



# BOARD POLICY MANUAL

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**FOR INFORMATION REGARDING THE OREGON PUBLIC MEETINGS AND RECORDS LAW:**  
ORS CHAPTER 192

**SDAO ELECTED OFFICIALS GUIDE LINK:** <https://www.sdao.com/files/abb83e714/board-handbook.pdf>

**OREGON GOVERNMENT ETHICS LAW (ORS CHAPTER 244) A GUIDE FOR PUBLIC OFFICIALS LINK:**  
<https://www.oregon.gov/ogec/Documents/2021%20PO%20Guide%20Final%20Adopted.pdf>

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**POLICY 1.1: GOVERNANCE BY POLICIES**

A. GOVERNANCE BY POLICIES

The primary duty and function of the Board of Directors is to establish policies for the governance of the District. It is the policy of the Board to delegate to the Fire Chief the responsibility for the day-to-day administration of the District, in a manner consistent with the policies and directions of the Board. It is the objective of Mid-Columbia Fire and Rescue, to support the highest possible professional standards in fire district administration and government.

B. COMPLIANCE WITH LAW

Policies shall comply with all applicable federal, state, and local laws and regulations. If any policy or portion thereof is found to conflict with any local, state, or federal law or regulation, such policy shall be deemed void without further Board action. It shall be the responsibility of all District personnel to bring any such conflict to the Board's attention immediately upon discovery.

C. COMPLIANCE WITH POLICIES

All District personnel shall comply with the policies adopted by the Board of Directors. Any failure to comply shall constitute grounds for disciplinary action or termination as provided for herein.

D. POLICIES DO NOT CREATE RIGHTS

Policies of the District shall not create any enforceable right, contract, employment agreement or expectation on the part of any person; and any deviation from a District policy shall not in itself render any District action invalid, void, or voidable, nor shall such deviation constitute evidence of negligence. The Board may deviate from policy when to do so will serve the public interest or would avoid hardship as the Board may determine.

**POLICY 1.2: ADOPTION, AMENDMENT AND REPEAL OF POLICIES AND OTHER REGULATIONS**

BOARD ADOPTION, AMENDMENT, AND REPEAL OF POLICIES AND OTHER REGULATIONS

- A. The Board shall base its regulations on the best available information and input from affected parties. Whenever the Board enacts amends or repeals any policy or other regulation, it shall do so in accordance with Oregon Law.
- B. The policies and rules of the District Board shall be drafted, adopted, and amended with full consideration for the Board's Policy to provide fire and life safety, protection of the best obtained quality for the residents of the District within the limitations of the District's ability to support it.
- C. In the event of a disagreement over the application, extent, or interpretation of a policy the resolution of the conflict will be determined by the Board.
- D. Board Rules 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 rules may also be applied to remind the Board, staff and public of the existence of applicable statutes. Board Rules, once adopted, are considered to be part of the text of the policy.
- E. 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, a member of the Board, the Fire Chief, a consultant, a civic group, etc.

**POLICY 2.1: MEMBERSHIP ON THE BOARD OF DIRECTORS**

A. POSITIONS AND TERMS

1. The Board of Directors of the District shall consist of five members serving four-year terms. No person shall be eligible to be a Board member who is not at the time of election or appointment a resident or property owner in the District.
2. All Board members shall serve at large.
3. District Board position numbers are assigned as noted in Appendix "A" of this Chapter, and will be transferred to the successor of the named Board members at the termination of their holding of the position for whatever reason.

B. ELECTION OF BOARD MEMBERS

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

C. QUALIFICATIONS

No person elected or appointed to the Board shall be sworn in unless such person meets the qualifications for office set forth in ORS 478.050. If questions exist regarding the eligibility of any candidate, the Board shall obtain an opinion from legal counsel prior to swearing in such person.

Effective May 13, 2021, and thereafter, no firefighter of Mid-Columbia Fire and Rescue, volunteer or otherwise, and no other District employee, shall be eligible to serve on the Board of Directors of Mid-Columbia Fire and Rescue.

D. OATH OF OFFICE

Each newly elected or appointed Board member shall take an oath of office at a Board meeting prior to assuming the duties of the position.

E. TERM OF OFFICE -- STARTING DATE

Except where the Board is filling a vacancy on the Board, terms of office shall start on July 1st.

F. VACANCIES

1. Vacancies on the Board shall be filled by appointment by a majority of the remaining members of the Board. If a majority of the membership of the Board is vacant, or if a majority cannot agree, the vacancies shall be filled promptly by

the County Court of Wasco County as per ORS 198.320. The period of service of a person appointed to fill a vacancy shall expire on the June 30 after the next regular District election at which a successor is elected. The successor shall be elected to serve the remainder, if any, of the term of the position for which the appointment was made. If the term for which the appointment was made expires June 30 after election of the successor, the successor shall be elected to a full term. In either case, the successor shall take office July 1 next following his or her election.

2. When a district election is to be held for the purpose of electing members to the Fire District Board, the election officer shall cause to be published in accordance with ORS 255.075 the following information:
  - a. The Date of the election
  - b. The Board positions to be voted upon
  - c. The latest date candidates may file for office

The County Clerk, serving as elections officer, has total responsibility for the conduct and administration of Fire District elections.

3. It shall be the policy of the Board to declare a position on the District Board of Directors vacant upon the incumbent's death, adjudicated incompetence, conviction of a felony, other offense pertaining to public office, unlawful destruction of public records, resignation, recall from office, by ceasing to possess the qualifications for the office, or upon the failure of the person elected or appointed to the office to qualify for the office within ten days after the time that the term of office commences.
4. In the event of any of the above circumstances the Board may, at its regularly scheduled meeting, deliberate on the circumstances, declare the position to be vacant by a majority vote of the Board, and notify the County Clerk of its decision.

## **POLICY 2.2: POWERS AND DUTIES OF THE DISTRICT'S BOARD OF DIRECTORS**

### **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. FORMULATION AND INTERPRETATION OF DISTRICT POLICY

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

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.

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.

**POLICY 2.3: BOARD MEMBER ORIENTATION**

A. COOPERATION WITH BOARD CANDIDATES

The Board, through its staff, shall cooperate impartially with candidates for the Board and provide them with information about Board policies, administrative regulations, and other aspects of the operation of the District.

B. ORIENTING NEW BOARD MEMBERS

The Board and its staff shall assist each new member elect and appointee to understand the Board's functions, policies, and procedures before he/she takes office. The following methods shall be employed:

1. New members shall be invited to attend and participate in public Board meetings prior to being sworn in.
2. The Fire Chief shall provide material pertinent to District meetings and respond to questions regarding such material.

3. New members shall be invited to meet with the Fire Chief and other District personnel to discuss the services each performs for the District.
4. The Chief Executive Officer shall give each new Board Member:
  - a. An updated copy of the District's Policy and Procedure Manual.
  - b. A copy of the Attorney General's "Public Records and Meetings Manual" if requested.
  - c. Copies of the minutes of all Board meetings, except for executive sessions, for the preceding twelve (12) months.
  - d. Copies of the District's last budget.
  - e. Copies of all such documents as the attorney for the District may recommend with respect to any pending claims or lawsuits.
  - f. A list of all District personnel by position.
  - g. Such other materials as the Board may direct or the Fire Chief deems appropriate.

**POLICY 2.4: REIMBURSEMENTS OF BOARD MEMBER EXPENSES**

A. BOARD MEMBER REIMBURSEMENT

Board Members shall be reimbursed for their actual and reasonable travel and other expenses incurred in the performance of official District duties. Mileage shall be reimbursed at the existing federal employee mileage rate.

