4:	Conflicts of Interest, Appearance of Fairness Doctrine, and Liability of Elected Officials-----	11
	4.01 Conflicts of Interest-----	11
	4.02 Liability-----	13
Chapter 5:	Interaction with District Staff/Officials-----	15
	5.01 Overview-----	15
	5.02 Fire Chief-----	15
	5.03 Board of Commissioners / Fire Chief Relationship-----	16
	5.04 Board of Commissioners / District Legal Counsel (DLC)-----	16
	5.05 Roles and Information Flow-----	17
	5.06 Restrictions on Political Involvement of Staff-----	18
	5.07 Board of Commissioners Attendance Policy-----	18
Chapter 6:	Board of Commissioners Meetings-----	19
	6.01 Meeting Schedule-----	19
	6.02 Special Meetings-----	19
	6.03 Work Shops-----	19
	6.04 Placing Items on the Agenda-----	20
	6.05 Executive Session-----	20
	6.06 General Procedures-----	21
	6.07 Open Meeting Law-----	21

Chapter 1 Introduction and Overview

Fire Commissioners not only establish important and often critical policies for the District, they are also board members of a public corporation having an annual operating budget in excess of two million dollars. The scope of issues and problems a Commissioner will deal with go beyond that which is reported publicly. A Fire Commissioners service will likely have a long term impact on the operations of the District. This document is intended to help in understanding the Fire Commissioners role as a steward of the District and its resources.

1.01 Purpose of the Policy Manual

PORT LUDLOW FIRE & RESCUE has prepared this manual to assist the Board of Commissioners by documenting accepted practices and clarifying expectations. Administration of District affairs is greatly enhanced by agreement of the Commissioners and District management to be bound by these practices. While attempting not to be overly restrictive, procedures are established so expectations and practices may be clearly articulated to guide Commissioners in their actions.

1.02 Overview of Basic District Documents

This manual provides a summary of important aspects of Board of Commissioner activities and conduct. However, it does not incorporate all material and information necessary for undertaking the business of the District. Many other laws, plans, and documents exist which bind the Commissioners to certain courses of action and practices. The following is a summary of the most notable documents, which establish the Board of Commissioners' direction to the members and community.

A. *District Resolutions and Policies*

District Resolutions and Policies are adopted by Resolution and/or by a majority vote of the Board.

B. *Board and Appointed Officials Conduct, Standards and Guidelines*

It is the policy of the District to uphold, promote, and demand, the highest ethical standards from all its elected and appointed officials. Accordingly, District Board Members are expected to maintain the utmost standards of personal integrity, truthfulness, honesty, and fairness in carrying out their public duties. Commissioners must avoid any improprieties in their roles as public servants and never use their District position or powers for personal gain.

C. *Mission Statement / Vision and Values / Annual Budget*

The District Mission Statement, Vision/Values, policy goals and annual budget that have been developed by the Commissioners provide the primary road map for accomplishing the goals of the District. The budget document is the result of one of the most important processes the District undertakes. By adopting the annual budget, the District makes policy decisions, sets priorities, allocates resources and provides the framework for District operations.

D. *Capital Improvement & Replacement Program*

The Capital Improvement and Replacement Program serves as a guide for determining priorities, planning, financing, and implementing capital projects, the purchase of equipment, and maintaining the real and personal property of the District which add to, support, or improve the physical infrastructure, capital assets, or productive capacity of the District.

E. *Union Contracts & Personal Service Contracts for Non-Represented Staff.*

The contracts in place between the union employees of the District, and the non-represented employees of the District, set forth the employment terms of the District and its various employees. All Commissioners should become familiar with these agreements.

Chapter 2 Board of Commissioners General Powers and Responsibilities

2.01 Board of Commissioners

Fundamentally, the powers of the Board of Fire Commissioners are to be utilized for the good of District citizens in accordance with law. These powers must be used in a professional and fiscally responsible manner and in a manner which promotes the good reputation of the District in the community. Most notably, state law and in particular, Title 52 RCW, as well as District approved Resolutions, grant the powers and responsibilities of the Board.

The Board of Commissioners is the policy making body of the District and should avoid attempting to oversee the day-to-day operations of the District. The District daily operations are to be managed by the Fire Chief and District employees according to their job responsibilities and according to District policy as set by the Board of Commissioners.

