

Policy & Procedures Committee Minutes

Wednesday, March 16, 9 a.m. to 10:16 a.m. | Zoom Meeting

Members: Jessica Epley, Micah Brown, Melanie Lewis, Sean Tarter, Connor Toney, Lynda Hofmann, Kevin Hennessy, Josh Thomas, and Kitty O'Keefe

Guests: none

1. Announcements and Introductions

- a. Jessica called the meeting to order at 10:04 a.m. and introductions were made.
- b. No minutes were reviewed.

2. New Business

- a. Discuss OUNC Board meeting frequency, possible change from monthly to quarterly
 - i. Josh shared there are pros/cons to meeting monthly. Some board members have shared that it can be a struggle to make each monthly board meeting. Some savings in cost by going quarterly. Could address special items in Executive Session.
 - ii. Jessica feels that committee's need more time in between board meeting.
 - iii. Melanie agrees with Jessica. However, meeting quarterly could create a disconnect with board members. She recommends every 2 months.
 - iv. Micah feels the board is not ready to go quarterly. Give Josh more time to manage efficiently.
 - v. Kevin asked if this was prioritized in Strategic Planning?
 - vi. Josh shared Strategic Planning will be covered at the board retreat in May.
 - vii. Let's look at this in 2023
- b. Review and approve revisions of chapters 2 & 3 from Policy and Procedures Manual – Action Items (see attached)
 - i. 2.2 Employees and HR Policy: edits were made
 - ii. 2.2.1 Executive Director: Jessica recommends putting in Bylaws for annual review.
 - iii. 2.3 Consultants and Contractors: do we keep in P&P or move to employee manual?
 - iv. 2.4. Travel and other Expense Reimbursements: move to employee manual
 - v. 2.5 Conflict of Interest: members agreed to have this definition included in board agenda.
 - vi. 2.7 remove Employee was noted
 - vii. 2.8 what is Trustee def? use 'while representing'
 - viii. 2.8.2 – remove volunteers? Yes
 - ix. 3.2 Reserve Policy: members reviewed new language.
 - x. 3.5, 3.5.2 and 3.5.10 – edits discussed and approved.
 - xi. 3.6 Financial Reporting Procedures: edits discussed and approved.
 - xii. 3.8.4 Expenditure Caps: move staff caps to employee manual.
 - xiii. 3.10 Financial Review/Audit Procedure: edits discussed and approved.
 - xiv. 3.11 Assets inventory: do we move to employee manual? Yes.
- c. Discuss next steps for all board approved items, formalize our process.
- d. Discuss new policy on reserve amount
- e. Discuss audit/financial review

3. Old Business

4. For the Good of the Order

5. Next Meetings

- a. Proposed, tentative dates
 - i. April 6, 2022, and April 20, 2022

6. For the Good of the Order

Meeting adjourned at 10:16am. Minutes submitted by Kitty O'Keefe 3.16.22

Attachment #1

952-001-0080

Design Information Requests and Design Locate Requests

A Design Information Request (DIR) must be processed before a Design Locate Request (DLR) can be made. This is not a request for marks from utilities, but is in place to provide the designer with a list of contacts for those utilities that have facilities in the proposed area of design. If the Designer determines that marks are needed to complete their design, after 5 business days, the DIR can be converted into a DLR.

1. After a designer notifies the Oregon Utility Notification Center with a **Design Information Request (DIR)**, the operator of the underground facilities must:
 - a) Provide the excavator the best description available to the operator of the unlocatable underground facilities in the area of the proposed excavation including as-constructed drawings, or other facility maps that are maintained by the facility operator; **or**
 - b) Contact the person requesting design information and agree on a time, prior to the beginning of the proposed project, for exchange of the information required under subsection (a) or subsection (b) of this section of this rule.
2. **Within 10 business days** but not before 5 business days after the submittal of a DIR. The designer may notify the Oregon Utility Notification Center of a Design Locate Request, the operator of the underground facilities must:
 - a) Mark within 24 inches of the outside lateral dimensions of both sides of all of its locatable underground facilities within the area of proposed excavation. All marks must indicate the name, initials or logo of the operator of the underground facilities, and the width of the facility if it is greater than 2 inches;
 - (1) If a designer intends to perform work at multiple sites or over a large area, the designer must take reasonable steps to work with the facility operators, including preconstruction meetings, so that the operators may locate their facilities at a time reasonably in advance of the actual start of survey or design for each phase of work.
 - (2) **All DLR's must be preceded by a DIR but no earlier than 5 days after DIR is submitted.** No excavation can take place on either a DIR or a DLR, these requests are for design purposes only.

