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### 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 will meet on Tuesdays in the Public Service Building. Tuesdays will be the regular meeting day for purposes of state law.

(2) The Board may, as often as it determines it to be necessary, hold additional meetings on Wednesday of any week.

(3) Any 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.

(4) If any member of the Board is absent without prior excuse at the time provided for 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 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) An audio or video recording will be made of every meeting.

(8) The order of business at any meeting will 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 will 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 should avoid overuse of technical points in parliamentary rules. Any Department Director 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, the County Administrator or the Agenda Team.

(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 will be served electronically to each Commissioner, or his or her assistant 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 must 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 will be enacted during any properly scheduled meeting. All orders approved by the Board will be signed on behalf of the Board by the Chair or Vice Chair. Upon being so signed, such order is immediately effective unless otherwise provided and will 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 will 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.

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

- (15) No person is allowed to smoke in any manner at any public meeting of the Board.
- (16) Hearings on land use matters must conform to the additional requirements of the land use hearing rules.
- (17) Any meeting of the Board may, by majority vote, be adjourned to executive session pursuant to Oregon State Law. 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; 07-10-3-11, 10.3.07; 12-10-24-10, 12.3.12; 17-06-06-06, 6.6.17)*

### **3.007 Use of County Letterhead Stationery.**

The following policy with regard to the use of County letterhead stationery for the Board of County Commissioners has been approved by the Board:

- (1) There are two types of letterhead authorized and provided by Lane County:
  - (a) BCC Letterhead - current form containing names of all Commissioners on upper left-hand corner; and,
  - (b) Commissioners individual letterhead - same as current form, except that only the name of the individual Commissioner appears in the upper left-hand corner.
- (2) The following documents are considered appropriate for BCC letterhead:
  - (a) Those officially authorized by the Lane County Board of Commissioners; and,
  - (b) Correspondence signed by the Chair or designee(s) on behalf of the Lane County Board of Commissioners.
- (3) Documents considered appropriate for a Commissioner's individual letterhead include but are not limited to:
  - (a) Constituent correspondence;
  - (b) Support for grant requests;
  - (c) Support for projects of personal interest;
  - (d) Letters of support for individuals seeking appointments, scholarships and business references; and,
  - (e) Congratulatory notes.
- (4) The following documents are considered inappropriate for BCC or individual Commissioner letterhead:
  - (a) Commercial activity;
  - (b) Political solicitation; and,
  - (c) Any activity prohibited by law, especially conflict of interest laws and government ethics.
- (5) Particular circumstances may allow for exceptions to this policy. Commissioners should exercise good judgment in the use of County letterhead, taking into consideration how such correspondence might reflect upon Lane County and the Board of Commissioners.

*(Revised by Order No. 90-7-3-11, Effective 7.3.90; 17-06-06-06, 6.6.17)*

## **OFFICE OF THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY**

### **3.010 Definitions.**

As used in this subchapter:

Office means the Office of the Board of County Commissioners of Lane County.

*(Revised by Order No. 93-5-19-5, Effective 5.19.93; 17-06-06-06, 6.6.17)*

### **3.012 Functions.**

The Office has all those functions allocated to the Board under the State law, the Lane County Home Rule Charter, the Lane Code and the Lane Manual, except as such functions have been or may in the future be delegated by the Board.

*(Revised by Order No. 93-5-19-5, Effective 5.19.93; 17-06-06-06, 6.6.17)*

**3.014 Operation.**

- (1) The Office operates subject to the direction of the Board.
- (2) The Board may delegate its authority to act with regard to the functions of the Office, subject to the requirements of law.
- (3) The Office will be so organized and employ such personnel as in the judgment of the Board will most efficiently and economically carry out the functions of the Office and discharge its responsibilities in the best interest of the people of Lane County.
- (4) Each Commissioner may appoint his or her respective assistant, who will work in developing priorities, policy objectives and constituent services as directed by the Commissioner and consistent with Lane Manual policies and as authorized through the annual budget process.  
*(Revised by Order No. 93-5-19-5, Effective 5.19.93; 17-06-06-06, 6.6.17)*

**3.015 Employees.**

- (1) The Board of Commissioners has three direct report employees, the County Administrator, the County Counsel, and the Performance Auditor.
- (2) The Board of Commissioners delegates their authority as the employer of the employees listed in subsection (1) to approve Time Management requests, expense requests and other similar administrative functions of an employer as set out in subsections (3) and (4) below.
- (3) The three employees will adopt written procedures designed to provide that no employee will approve their own Time Management requests, expense requests or other similar administrative functions. The written procedures will be submitted to the Board of Commissioners for their review and approval.
- (4) Any procedure adopted pursuant to subsection (3) will designate an individual with ultimate responsibility for the approvals in subsection (2) for each of the employees.  
*(Revised by Order No. 18-10-02-02, Effective 10.2.18)*

**3.017 Agenda Team**

As stated in Lane County Home Rule Charter Section 14.2.c.iii, the Chair of the Board of Commissioners determines the order of board business. In order to further define the Agenda Team and formalize the agenda process, the Agenda Team will consist of the Chair, Vice Chair or their designee, the County Administrator, County Counsel, the Board Coordinator and other County staff the Chair, Vice Chair or their designee deem necessary. The Chair will be responsible for running the Agenda Team meeting. In the Chair's absence the Vice Chair or their designee runs the Agenda Team meeting. The Agenda Team meets and prepares the agenda for future Board meetings.  
*(Revised by Order No. 19-04-30-01, Effective 4.30.19)*

**DEPARTMENT DIRECTORS****3.020 Department Directors.**

The County is organized into Administrative Departments, as that term is used in the Charter, for the purposes of carrying out the policies of the County and administering its affairs. Subject to the review and approval of the County Administrator, each of the Departments will be administered by a Department Director. All Department Directors other than elective administrative officers, County Counsel, and the Performance Auditor are appointed by the County Administrator and hold office at his or her pleasure, unless otherwise required by law. All Department Directors positions are included in the unclassified service of the County. Department Directors have the following general authorities in addition to those specified in the Department description:

- (1) As recommended by the County Administrator, where appropriate the Departments will be so organized and employ such personnel to most efficiently and economically carry out the functions of the Departments and discharge their responsibilities in the best interest of the people of Lane County, subject at all times and in all respects to the direction of the Board, the Lane County budget, and other provisions more specifically included herein, and applicable State law.

(2) All Department personnel will be appointed and removed by the Director in accordance with general personnel procedures and policies of Lane County.

(3) The Director may perform acts authorized or required to be performed by the Department, and may from time to time authorize and direct appropriate employees of the Department to perform such acts upon such terms as the Director may prescribe, subject to requirements of law. Any such delegation of authority need not be in writing or otherwise formalized, except where required by law or order of the Board.

(4) All contracts concerning functions of the Department to which Lane County is a party will be proposed by the Department, reviewed and recommended by the County Administrator and executed by the Board, except when the power to contract has been expressly delegated otherwise.

(5) The Director is authorized to sign and execute all necessary forms now existing in connection with the performance of functions assigned to the Department by this order, irrespective of any title or other designation printed thereon, and such signature and execution will have legal effect the same as heretofore such signature and execution have had when executed by officers and employees carrying such title or designation prior to the assignment of functions provided in this order.

