

PANORAMIC ACCESS SPECIAL ROAD DISTRICT POLICIES AND PROCEDURES

DRAFT 12.12.2020

This document collects together in one place policies and procedures established by the Board of Commissioners of the Panoramic Access Special Road District (PASRD) for several reasons:

- To inform new board members of policies and procedures established by prior PASRD boards.
- To promote transparency by informing PASRD property owners what they can and cannot expect from the road district.
- To satisfy legal requirements of the State of Oregon

For more information, see the following documents on the district website):

- PASRD Bylaws, dated 2018
- Special Road District Guidebook, Deschutes County

PASRD ADMINISTRATION – ORS 192, 198, 371

OFFICERS

Each January, the members of the PASRD Board of Commissioners decide among themselves who will serve as President, Secretary, and Treasurer. These officers perform the usual duties of the office, plus any other duties specified in either the PASRD Bylaws or these policies and procedures.

At this time the board should reaffirm or amend these policies and procedures. New board members should be given a copy of the PASRD Bylaws and of these policies and procedures and acknowledge receipt thereof.

REPORTS: THE PASRD BYLAWS REQUIRE EACH OFFICER TO FILE AN ANNUAL REPORT – BUT WE HAVE NOT DONE THIS

President: Annual: by calendar year: summary of year's activities.

Secretary: Monthly: regular, special and emergency meeting minutes; Annual: by calendar year: list of resolutions and summary of changes to policy/procedures; collected resolutions and minutes.

Treasurer: Monthly: balance sheet and cash flow; attach invoices/receipts to bank statements; Annual: by fiscal year: balance sheet, budget with county tax letter attached, and income/expenses. Proposed budgets should include the prior two years actual income/expenses for each budget line item.

COMMITTEES

PASRD has no standing committees. Special committees may be appointed by the President.

MEETINGS: ORS – ORS 192.610-695

PASRD is a public entity subject to Oregon public meeting laws. All PASRD board and committee meetings must be publicized and are open to the public. Meetings are normally publicized by posting a notice near the district mailboxes and by sending an announcement to the district email list.

Regular: The PASRD board must hold monthly meetings. These **regular** board meetings are held at 7pm on the second Tuesday of the month at a place designated by the board. Meetings are announced one week prior via email. The meeting agenda is sent with the meeting announcement; and draft minutes of previous meeting(s) and the agenda are posted to the website.

Note: Prior to the COVID pandemic, meetings were held at the Oregon Department of Forestry building in Sisters. But, since April 2020 and until further notice board meetings are being held online via Zoom.

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Special: Special board meetings are held as needed, at times and places to be announced. Agendas and meeting notifications are sent out one week prior or as far in advance as possible.

Emergency: Emergency meetings are held as required with notice via email.

Agenda Format: The regular meeting agenda format is: call to order; introduction of attendees; announcements; approval of minutes of previous meeting(s); treasurer's report; outstanding bills; other business items; special committee reports; road maintenance items; future road projects; administrative items; next meeting(s) time and place.

Parliamentary Authority: In the absence of specific provisions by the PASRD Bylaws or by ORS, Roberts Rules of Order, current edition, govern meeting deliberations.

INSURANCE

PASRD officers are required to post bonds during their term of office, paid for by the district. The district also maintains liability coverage and breach of office coverage for PASRD officers and agents.

OPERATIONS

MAINTENANCE RESPONSIBILITY

PASRD was created by the Deschutes County Board of Commissioners (County) to maintain the roads that lie within the Panoramic View Estates Subdivision (PVES), including Panoramic Drive, Buck Horn Drive, Lake Drive, Green Ridge Loop, Hinkle Butte Drive, Sisters View Drive, Pine Ridge Drive, Buck Lane, and Pine Drive. PASRD includes properties to the north and east that lie outside PVES because these properties use PASRD roads, namely Pine Ridge Drive and Lake Drive, for access.

By agreement with the County, PASRD maintains Enewetak Lane from Lake Drive to Emerald Valley Road and Emerald Valley Road out to its junction with Hurtleigh Ranch Road, because Emerald Valley Road provides a second fire evacuation route for PASRD residents.

CONTRACTING

Projects over \$10,000 must use competitive bidding. Copies of contractor/vendor insurance certificates of coverage should be attached to bids.

GRADING

Regular road grading of gravel roads is done twice a year – once in the spring and once in the fall – timed when roads are well wetted. The objective is to restore the crown of roads to promote water runoff and to smooth the road surface.