B. REIMBURSEMENT DOCUMENTATION

Board Members shall submit on forms approved by the Chief a record of such expenses to the Chief or the Chief's designee for reimbursement by the District. It shall be the policy of the Board to keep all financial transactions strictly public in an effort to preserve the public trust.

**POLICY 3.1: DUTIES OF THE PRESIDENT**

- A. The President of the Board shall preside at meetings of the Board of Directors. The President shall perform all of the duties prescribed by the Oregon Revised Statutes.
- B. The President shall consult with the Clerk of the Board regarding the preparation of each Board meeting agenda.
- C. The President shall have the same right as other members of the Board to discuss and to vote on questions before the Board. However, when making a motion to authorize Board action, the President shall excuse him or herself as President and the Vice-President shall serve in his or her position.
- D. The President may call Special Meetings of the Board as described by the Oregon Public Meetings Law and Policy 4.3.
- E. The President and Secretary of the Board shall sign official District documents on behalf of the Board when authorized to do so by a majority of the Board.
- F. The President or designee of the President shall represent the Board in deliberations with other boards, districts, or agencies unless another member is nominated and elected by a majority of Board members.
- G. The President shall appoint all committees, subject to approval of a majority of the Board and perform all other duties prescribed by law or set forth in the Board's Policies.

**POLICY 3.2: DUTIES OF THE VICE-PRESIDENT**

- A. In the President's absence, or during any disability of the President, the Vice-President shall have the powers and duties of the President of the Board as prescribed in Policy 3.1. The Vice-President shall have such other powers and duties as a majority of the Board may from time to time determine.

**POLICY 3.3: DUTIES OF THE SECRETARY-TREASURER OF THE BOARD**

- A. The Secretary/Treasurer of the Board shall cause accurate minutes of each Board meeting to be taken, transcribed, and distributed to each Board Member in a timely manner for review prior to approval. The Secretary/Treasurer shall maintain properly authenticated official minutes in chronological order. Any of the foregoing responsibilities may be delegated to staff members under the supervision of the Secretary/Treasurer.

- B. The Secretary/Treasurer of the Board shall assure that accurate accounting and financial records are maintained by the District.
- C. The Secretary/Treasurer shall annually review the District's financial audit with District personnel prior to submitting the audit to the balance of the Board. The Secretary/Treasurer shall see that copies of the audit are sent to state or local agencies requiring its submission.

**POLICY 3.4: DUTIES OF THE CLERK OF THE BOARD**

- A. The Clerk of the Board shall be the Fire Chief of the District, or such other person as may be designated by the Board. The duties of the Clerk of the Board are:
  - 1. Respond directly to routine correspondence.
  - 2. Handle correspondence of special interest to the Board as follows:
    - a. Draft replies in advance, when possible, for Board consideration.
    - b. Seek instruction for reply when necessary.
    - c. Prepare correspondence as the Board directs.
  - 3. Prepare for Board meetings.
    - a. Prepare the agenda with the advice of the President.
    - b. Maintain a calendar for the Board's unfinished business.
    - c. Call to the Board's attention legal requirements and those matters for which the District is responsible.
    - d. Draft policy motions at the request of any Board member.
  - 4. Board meeting duties:
    - a. Attend all Board meetings or designate an alternate.
    - b. Make physical arrangements for Board meetings.
    - c. Provide notice of Board meetings in accordance with the Public Meetings Law.
  - 5. Maintain and update the District's Policy Manual and Procedure Manual.

**POLICY 3.5: POWERS/DUTIES OF THE BOARD**

- A. It shall be policy of the Board to place on the agenda of its July meeting the election of officers of the Board of Directors.
- B. The Board shall elect a President, a Vice President, and a Secretary/Treasurer at its first regular meeting in July or at such times as the existing officer(s) may resign from their office or vacate membership on the Board. The President, the Vice President and the Secretary/Treasurer shall be elected annually. Officers elected to fill an unexpired term shall serve until the end of their predecessors' term.
- C. The District is defined in accordance with the provisions of Oregon Revised Statutes (ORS Chapter 478) and other statutes and rules as appropriate. The Board, by policy, shall carry out the responsibilities delegated to it so as to best serve the patrons of the District in keeping with state and federal constitutions, statutes, rules and regulations, the interpretations of the courts, and all the powers and responsibilities provided by them.
- D. Policies are adopted by the Board to govern the operations of the Board and the affairs of the District. The policies are designed to help the Board carry out, efficiently and effectively, the responsibilities and duties delegated to it by law and the will of the electorate.
- E. The Board reserves to itself all authority and responsibility delegated to it unless otherwise assigned to the Fire Chief or others.
- F. The District Board shall serve as the Fire District Local Contract Review Board pursuant to ORS 279.055.
- G. It is the policy of the District Board to engage in discussions and to reach agreements with recognized employee groups, as required in the Oregon Collective Bargaining law, ORS 243.650 through 243.782. Pursuant to the above statutes, the District Board reserves to itself or its designee the responsibility to negotiate with employee groups.
- H. All members, including the President, are expected to participate fully in deliberation and voting during Board Meetings.
- I. No Board member may speak for nor obligate the Board or act for the Board except as authorized to do so by official Board action as recorded in the official minutes or policies of the District.
- J. The District shall not employ or approve the employment of any person in any capacity if the person is related by consanguinity or affinity within the second

degree to any member of the Board of Directors for the District. This provision shall not prohibit the continued employment of any person who is employed by the District prior to a related Board Member being elected to a Board position. However, the District Board, by a vote of the majority of the members thereof at a duly called Board meeting, may permit the employment of such a related employee.

- K. It shall be policy of the District Board that Board members are encouraged to participate in the Oregon Fire District Directors Association and Oregon Special District's Association. Membership fees shall be borne by the Fire District and reasonable expenses incurred in attending meetings, seminars and training sessions shall be borne by the District.
- L. Board members, individually and collectively, act as representatives of the citizens of the Fire District in maintaining and promoting fire and emergency medical services. Through various means for listening, discussing, and weighing District related issues among themselves, district employees, and citizens, Board members move toward decisions and actions which will best serve the needs of District citizens in the light of available resources and the other conflicting needs and demands of interested individuals and groups.
- M. Board members shall observe a Code of Conduct, as follows, designed to guide their actions, in carrying out their responsibilities:
  - 1) Understand that his/her basic function is "policy making" and not "administration."
  - 2) Refuse to make commitments on any matter which should properly come before the Board as a whole.
  - 3) Refuse to participate in secret meetings or other irregular meetings which are not official and which all members do not have the opportunity to attend.
  - 4) Recognize that he/she has no legal status to act for the Board outside of official meetings.
  - 5) Respect the rights of Fire District patrons to be heard at official meetings.
  - 6) Make decisions only after all available facts bearing on a question have been presented and discussed.
  - 7) Respect the opinion of others and graciously accept the principle of "majority rule" in Board decisions.

- 8) Recognize the Fire Chief should have full administrative authority for properly discharging his professional duties within limits of established Board policies.
- 9) Refer all complaints or problems to the Fire Chief and discuss them only at a regular meeting after failure of an administrative solution.
- 10) Present personal criticisms of any Fire District operation directly to the Fire Chief rather than lower ranking personnel.
- 11) Insist that all business transactions be on an ethical, and above-board basis.
- 12) Refuse to use this position on the Board in any way whatsoever for personal gain or for personal prestige.
- 13) Give the staff the respect and consideration due skilled professional personnel.