*(Revised by Order No. 83-9-28-24, Effective 10.1.83; 07-8-14-1, 8.14.07; 17-06-06-06, 6.6.17)*

## **DEPARTMENT OF ASSESSMENT AND TAXATION**

### **3.030 Definitions.**

As used in this subchapter:

Department means the Department of Assessment and Taxation of Lane County. It is expressly recognized that this Department is not an administrative Department as employed in these provisions of the Lane Manual, but is an administrative Department as the term is employed in the Charter.

Director means the Director of the Department of Assessment and Taxation of Lane County, also known as the Lane County Assessor and Lane County Tax Collector.

*(Revised by Order No. 80-6-24-7, Effective 7.1.80; 17-06-06-06, 6.6.17)*

### **3.032 Director.**

The head of the Department will have the title of Director of the Department of Assessment and Taxation, and also the title of Lane County Assessor and Lane County Tax Collector.

*(Revised by Order No. 80-6-24-7, Effective 7.1.80; 17-06-06-06, 6.6.17)*

### **3.034 Functions.**

(1) The Department will have the functions of the County Assessor under Oregon State Law and the functions of the County Sheriff under Oregon State Law that pertains to the collection of taxes, and such further functions as have heretofore been allocated and assigned to the County Assessor and to the County Sheriff that pertain to the collection of taxes, by the Board, subject to contrary provisions included within this Manual, and such further functions as are herein allocated and assigned to the Department by the Board.

(2) The allocation and assignment to the Department of the functions of the County Sheriff under Oregon State Law pertaining to taxes is hereby declared to include all of the functions of the County Sheriff provided for in Oregon State Law and the same are hereby so allocated and assigned to the Department. No mention or enumeration in this paragraph of particular functions of the Department will be construed to be exclusive or to restrict the functions the Department would have if such functions were not so mentioned or enumerated, the intention of the Board in so mentioning and enumerating such functions being to assign to the Department any functions so mentioned or enumerated which are functions of the County Sheriff pertaining to the collection of taxes and which would otherwise be assigned and allocated to the Lane County Sheriff's Office.

(3) The Department will have the functions of the County Sheriff under Oregon State Law with respect to filing of warrants issued by the Department of Revenue pursuant to Oregon Law or by the Public

Utility Commission pursuant to Oregon State Law.

(4) The Director is authorized to refund taxpayers under the authority of Oregon State Law. Each transaction will be reported in proper form to the Director. Except in the case of duplicate payments, all refunds above \$50,000 will be reported to the Board on a quarterly basis.

*(Revised by Order No. 98-4-1-11, Effective 4.1.98; 17-06-06-06, 6.6.17; 18-06-12-01, 7.1.18)*

## **OFFICE OF SHERIFF**

### **3.040 Definitions.**

As used in this subchapter:

Department means the Department of Public Safety of Lane County. It is expressly recognized that this Department is not an administrative Department as employed in these provisions of the Lane Manual, but is an administrative Department as the term is employed in the Charter.

Director means the Lane County Sheriff, Director of Public Safety of Lane County.

*(Revised by Order No. 80-6-24-7, Effective 7.1.80; 17-06-06-06, 6.6.17)*

### **3.042 Director.**

(1) The Lane County Sheriff will be the head of the Department of Public Safety of Lane County.

(2) The Sheriff will appoint a Chief Criminal Deputy who will have such functions and responsibility as the Sheriff may from time to time determine.

(3) All sworn personnel will have the title of “Deputy” and will be appointed and removed by the Sheriff in accordance with general personnel procedures and policies of Lane County and any applicable collective bargaining agreements. All non-sworn personnel will have the title as designated by Human Resources in accordance with the job classification for which they have been hired.

*(Revised by Order No. 80-6-24-7, Effective 7.1.80; 17-06-06-06, 6.6.17)*

### **3.044 Functions.**

(1) The Office of Sheriff will have the functions of the County Sheriff under Oregon State Law, except the functions of the Sheriff regarding the collection of taxes, and such further functions as have heretofore been allocated and assigned to the Sheriff that are not allocated and assigned to the Department of Assessment and Taxation by the Board, subject to contrary provisions included in this Manual, and such further functions as are herein allocated and assigned to the Office of Sheriff by the Board.

(2) The allocation and assignment to the Office of Sheriff of the functions described in Lane Manual is hereby declared to include all of the functions of the County Sheriff under Oregon State Law regarding the execution and garnishment on judgments for taxes, except for judgments entered pursuant to Oregon State Law, and the same are hereby allocated and assigned to the Office of Sheriff.

No mention or enumeration in this paragraph of particular functions of the Office of Sheriff will be construed to be exclusive or to restrict the functions the Office of Sheriff would have if such functions were not so mentioned or enumerated, the intention of the Board in so mentioning and enumerating such functions being to assign to the Office of Sheriff any functions so mentioned or enumerated which are functions allocated and assigned to the Office of Sheriff in Lane Manual and not otherwise allocated and assigned to the Department of Assessment and Taxation.

(3) The Office of Sheriff will have the functions of the County Sheriff under Oregon State Law with respect to proceeding upon warrants issued by the Department of Revenue and by the Public Utility Commission pursuant to Oregon State Law, and filed with the Division of Records and Elections by the Department of Assessment and Taxation.

(4) The Office of Sheriff will have the functions of the Office of Constable of the Circuit Court of the State of Oregon for Lane County.

(5) All contracts concerning functions of the Office of Sheriff to which County is a party will be prepared by the Office of Sheriff, reviewed and approved by the County Administrator and executed by the Board, except when the power to contract has been expressly delegated otherwise.



*(Revised by Order No. 94-2-15-7, Effective 2.15.94; 12-10-24-04; 10.24.12; 17-06-06-06, 6.6.17; 18-09-11-10, 9.11.18)*

## **OFFICE OF LEGAL COUNSEL**

### **3.060 Definitions.**

As used in this subchapter:

County Counsel means the attorney assigned as Department Director of the Office of Legal Counsel of Lane County.

Department includes, when used elsewhere in this Manual and Lane Code when not inconsistent with the context, the Office of Legal Counsel of Lane County.

Office means the Office of Legal Counsel of Lane County, which will be a Staff Department of the Office of the Board of County Commissioners.

*(Revised by Order No. 00-1-26-7, Effective 1.26.00; 17-06-06-06, 6.6.17)*

### **3.062 County Counsel.**

(1) The County Counsel will be appointed by the Board.

(2) The Office will be so organized and employ such personnel as in the judgment of the County Counsel will most efficiently and economically carry out the functions of the Office and discharge its responsibilities in the best interest of the people of Lane County, subject at all times and in all respects to the direction of the Board, the Lane County budget, and other provisions more specifically included herein.

(3) Except as otherwise provided in this Manual, all Office personnel will be appointed and removed by the County Counsel in accordance with general personnel procedures and policies of Lane County.

(4) The County Counsel may perform any act authorized or from time to time authorize and direct any employee of the Office to perform any such act upon such terms as the County Counsel may prescribe, subject to the requirements of law. Any such delegation of authority need not be in writing or otherwise formalized except where required by law or order of the Board.

