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**OREGON
GOVERNMENT ETHICS
COMMISSION**



3218 Pringle Rd. SE Suite 220
Salem, OR 97302-1544
Email: mail@ogec.Oregon.gov
Phone: (503) 378 – 5105
Fax: (503) 373 – 1456
Web: <http://www.oregon.gov/OGEC/>

GOVERNMENT ETHICS LAWS OVERVIEW

<p>Prohibited Use of Position or Office (ORS 244.040)</p>	<p>Public officials are prohibited from using or attempting to use their public positions to obtain financial benefits for themselves, relatives, household members, or businesses with which any is associated, if the benefit would not be available but for the public official holding the position.</p>
<p>Financial Interest in Public Contract (ORS 244.047)</p>	<p>A person who ceases to be a public official may not have a direct beneficial financial interest in a public contract (defined at ORS 279A.010) for two years after the date of its authorization, if the person played a significant role in authorizing (<i>i.e.</i>, selecting, executing, recommending, or approving) that public contract as a public official.</p>
<p>Limits to Accepting Gifts (ORS 244.025; see ORS 244.020(10))</p>	<p>Public officials and their relatives are limited to accepting gifts (defined at ORS 244.020(7)) worth no more than an aggregate of \$50 in a given calendar year from any individual source reasonably known to have an economic interest in the public official’s decision-making.</p>
<p>Conflicts of Interest (ORS 244.020(1); ORS 244.020(13); ORS 244.120)</p>	<p>When a public official, in an official capacity, is faced with making a decision, recommendation, or other action that “<i>would</i>” or “<i>could</i>” financially affect the official, a relative, or business with which either is associated, the public official is faced with an “<i>actual</i>” or “<i>potential</i>” conflict. A conflicted <i>member of a governing body</i> must provide notice of the conflict by making a public announcement, and if the conflict is “<i>actual</i>” (<i>i.e.</i>, “<i>would</i>” financially affect...) must refrain from participation in the matter. <i>Most other public officials</i> must provide written notice to a supervisor/employer. Either type of notice must state the nature of the conflict. A written notice must additionally request that the supervisor/employer dispose of the matter.</p>
<p>Nepotism Prohibitions (ORS 244.177 – 179)</p>	<p>Public officials may not directly – or participate in any interview, discussion, or debate to – appoint, employ, promote, discharge, fire, or demote a relative or household member of the public official. Public officials are also prohibited from supervising relatives and household members.</p>

* *NOTE: The terms “business”, “business with which the person is associated”, “member of the household”, “public official”, and “relative” are defined at ORS 244.020(2), (3), (11), (15), and (16), respectively.*

DISCLAIMER: This document presents a brief overview of the most generally applicable Oregon Government Ethics duties and may not account for all relevant laws, exceptions or circumstances. It is ***intended for use as a training tool only*** and should not substitute for review of ORS Chapter 244 or consultation with an attorney or the Oregon Government Ethics Commission regarding application of the law in a specific situation.

Disclosing Conflicts of Interest

When met with a conflict of interest, there are different disclosure requirements depending on the nature of the public official's position.



Members of the
Legislative Assembly

Must announce publicly, pursuant to the rules of the house of which they are a member, the nature of the conflict before taking any action on the matter. [ORS 244.120(1)(a)]



Judges

Must be removed from the case giving rise to the conflict or must advise the parties of the nature of the conflict. [ORS 244.120(1)(b)]



Any other appointed
official (including
public employees)

Must notify their appointing authority, in writing, of the nature of the conflict and request that authority dispose of the matter giving rise to the conflict. The appointing authority shall designate an alternate to dispose of the matter or direct the official to dispose of it in a manner specified by the appointing authority. [ORS 244.120(1)(c)]



Elected public officials
(other than legislators)
or appointed public
officials serving on a
board or commission

Announce publicly the nature of the conflict of interest. Then:

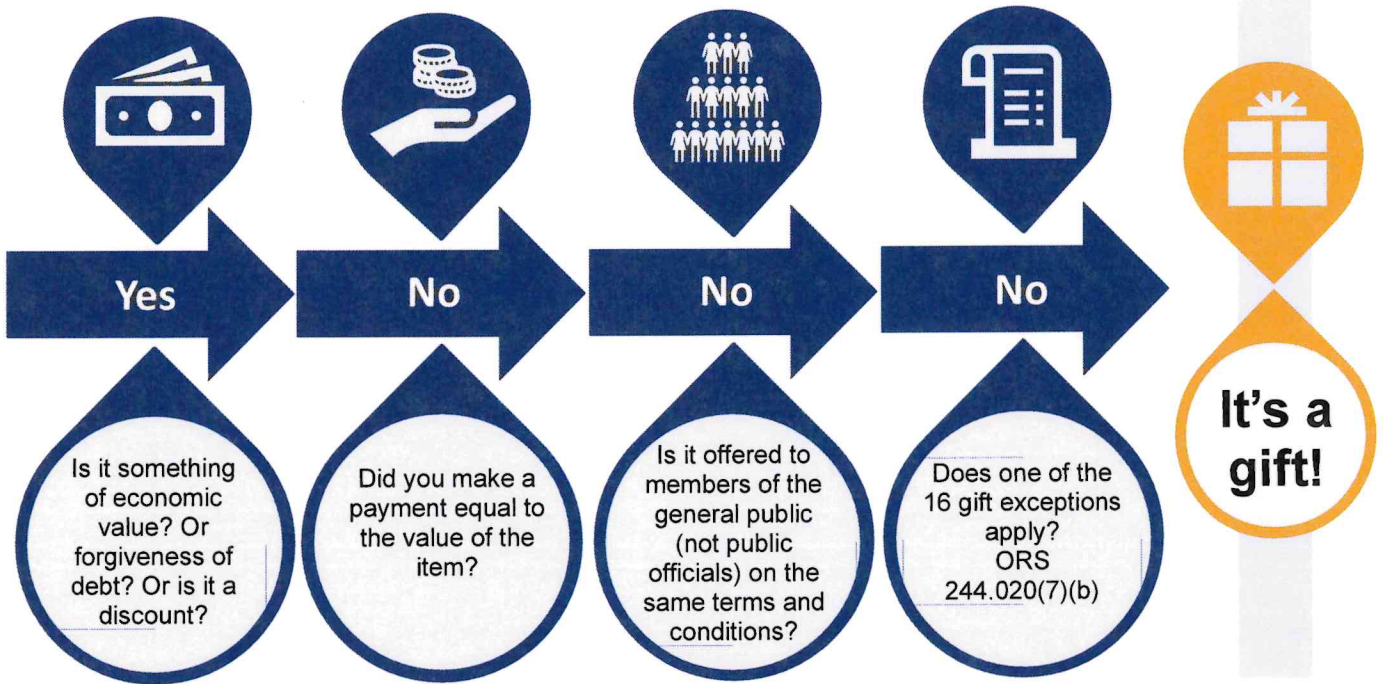
- If it is a potential conflict of interest, they may continue to participate in the discussion, debate or vote on the matter.
- If it is an actual conflict of interest, they must refrain from participating in any discussion, debate or vote on the matter. [ORS 244.120(2)].

Minimum Votes Exception: If a public official's vote is necessary to meet a requirement of a minimum number of votes to take official action, an elected public official (or one serving on a board or commission) with an actual conflict of interest may be eligible to vote on the issue giving rise to their conflict of interest, but may not participate in any discussion or debate on the issue. [ORS 244.120(2)(b)(B)].

OGEC staff are available by phone or email to discuss how the minimum votes exception works. You can reach us at mail@ogec.oregon.gov or 503-378-5105.

Step 1: Is it a gift?

The restrictions in ORS 244.025 limit gifts that can be accepted by a public official, candidate, or a relative, or member of the household of a public official or candidate.