**POLICY 3.6: BOARD ADVISORY COMMITTEES**

- A. It is the policy of the District to establish advisory committees when it is found to be in the best interests of the District to do so.
- B. It shall be the responsibility of the Board to establish special committees whenever necessary. The Board President or designee shall outline the duties and responsibilities of each committee at the time of appointment. A Board member may serve as an ex-officio member of a committee. Special committees shall be considered dissolved upon submission of a final report unless their standing is continued by a vote of a majority of Board members.
- C. The Budget Committee, as a legally mandated committee, shall be considered a standing committee whose duties continue from year to year.
- D. Constructive use shall be made of citizen advisory committees as a way of involving the public in the decision-making process.
- E. Committees may provide information and make recommendations about fire district matters assigned to them, but the Board has the responsibility for setting priorities, making policies, and reaching decisions.
- F. Committees may work with non-fire district agencies toward the solution of district-oriented problems recognizing that advisory committees are ultimately responsible to the Board.

- G. It shall be the responsibility of the Board President to advise the various committees as to the requirements of the Oregon Open Meetings Law and the Public Records Law.
- H. The Fire Chief shall be responsible for posting and publishing notices of all committee meetings and notifying the press and public as required by the Oregon Open Meetings Law.
- I. Presidents of all District advisory committees will be responsible for keeping written minutes and making them available to the public through the office of the Fire Chief.

**POLICY 3.7: FIRE DISTRICT LEGAL COUNSEL**

- A. It shall be the responsibility of the District Board to select legal council to represent the legal needs of the District.
- B. The Board shall recognize its responsibility to seek the advice of legal counsel whenever action being considered by the Board may place the District in legal jeopardy. The legal counsel shall make every effort to properly research all applicable statutes, rules, legal principles, and regulations and so advise the Board during its deliberations.

**POLICY 3.8: POLITICAL VIEWS**

- A. The Board recognizes that it serves all people of the District, and that each citizen of the District has individual political views.
- B. The Fire District Board shall not endorse, nor shall it support or oppose, the candidacy of any person seeking election to any public office, partisan or non-partisan.
- C. The Board may comment on, but shall not endorse, support, or oppose any initiative, referendum, ballot measure or election proposed to the people. Additionally, District employees shall not be coerced or directed to support or oppose candidates or measures. However, the District may spend public funds to provide information about ballot measures to the voters so long as any provided information is balanced and nonpartisan. This restriction shall not prohibit individual members of the Board or District employees from supporting, opposing, or publicly commenting on political matters as individual citizens.

**POLICY 3.9: ANNEXATION INTO MID-COLUMBIA FIRE AND RESCUE**

- A. It is policy of the Board with reference to annexations as follows:
1. When it appears to the Board that the addition of an identified area would benefit the District directly, annexation shall be directed by the Board.
  2. Annexation shall be supported when the addition of annexed property will assist District employees in determining the extent of District jurisdiction.
  3. Annexation shall be supported when it would result in greater efficiency in District services by reason of topography or road access, etc.
  4. When considering annexation, the Board shall consider the benefits to the District and any resulting imposition that may be placed upon neighboring districts.
  5. The Board shall consider any petition for annexation presented by an individual so long as the property sought to be annexed to the District lies contiguous to District boundaries.
  6. When a petition or initiative includes an area that is partially or entirely in another district, the Board shall consider the assent or opposition of the neighboring district.

**POLICY 3.10: OUT OF DISTRICT CONTRACTS**

- A. It is the policy of the Board to consider requests for contracted services.
- B. Each request for contracted services outside the District shall be considered on an individual basis when the Board determines that it is in the best interest of the District to contract for such services. The District reserves the right to refuse to enter into out of District Contracts.
- C. The fee schedule shall be determined on an individual basis by applying the current tax rate on the assessed value of the structure(s) with a minimum annual contract fee determined by the Board. In addition to the contract fee, the property owner shall pay the cost of manpower and equipment at a rate consistent with the Oregon State Fire Marshal's Mobilization Plan.

**POLICY 3.11: FIRE AND EMERGENCIES OUTSIDE DISTRICT BOUNDARIES**

- A. It is the policy of the District that the District's personnel, equipment, and material will not respond to a fire outside the boundaries of the District except if:
1. The District has an out of District written agreement for mutual aid or automatic aid.
  2. When on property owned by a person with whom the District has entered a written agreement for the fighting of fires as provided for under Policy 3.10.
  3. Emergencies outside the District may be responded to when it is determined to be in the best interest of the District. Such best interests are to be determined in the judgment of the Fire Chief, or in his absence, his designee. Example: Mid-Columbia Fire and Rescue's property being threatened by a fire outside of the District's boundary.
  4. When the State Fire Marshal has activated the Emergency Conflagration Act (ORS 476.510 to 476.610) it shall be the policy of the District to follow the State Mobilization Plan as prepared by the State of Oregon.

**POLICY 3.12: MEETING ROOM USAGE GUIDELINES**

- A. The primary purpose of the meeting and conference rooms is to provide a meeting place for district activities, also a training area to provide a quality learning environment for the employees and volunteers of the fire district and to serve as the district's emergency operations center in time of emergency.
- B. These rooms may also be used to provide meeting space for governmental agencies or civic groups with broad community interest as allowable.
- C. The fire district will have first priority to use the meeting rooms. District activities will have priority over all outside activities at all times. Should an emergency occur, and the district needs the use of the meeting rooms, all reservations will be canceled. Based upon the activity at the time, the district reserves the right to cancel a room reservation at any time, with or without advanced notice.
- D. All individuals and organizations using the meeting rooms agree to hold the district free and harmless from any and all liability arising from their activities and to provide evidence of liability insurance if requested.

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- E. If not being used for district purposes, the meeting rooms will be available for use by the public during evenings between the hours of 5:00 PM to 10:00 PM and on weekends between the hours of 8:00 AM to 10:00 PM. Special arrangements must be made to use the meeting rooms other than these hours or during a district observed holiday.
- F. When an organization is granted the use of a meeting room, it assumes responsibility for the conduct of all persons while they are in or about the facility.
- G. The organization shall be responsible for all damages or loss of district property. The organization may not assign, transfer, sublet or charge a fee to use the district property.
- H. No alcohol or illegal drugs are permitted on district property. No smoking is allowed in district facilities. Smoking is permitted only in those outside areas where a cigarette butt receptacle is available.
- I. The meeting rooms are generally made available in keeping with these guidelines and in accordance with the administrative cost recovery fees as adopted by District Ordinance 2008-01 and Board Resolution 2009-04.
- J. The district reserves the right to refuse use of any meeting room to any group or organization.
- K. Purpose for which district meeting rooms may not be used:
  - 1. Teaching or promoting any theory or doctrine of advocating the abolition or overthrow of the United States government.
  - 2. Programs that may be classified as a nuisance to adjoining businesses, such as loud noise, attracting large or unruly crowds, etc. The user must be considerate of the firefighters who share this building. This is their home while on duty.
  - 3. Monetary gain of an individual in direct competition with a local business.
  - 4. By any group who would exclude anyone from any participation in, be denied the benefits of, or be subjected to discrimination on the basis of:
    - a. Race
    - b. Color
    - c. National origin
    - d. Sex (includes pregnancy-related conditions)
    - e. Sexual orientation (includes gender identity)
    - f. Religion

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- g. Association with protected class
  - h. Service in the uniformed services
  - i. Service in state-organized militia
  - j. Taking leave prior to or during leave from deployment by spouse or same-sex domestic partner of member of the armed forces under the Oregon Military Family Leave Act
5. Facility use shall be denied when the district has reason to believe that such use may result in damage to district facilities.
- L. In the event individuals or groups feel the district's policy and or administrative regulation causes an unnecessary hardship or that the policy and or administrative regulation has been misinterpreted, they may appeal first to the Fire Chief, and if still not satisfied, thereafter to the Board of Directors.
- M. Scheduling of facilities will be on a first-come, first-served basis. Only Local Government Entities will be granted month to month pre-scheduling up to 90 days. Groups must schedule at least one week in advance. Groups must fill out a meeting room use permit.