*(Revised by Order No. 00-1-26-7, Effective 1.26.00; 17-06-06-06, 6.6.17)*

### **3.064 Functions.**

The function of the Office of Legal Counsel is to serve as attorney for County government and will include, but not be limited to, the following specific functions as is consistent with budget limitations:

(1) Serve as primary legal advisor to the Board of County Commissioners;

(2) Investigate and manage claims that are made against the County and its employees and defend County officers or employees as required by statute, in any action for damages based on an alleged wrongful act or omission in performance of official duty, except as otherwise directed by the Board;

(3) Defend actions and suits to which the County is a party and such proceedings as resources permit;

(4) Upon approval of the Board prosecute actions and suits to which the County is a party and such proceedings as resources permit;

(5) Upon request, may advise County officers on legal questions that may arise;

(6) Performance of the duties outlined in Lane Manual include:

(a) Attending meetings of Board as it may request;

(b) Approving formal ordinances, orders and actions of the Board as to form (legal sufficiency);

(c) Serving as legal advisor for/to the Planning Commission;

(d) Representing the Assessor (Director, Department of Assessment and Taxation) before the Tax Court in significant tax cases;

- (e) Drafting and assisting in drafting of County charter amendments, ordinances, orders, contracts, deeds and other formal documents;
  - (f) Advising and, as necessary, appearing before the County Infractions Section;
  - (g) Assisting in collection of delinquent accounts, including proceeding to judgment and execution;
  - (h) Assisting in lease and acquisition of real property by purchase or condemnation;
  - (i) Drafting ballot titles;
  - (j) Serving as legal advisor to the Fair Board;
  - (k) Potential conflicts of interest within the Office of Legal Counsel will be handled in accordance with provisions set forth in Lane Manual and the applicable rules governing the ethics of attorneys; and,
  - (l) Maintain the Lane Code and Lane Manual.
- (7) Subject to the exercise of discretion regarding ethical considerations on the part of the County Counsel, the duties of the Office of Legal Counsel generally will be performed in the following order of priority:
- (a) Litigation;
  - (b) Requests of or advice to the Board and elected officials;
  - (c) Requests of and advice to the County Administrator; and,
  - (d) Requests of and advice to the Department Directors.
- (8) Risk Management. The Department will be responsible for risk management functions, including loss prevention, self-insurance programs, insurance, general liability claims management and workers' compensation.
- (Revised by Order No. 00-1-26-7, Effective 1.26.00; 10-7-28-3, 7.28.10; 17-06-06-06, 6.6.17; 18-01-30-02, 1.30.18; 19-01-29-01, 1.29.19)*

### **OFFICE OF PERFORMANCE AUDITOR**

#### **3.070 Purpose.**

It is the policy of Lane County to maintain a performance audit function as a means of providing the Board of County Commissioners, the County Administrator, and all levels of management with timely analysis and information to assist the county in the control of operations, ongoing improvement efforts, and effective achievement of the county's broad objectives.

This charter establishes the general authority and responsibility of the County Performance Auditor's Office and supersedes any other performance audit policy.

*(Revised by Order No. 16-1-12-9, Effective 1.12.16; 17-06-06-06, 6.6.17)*

#### **3.072 Authority and Scope of Audits.**

(1) Authority. The County Performance Auditor's Office consists of the County Performance Auditor and such subordinate employees as the Board of County Commissioners may provide. The County Performance Auditor has neither a management nor a policy role; rather the Auditor provides independent and objective information about Lane County programs and services.

The County Performance Auditor is authorized to conduct performance audits for all departments, offices, activities, and programs under the control of the County, including operational, compliance, and information systems. Additionally, the County Performance Auditor is authorized to perform special reviews and investigate allegations of misuse of County assets or resources.

(2) Access to Employees, Records and Property. Subject to state and federal confidentiality laws and regulations, all officers and employees of Lane County will furnish to the County Performance Auditor full, free, and unrestricted access to employees, information and records (including electronic/computerized data) within their custody regarding powers, duties, activities, organization, property, financial transactions, contracts and methods of business required to conduct an audit or otherwise perform audit duties. In addition, they will provide access for the County Performance Auditor to inspect all property, equipment

and facilities within their custody. A discussion of appropriate access should occur with County Counsel if access to documents is restricted by applicable law.

If such officers, employees or contractors fail to produce the aforementioned access and/or information, the County Performance Auditor may initiate a search for and obtain copies (physical or electronic) from computerized systems, book, paper or record of any such official or employee, or outside contractor or subcontractor, in accordance with state law or the applicable contract.

The County Performance Auditor is authorized to audit all county contracts and subcontracts under applicable provisions of the Lane Manual, Oregon public contracting law and federal contracting law regarding record retention and availability for the purpose of auditing contract performance.

Subject to public records laws, the County Performance Auditor will not publicly disclose any information received during an audit that is considered confidential by any local, state or federal law or regulation. The County Performance Auditor will maintain the confidential status of information and records furnished by County officers and employees.

(3) **Duties and Scope of Audits.** The County Performance Auditor's Office will adhere to recognized government auditing standards in conducting its work and will be considered independent as defined by those standards. The County Performance Auditor will establish and maintain a system of quality control that is designed to provide the performance audit function with reasonable assurance that the function and its personnel comply with those standards and applicable legal and regulatory requirements. A system of quality control would include performance auditing policies and procedures to assure that audit work is completed in accordance with those standards. Any audit work that is undertaken not in compliance with standards must be disclosed in the County Performance Auditor's report.

The County Performance Auditor will strive to assure maximum coordination between the auditor's function and the audit needs of the county, including the Board of County Commissioners and the County Administrator.

The County Performance Auditor has authority to conduct performance audits of all departments, offices, boards, activities, agencies, and programs of the County in order to independently and objectively determine whether:

(a) Activities and programs being implemented have been authorized by County Charter or Code, adopted policy, state law or applicable federal law or regulations;

(b) Activities and programs are being conducted as prescribed by the Board of County Commissioners to accomplish the objectives intended by County Charter or Code, state law or applicable federal law or regulations;

(c) Activities or programs efficiently and effectively serve the purpose intended by County charter or Code, state law or applicable federal law or regulations, and the desired results or benefits are being achieved;

(d) Activities and programs are being conducted and funds expended in compliance with applicable laws and/or regulations;

(e) Revenues are being properly collected, deposited and accounted for;

(f) Resources, including funds, property and personnel, are adequately safeguarded, controlled and used in an effective and efficient manner;

(g) There are adequate operating and administrative procedures and practices, systems or accounting internal control systems and internal management controls which have been established by management; and,

(h) There are indications of fraud, abuse or illegal acts, which need further investigation.

(4) **Limitation of Authority and Responsibility.** In performing their functions, the County Performance Auditor and audit staff have neither direct authority over, nor responsibility for, any of the activities reviewed. The office will not develop and install procedures, prepare records, make management decisions, or engage in any other activity that could be reasonably construed to compromise their independence.

(5) **Independence.** The County Performance Auditor will exhibit the highest level of professional objectivity in gathering, evaluating, and communicating information about the activity or process being

examined. The Auditor and audit staff will make a balanced assessment of all relevant circumstances and not be unduly influenced by their own interests or by others in forming judgments.

The County Performance Auditor will consider three general classes of impairments to independence – personal, external, and organizational. If one or more of these impairments affects the County Performance Auditor's capability to perform the work and report results impartially, the County Performance Auditor should either decline to perform the work, or in those situations because of a legislative requirement or for other reasons, cannot decline to perform the work, should disclose the impairment in the auditor's report.

The County Performance Auditor will confirm to the Performance Audit Committee and the Board, at least annually, the organizational independence of the internal performance audit function. *(Revised by Order No. 16-1-12-9, Effective 1.12.16; 17-06-06-06, 6.6.17)*

### **3.073 County Performance Auditor.**

(1) Appointment or dismissal of County Performance Auditor. The County Performance Auditor is appointed by or dismissed by the Board of County Commissioners after reviewing a recommendation from the Performance Audit Committee.