Stat. Auth.: ORS 757.552

Stats. Implemented: ORS 757.552

Hist.: OUNC 1-1997, f. & cert. ef. 4-17-97; OUNC 1-2014, f. & cert. ef. 3-7-14

There will also need to be new definitions added for both DIR and DLR in OAR 952-001-0010:

“Design Information Request” means the process to provide contacts of all participating operators with available underground facility information from all operators notified within the requested area.

“Design Locate Request” means a request to have all known underground facilities marked, staked, or located by all operators notified within the requested area.

Attachment #2

952-001-0080

Design Information Requests and Design Locate Requests

(1) A Design Information Request (DIR) must be processed before a Design Locate Request (DLR) can be made. This is not a request for marks from utilities, but is in place to provide the designer with a list of contacts for those utilities that have facilities in the proposed area of design. If the Designer determines that marks are needed to complete their design, after 5 business days, the DIR can be converted into a DLR. Once a DLR is made, the Operator must:

(A) Within 10 business days after a designer notifies the Oregon Utility Notification Center of a proposed project, the operator of the underground facilities must:

1. Mark within 24 inches of the outside lateral dimensions of both sides of all of its locatable underground facilities within the area of proposed excavation. All marks must indicate the name, initials or logo of the operator of the underground facilities, and the width of the facility if it is greater than 2 inches;
2. Provide the excavator the best description available to the operator of the unlocatable underground facilities in the area of the proposed excavation including as-constructed drawings, or other facility maps that are maintained by the facility operator; **or**
3. Contact the person requesting design information and agree on a time, prior to the beginning of the proposed project, for exchange of the information required under subsection (a) or subsection (b) of this section of this rule.

(2) If a designer intends to perform work at multiple sites or over a large area, the designer must take reasonable steps to work with the facility operators, including preconstruction meetings, so that the operators may locate their facilities at a time reasonably in advance of the actual start of survey or design for each phase of work.

(3) No excavation can take place on either a DIR or a DLR, these requests are for design purposes only.

Stat. Auth.: ORS 757.552

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1. PURPOSE & FUNCTION – APPROVED 3/9/2022

2. PERSONNEL POLICIES

2.1. Zero Discrimination Policy:

It is the policy of Oregon Utility Notification Center, that it will operate and conduct business without discrimination or segregation because of age, sex, race, color, religion, national origin, handicap, genetic information, disability, and pregnancy, except where there is a bona fide occupational qualification for the job tasks to be performed.

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The Oregon Utility Notification Center Board has adopted the Oregon Department of Administrative Services Discrimination and Harassment Free Workplace Policy (50.010.01).

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REFERENCE: https://www.oregon.gov/das/Policies/50-010-01.pdf

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2.2. Employees and HR Policy:

While the Oregon Utility Notification Center is exempt from Oregon Revised Statutes chapter 240 (per ORS 757.552), the Oregon Utility Notification Center follows the policies established by the Human Resource Policy section of the Oregon Department of Administrative Services. Unless otherwise specified in this manual or other board-approved documents guiding employee expectations, performance and conduct, the Oregon Utility Notification Center and its employees will follow the guidance of statewide human resource policy.

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REFERENCE: https://www.oregon.gov/das/Pages/policieshr.aspx

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2.2.1 Executive Director

The Board of Directors oversees the performance and conduct of the Executive Director and conducts annual reviews. The Board has the

power to make decisions regarding recruitment, hiring, salary, benefits, scope of authority, spending limits, disciplinary action, termination, and any other human resource matters.

2.3. Consultants and Contractors:

Contractors may enter into an agreement for a specific scope of work and/or time period and are not employees of the Oregon Utility Notification Center.