**POLICY 4.1: PREPARATION FOR BOARD MEETINGS**

A. DISTRIBUTION OF MATERIALS TO BOARD MEMBERS

1. The Agenda, Fire Chief's Report, Financial Report, and other required reports in the Board Packet shall be given to each member of the Board of Directors, and Attorney of Record, at least four (4) days prior to any regularly scheduled Board meeting.
2. 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.
3. At the discretion of the Board President any individual may request that matters be placed on the meeting agenda. In order to ensure consideration at the next regular meeting, requests shall be submitted in writing to the Board President or Fire Chief at least ten business days prior to the next regular meeting.
4. Roberts Rules of Order, newly revised, shall serve as a guide on questions of procedure in parliamentary law not otherwise provided for by these rules and regulations.
5. Items of business may be suggested to the Board President by District Board members, the Fire Chief or his designee in his absence, to be included in the Agenda.

B. DISTRIBUTION OF AGENDA TO THE PUBLIC

The proposed Agenda will simultaneously be distributed to local news media, and posted at one or more locations considered convenient for review by District personnel and the public.

**POLICY 4.2: BOARD MEETING AGENDA**

A. MEETING AGENDA

The Clerk of the Board shall draft the Agenda after conferring with the President of the Board. The following general order shall be observed:

1. Call to order.
2. Pledge of allegiance.
3. Roll call.
4. Agenda changes.
5. Correction of minutes, if any.

6. Public Comment.
7. Financial Reports.
8. Committee Reports.
9. Fire Chief's Report.
10. Correspondence.
11. Old Business.
12. New Business.
13. Good of the Order
14. Executive Session (if necessary, include reference to statutory authority)
15. Adjournment

**POLICY 4.3: NOTICE AND LOCATION OF MEETINGS**

A. 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 quorum requirements, take votes, and form recommendations as a body for presentation to the Board of Directors.

B. COMPLIANCE WITH LAW

All meetings shall be conducted in accordance with the Oregon Public Meetings Law, ORS 192.610-192. 705.

C. LOCATION OF MEETINGS

All meetings shall be held within the geographic boundaries of the District, except for training sessions held without any deliberative action. 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 places accessible to the handicapped.

D. 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 in-person 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.

E. REGULAR MEETINGS

The Board shall hold regular monthly meetings on the Third Monday of each month, with the exception of January and February, which fall on federally recognized holidays. For these two months the board meetings will be held on the fourth Monday of the month. Such meetings shall be held at such places and times as the Board may designate from time to time.

F. SPECIAL MEETINGS

The Board shall hold special meetings at the request of the President or any three members of the Board. If the 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 24 hours' public notice.

G. EMERGENCY MEETINGS

1. 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.
2. At the beginning of any emergency meeting, the Officer 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.

H. NOTICE OF MEETINGS

1. 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.
2. Written notice may also be sent to any persons who 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 to the media; and interested persons shall be notified by e-mail or telephone. For emergency meetings, the District shall give as much notice as possible under the circumstances but at a minimum will contact local media to inform them of the meeting.

I. EXECUTIVE SESSIONS

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.

J. 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:

1. 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.
2. If a meeting is held upon less than 48 hours' notice, the District shall make reasonable efforts to have an interpreter present.
3. The requirement for an interpreter does not apply to emergency meetings.
4. 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.

**POLICY 4.4: BOARD MEETING CONDUCT**

A. 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, the Secretary/Treasurer of the Board shall preside.

B. 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 presiding officer at the meeting may be overridden by a majority vote of the Board.

C. 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.

D. ELECTRONIC EQUIPMENT

The authority to control the meetings of the District Board extends to control over equipment such as cameras, and electronic recording devices. The presiding officer shall inform persons attending any meeting of the District Board of reasonable rules necessary to assure an orderly and safe meeting. 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.

E. 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.

F. QUORUM REQUISITES

A majority of the positions on the Board (filled or vacant) shall constitute a quorum. Therefore, a minimum of three members shall constitute a quorum. If only a quorum is

present, a unanimous vote shall be required to take final action. A tie vote among four members voting and not abstaining shall constitute a rejection of the matter.

G. VOTE EXPLANATIONS

Members of the Board may append to the record, at the time of voting, a statement indicating the reason for their vote. A member of the Board shall append to the record, at the time of voting, a statement indicating the reason for an abstention.

H. 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. In the event any member of the Board has had any ex parte contact regarding a matter, the member shall declare such contact prior to participating in any vote on the matter.

I. SMOKING

Oregon's Indoor Clean Air Act prohibits smoking in District 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 additionally prohibits smoking on all District properties other than buildings.

1. Smoking Reminder: Whenever members of the public are in attendance at a meeting, the presiding officer may remind those present of the no smoking rule at the beginning of the meeting to avoid potential embarrassment.

J. ADJOURNMENT

Upon completion of the entire agenda, or at an hour pre-determined for the meeting to end, the presiding officer has discretion to adjourn the meeting with or without taking a vote or as a result of the loss of a quorum.

**POLICY 4.5: EXECUTIVE SESSIONS**

A. NOTICE

Public notice of executive sessions shall be provided in accordance with Policy 4.3.

B. 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.

C. AUTHORIZED PURPOSES

Executive sessions shall 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 District 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 chief executive officer, 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.

D. CONDUCT OF EXECUTIVE SESSION

The President or other presiding officer shall announce the statutory authority for the executive session before going into closed session. Prior to the executive session, all members of the general public and staff shall be directed to leave the meeting area except for members of the news media and those individuals whose attendance is requested by the Board. Once the executive session has been convened, the Presiding Officer 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.

**POLICY 4.6: MINUTES OF MEETINGS**

A. 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 may be taken in writing or by digital recording and shall include at least the following information:

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

B. 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 digital recording. If minutes of an executive session are kept by digital recording, written minutes are not required, unless otherwise provided by applicable law.

C. 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.

D. RETENTION

Any digital 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.

E. AVAILABILITY TO THE PUBLIC

Written minutes of public sessions shall be made available to the public within a reasonable time after the meeting.

**POLICY 5.1: PUBLIC RECORDS**

A. COMPLIANCE

The District shall fully comply with the Oregon Public Records Law, ORS 192.311-192.431.

1. Specificity of Request: In order to facilitate the public's access to records in the District's possession, and to avoid unnecessary expenditure of staff time, persons requesting access to public records for inspection or copying, or who submit written requests for copies of public records, shall specify the records requested with particularity, furnishing the dates, subject matter and such other detail as may be necessary to enable District personnel to readily locate the records sought.
2. Access: The District shall permit inspection and examination of its nonexempt public records during regular business hours in the District's offices, or such other locations as the Board may reasonably designate from time to time. Copies of nonexempt 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.

B. FEES FOR PUBLIC RECORDS

Public records shall be made available in accordance with the administrative cost recovery fees as adopted by District Ordinance 2008-01 and Board Resolution 2009-04, and as limited by the provisions of ORS 192.324.

C. 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 Fire Chief.

D. ON-SITE REVIEW OF ORIGINAL RECORDS

If a request to review original records is made, the District shall permit such a review provided that search fees are paid in advance in accordance with paragraph B.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.

E. 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.

F. NOTIFICATION TO PUBLIC OF PUBLIC RECORDS REQUEST

When a request is made to the District for the review or copying of public records and the disclosure of those records is required under the provisions of Oregon law and the District patron has not consented in writing to the release of said information, District shall, in writing, advise the District patron or patrons who are identified in the public records request of such request. The District shall not allow the inspection or copying of such public record until ten days has expired from the date said written notice is mailed or delivered to the District patron. District patron as used herein shall include individuals and legal entities, including but not limited to private corporations, not for profit corporations, limited liability companies, partnership, and other local government bodies.