It is important to note that each Board Member acts as a member of the Board of Commissioners at regularly scheduled meetings. No member has any extraordinary powers beyond those of other members and no member has the ability to represent the District in any capacity except through the authorization received at duly scheduled Board Meetings. Board Members must refrain at all times from attempting to represent the District or make decisions on behalf of the District, except according to the specific authorization received from the collective Board at Board Meetings.

In governing the District, all Board Members are equal. It is also important to note that policy is established by at least a majority vote of the Board. While individual members may disagree with decisions of the majority, a decision of the majority does bind the Board to a course of action. Members must respect adopted Board policy. In turn, it is the Fire Chief's responsibility to ensure the policy of the Board is upheld and implemented.

The actions of District management and employees to pursue the policy direction established by a majority of the Board do not reflect any bias against Board Members who held a minority opinion on an issue.

A. *Board Non-Participation in Administration*

In order to uphold the integrity of the Board of Commissioners, and to provide proper checks and balances, members of the Board must refrain from becoming directly involved in the administrative affairs of the District. Because the Board is the policy making body and originator of District Resolutions, its involvement in the

day to day operations of the District or the enforcement of Resolutions through other than legislative means would only serve to damage the credibility of the system.

Except for the purpose of inquiry, the Board and its members should deal with District operations solely through the Fire Chief or his designee, and should never give orders to any subordinate of the Fire Chief.

Subject to RCW 42.30.110 and the holding of executive sessions to discuss and review personnel matters, the Board is not prohibited, while in open session, from fully and freely discussing with the Fire Chief and other District employees any and all matters pertaining to the District operations.

2.02 Role of Board Members

Members of the Board of Commissioners are collectively responsible, during open public meetings of the Board of Commissioners, for establishing policy, adopting an annual budget, and providing vision, direction and goals to the Fire Chief. The following outline is a brief description of the various duties of Board Members. This description is not intended to be comprehensive, but rather is a summary of the primary responsibilities of the Board:

A. Summary of Board Duties and Responsibilities

1. Establish Policy
 - a. Adopt goals and objectives
 - b. Establish priorities
 - c. Approve/amend the operating and capital budgets
 - d. Approve contracts unless delegated to the Fire Chief
 - e. Adopt resolutions
2. Supervise Appointed Officials
 - a. Appoint a Fire Chief
 - b. Evaluate the performance of Fire Chief
3. Provide Public Leadership
 - a. Promote representative, responsible, and respectful governance
 - b. Mediate conflicting interests while seeking to build a consensus
 - c. Communicate the District vision and goals to its citizens
 - d. Represent the District interests at county, regional, state, and federal levels in a professional and respectful manner.
 - e. Maintain a professional and clean appearance, and dress applicable to the occasion when representing the district

- f. Listen to and attempt to understand views and opinions that conflict with those held by Fire Commissioners.

4. Decision-Making

- a. Study problems and all pertinent view points
- b. Review alternatives
- c. Determine best course of public policy

2.03 Organization of the Board

Each year at the first meeting in January, the Board shall select from its members, one member to serve as Chairperson of the Board. The Board may also select a Vice-Chairperson if it so chooses. The Chairperson serves as the presiding officer and acts as chair at all meetings of the Board of Commissioners; and in his or her absence, the Vice-Chairperson serves in this capacity. The Chairperson of the Board may participate in all deliberations of the Board in the same manner as any other member and is expected to vote in all proceedings, unless a conflict of interest exists. The Chairperson does not possess any power of veto.

2.04 Absence of Board Members

When a Board Member is unable to attend a board meeting or is absent from the District for more than 15 days, he or she, if reasonably possible, should notify the Board Chairperson and Fire Chief of such absence and the anticipated length of the absence.

2.05 Resignation of a Board Member

If a Board Member resigns from the Board of Commissioners before his or her term of office is up, a new Board Member will be appointed by the remaining Board Members to fill the vacated position, as provided by law.

2.06 Appointment of Fire Chief / Management of District Personnel

The Board of Commissioners is responsible for appointing the Fire Chief. The Fire Chief serves as such pursuant to the terms of his/her employment agreement with the District. The Fire Chief is responsible for managing all District personnel and for the day to day operations of the District.