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2.4. Travel and Other Expense Reimbursements:

Employees, Contractors and/or Oregon Utility Notification Center Board members may be reimbursed for travel and certain expenses provided the trip and related costs are approved by the Oregon Utility Notification Center Board.

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2.4.1. Itemized receipts should be kept and provided along with details of the business purpose for the expense. This applies to reimbursements and company credit card usage. Expenses should be restricted to business purposes only, using good judgement on what costs are reasonable and appropriate.

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2.4.2. Employees using personal automobiles for travel will be reimbursed for mileage at the current IRS approved rate. Contractors and Oregon Utility Notification Center Board members may be reimbursed on a case-by-case basis, subject to review and approval. All requests for mileage and expense reimbursements will be documented using Oregon Utility Notification Center reimbursement forms.

Commented [JT2]: Do we want to specifically address alcohol here or leave it general?

Commented [EJ3R2]: Employee and Contractors should be moved to the Employee Manual.

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Commented [JT4]: Better suited to handbook?

Commented [EJ5R4]: This should be mirrored in the Employee Manual.

2.5. Conflict of Interest:

No Employee, Contractor or Oregon Utility Notification Center Board member will participate in activities or other employment that may cause

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a conflict of interest with the activities of Oregon Utility Notification Center. Activities or employment that create possible conflicts will be disclosed to the Board of Directors in writing for review. [Members should declare an actual or potential conflict of interest before voting on items coming before the Oregon Utility Notification Center Board or its committees.](#)

Commented [EJ6]: Mirror in employee manual and remove references to employees/contractors

2.6. Unlawful Harassment, Including Sexual Harassment:

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2.7. It is the policy of [the Oregon Utility Notification Center](#) that it will not tolerate verbal or physical conduct by any [Employee](#), Contractor or Board member which harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile environment. [The Oregon Utility Notification Center Board and staff participates in annual training addressing these issues and has adopted the Oregon Department of Administrative Services Discrimination and Harassment Free Workplace Policy \(50.010.01\).](#)

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2.7. Board of Directors, [Employees](#) or Contractor's Files:

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All Contractors, [Employees](#) and Oregon Utility Notification Center Board members have a right of access to the files to review agreements made with the Oregon Utility Notification Center Board. It is the responsibility of the Contractor, [Employee](#) or Board member to provide information to the Board Secretary to keep contact folders [current](#) (e.g., address, telephone numbers).

Commented [EJ8]: Mirror in employee manual and remove references to employees/contractors

Moved up [1]: Oregon Utility Notification Center will not discriminate against any applied candidate for a board position or Contractor based on age, sex, race, color, religion, national origin, handicap, genetic information, disability or pregnancy.¶

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2.8. Confidentiality Policy:

Commented [EJ9]: Mirror in employee manual and remove references to employees/contractors

It is the policy of the [Oregon Utility Notification Center](#) that Board members, [Employees](#) and Contractors of the organization may not disclose, divulge, or make accessible confidential information belonging to, or obtained through their affiliation with the organization to any person, including relatives, friends, and business and professional

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associates, other than to persons who have a legitimate need for such information and to whom the organization has authorized disclosure.

Commented [EJ10]: Mirror in employee manual and remove references to employees/contractors

2.8.1. Board members, Employees and Contractors shall use confidential information solely for the purpose of performing services as a Trustee, Employee or Contractor for the organization. This policy is not intended to prevent disclosure where disclosure is required by law. Board members, Employees, Contractors and volunteers must exercise good judgment and care at all times to avoid unauthorized or improper disclosures of confidential information.

Commented [EJ11]: Same

2.8.2. At the end of a board member's term in office or upon the termination of an employee's, volunteer's or contractor's relationship with the organization, he or she shall return, at the request of the organization, all documents, papers, and other materials, regardless of medium, which may contain or be derived from confidential information, in his or her possession.