(2) Qualifications of County Performance Auditor. Unless the Board determines otherwise, the County Performance Auditor must have a bachelor's degree in public policy, public administration, accounting, business administration, economics or a related field and five years of progressively responsible related experience, including supervisory experience; or an equivalent combination of education and experience sufficient to successfully perform the essential duties of the job. The County Performance Auditor must possess adequate professional proficiency to perform the job. Proficiency may be demonstrated by relevant certifications, such as Certified Internal Auditor (CIA) or Certified Public Accountant (CPA), or have completed an advanced degree and have at least five (5) years' experience in government auditing, evaluation, or analysis.

(3) Compensation of County Performance Auditor. Subject to its other budgeting priorities, the Board will compensate the County Performance Auditor at a level consistent with market comparables for other public sector chief audit executives. Experience, performance, certifications, and advanced degrees may be taken into account in determining compensation. The County Performance Auditor's salary is set by the Board of County Commissioners and reviewed consistent with other non-represented positions. *(Revised by Order No.86-1-29-4, Effective 1.29.86; 16-1-12-9, 1.12.16; 17-06-06-06, 6.6.17)*

### **3.076 Funding and Staffing.**

In consultation with the Performance Audit Committee, the County Performance Auditor will develop a proposed budget that is sufficient to carry out the responsibilities specified in this section.

Consistent with County policy and procedures, the County Performance Auditor may appoint, employ, and remove such assistants, employees, and personnel under the authority of the auditor as deemed necessary for the efficient and effective administration of the affairs of the office and to prescribe their duties, scope of authority, and qualifications.

*(Revised by Order No. 16-1-12-9, Effective 1.12.16; 17-06-06-06, 6.6.17)*

### **3.078 Reports and Procedures.**

(1) Annual Audit Plan. Prior to the beginning of each calendar year, the County Performance Auditor will submit a two year audit plan to the Performance Audit Committee and the Board for review and comment, and potential approval by the Board. The audit plan must include the proposed departments, offices, boards, activities, subcontractors and agencies to be audited during the period. This plan may be amended during the year after review with the Board and Performance Audit Committee.

This audit plan should incorporate information from multiple sources including the County Performance Auditor's assessment of significant risks to the organization and input from Management, the Performance Audit Committee, and the Board of County Commissioners.

In the selection of audit areas and audit objectives, the determination of audit scope and the timing of audit work, the County Performance Auditor should consult with external auditors so that the desirable audit coverage is provided and audit effort is properly coordinated.

(2) **Audit Reporting and Records.** The County Performance Auditor will complete each audit in a written report. The report must contain relevant background information, findings, and recommendations, and must communicate results to the Performance Audit Committee, the Board, and management. The County Performance Auditor will make the report available to the Lane County Budget Committee members. On request the County Performance Auditor will present to the Lane County Budget Committee either verbally or in writing, at the Committees' discretion.

(a) Subject to applicable public records laws, the County Performance Auditor will make the report available for public examination. If certain pertinent information is prohibited from general disclosure, the audit report should state the nature of the information omitted and the requirement that makes the omission necessary.

(b) The County Performance Auditor will forward a final draft of the audit report to the Director of the audited department and the County Administrator for review and comment prior to its release. The audited department must respond in writing, specifying:

(i) Agreement with audit findings and recommendations or reasons for disagreement with findings or recommendations;

(ii) Plans for implementing solutions to issues identified; and,

(iii) A timetable to complete such activities. The response must be forwarded to the County Performance Auditor within ten (10) business days. If no response is received, the County Performance Auditor will note that fact in the report.

(c) The County Performance Auditor will follow-up on audit recommendations, as practical, to determine if management is implementing corrective action as identified in their response to the audit report findings and recommendations. The County Performance Auditor may request periodic status reports from audited agencies regarding actions taken to address reported deficiencies and audit recommendations. The County Performance Auditor will periodically report to the Performance Audit Committee and Board of County Commissioners on the work performed and any significant findings that have not been fully addressed by management.

(d) Under public records law, until the County Performance Auditor's Office issues a final audit report or the audit is abandoned, any document or other information related to an audit being performed in accordance with nationally recognized government auditing standards and that is in the custody of the County Performance Auditor's Office is conditionally exempt from disclosure (ORS 192.501).

(e) The County Performance Auditor should follow state archive guidelines as appropriate and as identified under OAR 166-150-0005 (currently a retention schedule of 10 years).

(3) **Report of Irregularities.** If the Auditor becomes aware of apparent violations of law or apparent instances of malfeasance or nonfeasance by an officer or employee, or information that indicates derelictions may be reasonably anticipated, the Auditor will report the irregularities to the Board of County Commissioners and the County Administrator in a manner that preserves confidentiality as necessary. The Auditor will advise the Performance Audit Committee that irregularities exist and a general description of those irregularities while maintaining confidentiality. If the irregularity is potentially criminal in nature, the Auditor will notify the district attorney, when appropriate, in addition to those previously cited.

(4) **Contract Audits, Consultants and Experts.** The County Performance Auditor may obtain the services of Certified Public Accountants, qualified management consultants, or other professional experts necessary to perform auditor duties. An audit that is performed by contract must be conducted by persons who are independent of the governmental unit and its officers. The County Performance Auditor will coordinate and monitor auditing performed by public accounting, professional experts, or other organizations employed under contract by Lane County.

*(Revised by Order No. 16-1-12-9, Effective 1.12.16; 17-06-06-06, 6.6.17)*

**3.079 Quality Assurance Reviews.**

The audit activities of the County Performance Auditor's office are subject to quality review in accordance with applicable government auditing standards by a professional, non-partisan objective person or group utilizing guidelines endorsed by the Association of Local Government Auditors (ALGA). The County Performance Auditor will initiate the quality review process and ensure that a copy of the written report of this independent review is provided to the Performance Audit Committee, the Board of County Commissioners, the County Administrator, and be made available to the public.

The quality control review must use applicable government auditing standards to evaluate the quality of the audit effort and reporting, and determine compliance with the applicable government auditing standards. Specific quality review areas must include:

- (1) General standards such as competence, professional judgment, and quality assurance;
- (2) Fieldwork standards such as planning, supervision, and evidence; and,
- (3) Reporting standards such as report content, timeliness and distribution.

The costs of the quality control review will be provided for in the County Performance Auditor's budget. Within available time constraints, the County Performance Auditor's Office may reciprocate with other organizations by participating in quality control teams.

*(Revised by Order No. 16-1-12-9, Effective 1.12.16; 17-06-06-06, 6.6.17)*

## **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**3.090 Definitions.**

As used in this subchapter:

Department means the Department of Health and Human Services of Lane County.

Director means the Director of the Department of Health and Human Services of Lane County.

*(Revised by Order No. 01-2-14-10; Effective 2.14.01; 17-06-06-06, 6.6.17)*

**3.092 Director.**

(1) Under the administrative direction of the County Administrator, the head of the Department will have the title of Director of the Department of Health and Human Services of Lane County.

(2) The Director will employ a physician licensed by the State Board of Medical Examiners as County Health Officer.

(3) The Director or designee is the "Health Administrator" as defined by Oregon Revised Statutes and as such will carry out the provisions of public health statutes as appropriate.

(4) The Director or designee also has the title and responsibilities of the Director of the County Juvenile Department under state law.