Step 2: Legislative or Administrative Interest?

Who is the source of the gift?

The source is the ultimate payer of the expense.
OAR 199-005-0030

Does the source have a legislative or administrative interest?

Are you in a position where you could take official action that could have an economic impact on the source of the gift that is distinct from that of the general public? ORS 244.020(10)

What is the value of the gift?

What is the fair market value of the item. OAR 199-005-0005

You must keep track of the value of all gifts from the same source during the calendar year.

Step 3: Can you accept the gift?

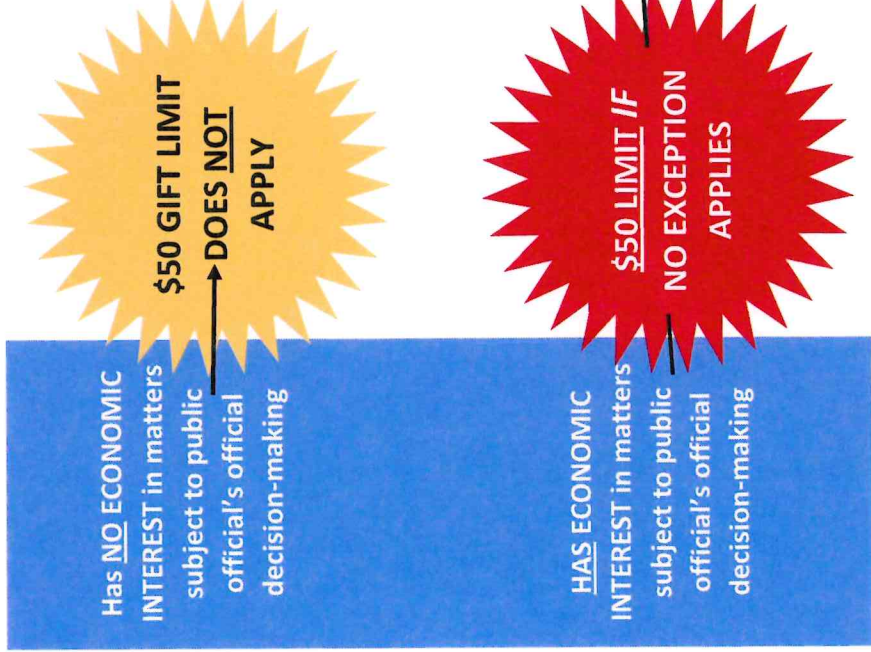


A GIFT IS: something of economic value not offered to others who aren't public officials (relatives or household members) on the same terms and conditions (ORS 244.020(7)(a))

