

W. 3. H. 1.

AGENDA COVER MEMO

AGENDA DATE: October 3, 2007
Memorandum Date: September 25, 2007

TO: LANE COUNTY BOARD OF COMMISSIONERS
DEPARTMENT: LANE COUNTY OFFICE OF LEGAL COUNSEL
PRESENTED BY: Teresa J. Wilson, County Counsel
AGENDA ITEM TITLE: In the Matter of Amending Chapter 3 of the Lane Manual
Pertaining to Board Member Absences



I. MOTION

I MOVE TO APPROVE CHANGES TO THE LANE MANUAL REGARDING BOARD MEMBER ABSENCES

II. AGENDA ITEM SUMMARY

The Board is asked to approve changes to an outdated provision of Board rules in the Lane Manual that regard compelling a Board member's attendance at Board meetings in order to meet a quorum.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History None.

B. Policy Issues Absent Board direction and commitment of resources, outdated references in the Lane Manual are corrected when discovered through other action or activities.

C. Board Goals County goals and the strategic plan do not address this issue.

D. Financial and/or Resource Considerations None.

E. Analysis The proposed correction would allow the Board Chair to ask the Sheriff to locate and produce missing members when necessary to meet a quorum.

F. Alternatives/Options As these are Board rules, the Board can choose any other method it deems appropriate to address Board member absences, or chose not to make any changes to the current language.

IV. TIMING/IMPLEMENTATION

Effective immediately upon approval.

V. RECOMMENDATION

I recommend the Board adopt the proposed changes.

VI. ATTACHMENTS

Board Order with LM pages attached

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF AMENDING CHAPTER 3 OF
THE LANE MANUAL PERTAINING TO BOARD
MEMBER ABSENCES (LM 3.005)

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

Lane Manual Chapter 3 is hereby amended by deleting, substituting, and adding the following section:

DELETE THIS SECTION

3.005

as located on pages 3-1 through 3-2
(a total of 2 pages)

INSERT THIS SECTION

3.005

as located on pages 3-1 through 3-2
(a total of 2 pages)

Said section is attached hereto and incorporated herein by reference. The purpose of this substitution and addition is to correct the outdated reference to Board member absence (LM 3.005).

Adopted this _____ day of _____ 2007.

Chair, Lane County Board of Commissioners

APPROVED AS TO FORM

Date 9/25/07 Lane County


OFFICE OF LEGAL COUNSEL

Chapter 3

ORGANIZATION

GENERAL

3.005 Board Rules.

Pursuant to the Lane County Charter, the Board hereby adopts the following rules for the government of the members and meetings of said Board:

(1) The Board shall meet regularly each Wednesday, beginning at 9:00 a.m., in Harris Hall, Lane County Courthouse. When a regular meeting day falls upon a holiday, the meeting shall be held at the same place at the same hour on the first succeeding day which is not a holiday, and all matters pending for hearing or consideration at such meeting shall be automatically continued from said holiday to such first such succeeding day which is not a holiday.

(2) The Board may, as often as it determines it to be necessary, hold additional regular meetings on Tuesday of any week, beginning at 9:00 a.m., in the Commissioners' Conference Room, Public Service Building. The purpose of such additional meeting shall be to consider and transact routine and internal County business which is not of general public interest, and to allow for less formal discussions of County concerns.

(3) Any regular meeting of the Board may, by majority vote, be adjourned to any time, or from time to time, and to any place when such adjournment is in the public's interest for expeditious transaction of County business. Agenda items of substantial general public interest will be normally scheduled for 1:30 p.m., each Wednesday, unless public interest requires an evening scheduling, whereupon the agenda item or items will be scheduled for 7:30 p.m.

(4) If any member of the board is absent without prior excuse at the time provided in LM 3.005(1) and (2) above for regular meetings and is necessary to meet a quorum, then, at the discretion of the Chair, the Sheriff may be directed to locate and produce such member.

(5) Any member who intends to be out of the County may consent in advance to any or all special meetings requiring unanimous consent, upon such terms and restrictions as said member may specify.

(6) When any member of the Board is required to be given advance notice of a special meeting, such notice may be given in any way, and by any agent or manner, so as reasonably to inform such member that such meeting has been called and of the subject matter and the time thereof.

(7) A recording secretary shall attend every regular and special meeting, and adjourned sessions thereof.

(8) The order of business at any regular meeting shall be determined by the Chair provided that, when all members are in attendance, any two members may by motion and second bring up any matter of business for consideration and action at any time. Robert's Rules of Order shall apply to the procedures of all Board meetings. However, since the Board has an obligation to be as clear and simple in its procedures as possible, members shall avoid overuse of technical points in parliamentary rules. Any Department Head or employee of Lane County, or any citizen of Lane County, who wishes to bring a matter before the Board may submit a request for consideration to the Chair through the Clerk of the Board.

(9) When it is required that a copy of a proposed ordinance be provided for each member of the Board when such ordinance is introduced, a copy of the ordinance shall be served upon each Commissioner, or his or her assistant, at the office of each

Commissioner not later than 24 hours before the hour designated for commencement of the meeting at which the ordinance is to be introduced.

(10) A quorum shall be present for each reading of a proposed ordinance in full or by title only, but such quorum need not consist of the same members, each member being deemed to have full knowledge of such ordinance and competent to act thereon upon the final reading thereof.

(11) Any order of the Board shall be enacted in a regular or special meeting. All orders approved by the Board shall be signed on behalf of the Board by the Chair or Vice Chair. Upon being so signed, such order shall be immediately effective unless otherwise provided and shall thereafter be entered in the Board's journal.

(12) Unless expressly authorized by the Board, all ordinances, orders, resolutions, directives of the Board (including letters of support or opposition) and written documents reflecting other Board actions shall be signed by the Chair.

(13) Whenever the Chair and Vice Chair are both absent, the senior-most Commissioner is designated and appointed as Acting Chair for the purpose of approving subdivision plats plots pursuant to Lane Code 2.070.

(14) The office of the Board shall be located in the Public Service Building, Eugene, Oregon.

(15) No person shall smoke in any manner at any public meeting of the Board.

(16) Hearings on land use matters shall conform to the additional requirements of the land use hearing rules.

(17) Any regular or special meeting of the Board may, by majority vote, be adjourned to executive session as permitted by ORS 192.660. Attendance at executive sessions will be restricted by the Board as allowed by law. *(Revised by Order No. 00-10-4-1, Effective 10.4.00)*

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