(5) The Director is authorized to sign on behalf of Lane County all applications, reports and other documents necessary to procure permits to obtain spirits free of tax for the operation of Lane County's Medical Clinic and Laboratory.

(6) The Director will perform such additional duties or assignments as may be delegated by the County Administrator or the Board.

*(Revised by Order No. 01-2-14-10; Effective 2.14.01; 16-01-26-06, 1.26.16; 17-06-06-06, 6.6.17)*

**3.094 Functions.**

(1) The Department is responsible to serve the physical, mental, social and environmental health needs of Lane County citizens.

(2) The Department will establish various medical programs as required in the communities of Lane County.

(3) The Department will administer the Lane County Community Mental Health Clinic and other mental health programs as authorized by the Board.

(4) The Department is responsible for Lane County programs that relate to social health in the communities.

(5) The Department will administer environmental health programs and ordinances including recommending standards, issuing permits and conducting inspections or other code enforcement methods as specifically assigned by the Board.

(6) The Department is responsible for enhancing the ability of youth to achieve success and of correcting juvenile delinquency and will perform the functions of a county juvenile department under state law. In exercising the above functions, the Department will be responsible for various related activities such as community education services, grants administration, medical investigations, and vital statistics records. *(Revised by Order No. 01-2-14-10; Effective 2.14.01; 07-5-9-5, 5.9.07; 07-12-12-5, 12.12.07; 13-10-29-03, 11.07.13; 16-01-26-06, 1.26.16; 17-06-06-06, 6.6.17)*

## **DEPARTMENT OF HUMAN RESOURCES**

### **3.100 Definitions.**

As used in this subchapter:

Department means the Department of Human Resources of Lane County.

Director means the Director of the Department of Human Resources.

*(Revised by Order 06-11-29-4, Effective 11.29.06; 17-06-06-06, 6.6.17)*

### **3.102 Director.**

(1) Under the administrative direction of the County Administrator, the head of the Department will have the title of Human Resources Director of Lane County.

(2) The Director will have the responsibility for the management of the Human Resources Department and the “Functions” as stated below.

(3) The Director will be responsible for developing procedures for the uniform application of all personnel policies consistent with the law.

(4) The Director will perform such additional duties or assignments as may be delegated by the County Administrator or the Board.

*(Revised by Order 06-11-29-4, Effective 11.29.06; 17-06-06-06, 6.6.17)*

### **3.104 Functions.**

The Department will have the purpose of providing human resources service for all County departments, and acting as a liaison between employees/the public, and County Administration/the Board, in all matters relating to personnel policies, processes, and functions. The Department will be responsible for administering the County's centralized human resources system, including: labor relations, performance management, merit system administration, recruitment, selection, testing, training, classification and compensation plans, benefits and wellness programs, safety, employee assistance, and employee orientation.

*(Revised by Order 06-11-29-4, Effective 11.29.06; 17-06-06-06, 6.6.17; 18-01-30-02, 1.30.18)*

## **DEPARTMENT OF PUBLIC WORKS**

### **3.120 Definitions.**

As used in this subchapter:

Department means the Department of Public Works of Lane County.

Director means the Director of the Department of Public Works of Lane County.

*(Revised by Order No. 93-3-31-7; Effective 3.31.93; 17-06-06-06, 6.6.17)*

### **3.122 Director.**

(1) Under the administrative direction of the County Administrator, the head of the Department will have the title of Director of the Department of Public Works of Lane County.

(2) The Director will designate a duly qualified engineer as County Engineer to perform all functions specified by State law.

(3) The Director will perform such additional duties or assignments as may be delegated by the County Administrator or the Board.

*(Revised by Order No. 93-3-31-7; Effective 3.31.93; 17-06-06-06, 6.6.17)*

### **3.124 Functions.**

(1) The Department will have the functions of the County Engineer under Oregon State Law and all road and highway functions of Lane County, and such further functions as have been heretofore allocated and assigned to the County Engineer by the Board, and such functions as may in the future be allocated and assigned to the Department.

(2) The Director will have authority and responsibility for issuance or denial of permits provided for in Oregon State Law, provided that a denial of such permit may be appealed to the Board whose decision will be final, and provided further that in unusual circumstances where fairness and justice to the applicant requires a modification in the application of the rules governing facility permits, the Board alone may make modifications and grant the permit in accordance therewith.

(3) The Department will have the functions of issuing permits provided for in Oregon State Law, and the Director will have the responsibility and discretion to determine proper limits and suitable roads or sections thereof to be specified in permits provided for in Oregon State Law.

(4) The Director or the Director's designated representative will have authority to authorize the erection of traffic signs and signals for Lane County.

(5) The Department will have the functions of operating the Motor and Equipment Pool and Fleet Services.

(6) The Department will have the functions of County Surveyor under Oregon State Law.

(7) The Department will be responsible for the functional areas of Park and Recreation activities, including planning, operation and maintenance, public information and assistance and park improvement.

(8) The Department will be responsible for the activities of Solid Waste management, including, but not limited to planning, public information, facility construction and operation.

(9) The Department will be responsible for public works construction.

(10) The Department will be responsible for real property acquisition and management pursuant to Lane Manual.

(11) The Department will be responsible for managing the real estate functions of the County, including negotiating leases on behalf of the County, supervising its rented properties, selling surplus property as directed by the Board and managing the inventory of all County-owned property other than that in the road right-of-way or purchased with Road Funds. The Department will also be responsible for the facilities maintenance and planning functions for all County facilities.

(12) The Department will be responsible for developing and administering transportation plans for the County.

(13) The Department will be responsible to serve the planning and development needs of Lane County citizens.

(14) The Department will be responsible for regional and community planning, zoning and subdivision administration and staff assistance to Planning Commission(s).

(15) The Department will provide plan checks, issue building construction permits and conduct inspections as required by Oregon state law, Lane Code and Lane Manual.

(16) The County Surveyor will be accountable for the Public Land Corner Preservation Account of the General Fund. The County Surveyor is authorized to pay expenses incurred and authorized in the establishment, reestablishment and maintenance of corners of governmental surveys, consistent with state and county budget requirements.

(17) The Department will be responsible for technical support services such as flood elevation and flood hazard permits, land development engineering evaluation, sand and gravel zoning and subdivision engineering.



(18) The Manager of the Land Management Division, or the Manager's designee, in addition to any other duties assigned by the Director of the Department, will perform the duties of Planning Director under state law and Lane Code.

(19) The Department will establish a Weighmaster Section with responsibility for enforcement of applicable State and County laws on vehicle length, width, height and weight.

(20) The Department will be responsible for Animal Services pursuant to Lane Code.

(21) Lane Events Center. The Department will be responsible for the management of the Lane Events Center in accordance with County policies and procedures and subject to the ultimate supervision and control of the County Board. The County Fair Director will provide the fiscal oversight, accountability and reporting for the Fair Board and the County Board regarding the County Fair. The Fair Board and the County will ensure that the Events Center and the County Fair are operated in compliance with all applicable state and County laws, ordinances, rules, policies and procedures relating to budget and fiscal management.

*(Revised by Order No. 00-4-25-14; Effective 4.25.00; 12-10-24-04; 10.24.12; 13-10-29-03, 11.07.13; 17-06-06-06, 6.6.17)*

### **3.126 Mediation.**

In those matters in which the County Surveyor or the Planning Director have the responsibility of recommending, approving or denying action regarding any duty or responsibility, the following mediation steps are established to resolve any conflicts that may arise. If the Director is unable to resolve the conflict in a manner satisfactory to the employees involved, and the matter involves a legal interpretation, the matter will be submitted to the Office of Legal Counsel for resolution of the conflict. An appeal of the decision of Legal Counsel and all conflicts which do not involve a legal interpretation will be submitted to the County Administrator for resolution. A subsequent appeal may be taken through any duly established process. This process will not be used to prohibit the County Surveyor or the Planning Director from exercising his or her duties under law.