Chapter 3 Financial Matters

3.01 Board Compensation

Board members are compensated per state law for each day or portion thereof dedicated to the business of the District. Board compensation is either increased or decreased per State law.

3.02 Financial Disclosure

Pursuant to Chapter 42.17 RCW, candidates for the office of District Commissioner, appointees to the Board, and standing Board Members, are required to file a financial disclosure statement, from time to time, with the State Public Disclosure Commission, according to Washington law. The filing of such disclosure statements is the responsibility of each individual Commissioner and not the District. (See Chapter 42.17 RCW)

3.03 Travel Policy

Members of the Board of Commissioners are subject to the following travel policy:

A. *Travel Involving an Overnight Stay*

All reasonable transportation expenses incurred by a Commissioner for approved travel regarding District business will be reimbursed by the District. Any travel involving an overnight stay should have the prior approval of the Board of Commissioners.

Board Members should endeavor to attend training and conferences in Washington State whenever possible, if such training or conference is of comparable value to that offered out of state.

B. *Reimbursement of Travel Expenses*

A fully itemized claim for expense reimbursement, along with any unexpended portion of a travel advance, if applicable, should be submitted to the Fire Chief or his/her designee within 15 days after the conclusion of the authorized travel period for which expenses have been advanced.

Individual Meals – Reasonable costs of necessary meals while conducting District business are reimbursable.

- a) Receipts must accompany all reimbursement claims except for meals. Meals will be reimbursed based on the adopted daily meal allowance schedule.
- b) In instances when a cash allowance is required for lodging or fuel, detailed receipts will need to be submitted to the Fire Chief or his/her designee immediately following the Commissioner's return to the District
- c) Tips are allowable up to 15% and should be considered part of the maximum allowable amount.
- d) Reimbursement will not be paid for alcoholic beverages.
- e) Reimbursement will not be paid for expenses for spouses, guests, nonemployees, or other persons not authorized to receive reimbursement under this policy or State regulations.
- f) When possible, all out of town lodging arrangements should be charged to the District credit card.

Personal Vehicles – Mileage for the pre-approved use of personal vehicles will be reimbursed at the IRS allowable mileage rate.

3.04 State Public Disclosure Act and Open Meetings Act

To ensure business communications submitted to and by Board members comply with the State Public Disclosure Act, RCW 42.17, and the State Open Meetings Act, RCW 42.30, the following is set forth:

A. Communications – Generally

All letters, memoranda, and interactive computer communications involving Board Members, the subject of which relates to the conduct of the Board or the performance of any District function, with few exceptions as stated by the Public disclosure Act, are public records.

Copies of such letters, memoranda, and interactive computer communication may not be provided to the public or news media without the filing of a public disclosure request with the District. All requests for District records by the public should be directed to the Fire Chief.

B. Written Communications

Written letters and memoranda received by the District, addressed to a Board Member or the Board as a body, will be photocopied and provided to all Board Members and a copy kept according to the District Records Retention Schedule.

C. *Electronic Communications*

Informal messages with no retention value and that do not relate to the functional responsibility of the recipient or sender as a public official, such as meeting notices, reminders, telephone messages and informal notes, ordinarily do not constitute a public record. Users should delete these messages once their administrative purpose is served.

All other messages that relate to the functional responsibility of the recipient or sender as a public official constitute a public record. Such records are subject to public inspection and copying. Users may print a copy of the record and file it with the Fire Chief or his designee for keeping according to the District Records Retention Schedule, or forward such e-mail messages to the Fire Chief or his designee for printing and filing according to the District Records Retention Schedule.

E-mail communications intended for review by all five Board Members, whether concurrently or serially, must be considered in light of the Open Public Meetings Act. If the intended purpose of the e-mail is to have a discussion that should be held at an open meeting, the electronic discussion should not occur.

E-mail should be used cautiously when seeking legal advice or to discuss matters of pending litigation or other "confidential" District business. In general, e-mail is Discoverable in litigation and even deleted e-mail is not necessarily removed. Confidential e-mail communications should not be shared with individuals other than the intended recipients, or the attorney-client privilege protecting the document from disclosure may be waived.

