Welcome to public service

- Commissioners are public officials
- Commissioners have duties:
  - Carry out TSPC mandates
  - TSPC confidentiality laws (ORS Ch. 342)
  - State ethics laws (ORS Ch. 244)
  - Public records/meeting laws (ORS Ch. 192)
- Public officials hold public’s trust
- OGEC Guide for Public Officials
Which hat to wear?

- Commission holds authority
- Who is contacting you
- What are they asking?
- Why are you being contacted?
- Should you respond
- Perceptions
- Ask
Bundy family fights West Linn to keep their backyard pool

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Email the author | Follow on Twitter
on April 08, 2011 at 6:05 PM, updated April 09, 2011 at 2:08 AM

WEST LNN – A local family’s decision to install a swimming pool in their backyard has led to an almost two-year dispute with the city over wetland protection.

Troy and Gina Bundy, of Ninth St. in West Linn, say the city insists that they remove their 1,100-square-foot pool and patio and other associated backyard improvements because their property sits between two wetland areas.

They said they installed the pool in 2009 without a city permit, after then-mayor Patti Gale told them it was OK to do so.

Patti Gale that it would be all right. They said they intended to get the permit after the fact, considering it a formality.

When they applied for the permit, however, both the city planner director and city council denied the application.

The Land Use Board of Appeals upheld the city’s decision in March. The Bundys have recently taken their grievance to Oregon Court of Appeals and say they are considering suing the city.
Meeting of 9 Commissioners is a public meeting
- If to discuss official business
- Not a public meeting if purely social event

Committee meetings are public meetings
- If authorized to make decisions for agency; or
- If authorized to make policy recommendations

Email; Phone call exchanges collectively

Subject to advance notice
Executive Sessions

- To discuss investigations
- To discuss exempt public records
- To consult counsel on litigation
- Other limited purposes per ORS 192.660
- Media allowed to remain in executive session, but cannot report discussion
- Policy issues should be discussed in open session
Voting

- Duty to vote
- Accountability
- Conflicts of interest issues
- Abstentions not recognized
- Personal knowledge
- Other considerations
# Conflicts of interest

<table>
<thead>
<tr>
<th>Actual Conflict</th>
<th>Potential Conflict</th>
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<tbody>
<tr>
<td>Any action/decision by a public official, the effect of which <em>would</em> be to the private pecuniary benefit or detriment of:</td>
<td>Any action/decision by a public official, the effect of which <em>could</em> be to the private pecuniary benefit or detriment of:</td>
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- ✔ Public official
- ✔ Public official’s relative
- ✔ Business associated with public official or relative
Handling conflicts of interest

**ACTUAL CONFLICT**
- Announce nature of conflict
- Refrain from participation
- Exception for quorum

**POTENTIAL CONFLICT**
- Announce nature of conflict prior to taking action
Public office not for financial gain

Exceptions:
- Compensation
- Honoraria
- Reimbursements
- Unsolicited awards for personal achievement

$50 gift limit per year
- Single source
- Economic interest
Understanding public records

*Results may vary
Public record defined

“Any writing that contains information relating to the conduct of the public’s business...”

- Default is to allow open access to records
- Public records law exemptions
- Other exemptions
- Personal privacy vs. embarrassing information
“C’mon, c’mon — it’s either one or the other.”