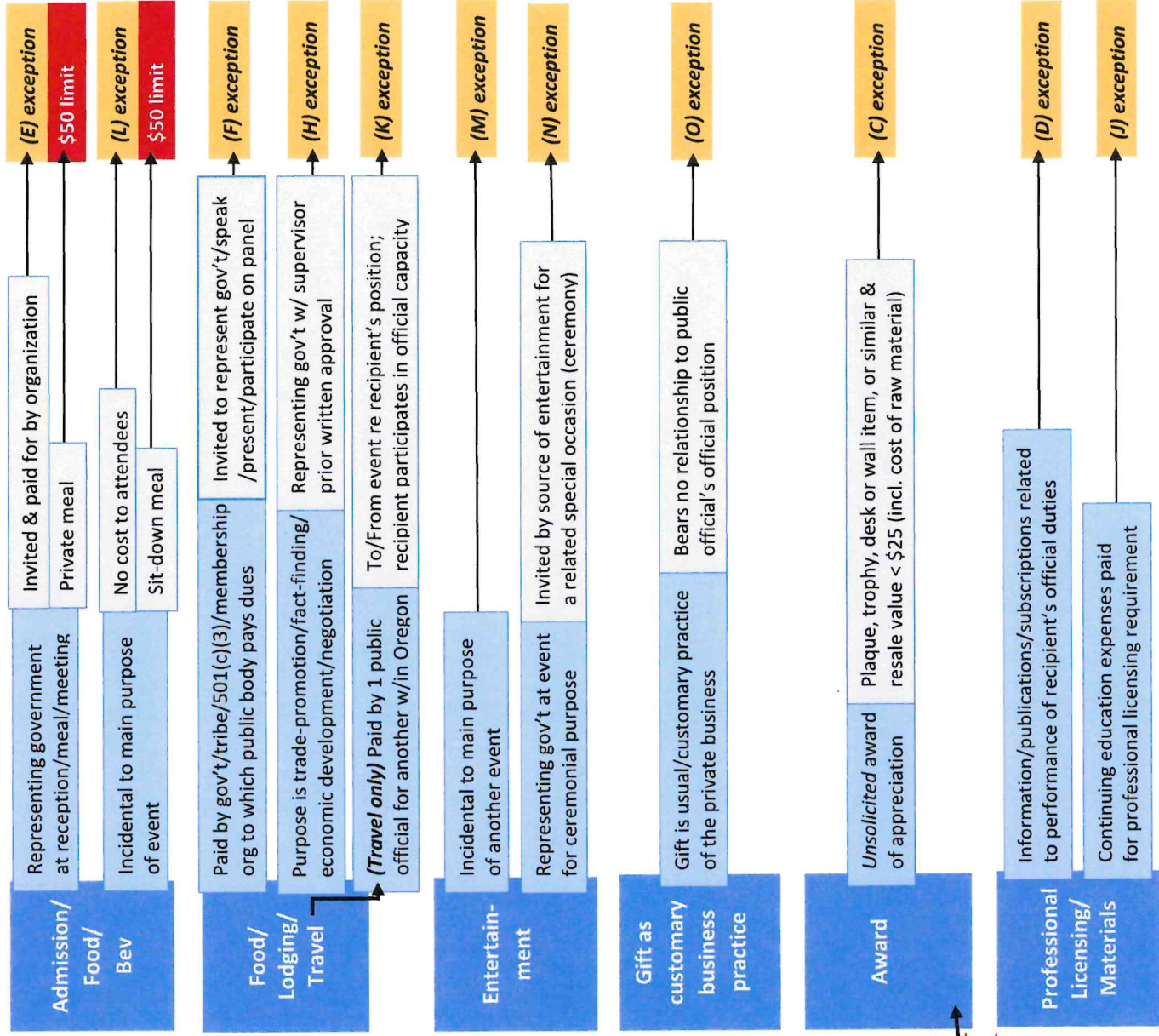
But an offer is **NOT A GIFT** if it fails to meet the above definition OR if it is offered by the public entity the public official represents.

* However, Prohibited Use of Office (ORS 244.040) may apply

SOURCE OF GIFT...



EXCEPTIONS TO THE GIFT LIMIT (ORS 244.020(7)(b)(A)-(O))*



*This is a training tool not intended to substitute for review of law; select gift exceptions ((A), (B), (G), (I), (P)) excluded