E-mail between Board Members and between Board Members and District personnel shall not be transmitted to the public or news media without the filing of a public disclosure request with the District.

Chapter 4

Conflicts of Interest, Appearance of Fairness Doctrine, and Liability of Elected Officials

4.01 Conflicts of Interest

Conflict of interest laws are some of the most complicated laws which apply to Commissioners. To understand their effect on a Commissioner's actions, it is suggested members discuss the law and potential conflicts with a private attorney or the District legal counsel. It is imperative that Board Members identify in advance what their conflicts are and may be.

It is illegal to fail to declare a conflict of interest, or to participate or otherwise be involved in discussions on issues or contracts where such an interest exists. Violations of the conflict of interest law may result in significant penalties, including criminal prosecution.

In circumstances where only a "remote interest" (see below) exists, after disclosure of the interest to other Board Members and in the meeting minutes, the Board of Commissioners may approve the contract to which a Board member has a remote interest, absent participation in the voting by the Board Member with the remote interest, but only if the Board Member refrains from any attempt to influence other members to approve the contract.

A. *Applicability*

All District officers, elected and appointed, are subject to the conflict of interest law in RCW 42.23. This includes Board Members.

B. *Definition*

Remote Interests are so minor that they do not constitute illegal conflicts of interest. Examples of remote interests are as follows:

- a non-salaried officer or member of a nonprofit corporation doing business or requesting money from the District. Therefore, being such an officer or member would not constitute a conflict.
- the landlord or tenant of a contracting party. For example, a Board Member may lease office space to a party that has a private interest in a public matter without it resulting in a conflict of interest.
- the owner of less than 1 percent of the shares of corporation or a cooperative doing business with the District.
- being reimbursed only for actual and necessary expenses incurred in performance of official duties.

C. *Examples of Acts not Constituting a Conflict of Interest*

- Receiving District services on the same terms and conditions as if not a District official. Thus, when a Board Member who owns a business within the District votes for or against an increase in the District general permit fees or user rates, a conflict would not exist because this action would apply to all businesses within the District boundaries.
- An officer or employee of another political subdivision or public agency unless it is the same governmental entity being served who is voting on a contract or decision which would not confer a direct economic benefit or detriment upon the officer. For example, a Board Member who is a school teacher may vote to enter into an intergovernmental agreement with the school district, unless such agreement would confer some direct economic benefit, such as a salary or benefit increase, upon the Board Member.
- A member of a trade, business, occupation, profession, or class of persons and has no greater interest than the other members of that trade, business, occupation, or class of persons. A class must consist of at least ten members to qualify the interest as remote.

A District official may sell equipment, material, supplies, or services to the District only to the extent such sales are consistent with state law.

D. *Declaration of a Conflict*

When a substantial interest exists, the District official must:

1. Refrain from voting or in any way influencing a decision of the Board of Commissioners; and
2. Declare that a conflict of interest exists and make it known in the official records of the District.

Should a situation arise where a majority of Board Members or a majority of a quorum of those present at a Board meeting have a substantial conflict of interest, state law provides that if the conflict of interest statutes prevent the Board of Commissioners from acting as required by law in its official capacity, such action shall be allowed if the members of the Board with the apparent conflicts of interest make them known.

E. *District Legal Counsel Opinions*

A Board Member's request for an opinion from the District legal counsel

concerning conflict of interest is confidential. However, formal final opinions are a matter of public record and must be filed with the Fire Chief or his designee. This filing requirement does not apply to verbal communications between Board Members and the District legal counsel.

Board Members may seek advice from a private attorney, at their own expense, concerning potential conflicts. In such cases, no disclosure policy would apply.

F. Filing of Disclosures

The Fire Chief or his designee should maintain a special file for all disclosures and legal opinions of conflicts of interest.

G. Prohibited Acts (RCW 42.23.070)

- No Board Member may directly or indirectly use his or her position to secure special privileges or exemptions for himself, herself, or others.
- No Board Member may, directly or indirectly, give or receive or agree to receive any compensation, gift, reward, or gratuity from a source except the employing municipality, for a matter connected with or related to the officer's services as such an officer unless otherwise provided for by law.
- No Board Member may accept employment or engage in business or professional activity that the Board Member might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position.
- No Board Member may disclose confidential information gained by reason of the Board Member's position, nor may the Board Member otherwise use such information for his or her personal gain or benefit.

