

TAHOE DOUGLAS FIRE PROTECTION DISTRICT

RESOLUTION #08-2017

A RESOLUTION OF THE BOARD OF TRUSTEES, ADOPTING BOARD NORMS AND PROCEDURES FOR BOARD MEETINGS, RELATED FUNCTIONS AND ACTIVITIES

WHEREAS, it is the intent and desire of the Tahoe Douglas Fire Protection District's (TDFPD) Board of Trustees to conduct its business in an professional, orderly and fair manner; and

WHEREAS, the Board of Trustees acknowledge that they have a duty to represent the best interests of all the residents of the District and will strive to conduct their business in an ethical and transparent manner; and

WHEREAS, the Board of Trustees have a duty to proceed with the business in overseeing the operation of the District in an efficient and orderly fashion; and

WHEREAS, there are certain basic rights of due process and opportunity to address issues with equity, fairness, and equal protection of the law; and

WHEREAS, certain procedures should be established to ensure that Trustees adhere to stated procedures in dealing with the public, fellow Trustees, management and staff; and

WHEREAS, certain parliamentary procedures have been found to be useful in order to assure that the communication and process of government are reasonable, and just; and

WHEREAS, the Board desires to establish uniform norms and procedures in order to accomplish these goals.

NOW, THEREFORE, the TDFPD Board of Trustees does hereby resolve as follows:

SECTION I: Act in the Public Interest

- A. Trustees and staff shall recognize that stewardship of the public interest must be the primary concern.
- B. Trustees will work for the common good of the people of Tahoe-Douglas.
- C. Trustees will ensure fair and equal treatment of all persons, claims and transactions coming before the Board.

SECTION II: Advocacy

- A. Trustees shall represent the official policies or positions of the Board when designated as delegates for this purpose.
- B. When representing their individual opinions and positions, Trustees shall explicitly state they do not represent the TDFPD Board of Trustees, nor will they allow the inference that they do.

SECTION III: Role of the Chairperson

A. Authority of the Chairperson

- 1. The Chairperson's position is as a leader and facilitator among equals.

B. Chairperson to Facilitate Board Meetings

- 1. The Chairperson is the presiding officer at all Board meetings. In the Chairperson's absence, the Vice-Chairperson shall be the presiding officer.

The Chairperson shall have the authority to streamline the business of the Board by either seeking clarification on motions which appear to be out of order or by ruling any such motions out of order. In so ruling, the Chairperson shall be courteous and fair and should presume that the moving party is acting in good faith.

- 2. All questions and remarks shall be addressed to the Chairperson.
- 3. The Chairperson shall decide all questions of order; subject, however, to an appeal to the Board.
- 4. The Chairperson shall recognize the Trustees, staff, and citizens desiring to speak.
- 5. The Chairperson will allow other Trustees to speak first on items before the Board and will then state his/her summary.
- 6. The Chairperson shall not permit unauthorized remarks from the audience including applause, stamping of feet, whistles, yells or shouting, and/or similar demonstrations.
- 7. The Chairperson shall designate a time limit for public comment. Upon expiration of that time, the Chairperson shall inform the citizen that his or her time has expired and promptly move on to the next speaker or issue on the agenda. In the event a speaker is given additional time to conclude

remarks, the Chairperson shall specify the amount of additional time given.

8. The Chairperson may call for a short recess in a Board meeting when deemed necessary. If a speaker becomes abusive, boisterous, or discourteous, an immediate declaration may be made by the Chairperson that the Board is in recess. Upon reconvening the meeting, if the prior speaker attempts to resume, he or she can either be informed that his or her three (3) minute speaking opportunity has expired or be allowed to complete the balance of the three (3) minute speaking opportunity.
9. The Chairperson will represent the Trustees and the majority opinion of the Board on all actions/positions taken by the Board. The Board has the responsibility to hold the Chairperson accountable for his/her actions.