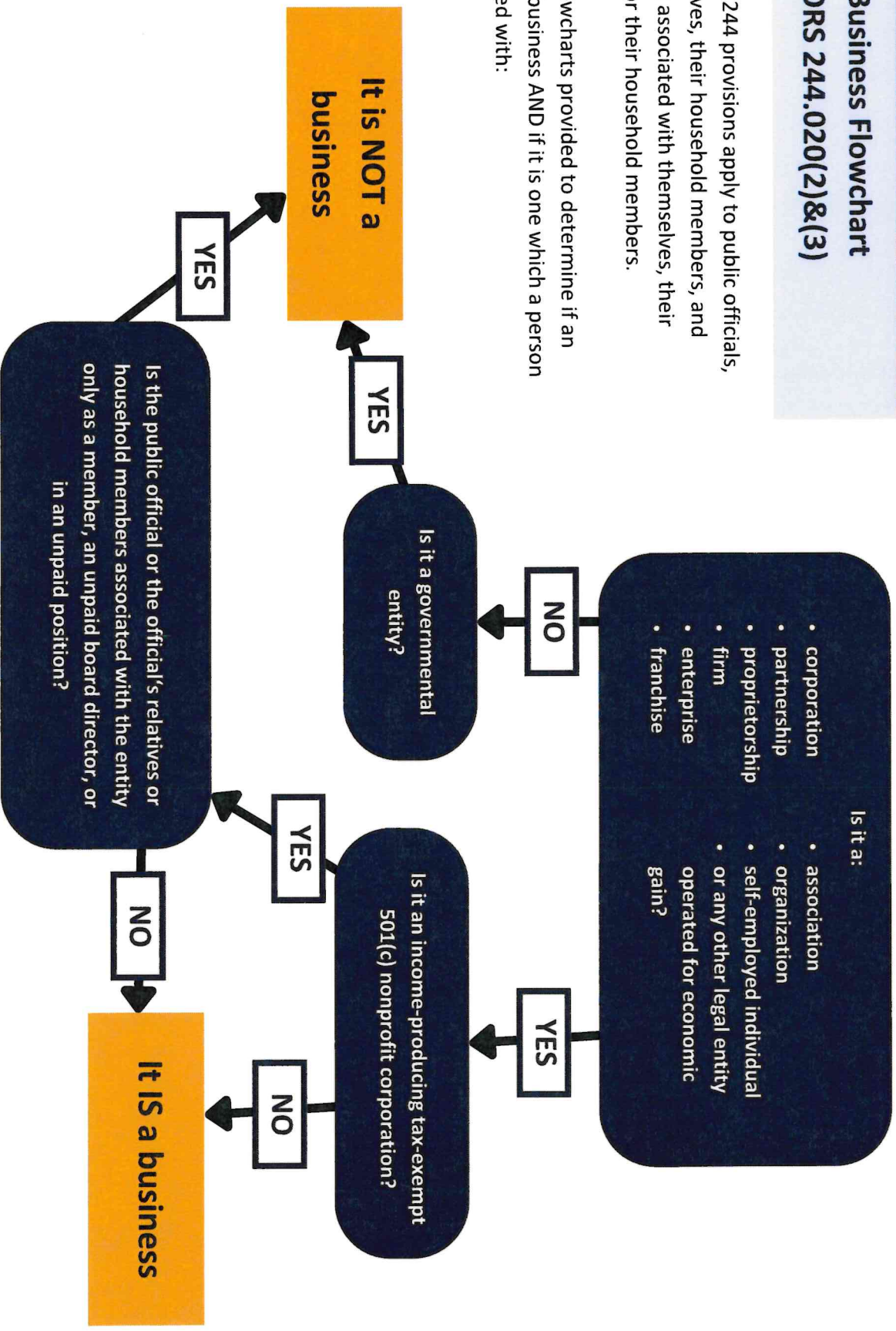
Oregon Government Ethics Commission

Business Flowchart ORS 244.020(2)&(3)

Many ORS 244 provisions apply to public officials, their relatives, their household members, and businesses associated with themselves, their relatives, or their household members.

