

Bylaws for Jefferson County  
Smoke Management Committee

M-168-21

1. **Name.** This Committee will be known as the Jefferson County Smoke Management Committee (hereinafter referred to as the "Smoke Management Committee").
2. **Mission.** To serve the interests of the citizens and landowners of Jefferson County by protecting open burning as an effective, efficient, and appropriate natural resource management tool. In addition, the ordinance is intended to enhance air quality by increasing public awareness of the need to reduce smoke from all sources. Through education and information, all open field burning and propane flaming in the county will be encouraged to be done only on designated days and in a manner which both minimizes smoke generation and/or ensures adequate smoke dispersal to minimize adverse effects of smoke.
3. **Purpose of the Smoke Management Committee.** The Smoke Management Committee is established by ordinance. The Smoke Management Committee will serve the public interest in an ethical and responsible manner by:
  - a. Assisting the Smoke Management Coordinator and other county staff in effective administration, education, outreach, policy implementation, compliance, and enforcement of program requirements.
  - b. Advocating for effective smoke management programs.
  - c. Provide direction and advice as a committee to the Smoke Management Coordinator to carryout the program requirements and policies. The Smoke Management Coordinator is a county employee.
  - d. Receiving information from county staff and Smoke Management Coordinator in order to make informed decisions.
  - e. Receive and review complaints or other information that indicates or suggests a potentially significant smoke related concern.
  - f. Cooperating with local interest groups and state and federal agencies thereby promoting partnerships.
  - g. Reporting and making recommendations to the Jefferson County Board of Commissioners on permit fees, fine/penalty structures, program expenditures, and Smoke Management Coordinator performance.
  - h. Assisting the county with the identification of appropriate additions to and deletions from the Jefferson County Smoke Management Code 8.16.
4. **Membership.**
  - a. Appointment. The Smoke Management Committee shall be between 5-9 members appointed by the Jefferson County Board of Commissioners and serve at the Board of Commissioners' pleasure.
  - b. Duties/expectations. Members will complete tasks assigned by the chair and will carry out assignments from committees to which they have been appointed. Members are expected to be knowledgeable about the essential matters confronting the committee, including policy guidelines. Members are expected to assist each other in orientation and education related to committee responsibilities.
  - c. Ex-Officio Members. The Smoke Management Committee is encouraged to appoint non-voting ex-officio members, such as representatives of OSU Extension Services, Bureau of Land Management, USDA Forest Service National Grasslands, Fire Districts, Citizens' At-Large, and Oregon Department of Environmental Quality. Ex-officio members shall have

a term that expires which is not greater than 12 months. Ex-officio members may be reappointed for multiple terms. One member of the Jefferson County Board of Commissioners is encouraged to be assigned as a liaison representative to the Board of Commissioners.

5. **Termination.**

- a. Removal by board of commissioners. All Committee members serve at the pleasure of the board of commissioners. The board of commissioners may remove a committee member on its own motion or upon the recommendation of the Committee.
- b. Removal by committee. If the Committee determines by a majority vote that a member should be removed, the chair of the Committee shall report that recommendation to the board of commissioners for its consideration.
- c. Resignation. Resignations by members shall be submitted in writing to the Committee chair and announced at the next regularly scheduled meeting. The chair shall forward a copy of the resignation to the board of commissioners.
- d. Reasons for dismissal. The board of commissioners may remove a member when it determines that it is in the interest of the Committee or the county to do so.

6. **Attendance.** All Committee members are expected to attend regularly scheduled meetings. More than three unexcused absences by any member during any 12 month period may result in removal of the member by the board of commissioners. A member's absence is unexcused if the member fails to notify the chair in advance of a meeting that the member will not attend the meeting. In the event of continued unexcused or excused absences without proof of unavoidable or emergency circumstances, the Committee will discuss the retirement of the committee member and the opening of the vacancy. The retirement, if voted for by the majority of appointed voting membership, will then be recommended to the board of commissioners for action.

7. **Meetings.**

- a. Public meeting laws. The Committee is a public body subject to the public meetings and record laws as stated in ORS Chapter 192. All meetings will be open to the public.
- b. Regular meetings. The Committee shall establish a reoccurring monthly meeting (time/date/location), but are not required to meet each month. Members may attend either in person or electronically by conference/video call so long as persons in attendance and on the telephone can both hear and communicate with each other. Regular meetings may be canceled or changed to another specific place, date and time provided that actual notice is given.
- c. Notice. The committee will provide for and give public notice, reasonably calculated to give actual notice, to committee members, interested persons, news media that have requested notice, and the general public. Notice shall include the time and place for holding regular meetings. The notice will also include a list of the primary subjects anticipated to be considered at the meeting. Distribution of meeting notices will be in a manner that maximizes the potential of the public to be aware of the proceedings and to participate.
- d. Special meetings. Special committee meetings may be called by the Committee chair by notifying all members and the general public through a news media notice not less than 24 hours prior to the time of the special meeting. A special meeting should be called only if necessary to conduct business that cannot wait until the next regularly scheduled meeting. When possible, notice should be provided as soon as possible to encourage public participation.