SECTION IV: **Role of the Trustees**

A. Trustee Conduct in General

1. During Board meetings, Trustees shall turn off or switch cellular telephones to a silent mode.
2. Trustees shall treat everyone with courtesy and respect.
3. While the Board is in session, the Trustees and District staff shall preserve strict order and decorum. No Trustee shall delay or interrupt the proceedings of the Board or interrupt any member while speaking.
4. Trustees should give a signal to the Chairperson to indicate they want to speak. The Chairperson will acknowledge them before they begin speaking.
5. Any Trustee shall have the right to express dissent from, or protest to, or comment upon, any action of the Board and have the option to enter the reason into the minutes, such as, "I would like the minutes to show that I am opposed to this action for the following reasons..."
6. Once a vote is taken on an issue, Trustees will support the decision made by the Board. If a Trustee wants it to be reconsidered, he/she will inform the Board. When possible, the Trustees should attempt to reach consensus on an issue. When this is not possible, the majority vote shall prevail. However, the Board shall respect the opinion of the minority.

7. Trustees shall publicly share substantive information, which they may have received from sources outside the public decision-making process that is relevant to a matter under consideration by the Board.
8. When a rumor is involved, it is that Trustee's responsibility to not validate the rumor or repeat it to others. Assess the rumor by addressing the person the rumor involves. If a rumor affects the District, then the issue should be brought to the attention of the Chairperson and the Fire Chief.
9. Trustees shall allow for everyone's opinion to be heard and respected, even if they do not win the vote or prevail on the issue. Trustees should strive for a win-win situation by respecting diverse opinions.
10. Trustees will allow room for dialogue. When discussing an agenda item, Trustees will allow the opportunity to dialogue with each other to build consensus on an item.
11. Any member of the Board may move to require the Chairperson to enforce the rules and an affirmative vote of a majority of Trustees present shall be required to do so. The Chairperson shall make a decision on that request based on the totality of the circumstance.

B. Trustee Conduct with One Another

1. Trustees will value each other's time.
2. All Trustees have the opportunity to speak and discuss the facts so long as they are not violating the Open Meeting Law (NRS Chapter 241).
3. Trustees will avoid negative comments that could offend other Trustees during public meetings, in the press, or any other time.
4. Trustees will practice civility and decorum in discussions and debate.
5. Trustees will honor the role of the Chairperson in maintaining order.
6. Trustees may disagree on issues and be on different sides of an issue, but they will always respect and value each other as individuals.

C. Trustee Conduct with Staff

1. Trustees should always feel free to speak directly with the Fire Chief on matters of interest or concern to them. Individual Trustees have the authority to ask questions and request information from the Fire Chief but do not have authority to direct specific actions for the Fire Chief.

2. Trustees shall respect and adhere to the District's form of government, which is a general improvement district (NRS Chapter 318), operating under a Board-Manager form of government, with the Trustees acting as the legislative body of the District. The Board is the visionary policy maker and staff is responsible for implementation of Board policies.
3. The Board, through a majority vote, directs the Fire Chief to implement Board policy decisions through the administrative functions of the District. The Board Chairperson is responsible for overseeing that the Fire Chief is following the Board's decisions and the specific tasks relate to those decisions. The Board Chairperson is accountable to the Board for overseeing the Fire Chief.
4. Trustees shall treat staff professionally and be respectful of their time. Trustees are encouraged to talk with staff, ask questions, and receive information, but will neither direct staff nor advocate staff support for the goals of individual Trustees.
5. When possible, Trustees shall seek answers to questions on an item on the agenda from the Fire Chief prior to the meeting. Trustees shall review all available materials before a meeting and be prepared to discuss it.
6. Trustees shall not publicly criticize an individual employee. Any criticism of staff shall be directed to the Chairperson or Fire Chief.
7. Trustees shall not get involved in administrative functions unless so directed by the Board at a stated meeting or at the request of the Fire Chief and/or Chairperson. There are no exceptions.
8. Trustees will not get involved in human resource issues except during a closed session where human resource issues may be discussed. This includes labor negotiations, pay and classification issues, and all other forms of human resource matters.

The single exception is the Board's annual or other performance review of the Fire Chief, which may include hiring, firing, changing compensation or benefits, disciplining, and other forms of human resource matters related to this position.

9. The Fire Chief shall receive Board approval for the hiring decision for the Assistant Chief position, but the Fire Chief will be in charge of the Assistant Chief for all other purposes.
10. If a Trustee has a concern about a service, a staff action, or an employee, he/she should discuss the concern with the Fire Chief.