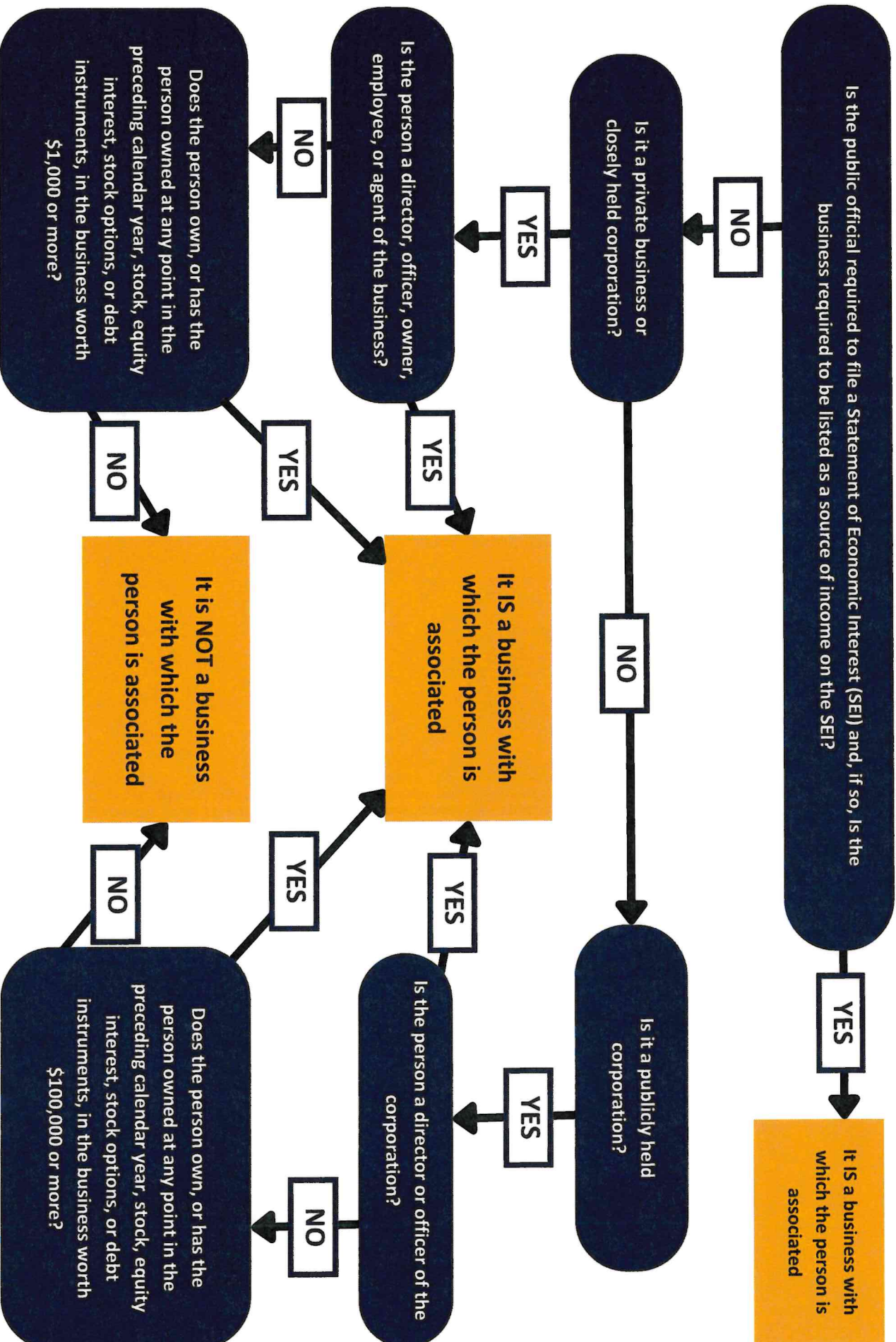
Use the flowcharts provided to determine if an entity is a business AND if it is one which a person is associated with:

#1 - IS IT A BUSINESS?



This handout should be used as a supplement, not a replacement, for ORS 244

#2 - IS THE BUSINESS ONE WITH WHICH A PERSON IS ASSOCIATED?



This handout should be used as a supplement, not a replacement, for ORS 244

CITY COUNCIL GOALS Discussion Meeting Minutes

April 11, 2023

1. INFRASTRUCTURE

a. Water Intake/School Line

The bid for this project has been awarded and the contract is signed. Preconstruction meeting scheduled for April 20, 2023.

b. Wastewater Master Plan

We are $\frac{3}{4}$ of the way through the process of putting this together.

c. Street Projects (SCA/CIP)

Two street projects were just finished on Barber and Walnut and we just received \$200,000 in reimbursements from those grants. At this point there are no more grants available to us. At this time we are working from a list of all the streets that need work in town and how they qualify for grant money based on a point system. Right now we are at a standstill until we can build up financial reserves to provide a match for more grant money. There will be a discussion with SCA soon but it is not expected that we will qualify for anything at this point.