Commented [EJ12]: Same

2.9. Employee Remote Communications Program:

The Oregon Utility Notification Center recognizes the need for employees to carry a smartphone and maintain dependable internet service to conduct business from their home office. This is especially important for crisis response and times when the expectation is to be on-call and reachable. Since employees work remotely and travel, the organization offers two options for covering costs for these devices and related service plans:

Oregon Utility Notification Center Responsibility - At the board's discretion, the Oregon Utility Notification Center may purchase mobile phones, hotspots, tablets or related devices and pay 100% of the costs (device and service plans, accessories, repair, etc.). Employees who select this option agree that all equipment remains

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the property of the Oregon Utility Notification Center. Additionally, aside from emergency or incidental use, the device(s) and service(s) may not be used for personal use.

Employee Responsibility - The employee may use their own phone/equipment, bearing all responsibility for out-of-pocket costs. Oregon Utility Notification Center pays a monthly stipend of \$60 to offset the costs of the device and services paid for by the employee. The employee retains ownership of their own device and remains responsible for any contracts, upgrades, repairs or replacements. The employee agrees to maintain a service contract that includes web, email and text capabilities.

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2.9.1. The stipend is a non-taxable fringe benefit and will not be included in base compensation for future raises, salary adjustments, retirement contributions or calculations for any other employee benefits.

2.9.2. The employee must select one of the two options and cannot combine elements of the two without special approval by the Oregon Utility Notification Center Board.

2.9.3 Appropriate Use - Under both options, the employee is expected to use their devices and services in a prudent manner at all times. Employees must comply with relevant information services policies, including system security as well as compliance with all local, state and federal laws.

2.9.4 Payroll Processing -After payroll receives the approved request to pay a stipend, it will be added to the individual's monthly payroll check.

2.9.5 The Oregon Utility Notification Center Policy and Procedures Committee reserves the right to review this remote

communications program on an annual basis and can elect to modify the program at their discretion. The stipend can be discontinued at any time by a decision of the Oregon Utility Notification Center Board.

2.10 Employee Leave

Employees accrue paid leave that can be used for vacation, personal business, or sick leave. The employee is expected to notify their supervisor of planned absences and ensure meetings are covered and deadlines are met whenever possible. 2.10.1. The Oregon Utility Notification Center Board has adopted the state Family and Medical Leave Policy (60.000.15).

REFERENCE: <https://www.oregon.gov/das/Policies/60-000-15.pdf>

2.10.2. The Oregon Utility Notification Center follows state guidance on paid holidays and observances.

REFERENCE: <https://www.oregon.gov/das/pages/calendar.aspx>

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3. ACCOUNTING, AUDIT AND FINANCIAL MANAGEMENT POLICIES

3.1. Accounting Policies:

It shall be the policy of Oregon Utility Notification Center to create and maintain accounting, billing, and cash control policies, procedures and records which are consistent with Generally Accepted Accounting Principles (GAAP) and which meet the requirements of state and federal statutes and regulations. Oregon Utility Notification Center accounting, audit, and financial management policies are designed to:

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3.1.1. Protect and secure the assets of Oregon Utility Notification Center.

3.1.2. Ensure the maintenance of accurate records of the Oregon Utility Notification Center's financial activities.

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3.1.3. Ensure compliance with governmental and private funder reporting requirements.

3.1.4. In accordance with ORS 293.226 and ORS 293.229, the Oregon Utility Notification Center shall provide a report of delinquent accounts to the Legislative Fiscal Office no later than October 1st.

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3.2. Reserve Policy:

It shall be the policy of the Oregon Utility Notification Center to keep a reserve in the budget equal to three months of essential operating costs. Reserve funds support ongoing operational costs, under the direction and approval of the Oregon Utility Notification Center board. Priority funding shall ensure continued service provided by a one call contractor alongside other legal or contractually mandated responsibilities.

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3.3. Revenue:

3.3.1. Bank Accounts are established as required by funding requirements.

3.3.2. Individuals generally authorized to sign checks include the Chair, Treasurer, Executive Director, and with approval, the Oregon Utility Notification Center's accounting firm.

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3.3.3. All persons approved to sign checks will be formally approved by the Oregon Utility Notification Center Board of Directors.

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3.3.4. The Executive Committee authorizes all bank accounts, determines who can hold credit/procurement cards, and approves all check signers. The approval of cardholders and

signers shall be reflected in the Board of Directors meeting minutes.