SNOW PLOWING

Snow plowing is done as needed. The board will initiate plowing snow from district roads when 8" or more of snow is expected. PVES roads are plowed to allow 2 lanes of traffic and property driveway entrances are cleared of snow berms. PASRD does not plow driveways; that is the responsibility of the property owners.

In July 2020, the PASRD Board agreed to extend snow plowing to include the public extension of Pine Ridge Drive and the private extension of Lake Drive – see the proposed snow plowing map appended to these policies and procedures.

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FINANCIAL POLICY

FISCAL YEAR

Oregon Revised Statutes (ORS) Chapter 294: County and Municipal Financial Administration govern budgeting and financial reporting for special road districts such as PASRD. The PASRD fiscal year is from July 1 to the following June 30 (ORS 294.323).

BUDGETS

The PASRD Treasurer is the Budget Officer (ORS 294.331) and prepares the annual budget using Forms LB20 and LB30. Adoption involves two budget readings. The first reading occurs at the May regular meeting and constitutes the budget hearing (ORS 294.920). Attendees at the meeting serve as the Budget Committee (ORS 294.905). The second reading occurs at the June regular meeting, when the budget for the following fiscal year is amended if need be and adopted by the Board.

To adopt the budget the board passes three (3) resolutions: (1) to adopt the budget; (2) to impose taxes (form LB50); and (3) to make appropriations for expenditures as specified in the budget. Signed copies of these resolutions are conveyed by hand along with the completed budget forms to the county treasurer promptly. A second copy is retained by the PASRD Treasurer

TAXES – ORS 280.040-150

PASRD has a permanent rate limit of 1.1860 per thousand of assessed valuation. The Deschutes County treasurer collects this tax for the district. By arrangement with the county, PASRD receives a check for the entire amount of property taxes in November each year. The county deducts 3% for this service.

In June of each year the Board uses Form LB50 to impose property taxes for the following year. If this is not done, the property taxes will not be collected by the county.

AUDITS – ORS 297.425, 435, 445

PASRD is exempt from ORS formal audit requirements because our budgets are under \$150K. However, the PASRD Treasure is required to file an annual in lieu of audit report with the Oregon Secretary of State, which is due the end of September.

Prudent fiscal control dictates that PASRD conduct an annual financial review, or informal audit, during budget preparation for the next fiscal year. This annual review is conducted by a property owner, appointed by the board, who is not a member of the board, and who works with the PASRD Treasurer to confirm that the annual balance sheet and cash flow are in order and reflected in the proposed budget.

ASSETS AND PAYMENTS

Bank Account: PASRD funds are required to be on deposit in a federally insured account.

Payments: District financial obligations are required to be paid by check signed by the President and Treasurer. PASRD Bylaws allow the Secretary to substitute. PASRD funds are currently on deposit at First Interstate Bank in Sisters. The bank does not require 2 signatures on checks.

Credit/Debit Cards: ORS is silent on the use of credit or debit cards. In July 2020, the board authorized the PASRD Treasurer to obtain a debit card on the PASRD checking account for making small purchases. PASRD does not maintain petty cash separate from the checking account.

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FINANCIAL REPORTING

The PASRD Treasurer reports bills paid and the current checking account balance at each regular Board meeting. Anticipated bills and expenditures are also mentioned.— County Guide recommends monthly balance sheet and cash flow report

REIMBURSEMENT

District officers, agents and property owners may be reimbursed out of general funds for any expenses incurred on behalf of the district. Expenses over \$250 must be approved by the board in advance. In case of an emergency, expenses may be authorized by the board via phone or email, and documented in the minutes of the next regular meeting. Persons requesting reimbursement must provide receipts.

Expenses for approved budget items are preauthorized. Examples of reimbursable expenses include: travel, training, equipment rental, purchase of materials, and contract labor.

The prevailing mileage rate is paid for the use of a privately owned vehicle for road district business.

CONFLICT OF INTEREST – ORS 244

State law prohibits board members from gaining financial benefit from their position as public officials. A good rule of thumb is to refuse all gifts from anyone that give the appearance of a conflict of interest and to declare publicly any potential or actual conflict of interest.

An advisory opinion of the Oregon Governmental Ethics Commission provides guidance: board members who have potential or actual conflicts of interest regarding any matter before the board must: (1) declare the nature of the conflict; (2) refrain from taking part in the discussion/deliberation of the matter; and (3) not vote, unless their vote is required to maintain a quorum.