Examples of Prohibited Acts range from receiving a gift of tickets to a sporting event to attending a dinner hosted by a private company. In determining if the action is allowed, the Washington State Auditor's Office suggests asking, "**Would I be receiving this gift if I were not a Commissioner or employee of the District**" or "is this gift available to anyone who is not a Commissioner/employee or otherwise associated with the District". If the circumstances are that the gift is offered because of Commissioner or employee status, it may create conflict of interest.

4.02 Liability

The District must always approach its responsibilities in a manner that reduces risk to all involved. Nevertheless, within public service, risk cannot be eliminated.

It is important to note that violations of certain laws and regulations by individual Board Members may result in the member being personally liable for damages which would not be covered by the District insurance. Examples may include intentional acts, discrimination, harassment, and/or fraud.

Chapter 5

Interaction with District Staff/Officials

5.01 Overview

The Board of Commissioners' policy is implemented by the Fire Chief through District personnel. Therefore, it is critical that the relationship between the Board of Commissioners and District employees and volunteers be well understood by all parties so policies and programs may be implemented successfully. To support effective relationships, it is important that roles are clearly recognized.

5.02 Fire Chief

The Board of Commissioner's role is to establish District policies and priorities. The Board appoints a Fire Chief to implement those policies and undertake the administration of the organization.

The Fire Chief is appointed by the Board of Commissioners to enforce its resolutions and regulations, to direct the daily operations of the District, to prepare and monitor the budget, and to implement the policies and programs initiated by the Board of Commissioners.

The Fire Chief is responsible to the Board of Commissioners, rather than to individual Board Members, and directs and coordinates the overall day to day operations of the District.

The Fire Chief is responsible for recommending the hiring and/or promotions of all career members to the Board of Fire Commissioners. The Board has delegated to the Fire Chief the administration of the District Volunteer program to include bringing on new volunteers and removing volunteers from the program in accordance with the volunteer program manual. The Board of Commissioners authorizes positions through the budget process.

The roles and responsibilities of the Fire Chief include but are not limited to:

- General supervision over the administrative affairs of the District;
- Recommend/Appoint and remove at any time any employees, volunteers, and/or subordinates in accordance with District policy and applicable State and Federal law;
- Attend all meetings of the Board at which the Fire Chief's attendance may be required by that body;

- See that all Regulations and Resolutions are faithfully executed, subject to the authority granted by the Board of Commissioners in accordance with state law;
- Recommend for adoption by the Board such measures as the Fire Chief may deem necessary or expedient;
- Prepare and submit to the Board such reports as may be required by that body, or as deemed advisable to submit;
- Keep the Board fully advised of the financial condition of the District and its future needs;
- Prepare and submit to the Board a proposed budget for each fiscal year, and be responsible for its administration upon adoption;
- Perform such other duties as the Board may direct in accordance with the employment agreement entered into with the Fire Chief;
- Implementing and administering Board of Commissioners policy.

5.03 Board of Commissioners / Fire Chief Relationship

The employment relationship between the Board of Commissioners and Fire Chief honors the fact that the Fire Chief is the chief executive officer of the District. All dealings with the Fire Chief, whether in public or private, should respect the authority of the Fire Chief in administrative matters. Disagreements should be expressed in policy terms, rather than in terms that question satisfaction with or support of the Fire Chief.

The Fire Chief respects and is sensitive to the policy responsibilities of the Board of Commissioners and acknowledges the final responsibility for establishing policy direction of the District is held by the Board of Commissioners.

The Board of Commissioners shall evaluate the Fire Chief on an annual basis to ensure both the Board of Commissioners and Fire Chief are in agreement about performance and goals based upon mutual trust and common objectives. The Fire Chief's performance is evaluated in the following areas: leadership; teamwork; job knowledge; attitude; accountability; empowerment; communication; problem-solving skills; quality of service; safety/risk-taking; implementation and administration of adopted Board policy.