- e. Quorum. The majority of the appointed voting membership of the Committee will constitute a quorum for the transaction of all business requiring a vote of the membership at meetings.
  - f. Decision making procedure. Each Committee member will be entitled to one vote on all issues presented at meetings at which the member is present. A majority vote is the primary decision-making method and is necessary to execute fiduciary and statutory obligations.
  - g. Minutes. The staff member assigned to the Committee will cause meeting minutes to be prepared. Minutes will include a description of the members present, motions, proposals, resolutions, and orders proposed and their disposition, the results of all votes and a vote by each member by name, the topic of any discussions on any matter, and reference to any document discussed at that meeting. Minutes will also be distributed to the board of commissioners.
  - h. Agendas. Items may be placed on a meeting agenda by any Committee member or by county staff. The agenda will be distributed to members at least five (5) days prior to a regular meeting.
8. **Officers.**
- a. Chair and vice-chair appointment. At the first meeting of each calendar year the Committee members shall elect a chair and vice chair.
  - b. Chair responsibilities. The chair will act as leader of the convened meeting and as the parliamentarian. The chair will enforce Committee directives, guidelines and membership rules and will guide the conduct of public meetings. The chair is the official representative of the Committee and shall be the spokesperson to the media.
    - i. Approve submission of Coordinator's timesheet and (mileage) reimbursement forms to the Jefferson County Finance Department.
  - c. Vice-chair responsibilities. In the absence of the chair, the vice-chair will assume all the chair's responsibilities. If neither the chair nor vice-chair is available for a publicly-convened meeting, then the assembled quorum of the meeting will select a temporary chair to conduct the meeting.
  - d. Vacancies or removal of officers. The Committee may choose to remove a chair or vice chair when it determines that it is in the interest of the Committee or the county to do so. If the chair is removed or if the position becomes vacant, the vice-chair will assume the chair's position. If the vice-chair is removed or if the position becomes vacant, the will elect a person to the position.
9. **Executive Committee.** The Smoke Management Executive Committee is made up of the Chair, Vice-Chair, and one member At-Large (selected by the Committee annually). The role of the Executive Committee is to:
- a. Act on administrative matters on behalf of the Committee in between meetings of the Committee,
  - b. Advise the Smoke Management Coordinator on various program needs, including but not limited to discretionary budget expenditures, time management, program forms, partner relationships, and reports required by local, state or federal authorities.
10. **Committees.** The Committee may authorize the chair to appoint members to standing or special committees as necessary to deal with specific problems or issues. All appointed standing or special committees are required to report their information and/or recommendations to the Smoke Management Committee.

**11. Conflicts of Interest.**

- a. Declaration. The Committee is subject to ORS 244.020, 244.040(1), and 244.120 to 244.030, defining conflict of interest and establishing protocols for members of public bodies in Oregon. Committee members are expected to declare a conflict of interest prior to consideration of any matter causing a potential or actual conflict.
- b. Potential conflict defined. A potential conflict of interest exists when a Committee member takes an action that reasonably could be expected to have a financial impact on that member, a relative, or a business with which the member or member's relative is associated. The Committee member may participate in an action after declaring the potential conflict and announcing its nature.
- c. Actual conflict defined. An actual conflict of interest exists when an action is reasonably certain to result in a special benefit or detriment to the Committee member, a relative, or a business with which the member or member's relative is associated. The member will declare the actual conflict and announce its nature. The member must then refrain from taking any official action, except when the member's vote is necessary to achieve a quorum. When a vote is necessary to achieve a quorum, the member may vote, but may not participate in any discussion or debate on the issue out of which the actual conflict arises.


**12. Revision of or Amendment to Bylaws.**

- a. Initiated by committee. The Smoke Management Committee may propose amendments to the bylaws. Any recommendations agreed upon by the majority of the Committee shall be forwarded to the board of commissioners for its consideration.
- b. Initiated by board of commissioners. Under certain circumstances, the board of commissioners may initiate changes to the bylaws. These changes will be submitted to the Smoke Management Committee for review and consultation prior to the board of commissioners' adoption.
- c. Distribution. Upon the board of commissioners' approval of bylaw amendments, the County staff assigned to the committee will make any required revisions to the bylaws and distribute them to all members of the Committee.

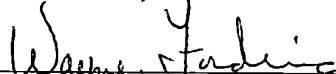
13. **Community Relations/Public Input.** Any member of the public will be welcome to attend and provide input at Committee meetings. Public comments shall be a standing agenda item, preferably at the beginning of each Committee meeting.

APPROVED BY THE JEFFERSON COUNTY SMOKE MANAGEMENT COMMITTEE ON JULY 12, 2021.

APPROVED BY THE JEFFERSON COUNTY BOARD OF COMMISSIONERS

  
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 Kelly Simmelink, Chairman

  
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 Mae Huston, Commissioner

  
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 Wayne Fording, Commissioner

DATE: JULY 14, 2021