DISCRIMINATION AND HARASSMENT

DISCRIMINATION POLICY

PASRD does not discriminate based on race, ethnicity, color, religion, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, national origin, genetic information, or any other characteristic protected by law.

This policy applies to officers and agents of PASRD and to attendees at board and committee meetings.

HARASSMENT

Harassment is not tolerated at board or committee meetings. It is the responsibility of the PASRD President to assure that participants are civil and respectful of the dignity of others.

RECORDS – ORS 192

ORS 192 requires PASRD to have a written policy on public records requests. ORS 192.005-170 specifies which records to retain and for how long. The Deschutes County Special Road District Guide page 5 has a good summary of ORS requirements.

Management: Records include all media: paper, electronic, film, recordings and in all forms: handwritten, typed, graphic art and charts, and maps. The Special Districts Association of Oregon (SDAO) offers a records management service for a fee. PASRD has chosen to use the Google drive feature of the district

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email site: panoramicroads@gmail.com to store electronic records. The PASRD Treasurer maintains custody of financial records. The PASRD Secretary holds all other records.

Permanent: Permanent records include the PASRD Bylaws, these policies and procedures, meeting minutes, resolutions, budgets, annual financial reports and reviews, bank statements, expenditures with receipts, committee final reports, communications of lasting significance.

Temporary: Temporary records include working papers and communications of temporary significance. Working papers and communications are kept for at least 3 years to ensure corporate memory is not lost. Typically, when officer turnover occurs, the new officer will prune temporary records that are no longer of value.

RECORD REQUESTS – ORS 192.610-695

Requests for public records should be addressed to the Secretary, either sent to the district email address or mailed to the district mailing address, or delivered in person at a regular meeting. Requests are acknowledged by the Secretary within 5 business days of receipt. Such requests must either be completed in full within two weeks or be partially completed within two weeks, together with an explanation for any delay and an anticipated schedule for being completed in full.

A fee may be charged to recover any reasonable anticipated expenses incurred and is collected in advance of completing a records request. Fees collected in excess of actual expenses incurred are refunded promptly by the Treasurer.

COMMUNICATIONS

MAIL AND EMAIL SURVEYS

The district board may conduct surveys of property owners on matters pertaining to district operation – including, but not limited to, priorities for road maintenance, road surface upgrades, and proposed tax increases. A good-faith effort will be made by the board to contact every owner of record, via email or regular mail or other means. The results of such surveys inform board decisions, but are not necessarily binding on the board.

WEBSITE

The district's website is www.panoramicroads.org and is maintained by a webmaster appointed by the board. The board authorizes the posting of documents on the website, including: legal documents, financial documents, district bylaws, district policies, meeting minutes, budgets, committee reports, county guidelines, informational letters to owners, supporting documents referenced in meeting minutes, and other pertinent information.

EMAIL

The district uses MailChimp to broadcast emails to all who furnish their email addresses. The district email address list includes the Nugget in Sisters, Oregon, which satisfies any requirement to send notices to a local newspaper. The PASRD Secretary and the webmaster work together to make sure meeting notices and agendas are sent in a timely manner.

Email addresses provided to PASRD by persons wishing to be kept informed of district activities are not subject to disclosure by a public records request and will not be shared with any other entity.

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ANNUAL To Do List

January

- Elect officers
- Confirm Bylaws and Policy
- Notify SDAO and SDIS of new officers; renew insurance & officer bond
- Sign new signature cards for bank account
- Update postal records for PO Box

February

March

- Plan summer maintenance/improvement

April

- Prepare next year's budget

May

- 1st reading of budget

June

- 2nd reading of budget; adopt budget
- Submit budget forms by July 1st to county, SDIS

July

August

September

- Advertise any expiring board position
- Submit in lieu of audit report to Secretary of State

October

November

- Select in-coming board nominee and forward to county

December

As needed:

- Grading, snow removal, crack sealing

THE BOARD OF COMMISSIONERS OF THE PANORAMIC ACCESS SPECIAL ROAD DISTRICT ADOPTS THESE POLICIES AND PROCEDURES TO SUPPLEMENT THE PASRD BYLAWS OF 2018. THESE POLICIES AND PROCEDURES REMAIN IN EFFECT UNTIL REVISED, WITHDRAWN OR EXTENDED BY THE BOARD.

NYLE HEAD, PRESIDENT

LEANN WITTENBERG, TREASURER

LEE LUCAS, SECRETARY

DATE _____