**POLICY 6.1: PUBLIC CONTRACTING RULES**

A. PUBLIC CONTRACTS GENERALLY -- CONTRACT REVIEW BOARD

The District shall comply with the Oregon public contracting statues and administrative rules and the District shall act as its Contract Review Board in determining questions arising under public contracting laws.

B. DISPOSAL OF SURPLUS PROPERTY

1. Surplus property is defined as any personal property of the District that has been determined by the Fire Chief or designee as being of no use or value to the District.
2. A public entity may dispose of surplus property by any means as determined to be in the best interest of the agency including but not limited to transfer to other departments, donation to other government agencies, or non-profit organizations, negotiated or advertised sales, trade, auction, liquidation through commercially recognized third party liquidator, or destruction.
3. The Fire Chief or designee may dispose of surplus property as follows: The Fire Chief shall submit a recommendation to the Board of Directors for a declaration that certain property is of no further use or value to the District. The Board of Directors shall, by motion or resolution, declare such property "surplus" and authorizing the Fire Chief the discretion to dispose of the property by one of the means noted below. The Board of Directors may require the Fire Chief to obtain an appraisal of the property prior to disposition.
4. Surplus property may be disposed of in the manner that is most advantageous to the District or the community at large, including, but not limited to, the following:
  - a. Public Auction. Auctions must be sufficiently advertised in the manner that is most likely to obtain a competitive bidding pool for the property. Employees of the District may purchase surplus property from the District only at an advertised auction (e.g., live, online, etc.), and only if the employee submits the highest bid for the property.
  - b. Trade. Surplus property may be traded for an item or service of equal value that would be of use to the District.
  - c. Negotiated or Advertise Sale. Surplus property may be advertised for sale either for a firm price or a negotiated price that is deemed to be in the best interest of the agency.

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- d. Donation. Surplus property may be donated or sold to any nonprofit organization, and any other local government, or any state or federal program created to dispose of surplus property.
- e. Disposal. Surplus property determined to be of insufficient value to merit auction or donation may be disposed of in any appropriate manner (e.g., discarded, advertised for sale, recycled for scrap value, etc).

**POLICY 7.1: DISTRICT COMPLIANCE WITH LOCAL BUDGET LAW**

COMPLIANCE WITH LOCAL BUDGET LAW

Compliance with Oregon's Local Budget Law (ORS 294.305 - 294.565), is required prior to the expenditure of any monies or the levy of any tax upon property located within the District - ORS 294.338. The District shall comply with the provisions of the Local Budget Law, and with the instructions and requirements of the Department of Revenue, which has been charged by the Legislature with responsibility to interpret and administer the Local Budget Law. In preparing and adopting its Budget, the District shall be guided by the Budget Manual for Municipal Corporations, published by the Department of Revenue, and the Department's various forms and instructions.

**POLICY 7.2: INVESTMENT OF FUNDS**

The funds of the District that are available for investment and not immediately needed for operation shall be invested with the Oregon State Treasury Local Government Investment Pool.

**POLICY 7.3 BILLING FOR EMERGENCY RESPONSES INVOLVING TRANSPORTATION INCIDENTS**

- A. In accordance with ORS 478.310, Mid-Columbia Fire and Rescue Board of Directors hereby authorize the Fire Chief or designee to bill for services arising from an incident occurring on any transportation route within or outside the Fire District.
- B. Charges will include the costs arising from the use of apparatus and personnel, and any repair of apparatus which results from the said incident.
- C. Billing shall be in accordance with the State Fire Marshal's standardized cost schedule that is currently in use.
- D. In addition of the charges listed on the State Fire Marshal's standardized cost schedule, the District will charge for any other costs related to the said incident. All supplies will be charged at a replacement cost factor.
- E. If any charge is not specifically referenced in the State Fire Marshal's standardized cost schedule, the charge shall be for the piece of apparatus most similar to that used.
- F. The minimum charge for apparatus shall be for (1) hour. All charges in excess of one hour will be pro-rated at the nearest one quarter (1/4) of one hour.

- G. The minimum charge for career personnel shall be in accordance with the current Union contract. The minimum charge for volunteer personnel shall be for (1) hour at the current level in accordance with the State Fire Marshal's Mobilization Plan.

**POLICY 7.4: BILLING FOR REFILLING AIR FOR BREATHING APPARATUS**

Due to the cost of maintenance and future replacement of the District's breathing apparatus compressor, it is Board policy for the District to charge non-mutual aid users to fill breathing apparatus tanks as adopted by District Ordinance 2008-01 and Board Resolution 2009-04.

**POLICY 7.5: BILLING FOR RECOVERING FIRE SUPPRESSION COSTS FOR VIOLATION OF ORS 478.960**

- A. The Fire Chief or his designee shall determine if a violation of ORS 478.960 has occurred.
- B. The District, where applicable, shall seek to recover the actual cost to the District resulting from violations of ORS 478.960 for controlling, extinguishing and/or patrolling said fire.
- C. When the Fire Chief or his designee determines that a violation of ORS 478.960 has resulted in significant costs to the District and has determined that it is feasible and economic to pursue the collection thereof, the Fire Chief or his designee shall initiate the collection thereof by:
  - 1. Invoicing the violator for the actual cost incurred, to be paid not more than 90 days from date of invoice.
  - 2. If said costs are not paid within the time so allowed, the Fire Chief shall direct the attorney for the District to pursue legal action therefore and include as part of the costs, attorney fees and court costs such as are reasonable and necessary to effect collection of said costs.

**POLICY 7.6: BILLING FOR RECOVERING FIRE SUPPRESSION COSTS CAUSED BY USE OF FIREWORKS BY A MINOR CHILD**

- A. The Fire Chief or his designee shall determine if a fire incident has occurred under ORS 480.158.
- B. The District, where applicable, will seek to recover the actual costs to the District resulting from the incident for controlling, extinguishing and/or patrolling said fire.

- C. If the Fire Chief or his designee determines that there has been a violation of ORS 480.158 that has resulted in significant cost to the District and that it is feasible and economic to pursue the collection thereof, the Fire Chief or his designee shall initiate the collection thereof by:
- 1) Invoicing the violator for the actual cost incurred, up to \$5,000, (ORS 480.158(2)), to be paid not more than 90 days from date of invoice.
  - 2) If said costs are not paid within the time so allowed, the Fire Chief shall direct the attorney for the District to pursue legal action therefore and include as part of the costs, attorney fees and court costs such as are reasonable and necessary to effect collection of said costs up to \$5,000.

**POLICY 7.7: ACCOUNTS RECEIVABLE POLICY**

- A. Invoices mailed within 5 days of incident. Memo Line: Please forward to responsible insurance company. No other invoice will be sent - Terms: Net 30.
- B. 30 days from date: Statement: Balance due, terms.
- C. 45 days from invoice date: 1st past due notice: Reminder of balance owed. Payment terms and finance charges.
- D. 60 days from invoice date: 2nd past due notice: Reminder of balance owed, show aging of receivable.
- E. 75 days from invoice date: 3rd past due notice: express concern about seriousness of delinquency. Past due amount; offer to work out a payment plan.
- F. 90 days from invoice date: 4th past due notice: Requires payment within 15 days to avoid legal action.
- G. 120 days from invoice date: 5th and final notice: states that service was performed four months ago, and four previous notices have been sent. Notifies that collection proceedings will follow.