*(Revised by Order No. 00-4-25-14; Effective 4.25.00; 17-06-06-06, 6.6.17)*

## **OFFICE OF COUNTY ADMINISTRATION**

### **3.130 Definitions.**

As used in this subchapter:

Director means the Director of County Administration - Operations.

Office means the Office of County Administration as described in Lane Code.

Operations means the County Administration-Operations division of Lane County.

*(Revised by Order No. 94-12-20-1; Effective 12.20.94; 98-4-1-11, 4.1.98; 17-06-06-06, 6.6.17)*

### **3.132 County Administrator.**

(1) See Lane Code.

(2) The County Administrator shall serve as the Director of the local organization of emergency management and be responsible for the functions under State law of local emergency management for Lane County. The Administrator may delegate the day-to-day organization, administration and operation of the Lane County Office of Emergency Management.

*(Revised by Order No. 94-12-20-1; Effective 12.20.94; 17-06-06-06, 6.6.17; 18-09-11-10, 9.11.18)*

### **3.134 Director.**

(1) Under the administrative direction of the County Administrator, the head of the Operations division will have the title of Director of Operations Lane County.

(2) The Director will have the responsibility for the management of the County Operations division and the "Functions" as stated below.

(3) The Director will also have the titles of Finance Director and Treasurer of Lane County, and such other titles as are authorized under state law for use by the County Clerk in performing the functions described below. The Director may further delegate such authority in writing.

(4) The Director will have the authority to authorize and issue refunds for fines, fees or excess payments, except for taxes and for payments made to the Department of Public Works on applications denied or not acted upon by request of the applicant.

(5) The Director will be responsible for developing procedures for the uniform application of financial policies consistent with the law.

(6) The Director will perform such additional duties or assignments as may be delegated by the County Administrator or the Board.

*(Revised by Order No. 17-06-06-06, Effective 6.6.17)*

### **3.136 Functions**

(1) In addition to the duties assigned in Lane Code, the Office of County Administration will be responsible for the following functions:

(a) Budget & financial planning functions to ensure compliance with Oregon local budget law related to budget development, monitoring and administration. Other functions related to financial and policy analysis and planning of new and existing programs, revenue measures, financing strategies as well as quarterly financial reports, administration of budget systems and position control.

(b) Administer the Lane County Law Library program.

(c) Justice Courts in cooperation with the elected Justice of the Peace.

(d) Strategic Planning coordination, development and implementation.

(2) The County Operations division will perform and be responsible for the following functions:

(a) Financial operations of the County to maintain accuracy, economy and appropriate protection of public funds, and for performing the functions of County Treasurer and County Clerk under Oregon State Law with respect to financial matters. Other Financial functions consisting of managing the receipt of cash, investment of monies, disbursement of funds for payment of claims and payroll, handling of trust funds, maintenance of appropriate records of all financial activities, auditing of accounts and will report as necessary to the Board or as otherwise described by law.

(b) Will be responsible for purchasing functions including developing and administering appropriate bid, contract award, purchasing and other procedures and systems for a centralized purchasing and contracts management program.

(c) Other Functions. Additional functions consisting of equity and access efforts, mail and courier system, warehouse and archive storage, as well as applications to support the County financial systems and any other functions assigned by the County Administrator or the Board of Commissioners.

(d) Be responsible for the functions of the County Clerk under Oregon State Law with respect to elections and records and any duties assigned to County Clerk by state law not otherwise specified. The Department will also provide staff support for the Board of Property Tax Appeals.

*(Revised by Order No. 94-12-20-1; Effective 12.20.94; 98-4-1-11; 4.1.98; 00-4-25-14, 4.25.00; 06-11-29-4, 11.29.06; 07-5-9-5, 5.9.07; 07-8-29-4, 8.29.07; 10-7-28-3, 7.28.10; 17-06-06-06, 6.6.17)*

### **3.138 Assistant County Administrator.**

(1) The Assistant County Administrator will be appointed by the County Administrator.

(2) Under the administrative direction of the County Administrator, the Assistant County Administrator may exercise direct supervision over assigned Department Directors.

(3) The Assistant County Administrator will perform such additional duties as may be delegated by the County Administrator.

*(Revised by Order No. 07-8-14-1, Effective 8.14.07; 17-06-06-06, 6.6.17)*

## DEPARTMENT OF TECHNOLOGY SERVICES

### 3.150 Definitions.

As used in the subchapter:

Department means the Department of Technology Services of Lane County.

Director means the Director of the Department of Technology Services of Lane County.

*(Revised by Order No. 96-1-30-2; Effective 1.30.96; 17-06-06-06, 6.6.17)*

### 3.152 Director.

(1) Under the administrative direction of the County Administrator, the head of the Department will have the title of the Director of the Department of Technology Services of Lane County and also the title of Chief Information Officer.

(2) The Director will have the responsibility for management of the Department and performance of the “functions” as stated below.

(3) The Director will perform such additional duties or assignments as may be delegated by the County Administrator or the Board.

*(Revised by Order No. 96-1-30-2; Effective 1.30.96; 17-06-06-06, 6.6.17)*

### 3.154 Functions.

(1) The Department will perform all technology strategic planning and coordination for Lane County.

(2) The Department will establish information technology standards.

(3) The Department will be responsible for implementing information technology plans and standards.

(4) The Department will participate in, make recommendations concerning, and advise the Board and its representatives in all matters related to Lane County's relationship with its regional partners in information technology.

(5) The Department will stay abreast of current trends in technology and ensure that the Board, County Administrator, and Department Directors are aware of significant changes that will improve Lane County business functions.

(6) The Department will deliver information technology services for County departments.

(7) The Department will train County employees in effective use of information technology.

(8) The Department will be responsible for administration and implementation of shared regional technology, and of such other regional information systems at the direction of the regional partners.

*(Revised by Order No. 96-1-30-2; Effective 1.30.96; 04-7-28-7, 7.28.04; 17-06-06-06, 6.6.17)*

## FAIR BOARD

### 3.160 Description.

The Lane County Fair Board is a lay board appointed by the Lane County Board of Commissioners, pursuant to state statute. It manages the facilities at the Lane County Fairgrounds pursuant to Oregon State Law and the Lane County Home Rule Charter. While not technically a Lane County Department due to its independent management authority, the Fair Board is an integral part of Lane County government. Its budget is part of the Lane County budget and its employees are governed by the Lane County Home Rule Charter. The Board of Commissioners has delegated authority to the Lane County Fair Board (see Lane Code), to adopt a merit system of personnel administration applicable to employees of the Lane County Fair Board separate from Lane County employees.”

*(Revised by Order No. 98-9-9-9; Effective 9.9.98; 17-06-06-06, 6.6.17)*

## COMMITTEES AND OTHER ADVISORY BODIES

### 3.505 General.

(1) In addition to the Department structure presented in this chapter, a number of committees, boards, task forces and other advisory bodies may be required and established pursuant to certain statutory provisions, Charter, and Lane Code.