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3.3.5. Banks are promptly notified of all changes of authorized check signers. All checks are to be accounted for by the Treasurer or authorized bookkeeping company (used, voided, or not used).

3.3.6. Voided checks are to be properly defaced and maintained.

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3.3.7. Bank reconciliations to the general ledger are done monthly by the bookkeeping company.

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3.4. Expenses:

3.4.1. Expenses are charged directly to programs.

3.4.2. Checks for payment are signed only when supported by approved invoices (checks will not be processed and signed in advance of proper invoicing approval procedures). The Treasurer assigns a chart of account code before an invoice is processed.

3.5. Delinquent Debts, Charges and Account Management

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3.5.1. Records from the one call contractor must indicate that all efforts to obtain payment have been exhausted before the decision is made by the Oregon Utility Notification Center Board of Directors to write off any debt.

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3.5.2. The request for approval of a write-off must include a short narrative of actions taken to collect and the rationale for the debt being considered uncollectable. Any write-off greater than \$5 must be Board authorized.

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Commented [JT16]: Following 1.10.1., should we task the Executive Director with reviewing amounts less than \$500 and presenting them to the Executive Committee?

Reference to this action will be included in the board meeting minutes for the next regularly scheduled Board of Directors meeting.

3.5.3. Oregon Utility Notification Center and its one call contractor will use available, legal, and cost-effective means that are appropriate to the circumstances of the collection effort. A means of collection may be considered cost-effective when it is reasonable to expect the costs of collection to be less than the debt. If the anticipated recovery would be only marginally in excess of the cost of collection, it may be reasonable to exert little or no effort to collect the debt (reference OAM 35.70.10).

3.5.4. For delinquent accounts with small dollar amounts ranging from \$0.01 to \$5, if the amount cannot be combined with any other invoices that the company or organization has not paid, the one call contractor may make an informed decision to write it off per section 3.5.3. This information shall be presented to the Board as a part of the contractor's regular monthly reporting, and the Oregon Utility Notification Center Executive Director shall keep records and track these accounts on an ongoing basis.

3.5.5. Write-offs are intended for unique circumstances and are not to be used as an ongoing waiver. As such, the Oregon Utility Notification Center reserves the right to exempt specific accounts from write-offs if they repeatedly appear in the reports referenced in 3.5.4.

3.5.6. Oregon Utility Notification Center permits the one call contractor to assess interest charges and collection fees for delinquent accounts. Language shall be included on invoices to

Commented [JT17]: Approved 3/9/2022

indicate that a failure to make payment in full by the due date may result in additional costs from interest and fees as authorized by law.

3.5.7 Reasonable efforts by the one call contractor to collect delinquent accounts receivable can include emails, calls and must include at least one collection letter to the debtor using the guidance and templates in OAM 35.30.50. These efforts can reference collection fees (refer to OAM 35.40.20), interest charges of 9% per annum (refer to OAM 35.30.20 and ORS 82.010) and assignment to the Oregon Department of Revenue for collection as required by ORS 293.231.

3.5.8 After collection attempts have been deemed unsuccessful, escalation means the debt may be assigned to the Oregon Department of Revenue for collection and may be reassigned to a private collection company. The Oregon Utility Notification Center Board will approve or deny accounts that the one call contractor plans to send to collections. If approved, the OUNC Executive Director shall submit the account information to the Oregon Department of Revenue. This does not apply if the delinquent account is another state agency or governmental entity.

3.5.9. If the debt is incurred by another state agency or other governmental entity, such agencies are required to pay any undisputed accounts within 30 days of receiving the interagency invoice. After a 45-day grace period (ORS 293.462), escalation can include contacting the respective agency's CFO or Director, and as a last option, requesting intervention by the Oregon Department of Administrative Services Chief Financial Office.

Commented [JT18]: Approved 3/9/2022

3.5.10 In the interest of damage prevention and public safety, every effort should be made to determine who is responsible for an account if the contact on file becomes unreachable. The one call contractor should use whatever contact information they have for the account and make reasonable attempts to reach a responsible party for the respective facility. If unsuccessful, the one call contractor should try searching the names associated with the account on Google or other online searches for any publicly available contact information.