**POLICY 7.8: AMBULANCE BILLING ACCOUNTS RECEIVABLE POLICY**

**A. TURNING AN ACCOUNT TO COLLECTION AGENCY**

1. Work ALL accounts before turning over to collection agency. Document all efforts to collect from patient. The following efforts must be made:
  - a. Three Statements
  - b. Phone calls to be made in conjunction with statements at 30 and 60 days.
  - c. Collection Letter
  - d. 10 Day Final Notice / Collection flyer to patient (no patient contact or collection attempts can be made with patient after step d.

**B. PROCEDURE**

1. FYI STATEMENT
  - a. FYI statement sent to patient within two weeks.
2. 30 DAYS - SECOND STATEMENT
  - a. Call patient: If unable to call because of incorrect contact info, check all other resources for current info. (e.g., receiving hospital, records database, phone book, billing agency, contact "information."
  - b. Ask if able to pay account in full (offer Visa/MasterCard).
  - c. If unable to pay – set up payment plan that will allow account to be paid off in a reasonable amount of time.
3. 60 DAYS – THIRD STATEMENT
  - a. Review documented collection notes.
  - b. Call patient – demand payment or payment plan with a verbal warning.

- c. If patient is making payments, no further contact needed.
- d. If no payment – send Collection Letter.

4. 90 DAYS – 10 DAY FINAL NOTICE

- a. Review documented collection notes.
- b. If no contact or payment from patient, send 10-day Final Collections Notice with printout of statement.
- c. Patient MUST pay account in full – if a partial payment is made, post to account and change amount being sent to Collections or accept payment plan if reasonable.
- d. If no payment within 10 days, write account off to Collections.

C. COMMUNICATIONS

- 1. Provide MCFR documentation/collection notes of ALL accounts being turned over to collections.

**POLICY 7.9: FINANCIAL ASSISTANCE POLICY**

A. OVERVIEW

The following criteria for provision of financial assistance to emergency medical services (EMS) transport users are intended to provide a reduced cost to low-income patients that are otherwise unable to afford services. However, this policy is not intended to adopt any provisions there stated except to the extent required to provide a financial assistance policy that meets the criteria established by law to qualify for reimbursement from third parties. In the event of conflict between the provisions of this policy and such law, the law will govern to the extent necessary to remain eligible for such reimbursement. Where there is no such conflict, this policy will prevail.

B. POLICY

It is policy of Mid-Columbia Fire and Rescue that ability to pay is never a condition of emergency medical service or transportation. All aspects of pre-hospital service will be provided to all patients without discrimination toward those with no or inadequate means to pay. The most recent Federal Poverty Guidelines (updated annually in February) will be used to evaluate eligibility for financial assistance. The District, following guidelines described below, shall extend financial assistance to

persons who qualify. Financial Assistance applications are available upon request through the EMS billing company who is responsible for obtaining approval signatures for a write-off from the District at the time each application is processed. The billing company will report financial assistance account activity, and the amount of EMS financial aid to the District on a regular basis.

C. DEFINITIONS

"Financial Assistance" is reducing or canceling a debt owed to the District, based upon financial status, for EMS transportation. "Responsible Party" is the individual who is responsible for the payment of any EMS transport user fees that are not covered by third-party sponsorship. "Third-Party Coverage" and "Third-Party Sponsorship" means an obligation on the part of an insurance company or governmental program which contracts with medical-services providers and patients to pay for the care of covered patients and services.

D. RESPONSIBILITIES

The billing company provides applications to patients upon request, collects completed applications and supporting documentation, and forwards applications to the Fire District for review. The Fire District reviews documentation requesting financial assistance against established guidelines, and makes a determination of qualification. The Office Manager reviews the application and makes a recommendation to the Fire Chief who signs the approval section of the application indicating any financial assistance or denial. The application is returned to the billing company after review. A copy of this request is kept on file for future reference. The District is kept informed of the financial assistance account activity on a monthly basis.

E. GUIDELINES:

1. The following criteria will be used in making fair, equitable, and consistent decisions regarding eligibility for financial assistance:
  - a. Ability to pay is never a condition of emergency medical service or transportation.
  - b. Financial assistance is secondary to all other financial resources available to the patient including insurance, government programs, or other third-party sponsorship.
  - c. Debt forgiveness may be provided to a responsible party based upon a gross family income that is at or below 100% of current published Federal Poverty Income Guidelines.

- d. Financial assistance will be provided according to Federal Poverty Income guidelines and the sliding scale below.

DEBT FORGIVENESS AND FINANCIAL ASSISTANCE	
<i>Income as a % of Federal Poverty Level</i>	<i>% Discount</i>
100%	100%
101% to 125%	75%
126% to 150%	50%
151% to 175%	25%
Greater than 176%	0%

- e. Requests for financial assistance may be proposed by sources such as a physician, community or religious groups, social services, hospital personnel, the patient, guarantor, or family member.
- f. The District will use an application process through the billing company to determine initial interest in and qualification for financial assistance.
- g. The District's decision to provide financial assistance in no way affects the responsible party's obligations to physicians or other healthcare providers.
- h. Applications for debt service are available through the billing company upon request.
- i. The District shall base their decision of eligibility upon the data gathered by the billing company.
- j. Documents demonstrating a grant of financial assistance from the receiving medical facility, for medical care on the date of transport, shall be sufficient evidence of qualification for financial assistance. Upon presentation of such documentation and an application, the District will make a determination as to the extent of financial assistance that may be provided.
- k. Any one of the following documents shall be considered sufficient evidence upon which to base the determination of financial-assistance eligibility (income information may be annualized as appropriate):
- A "W-2" withholding statement.
  - Pay Stubs.
  - An income tax return from the most recently filed calendar year.

- Forms approving or denying eligibility form Medicaid and/or state-funded medical assistance.
  - Forms approving or denying unemployment compensation or written statements from employers or welfare agencies.
- I. All documentation is forwarded from the billing company to the Fire District for review and approval. The Office Manager will review and make a recommendation to the Fire Chief who will sign all applications indicating approval and amount of financial assistance or denial. A copy of the documentation will be forwarded to the billing company. A copy will be kept by both the Fire District and the billing company.
    - m. A letter notifying the applicant of the District's financial assistance decision will be sent by the billing company on behalf of the Fire District to all applicants.
  2. Financial assistance may be provided to a responsible party when gross family annual income is greater than 176% of the most current federal poverty guidelines if circumstances such as extraordinary non-discretionary expenses, future earning capacity, and the ability to make payments over an extended period of time warrant consideration.
  3. Reasonable payment arrangements, consistent with the responsible party's ability to make payments, will be extended for amounts not eligible for debt forgiveness. Monthly payments, without interest, may be arranged.
  4. The responsible party may appeal in writing to the District's financial-assistance decision to the Fire Chief. The District realizes that certain persons may have no financial means to pay for their EMS transport, and also lack the social network/family necessary to help them complete any paperwork required to apply for financial assistance.
  5. With this limited population in mind, the District may approve individual cases for financial assistance where no formal application process is completed. The billing company will notify the Fire District when these situations occur, and an appropriate method to evaluate financial need will be developed on a case-by-case basis.

**POLICY 7.10 NON-SUFFICIENT FUND CHECKS**

**A. RECEIPT OF INSUFFICIENT FUND CHECK(S)**

1. When a check is returned for insufficient funds, the Fire District or their designated representative will attempt to contact the person a minimum of two times to collect the money. The first contact may be by phone and the second by written letter. In either situation, the Fire District representative will explain to the person that they must pay by cash or mail a cashier's check or money order for the returned check plus a returned check fee of \$35.00. In addition, if this person does business with the Fire District in the future, they must always pay by cash, a cashier's check or by money order.
2. If the returned check was for a permit or other document that can be revoked, the person should also be informed that unless payment is made within 10 days (or an appropriate amount of time) the permit or other document will be revoked.
3. The Fire District will document the contacts on a log sheet when trying to collect on a returned check indicating the date contact was attempted, the date contact was made and a few notes about what was said.