(2) Pursuant to Lane Code, the Board may further create boards, commissions, committees, task forces and other advisory bodies as deemed necessary by order of the Board. The Board may also describe and establish the responsibilities of its created advisory bodies by separate Board order, which will be posted on the committee website.

(3) All advisory bodies created by the Board will report their concerns and recommendations to the Board rather than taking action or policy positions on behalf of the County upon their own initiative.

(4) The Board delegates authority to the County Administrator to implement the advisory committee policy. This advisory committee policy applies to all advisory committees, unless otherwise mandated by rule or statute or the enabling legislation creating the committee.

(5) Definitions:

Community Organization. A recognized group of residents in a defined area charged with advising County government on matters affecting the community;

Mandated Advisory Committee. An advisory body to the Board of Commissioners appointed by the Board. The existence, charge and sometimes the composition of the committee is controlled by the enabling legislation;

Mandated Special Committee/Board. A group of citizens appointed pursuant to statute and charged with certain independent decision-making and other responsibilities over a certain area of County Government;

Multi-Jurisdictional Committee (General). A group of citizens, or the Board of Commissioners, appointed by a variety of governments and charged through an intergovernmental agreement with certain duties (some advisory, some independent decision making) with respect to defined matters of mutual concern to the appointing governments. The County has responsibility in these types of committees for compliance with noticing of the meeting, minutes or other aspects of the Oregon Public Meetings Law;

Multi-Jurisdictional Committee (Participating Only). A group of citizens, or the Board of Commissioners, appointed by a variety of governments and charged through an intergovernmental agreement with certain duties (some advisory, some independent decision-making) with respect to defined matters of mutual concern to the appointing governments. The County has no responsibility in these types of committees for compliance with noticing of the meeting, minutes or other aspects of the Oregon Public Meetings Law;

Nonmandated Committee. An advisory body to the Board of Commissioners appointed and charged by the Board with advising on certain areas of County government. The existence of the committee is controlled by the Board, and the members serve at the pleasure of the Board;

Standing Committee. A group of two Board members and other County officials charged with studying issues and making recommendations in certain defined areas to the full Board;

Task Force. A group created by the Board or County Administrator for a limited term to advise on a specific issue;

Watershed Council. A voluntary local organization designated by a local government group convened by Lane County or a governing body of an adjoining county to address the goal of sustaining natural resource and watershed protection and enhancement within a watershed, per Oregon State Law; and,

A committee may be more than one type listed above.

*(Revised by Order No. 97-4-2-1; Effective 4.2.97; 08-7-30-9; 7.30.08; 17-06-06-06, 6.6.17)*

### 3.506 Lane County Advisory Committee Policy.

(1) Formation & Dissolution of Committees:

(a) The Board of County Commissioners may create new committees based on its own initiative or on recommendations from staff, general public or other sources;

(b) The Board, based on staff recommendations, may limit the amount of staff time and County fiscal resources committed to serving each committee;

(c) The Board will assign each committee a specific charge. The Board will also establish the qualifications for membership, terms of office and determine term limits to be included in the committee's bylaws and summarized in Lane Manual (making reference also to any applicable state or federal laws). All actions of the Committee will require the affirmative vote of the majority of the designated number of members, regardless of any vacancies. The County Administrator will provide sample bylaws in the Administrative Procedures Manual. The committee is responsible for preparing bylaws with an attached Board Order to be submitted to Legal Counsel and the Board for review and approval, unless provided otherwise. When changes in the Lane Manual require committees to make changes in their bylaws, the changes will be submitted to Legal Counsel and the Board for review and approval within 90 days of the effective change date in the Lane Manual, unless a further extension is requested and allowed by Legal Counsel or the County Administrator;

(d) Each advisory committee will provide the Board and County Administration an annual report detailing the committee's accomplishments over the past year and proposed work plan for the coming year. The annual report and work plan are due in the County Administration Office by February 15, each year unless statutorily required plans are due at different times. It is the responsibility of the department staff liaison to coordinate the development of the annual summary and work plan with the committee, and forward the report to County Administration for scheduling on the Board's Agenda if required. The department staff liaison will also place a copy of the annual report onto the advisory committee's webpage; and,

(e) The County Administration Office on behalf of the Board may recommend to the Board whether a committee should continue, or be eliminated, consolidated or combined. The Board will pass a Board Order annually which will incorporate any changes in Oregon law incorporated by the Lane Code.

(2) Appointment Process:

(a) Applications. Applications for advisory committee membership will be accepted at any time and will be kept for 12 months from the date of the application. Incumbents will submit a complete new application to be considered for reappointment to an advisory committee. Refer to the specific Lane Manual section on the committee for other appointment information;

(b) Advertisement. Vacancies for committees will be advertised for 30 days, unless the County Administrator determines that there is an adequate pool of candidates from a previous advertisement for the same advisory committee within the past six months. A shorter advertisement period or alternative means of identifying qualified applicants may be utilized upon written request from the staff assigned to the committee to the County Administration Office;

(c) Time Frame for Application. Only those citizens who have formally applied for membership within the proper timeframe and have the proper qualifications as specified by the Board in Lane Manual may be considered for appointment to an advisory committee;

(d) Conflicts of Interest. In furtherance of the laws relating to conflicts of interest, no vendor will serve on any advisory committee or board that deals with or makes recommendations on or awards of contracts with the vendor. In this context, "vendor" means any individual, partnership, joint venture, corporation, private non-profit organization or private for-profit organization who seeks to obtain a contract with the County to provide a service or product on some type of regular basis, i.e., more often than "infrequently" or "rarely." "Vendor" includes employees, board members and any members of the organization who actively participate in the management of the organization;

(e) Commissioner Appointments/At-large Appointments. The following rules apply unless otherwise stated in enabling legislation or a specific Lane Manual section. If an advisory committee consists of 5 members, each member will be appointed by an individual commissioner. If an advisory committee consists of more than 5 members, and the Board of Commissioners determines there is a compelling public interest/need for Commissioner Appointments, 5 of the committee members will be appointed by individual

commissioners. The remaining committee members will be at-large members, appointed by the Board of Commissioners. If an advisory committee consists of less than 5 members, all members will be at-large members, appointed by the Board of Commissioners;

(f) Term. Unless otherwise stated in enabling legislation or a specific Lane Manual section, appointees to all committees, boards and commissions will serve at the will of the appointing commissioner(s), but for no longer than 4 years without reappointment;

(g) Two-Term Limit. In order to give more people an opportunity to participate on advisory committees, appointment of an individual to any one advisory committee will be generally limited to two consecutive terms. This two-term limit will apply to all positions appointed by Lane County which are not designated by the County or statute as being filled by a specific individual. However, in circumstances when the Board deems it in the County's best interest, the Board may reappoint an incumbent to more than two consecutive terms. An individual who has served for two terms may in all events be eligible for reappointment after not serving for one year;

(h) Vacancy During a Term. Whenever a vacancy occurs during a term, a replacement will be appointed. If the position is a position where an individual Commissioner must make the appointment, the Commissioner will have 90 days from the date the Commissioner is made aware of the vacancy to fill the position. After 90 days, the Board of Commissioners assumes the responsibility of filling the position;

(i) Interview. The Board may designate certain committees to undergo an interview process prior to appointment and the Board retains authority to interview applicants for any of Lane County's advisory committees. The Board may appoint a subcommittee to conduct the interviews. The Board has designated these bodies as committees whose applicants will be interviewed as a vacancy occurs:

- (i) Board of Property Tax Appeals;
- (ii) County Fair Board;
- (iii) Planning Commission (Lane County); and,
- (iv) Mental Health Advisory/Local Alcohol and Drug Planning Committee.