5.04 Board of Commissioners / District Legal Counsel (DLC)

Pursuant to recommendation of the Fire Chief, the Board of Commissioners shall make provision for obtaining legal counsel for the District. This may be in the form of a reasonable contractual arrangement for such professional services or on an as needed basis. The District legal counsel is the legal advisor for the Board, the Fire Chief, and all District employees with respect to any legal question involving an official duty or any

legal matter pertaining to the affairs of the District. The general legal responsibilities of the District legal counsel are to:

1. provide legal assistance necessary for formulation and implementation of policies and projects;
2. represent the District interests, as determined by the Board of Commissioners, in litigation, administrative hearings, negotiations, and similar proceedings;
3. prepare or approve as to form resolutions, regulations, contracts, and other legal documents to best reflect and implement the purposes and intentions of the Board of Commissioners; and
4. keep the Board of Commissioners and staff apprised of court rulings and legislation affecting the legal interests of the District.

It is important to note the District legal counsel does not represent individual members of the Board or District employees/volunteers, but rather the Board of Commissioners and District as a whole.

5.05 Roles and Information Distribution

A. Board of Commissioners Role

The Board of Commissioners retains the authority to accept, reject, or amend District staff recommendations on all policy matters.

Members of the Board of Commissioners must avoid intrusion into those areas that are the responsibility of personnel. Individual Commissioners may not intervene in members' decision-making, the development of members' recommendations, scheduling of work, and executing department priorities without the prior knowledge and approval of the Board of Commissioners as a whole. This is necessary to protect personnel from undue influence and pressure from individual Board Members, and to allow personnel to execute priorities given by management and the Board as a whole without fear of reprisal.

If a Board member wishes to influence the actions, decisions, recommendations, workloads, work schedule, or priorities of personnel, that member must prevail upon the Board to do so in open public meeting as a matter of Board policy.

B. Access to Information

The Fire Chief is the information liaison between the Board and District personnel. Requests for information from individual Board members are to be directed to the Fire Chief and will be responded to promptly. The information

requested will be copied to all members of the Board so each member may be equally informed. The sharing of information with Board of Commissioners is one of the Fire Chief's highest priorities.

There are limited restrictions when information cannot be provided. For instance, the District is legally bound not to release certain confidential personnel information.

C. Staff Roles

The Board recognizes the primary functions of staff as executing Board policy and actions taken by the Board of Commissioners and in keeping the Board informed. Staff is obligated to take guidance and direction only from the Fire Chief or and/or their superior officers. This direction follows the policy guidance of the Board of Commissioners as a whole.

5.06 Restrictions on Political Involvement of Staff

PORT LUDLOW FIRE & RESCUE is a nonpartisan local unit of state government. Professional staff formulates recommendations in compliance with Board policy for the good of the District, not influenced by political factors. For this reason, it is very important to understand the restrictions of political involvement of staff.

By working for the District, staff members do not surrender their right to be involved in political activities. Employees may publicly express their personal opinions; register to vote; sign nominating or recall petitions; and they may vote in any election. However, staff is prohibited from political activity during working hours and/or on District property.

5.07 Board of Commissioners Attendance Policy

A Board position shall be deemed vacant if the Board Member fails to attend three consecutive meetings of the Board of Commissioners without being excused by formal action of the Board. Any absent Board Member who has called the Fire Chief's office or Commission Chair at or prior to 2:00 p.m. on the day of the meeting to advise of such absence will be deemed excused.

Chapter 6

Board of Commissioners Meetings

The Board of Commissioners' collective policy, decision making, and regulatory-making powers occur at Board meetings. It is at such meetings that the Board conducts its business. The opportunity for District citizens to be heard, the availability of Board Members to District citizens, and the openness of Board meetings all lend themselves to the essential democratic nature of local government.

6.01 Meeting Schedule

Regular Board meetings are held the second Tuesday of each month at 7:00 p.m. at the District headquarters' station at 7650 Oak Bay Road, Port Ludlow, Washington.

6.02 Special Meetings

Special meetings may be called by either the Board Chairperson or at the request of any Board Member. Notice of a special meeting will be made by the Fire Chief or his designee by delivering personally, by mail, by telephone, by e-mail, or by facsimile, written notice to each Board Member and to the official newspaper of record for the District at least 24 hours before the time of such meetings as specified in the notice. The notice shall specify the time and place of the special meeting and the business to be transacted. At special meetings, only those matters noted in the agenda may be acted upon. Each Commissioner shall keep the Fire Chief continuously updated on that Commissioner's mailing and e-mailing address, telephone and fax numbers.