**B. RECEIPT OF PAYMENT ON A RETURNED CHECK**

1. When an agency receives payment for a returned check, the money should be deposited following Fire District procedure for deposits. The amount for the returned check fee should be accounted for in account code used to record the returned check from the financial institution.
2. Print Deposit document and have signed. Take to the finance office.
3. The Fire District should attempt to return the insufficient fund check to the owner.

**C. WHEN COLLECTION FOR A RETURNED CHECK CANNOT BE MADE**

1. When money due from an insufficient fund check cannot be collected, but a commodity/permit has been distributed or service has been performed, the agency must document this event so that the information may be used to take applicable action. The Fire District will submit this information to the appropriate Fire District representative (e.g., Finance Office, Office Manager, Third Party Billing Agency, etc.) to write the amount off as an uncollectible debt.

2. Detailed documentation must be provided, as necessary, that shows every reasonable attempt was implemented to collect the debt.

**CHAPTER 7 APPENDIX**

**APPENDIX A:**

The District will reference the most current version of the Federal Poverty Guidelines for determining the need for financial assistance to a patient.

**APPENDIX B:**

Individual Written Notice of Financial Assistance and Financial Assistance Application Form.

**POLICY 8.1: PERSONNEL MANAGEMENT**

**A. GENERAL PERSONNEL ADMINISTRATION**

1. The Board will develop and maintain a contract for the Fire Chief which includes terms of employment.
2. The Board of Directors and Fire Chief shall have authority over all matters of personnel administration through adoption and implementation of the District budget, pay plans, collective bargaining agreements, and ordinances and resolutions adopting and/or amending the personnel rules and regulations.
3. The Fire Chief is charged with responsibility for the interpretation and application of the policies.
4. The Fire Chief may specifically delegate in writing the authority for the enforcement of rules and policies.
5. The Fire Chief shall be responsible for insuring the effective implementation of these rules and regulations and may further establish, amend, or otherwise modify administrative rules and regulations pursuant to Board policies and shall advise the Board on any changes concerning these rules and regulations. The Board delegates to the Fire Chief broad discretion in all aspects of personnel and labor relations, subject to the advice and concurrence of the Board.
6. The Fire Chief shall select employees for appointment and decide matters of demotion, transfer, and dismissal in accordance with the policies of the Board and shall assign employees to their stations.
7. The Fire Chief shall have power to make such rules and give instructions to all employees, so that their service will be most effectively coordinated and shall plan and foster the means of communications from personnel to the Fire Chief.
8. The Fire Chief shall provide the Board with sufficient information on appointment, demotion, transfer, discipline, or dismissal of employees so as to keep the Board informed on the status of District personnel.
9. The Fire Chief is authorized and directed to establish and maintain such administrative process as will be needed to ensure:

That full and adequate deliberation by all interested parties or their representatives precedes all the Fire Chief's recommendations to the Board for action.

That a route of appeal is made available for aggrieved parties to seek redress. The Fire Chief's recommendations shall provide ample opportunity for both majority and minority reports, when appropriate.

10. The Fire Board delegates to the Fire Chief the function of specifying the required actions and designing the detailed arrangements under which the Fire District will be operated. Such detailed arrangements will constitute the Standard Operating Procedures including the administrative regulations governing the Fire District.

All Administrative Procedures must be consistent with the policies adopted by the Board. The Board may review and approve the Administrative Procedures when requested by the Fire Chief.

11. When action must be taken within the Fire District where the Board has provided no standard or guideline for administrative action, the Fire Chief shall have the power to act, but the decisions shall be subject to review by the Board at its next regular meeting. It shall be the duty of the Fire Chief to inform the Board promptly of such action and of the possible need for policy or rule.
12. Labor negotiations (including the settlement of any grievance after that grievance has been denied by the Board or a committee thereof) must and in every instance shall be approved by the Board of Directors before the District may be bound.

## **POLICY 8.2: APPOINTMENTS, QUALIFICATIONS AND SEPARATION**

Appointments, qualifications, and separation procedures for classified employees are encompassed within the Mid-Columbia Fire and Rescue (MCFR) Civil Service Rules and Regulations and/or the MCFR Employee Handbook.

The procedures noted below shall apply to employees that are exempt from MCFR Civil Service Rules and Regulations.

### **A. JOB ANNOUNCEMENT**

A job announcement, except in the case of an emergency, will be made for any vacant position within the District. The announcement shall specify title and salary range of the position, the nature of the duties performed, qualification requirements, the time and place to apply, and may include the selection process to be used. Job announcements shall be posted on appropriate bulletin boards, and may be published in District publications and appropriate newspapers. This process will be conducted by and through Fire District Administrative Staff.

B. APPLICATIONS

1. Appointment to positions is through an open competitive process and will be based on merit and qualification. Promotional appointments may be made exclusively from employees if it is determined that a sufficient number of employees are interested and qualified to compete through an internal selection process.
2. Applications shall be available in the Fire District's Administrative office. Applications will be accepted only for advertised openings. Applicants will complete the application form and any supplemental materials required by the District for positions within the time period specified in the job announcement.
3. Applicants for employment shall furnish complete information requested as to education, special training, experience, and skills, as well as a chronological schedule of employment, references, and other pertinent information. The Fire Chief makes all appointments to positions authorized by the Board.

C. ELIGIBILITY

At the time of application all applicants must meet the minimum qualifications for the position or demonstrate a reasonable assurance of meeting the minimum qualifications by the time of appointment.

D. SELECTION

1. Selection criteria and procedures will be based solely on job-related knowledge, skills, abilities, experience, education, training, and, when appropriate, prior demonstrated performance, aptitude, and character. The Fire Chief or their designee shall design selection criteria based on the classification specifications and job requirements. Based on the results of the selection process, applicants will be selected by the Fire Chief for an employment interview.
2. The Board shall cause each officer and category of employee to have a well-defined written job description. The job description shall define the duties and criteria of each particular position. The person holding such position shall receive a copy of the job description. The original shall be kept on file at the District office. Annual evaluations shall be measured by the job description and criteria set forth therein.

E. SEPARATION

Separation procedures are encompassed within the MCFR Employee Handbook.

**POLICY 9.1: SAFETY AND LOSS PREVENTION POLICY**

A. PROMOTION OF SAFETY

It is the policy of the District to promote safety in all phases of District operations. To that end, the District shall strive to provide safe equipment, necessary personal protection, and adequate training. It is the responsibility of every employee and officer to cooperate in promoting safety and integrating safety procedures into all operations, as defined in the Districts Safety Manual.

B. ADMINISTRATION OF SAFETY PROGRAM

The Fire Chief shall be responsible for the day-to-day administration of the District's safety and loss prevention program, including:

1. Implement necessary loss prevention and risk control policies and programs. They will include the following:
  - a. Participation by and accountability for all officers and employees in loss prevention activities.
  - b. Hazard assessments and control and Hazard Communications programs.
  - c. Accident investigations.
  - d. Personal protective and safety equipment programs.
  - e. Training programs.
  - f. Operations evaluations.
  - g. Claims management and early return to work efforts.
2. Assume legal compliance with all applicable federal, state, and local safety and health regulations.
3. Provide personnel with needed resources to insure compliance with the District's loss prevention and control policies.
4. Review District loss data and accident investigation findings; evaluation of loss prevention activities, comparing them with current needs; assignment of responsibility for corrective action measures; and maintenance of necessary records of District activities.

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5. Consult with the District's insurance agents and carriers in the development of loss control policies and procedures.
6. Create and manage an early "return to work" program for injured employees.
7. Ensure personnel policies, manuals, job descriptions, and job placement practices are in place, and that all District volunteers, employees, and officers are in compliance.