11. Trustees shall listen courteously and attentively to the information presented by staff.
12. Trustees will often be entrusted with confidential matters. It is imperative that Trustees do not divulge that confidential information to others.
13. The District enters into professional service agreements with entities to provide legal, financial and other services. Those entities represent the District and the Board as a whole. Individual Trustees cannot direct these contracting entities to provide advice or opinions to without the approval of the entire Board or with concurrence of the Chairperson. The only exception is if a Trustee has a reasonable suspicion that wrongdoing and/or illegal acts are occurring.

D. Trustee Conduct with the Public

1. Trustees will make the public feel welcome. Trustees shall not try to obtain or achieve special benefits for themselves or others that are not available to the public.
2. Trustees shall not be partial, prejudiced, or disrespectful toward the public.
3. Trustees shall treat members of the public equally and refer to citizens by surnames.
4. Trustees shall make no promises to the public on behalf of the Board.
5. Trustees shall not debate issues with members of the public but may inform them of the facts.
6. Trustees shall listen courteously and attentively to all public comments before the Board.

E. Trustee Conduct with Other Agencies

1. Trustees shall be clear about representing the District or personal interests to members of other agencies.
2. Trustees shall project a positive image of the District when dealing with other agencies.
3. Individual Trustees can lobby or discuss with other legislators, government officials, or developers issues that have been adopted by the Board or are Board policy; they should not represent themselves as the District if it is only an individual issue.

4. Trustees shall show tolerance and respect for other agencies' opinions and issues and agree to disagree with them when necessary.

F. Trustee Conduct with Committees

1. The Chairperson works through the committee chairpersons.
2. Trustees shall treat all members of the committees with appreciation and respect.

G. Trustee Conduct with the Media

1. Trustees shall never go "off the record" or, discuss inside information pertaining to closed session, human resources, litigation, and acquisition of property items, when dealing with the media. Providing background information is acceptable.
2. Only the Fire Chief and/or his designee or the Chairperson and/or his designee shall make official statements representing the Fire District.

H. Obtaining the Floor

1. Members of the District wishing to speak must first obtain the floor by being recognized by the Chairperson. The Chairperson must recognize any Trustee who seeks the floor when appropriately entitled to do so.
2. With the concurrence of the Chairperson, a Trustee holding the floor may address a question to another Trustee and that Trustee may respond while the floor is still held by the Trustee asking the question. A Trustee may opt not to answer a question while another Trustee has the floor.
3. Once recognized by the Chairperson, a Trustee shall not be interrupted while speaking unless called to order by the Chairperson or unless another Trustee raises a point of order or personal privilege. If a Trustee, while speaking, is called to order, they shall cease speaking until the question of order is determined and if determined to be in order, may proceed.

SECTION V: Role of District Staff

- A. District staff will provide written analysis and information on all agenda items prior to the meetings. Additionally, a copy of the materials, including technical reports, will be available to the public.

- B. Staff will be available to answer questions of the Trustees prior to and during Board meetings.
- C. Staff will respond to questions from the public during Board meetings only when requested to do so by the Chairperson.
- D. Staff will not debate issues with the public or the Board but will present facts.
- E. During Board meetings, staff shall turn off or switch any electronic equipment such as pagers and cellular telephones to a silent mode.
- F. Trustees and staff who participate in meetings with individuals outside of the organization should be apprised of any follow up correspondence to that party, particularly if there is some controversy; the Fire Chief and all Trustees should get copies of all correspondence.
- G. Staff will remain objective on issues. Staff should not advocate for issues unless so directed by Trustees. Rather, they should promote or assist the efforts of the Board.
- H. The Fire Chief will inform Trustees as soon as possible of upcoming issues, particularly issues that will impact the District significantly and may be coming before the Board on short notice.

In an emergency, the Fire Chief, or his designee, will notify the Chairperson and Vice Chairperson immediately who shall be responsible for notifying the other Trustees.

- I. If a Trustee believes an issue is controversial or a "hot" issue and it may be coming before the Board, then the Trustee or the Fire Chief will brief the Chairperson on the issue. It is up to the Chairperson to inform other members of the Board or provide direction to the Fire Chief.
- J. The Fire Chief will advise staff to become more aware of and sensitive to potentially political or controversial issues coming before the Board.
- K. Staff will implement all Board policies as directed by the Fire Chief; staff will not implement any actions for the District without prior approval of the Board and/or the Fire Chief.