The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical, and increase the likelihood of such injury or damage.

At all regular and special meetings, public comments are a separate agenda item and are invited at that time on the agenda. Public comment is appropriate on any matter within the jurisdiction of the Board of Commissioners.

6.03 Work Shops

Following proper public notice, the Board of Commissioners may meet informally in a workshop session. The workshop session is the forum used by the Board to review forthcoming programs of the District, to receive progress reports on current issues, and/or to receive similar information from the Fire Chief and others. All discussions and conclusions held during a workshop are of an informal nature. No final action is taken

while in a workshop session. All workshop sessions constitute meetings open to the public.

6.04 Placing Items on the Agenda

A. Agenda Planning

All matters to be presented to the Board of Commissioners at its regular meetings are reviewed and placed on the agenda by the Board Chair and the Fire Chief.

B. Board of Commissioners

A Board Member may request an item be considered for an upcoming agenda by making an oral request at a Board Meeting or submitting the request to the Board Chair and/or the Fire Chief.

C. Members of the Public

A member of the public may request an item be placed on a future agenda while addressing the Board of Commissioners during a regular meeting and/or by submitting a request in writing to the Board of Commissioners, through the Fire Chief's office. In order to allow sufficient time for the Board to review, and staff to research the matter, the request should be submitted at least 10 working days prior to the meeting for which the item is requested to be placed on the agenda. Once the issue has been placed on the agenda, the Fire Chief will notify the requester so he or she may plan to attend the meeting.

D. Emergency Items

Emergency items may be added to an agenda in accordance with state law. Emergency items are only those matters immediately affecting the public health, safety, and welfare of the District. The reason(s) for adding an emergency item to the agenda shall be announced publicly at the meeting, and the issue shall be included in the minutes of the meeting.

6.05 Executive Session

At the call of the Fire Chief, presiding Board officer, or with a majority vote of the Board, the Board of Commissioners may recess to Executive Session to privately discuss and consider matters authorized under RCW 42.30.110.

Before convening in Executive Session, the presiding officer shall publicly announce the

general purpose for excluding the public from the meeting place, and the time when the Executive Session will be concluded, and whether action is expected to be taken following the executive session. An Executive Session may be extended to a stated later time by announcement of the presiding officer.

6.06 General Procedures

A. Signing of Documents

The Board of Commissioners as a quorum shall sign District Resolutions, contracts, and other documents that have been adopted by the Board and require an official signature, except when the Fire Chief, or a combination of other specifically identified District officials have been authorized by the Board to sign such documents.

B. Quorum

A majority of the Board shall constitute a quorum and is necessary for the transaction of District business.

C. Minutes

The Fire Chief or designee shall take minutes at all regular and special Board meetings; such minutes shall be made available for public inspection once approved by Board action.

Unless a member of the Board requests a reading of the minutes of a Board meeting, such minutes may be approved without reading them, if the Fire Chief furnished each member with a copy thereof.

6.07 Open Meeting Law

A. Applicability

The open meeting law, RCW Chapter 42.30, applies to the Board of Commissioners, all quasi-judicial bodies, and all standing, special or advisory boards, committees or subcommittees of, or appointed by, the Board of Commissioners.


B. Meetings

All meetings of the Board shall be open to the public, except in the special instances as provided in RCW 42.30.110, as hereafter amended. A meeting takes place when a quorum (a majority of the total number of Board Members; presently a quorum is present when three Commissioners are in attendance) is present and information concerning District business is received, discussed, and/or acted upon.

C. Actions

Only the Board has the authority to take action, and all actions must be taken in a public meeting. At a Special Meeting, action may be taken only on those items appearing on the posted agenda, except for emergency items as defined in RCW 42.30.070. At a Regular Meeting of the Board of Commissioners, the Board is free to take action on non-agenda items, subject to applicable statutory and District notice requirements for the subject matter being considered.

THIS POLICY MANUAL was duly enacted by the District Board of Commissioners on the 14th day of June, 2011.



William Hansen, Secretary