**POLICY 10.1: VEHICLE USE**

A. INTRODUCTION

This policy applies to and regulates the use of all vehicles owned by the District, and prescribes their proper use under routine and emergency conditions.

B. POLICY

The use of vehicles creates special responsibilities for officers and employees of the District. Vehicle operators have the responsibility to operate vehicles in a safe, lawful, and skillful manner, and shall at all times give the highest priority to the safety and welfare of the general public. Operators shall obey all laws and District policies pertaining to operation of District vehicles.

Legal constraints for the operation of emergency vehicles are provided in the Oregon Revised Statutes. All officers and employees of the District will operate emergency vehicles in accordance with these statutes. Operators shall familiarize themselves with ORS 820.300 - 820.320, with particular attention to ORS 820.300 (2) (a) and (b).

C. QUALIFICATION AND LICENSURE

No person shall operate a District vehicle unless he or she is qualified and authorized to do so and possesses a valid driver's license with the proper license classification necessary to operate emergency apparatus within the State of Oregon.

D. RESPONSIBILITIES

Officers, employees, and volunteers assigned to operate District vehicles are responsible for the operation, care, and condition of such motor vehicles, and for their cleanliness.

E. SEAT BELTS

Every operator and passenger riding in a District vehicle shall utilize his or her respective seat belt[s] while the vehicle is in motion. It is the responsibility of the operator to ensure that all passengers utilize seat belts.

F. IDENTIFICATION

All vehicles owned by the District shall bear external identification indicating that they are property of the District.

G. OPERATION BY CIVILIANS

Only District officers, employees and volunteers shall be permitted to drive District owned vehicles, except for purposes of mechanical maintenance or technical evaluation.

H. TRANSPORTATION OF CIVILIANS PROHIBITED, EXCEPTIONS

Operators of District vehicles shall not transport civilians or other unauthorized persons in or on District vehicles except as authorized by a superior officer, in an official capacity, or as provided in this Policy.

1. Staff Vehicles. Civilians are not permitted to travel in District staff vehicles, except when such civilians are:
  - a. Accompanying a District employee to an official District function located outside District's boundaries.
  - b. Directly involved in the transaction of District business.
  - c. Transported in the course of District response to a public assistance call.
  - d. Otherwise authorized by the Fire Chief.
2. Emergency Vehicles. Only District employees or volunteers shall be allowed in or on the District's emergency vehicles. Civilians are not permitted to be in or on District emergency vehicles, except when such civilians are:
  - a. Directly involved with an alarm or emergency.
  - b. Participating in an authorized ride along program with proper forms recorded.
  - c. Acting as mutual aid personnel.
  - d. Participating in a scheduled and approved public relations program.
  - e. Otherwise authorized by the Fire Chief.

I. PERSONAL USE

Chief Officers may use a marked, emergency vehicle, appropriately equipped, in the discharge of duties and at such time and to the extent that the Chief Officer deems appropriate in order to remain in radio contact and subject to call anywhere in Wasco

County, or within the State of Oregon, while performing public business. Personal use of the staff vehicle assigned to a Chief Officer is deemed in the public interest because a Chief Officer is subject to call where immediate response is required, and is also part of a Chief Officers total compensation.

J. USE OF STAFF VEHICLES

Staff vehicles are to be used only for the following purposes:

1. Transportation to and from District business.
2. Transportation to and from approved schools, seminars, and meetings.
3. Other District business as approved by the Fire Chief.
4. Transportation for "On Duty" Chief Officers.

K. VEHICLE USE OUTSIDE DISTRICT BOUNDARIES

District owned vehicles are not to leave the District other than on official District business, for maintenance purposes or as approved by the Fire Chief.

L. ASSIGNMENT

Assignment of vehicles shall be done by the Shift Officer. Employees must be cognizant of their high visibility and the potential damage to the public trust if misuse occurs. Violation of this policy or any misuse of District vehicles shall result in disciplinary action being taken.

M. RADIO USE

Unless authorized by a supervisor, operators assigned to a District vehicle equipped with a radio shall maintain the radio on the appropriate frequency, and shall not turn the radio off while operating the vehicle except when responding to situations involving explosive devices believed to be electrically or electronically activated.

N. SIGNS AND DECALS

Employees are prohibited from applying or placing any signs, decals, posters, insignia, bumper stickers, window stickers or any other items on District vehicles, unless authorized to do so by the Fire Chief.

O. APPROPRIATE VEHICULAR SPEED

When practical, all travel in District vehicles shall be at the designated road speed or less. When traffic conditions make such speeds impractical, the vehicle shall be operated in accordance with the general flow of traffic.

P. VEHICLE OPERATION CODES

District vehicles shall be operated in strict conformance with all the provisions of the categorical designations set forth below:

1. Non-Emergency. Assignments which are not urgent. Units on such calls shall comply with all traffic laws.
2. Emergency. Emergency assignments where there is a danger or threat of danger to life or property. These calls require all practical haste. In such cases response using lights and sirens shall be in compliance with the Oregon Vehicle Code ORS 820.300. No vehicle shall be operated in excess of the safe speed for the conditions present or shall endanger persons or property. Operators must remember that the use of any emergency equipment does not relieve them of the responsibility for the consequences of such operation.
3. Exemptions. Exemption from certain provisions of the Traffic Code does not relieve the operator of an emergency vehicle from the duty to drive with due care for the safety of all persons using the roads, nor do the exemptions protect them from the consequences of exercising such privileges. See ORS 820.300(2) (a-b).

Q. REPORTING AND INVESTIGATING ACCIDENTS

When any District vehicle is involved in an accident resulting in property damage or injury to any person, the following procedures shall be observed:

1. The operator shall: Immediately report such fact to the Dispatcher and to the operator's supervisor; remain at the scene until a police report is made in the case of a fatality, injury, extensive damage, or damage that renders a vehicle inoperative; and not move any vehicle until authorized by a supervisor unless non-removal creates an undue hazard.
2. In those cases where the vehicle(s) suffer only minor damage, citizens should not be delayed any longer than is necessary to exchange the required information. In all cases the operator shall also: Promptly complete an individual accident report; and file all reports with their supervisor.

3. The operator's supervisor shall: Respond to the scene, and insure that a police investigation is conducted; submit independent reports and complete all forms as appropriate; and report all findings and conclusions to the Fire Chief or their designee.

R. MAINTENANCE OF VEHICLES

Operators shall be responsible for the proper maintenance of any vehicle assigned to them. This service shall include fuel, oil, water, tire check, wash windshield, and clean the interior and exterior of the vehicle of debris and clutter. All vehicles shall have routine maintenance as required, including lubrication, oil and filter changes, tire changes, and other preventive maintenance measures. The operator shall complete the necessary maintenance forms and documents in a timely manner.

S. REPAIR OF VEHICLES

When a vehicle is found to be inoperative or unsafe to use due to damage, mechanical failure, or normal wear, the operator to which the vehicle is assigned shall submit (on the proper District forms) a report on the condition of the vehicle to the operator's supervisor as soon as time permits. No employee or volunteer shall attempt to repair any District vehicle unless authorized by a supervisor.

T. USE OF PERSONAL VEHICLES

All officers and employees shall have the specific advance approval of the Fire Chief before using their own or other privately owned vehicle for District business. The District provides liability insurance for officers and employees and volunteers for the acts in which they become involved. However, officers, employees, and volunteers must be advised that they must provide coverage for privately owned vehicles. Personal vehicles used for District business must be in good repair. Campers and motorcycles shall not be used when conducting investigations or representing the District. When responding to an emergency in a private vehicle, all traffic laws shall be complied with.