SECTION VI: **Trustee Requests**

- A. Any requests from a Trustee must go through the Fire Chief, except for general inquiries or questions, in which case Trustees may go to the key staff. Trustees will not direct employees.

SECTION VII: Presentations and Events

- A. Trustee presentations during a Board meeting are limited to the item or issue being deliberated. To ensure that the appropriate presentation equipment is available, Trustees must provide the Fire Chief's office advance notice of the intent to make a presentation.
- B. When there is an accomplishment by a Trustee, it is appropriate for them to be at the event to accept the recognition and acknowledgment along with District staff that worked on the project. All Trustees will be informed of events, activities, etc., and given the opportunity to attend.
- C. Whenever possible the Chairperson will represent the District at public presentations. Other Trustees may be asked to cover for the Chairperson in his/her absence and at other events and meetings.
- D. When attending a Board of Trustee meeting or related event, attire shall be business casual, unless specified.

SECTION VIII: Board Agenda

- A. The Chairperson shall assist the staff in preparing the agenda. The Board should try, at the prior meeting to bring forth any agenda items that they would like to see. Absent that, a Trustee can, no less than 10 days before the next meeting request the Chairperson to put an item on the agenda.

If that request is not granted, that item shall be placed on the agenda for a determination by the entire Board if that item should be heard at a subsequent meeting.

- B. The Chairperson, Trustees, Fire Chief or staff may present agenda topics.
- C. Items on the consent calendar shall only be those that:
 - a. Are administrative in nature (follow existing rules, procedures, ordinances, regulations, or Board policy direction)
 - b. Do not require a public hearing
 - c. Are not second readings of ordinances
 - d. Are items already approved in the budget
 - e. Are traditional and/or routine items

- D. The Fire Chief will try to research ahead of time any controversial agenda item, what the issues might be, and try to avoid any "surprise" conflicts. In a democratic process it should be recognized that sometimes this is unavoidable.
- E. Trustees will be given sufficient lead and preparation time for reviewing agendas.

SECTION IX: Public Correspondence

- A. District letterhead with all Trustees' names will be used for responses to policy issues.
- B. District letterhead will be utilized by individual Trustees for responses to constituent letters, as long as it is not a policy issue, or as long as the Trustee indicates it is his/her opinion, not the policy of the Board.
- C. Trustees should respond to an e-mail inquiry if they are comfortable with the Board's policy and stand on the issue; if not, refer it to the Fire Chief.
- D. Trustees should copy the Fire Chief on all correspondence relating to the Fire District.
- E. Trustees can forward e-mails, correspondence, and phone calls and their responses to the Fire Chief who will monitor responses and track the request, suggestion, issue, etc.

SECTION X: Closed Session Confidentiality

- A. All proper matters discussed during Closed Sessions shall be private and confidential, and the disclosure by any person of the topics or details of such matters is expressly prohibited.
- B. If a Trustee feels it is necessary, then preliminary notes should be taken which should not be kept as the Board's permanent records. All Closed Session information, verbal or written, is confidential and private.

SECTION XI: Compliance and Enforcement

- A. Trustees have the primary responsibility to ensure that ethical standards are understood and met by every Trustee, and that the public can continue to have full confidence in the integrity of government. Trustees shall abide by the terms of Nevada Revised Statutes Section 281 *Public Officers and Employees* and 281A – *Ethics in Government*

- B. The Chairperson and the Trustees have the responsibility to intervene when actions of members are in violation of the standard norms and procedures.

SECTION XII: Administration

- A. The Trustees will review and revise the Board Norms and Procedures as needed or every two (2) years.
- B. During Board discussions, deliberations, and proceedings, the Chairperson has been designated with the primary responsibility to ensure that the Trustees, staff, and members of the public adhere to the Board's norms and procedures.

SECTION XIII

Upon motion of Trustee Schumel, seconded by Trustee Grant, the foregoing Resolutions were passed and adopted this 23rd day of August, 2017, by the following vote of the Board:

Those Voting Aye:

Bill Kirschner
Ann Grant
Greg Felton
Kevin Kjer
Lamy Schumel

Those Voting Nay:

Approved this 23rd day of August, 2017.

William A. Kirschner
Bill Kirschner, Chairman

Scott Baker
Scott Baker, Fire Chief