

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON, JUN 28 1985

ORDINANCE NO. 3-85

) IN THE MATTER OF AMENDING CHAPTER 2 OF LANE CODE TO ESTABLISH
) OF LANE CODE TO ESTABLISH
) SELF INSURANCE FUND RESTRICTIONS,
) ADOPT A SEVERABILITY CLAUSE AND
) DECLARE AN EMERGENCY

County Clerk
For Lane County, Oregon
[Signature]
DEPUTY

The Board of County Commissioners of Lane County ordains as follows:

Chapter 2 of Lane Code is hereby amended by adding the following pages:

REMOVE THESE PAGES

INSERT THESE PAGES

2.400 - 2.410(2) to
2.410(2) - 2.415,
i.e. 2-9 to 2-9a
(a total of 2 pages)

Said pages are attached hereto and incorporated herein by reference. The purpose of these additions is to establish Self Insurance FUnd Restrictions.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

An emergency is hereby declared to exist and this ordinance, being enacted by the Board in the exercise of its police power for the purpose of meeting such emergency and for the immediate preservation of the public peace, health and safety, shall take effect July 1, 1985.

Enacted this 26th day of June, 1985.

APPROVED AS TO FORM
DATE 6/10/85
[Signature]
OFFICE & COUNSEL

[Signature]
Chair, Lane County Board of Commissioners
[Signature]
Recording Secretary for this Meeting of the Board

1 - IN THE MATTER OF AMENDING CHAPTER 2 OF LANE CODE TO ESTABLISH SELF INSURANCE FUND RESTRICTIONS, ADOPT A SEVERABILITY CLAUSE AND DECLARE AN EMERGENCY

2.400

Lane Code

2.410(2)

SELF-INSURANCE FUND RESTRICTIONS2.400 Dedication of the Self-Insurance Fund.

(1) The Self-Insurance Fund has been in existence since April 3, 1978, by virtue of Board Order 79-4-3-9.

(2) The Board of County Commissioners has determined that it is in the best interests of Lane County to convert the Self-Insurance Fund to a special fund dedicated to the purposes as enumerated in LC 2.405.

2.405 Risk Management Program.

(1) The Risk Management Program exists for the purposes of protecting Lane County through the Self-Insurance Fund against the financial consequences of accidental losses, protecting the County's assets and public service capabilities from loss, destruction or depletion, and minimizing the long-term cost to the County of all activities related to the identification, prevention and control of accidental losses, losses from perils within or beyond control of the County, potential liabilities and their consequences.

(2) The County Administrator and those employees designated by the County Administrator shall be responsible for administering of a coordinated management program with internal procedures for incident and claim reporting of all losses incurred by the County; for providing a constant assessment of fluctuating exposure to loss, loss-bearing capacity and available financial resources, including insurance; and for establishing, to the extent possible, an exposure-free County work and service environment.

2.410 Self-Insurance Fund.

(1) The Self-Insurance Fund shall exist as a separate fund in order to centrally account for all expenditures and reserves associated with the protection of the County assets and operations. Accounts will be established within the fund for the financial administration of general liability, contract liability, personnel and labor relations liability, self-insurance, and purchased insurance as shall be determined to be necessary.

(2) In conformity with Lane County's procedures, the following expenditures may be charged to the appropriate account of the Self-Insurance Fund:

(a) Costs and expenses related to administration, investigation, payment, and litigation of all insured and uninsured claims and losses arising from the County's operations whether said costs incurred externally or internally within Lane County.

2.410(2)

Lane Code

2.415

(b) Costs for repairing and replacing personal property, money and improvements to real property owned or leased by the County to the extent the County has contractually assumed risk of loss.

(c) Loss prevention expenditures for minor unanticipated projects not budgeted by the departments that are needed to immediately reduce risks of future losses and/or to comply with state/federal safety and health regulations.

(d) Insurance premiums for County operations.

(e) Those claims, settlements or judgments for which payment is in the best interests of Lane County or which have been judicially imposed. All settlements of claims or lawsuits shall be made in conformity with state law and Lane Manual provisions.

(f) Any other insurance or self-insurance-related expenditures as deemed appropriate by the County Administrator within standard budgetary procedures.

(3) The Self-Insurance Fund shall not be charged for the expenses of:

(a) Condemnation actions.

(b) Litigation commenced by Lane County for Code enforcement purposes.

(c) Representing the Assessor on tax appeals.

(d) Representing Lane County on land use appeals, unless monetary damages, which could include attorney fees, are sought against Lane County.

(4) The County Administrator will ensure that the Self-Insurance Fund shall be maintained at an appropriate level with consideration for County needs, exposures, reported losses and the reported loss experience of each department.

(5) The Self-Insurance Fund shall be maintained at a level to pay all claims, premiums, administration expenditures, reserves and future reserves for incurred, but not reported, claims. Amounts shall not be transferred from the Self-Insurance Fund unless a program defined by LC 2.410(2) is discontinued without further financial obligation and/or it is determined by a qualified independent actuary based upon the standard for reserving against potential liability that the fund level may be adjusted.

2.415 Delegation. The County Administrator shall promulgate administrative procedures and budget instructions as are necessary to implement, maintain and perform the duties mandated by LC 2.400 to 2.410.