Councilor Klym requested a copy of the list of streets and their ranking based on the point system.

2. CODIFICATION OF MUNICIPAL CODE

- a. It was discussed that this is a big project and it will take some hard work to get our documents in order. Much of the paperwork has been put into storage and is not in an order that is easy to find. It is a work in progress. Deputy City Recorder Stevens will be heading up this project in the near future. It was suggested that we reach out to local colleges in the area to access some free labor time from students who need the experience working with municipal code and records.

3. LIVABILITY / BEAUTIFICATION

- a. It was discussed that the bulk of this kind of work falls under the responsibility of the Chamber of Commerce and the EID. There was discussion about helping to drive more spirit and energy surrounding the downtown area. There are grants available to help with beautifying downtown, Main Street Grant. Some buildings are ready to use such as the old bakery building. It was suggested that we reach out to the wood shop class at the high school to build us some planters and other items to donate to the downtown.

4. PARKS PROJECTS

a. Oaken Hills Pump Track

In progress.

b. Hampton Park Bank Stabilization

This is in process. We have applied for \$4.3 million dollars in grants. We have set aside \$100,000 to pay for studies to be conducted in the near future to determine what the specific issues are with the levy.

c. Update Master Plan

This has not been started yet.

d. Regional Bike/Pedestrian Pathway – Steel Bridge Route

This project will be revisited.

5. ECONOMIC DEVELOPMENT

a. *Recruit new business (dependent on TSP adoption / parking / walking)*

TSP has been adopted. A meeting will be taking place soon including an ODOT representative to talk about ADA curbs and different kinds of curbs cities can choose from. There will be a project starting in 2024 to help fit what we have.

b. *Tourism*

Nothing to report.

c. *BLM Maintenance Shop Relocation*

This project was stopped by BLM a while ago. Deputy City Recorder Stevens is in the process of trying to contact someone from the BLM and reopen the conversation about possibly moving the shops located on the corner of NE Main Street and NE Oaken Hills Drive in downtown Willamina.

6. YOUTH ACTIVITIES

a. *Youth and Family Activities*

The Oaken Hills Pump Track fits into this category. The Library also has many of the family friendly and youth activities/programming.

It was suggested that we create a youth committee with a liaison that attends the City Council meetings. Perhaps incorporate FFA.

b. *Safety / Health / Wellness*

Nothing to report. Councilor Wilson made the point that a lot of the construction that has been happening in Willamina is meant to be family friendly with the design of the neighborhoods and the locations of parks and playgrounds etc. He said that part of Health and Wellness is how the community is developing.

7. STREETS – SAFETY

a. *Lighting*

b. *Bike / Pedestrian Pathways*

c. *Crosswalks*

In response to all of three of the above “Streets – Safety” subcategories; there was discussion about the general safety of our streets and pathways. The poor condition of many of our streets with potholes and the topic of the railroad crossings near the bridge in downtown Willamina were discussed. This is under jurisdiction of the railroad and ODO and that conversation has to happen between ODOT and the railroad. The community needs to continue to send emails to ODOT concerning the roads and the railroad crossing. There is an upcoming meeting between Bridget, Jeff, a Polk County Commissioner and Ryan from ODOT.

The city is planning to purchase some radar signs to encourage drivers to slow down when entering Willamina. Commissioner Kit Johnston said to contact Mark Lago about borrowing some radar trailers.

It was discussed that information should be put in the City newsletter for community members to continue to send emails to ODOT regarding the deteriorated railroad crossing.

It was suggested that the City Council revisits and updates the City Council goals quarterly instead of yearly. It was also suggested that we discuss the idea of a dog park.