3.6. **3.5.11 If still unsuccessful, the contractor will forward the account information to the Oregon Utility Notification Center Executive Director with an explanation of the attempts to reach the account contact(s). The Executive Director will work with the one call contractor to determine if the account can ultimately be updated with new contact information, reassigned to a responsible party or closed. Removal of any inactive accounts will be reported to the board in the one call contractor's regular monthly reports.** **Financial**

Reporting Procedures

3.6.1. Working with Oregon Utility Notification Center staff, and its accounting firm, the Treasurer will be responsible for oversight and reporting on all revenue sources, expenses, and asset and liability balances.

3.6.2. Financial reports are reconciled to the general ledger and accounting records prior to submission to the Board of Directors.

3.6.3. Monthly financial reports which analyze the Oregon Utility Notification Center's financial position and the effectiveness

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of its management and programs will be presented to the Board of Directors.

3.6.4. Periodic reports will be provided by the Treasurer of all funding sources as requested or required by the Board of Directors.

3.7. Investing Policy

The [Oregon Utility Notification Center](#) Board of Directors will approve the placement of assets not needed for immediate operations assuring compliance with all contractual requirements, using the principles identified in Sections, 3.8, 3.9 and 3.10 and that all principles in those sections have been met.

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3.8. Budget Principles/Procedures

Structure of the budgetary process shall evolve from the mission and by-laws of [Oregon Utility Notification Center](#) with consideration given to the requirements of any of the organization's funding partners.

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3.8.1. Budget Principles

3.8.1.1. *The budgetary process shall comply with the organization's funding partners and in accordance with applicable state and federal laws.*

3.8.1.2. *The budgetary process shall comply with the guidelines and principles set forth by the Board of Directors.*

3.8.1.3. *Annually, each program area requiring a budget shall be identified and a plan developed with concurrence from the Treasurer/Budget [and](#) Audit Committee.*

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[3.8.2.](#) Procedures

3.8.2.1. *The organization's budget process should begin during September and, working with the Treasurer, the Executive Director will prepare and submit an operating budget to the Board of Directors 30-60 days prior to the beginning of the new calendar year and prior to submission to funding sources.*

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3.8.2.2. *If budget submission is due to funding sources prior to 60 days before the beginning of the fiscal year, the Oregon Utility Notification Center's Board of Directors will review a preliminary budget and adopt it if necessary.*

3.8.2.3. *The approved preliminary or final operating budget will become the blueprint for the budget submission to all outside funders.*

3.8.3. Adjustments in Budget/Spending Plans

Any adjustments or changes in spending policies/budget plans which vary by more than 10% from the original approved budget will be initiated by the Treasurer and submitted for approval to the Board of Directors.

3.8.4. Expenditure Caps

An expenditure cap of \$5000 is in place for the Board Chair; an expenditure cap of \$5,000 is in place for the Executive Director; and an expenditure cap of \$5000 is in place for any single transaction approval for the Publicity and Training and Education chairs. The Executive Assistant and Outreach Coordinator has a \$10,000 cap to cover event costs.

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3.9. Banking Policy

Oregon Utility Notification Center shall keep all funds available not already invested in a financial institution of high credit quality.

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3.10. Financial Review/Audit Procedure

3.10.1. Oregon Utility Notification Center should contract for an independent review to be performed by a Certified Public Accountant (CPA) at the conclusion of every three (3) years but should not exceed five (5) years.

3.10.2. The auditor(s) will test accounting mechanisms in accordance with generally accepted auditing standards for not-for-profit organizations and as contractually required by funding sources.

Commented [JT23]: There was discussion at the 3/9/22 board meeting about whether to do a financial review every year and a full audit every 3-5 years.

3.11. Assets Inventory

The Executive Director shall maintain an inventory of equipment purchased and owned by the Oregon Utility Notification Center. This includes, but is not limited to, computers, printers, audio/visual equipment, furniture, and other property. Items with a value of more than \$1,000 should include serial numbers. These items will be returned to the Oregon Utility Notification Center when the person in possession of the assets is no longer employed by Oregon Utility Notification Center or serving on the board.

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