The County Administrator is delegated authority to implement the interview process. If other committees choose to conduct interviews prior to submitting recommendations to the Board of Commissioners, the interview process will be conducted consistent with the approved County interview processes. In all instances where committees are tasked with interviewing or otherwise reviewing application materials when vacancies occur, the committees will forward on recommendations to the Board regarding potential appointees;

(j) Notice. Notice of committee vacancies will be sent to the normal news media list; and,

(k) County Employees. County employees will not ordinarily be deemed eligible as citizen representatives on advisory committees. However, there are instances where such membership may be appropriate. The Board will consider applications from County employees when the employee presents sufficient written rationale for membership to County Administration Office. The County Administration Office will review and make recommendations to the Board. The Board can remove appointments in any case in which a problem may arise.

(3) Communication between Committees and the Board of County Commissioners.

(a) A copy of all meeting agendas, reports, and minutes of advisory committee meetings will be placed on the committee webpage; and,

(b) Committee recommendations for public action must be submitted to the Board for approval prior to taking action.

(4) Staff Support for Committees.

(a) The staff person assigned to an advisory committee will provide the support determined by the County Administrator;

(b) Staff may participate in committee deliberations, but will not vote on deliberations; and,

(c) Staff may serve as chair for a new committee until it is sufficiently organized to elect officers.

*(Revised by Order No. 00-8-16-1; Effective 8.17.00; 09-3-18-1, 3.18.09; 09-4-29-1, 4.29.09; 17-06-06-06, 6.6.17)*

## LANE COUNTY COMMITTEES

### MANDATED ADVISORY COMMITTEES

Committee	Department
Community Health Council	H&HS
Farm Review Board	A&T
Mental Health Advisory/Local Alcohol and Drug Planning Committee	H&HS
Performance Audit Committee	CAO
Poverty & Homeless Board	H&HS
Public Safety Coordinating Council	CAO

#### **3.515 Community Health Council.**

Description: Provides assistance and advice to the Board of Commissioners and the Health & Human Services Department's Community Health Centers of Lane County (CHCLC) in promoting its mission to provide comprehensive health care that is quality-driven, affordable and culturally competent to the people of Lane County. The Community Health Council will provide input and feedback to generally advise the development, implementation and evaluation of CHCLC programs, including but not limited to all programs funded through the Federal Bureau of Primary Health Care Grant(s). This may include providing feedback and advice regarding the health care needs of Lane County residents. One goal of the Community Health Council is to review marketplace trends and to provide assistance and advice which reflect the economic realities of the marketplace. The Council will participate in the selection and evaluation of the CHCLC Project Director/Program Manager, in accordance with County personnel policies and procedures. This Council will assist with monitoring CHCLC operation in accordance with applicable federal, state and local laws and regulations; participate in planning and reviewing the CHCLC budget; review the budget and financial plan for each fiscal year, as well as the project budget and primary care grant renewals, and give recommendations prior to their submission to the Board of County Commissioners for adoption, in accordance with local budget law. The Council will participate in planning, measuring and evaluating the CHCLC's progress in meeting its annual and long-term programmatic and financial goals, including client satisfaction with the services offered; participate in selecting the services provided by the CHCLC and in determining its operating hours and which services will be offered at which sites; participate in adopting health care policies regarding scope and availability of services; participate in approving or disapproving subsequent grant applications for the CHCLC's programs. The Council will work with the H&HS/CHCLC's management team and with community leaders to actively engage in long-term strategic planning to build sustainability for the centers.

**DEPARTMENT:** Department of Health & Human Services.

**MEETING SCHEDULE:** Monthly.

**TYPE OF COMMITTEE:** Mandated; pursuant to Oregon State Law and Federal law

**MEMBERSHIP:** Representation will be from consumers, health care providers and community representatives as follows: At a minimum, 51% of the members of the Council must be individuals who are served by the CHCLC and must also be representative with respect to demographic factors. No more than 49% of the members will be representative of the CHCLC catchment area and will be selected for their expertise in community affairs, local government, finance, legal affairs, trade unions, commercial or industrial concerns or social service agencies. No more than half of the non-consumer representatives may derive more than 10% of their annual income from the health care industry. No member may be an employee of the CHCLC, spouse, or child, parent, brother or sister by blood or marriage. The number of members will be determined by the Committee and reflected in the bylaws.

**MEMBERSHIP TERM:** 4 years, ending December 31.

**LIAISON:** One member of the Lane County Board of Commissioners will be appointed as a liaison to this committee.

**EXPIRATION DATE:** None.

**VACANCIES:** Per Lane County Advisory Committee Policy.

**REPORTS:** The Council does not have regular reporting requirements. However, the FQHC is subject to regular on-site audits by the Bureau of Primary Health Care. The operation of the Council is a component of these routine audits.

**MINUTES/AGENDAS:** Posted to Committee webpage.

**BYLAWS:** Posted to Committee webpage.

*(Revised by Order No. 03-11-25-8, Effective 11.25.03; 07-12-5-2, 12.5.07; 11-9-14-1, 9.14.11; 12-2-15-1, 2.15.12; 17-06-06-06, 6.6.17)*

### **3.525 Mental Health Advisory/Local Alcohol and Drug Planning Committee.**

Description: Advises the Board of County Commissioners as the local mental health authority, and the Director of the Department of Health and Human Services on community needs and priorities for developmental disabilities services, mental/behavioral health services and alcohol and drug abuse prevention and treatment services and will assist in planning and in review and evaluation of those services.

**DEPARTMENT:** Department of Health and Human Services.

**MEETING SCHEDULE:** Monthly, on the third Wednesday of each month, except for the month of August. The October meeting is designated as the annual retreat/business meeting.

**TYPE OF COMMITTEE:** Mandated, pursuant to Oregon State Law.

**MEMBERSHIP:** Consists of people who are broadly representative of the community, with a balance of age, sex, ethnic, socioeconomic, geographic, professional and consumer interests represented. The number of members will be determined by the Committee and reflected in the bylaws. Membership must include advocates for persons with mental or emotional disturbances, drug abuse problems, mental retardation or other developmental disabilities and alcoholism and alcohol abuse problems. The committee must also include a number of minority members which reasonably reflects the proportion of the needs for alcoholism treatment and rehabilitation services of minorities in the community as well as a representative for the mental health Consumer Council. Subcontractors of mental health services, alcohol and drug prevention and treatment services, developmental disabilities services, their employees and their board members are barred from participation in activities related to funding allocation or contract procurement processes.

**MEMBERSHIP TERM:** 4 years, ending October 31.

**LIAISON:** One member of the Lane County Board of Commissioners will be appointed as a liaison to this committee.

**EXPIRATION DATE:** None.

**VACANCIES:** Per Lane County Advisory Committee Policy.

**REPORTS:** Per Lane County Advisory Committee Policy (Annual).

**MINUTES/AGENDAS:** Posted to Committee webpage.

**BYLAWS:** Posted to Committee webpage.

*(Revised by Order No. 00-8-16-1; Effective 8.17.00; 07-12-5-2, 12.5.07; 09-3-18-1; 3.18.09; 11-9-14-1, 9.14.11; 16-01-26-06, 1.26.16; 17-06-06-06, 6.6.17)*

### **3.530 Performance Audit Committee.**

Description: To ensure independence of the performance audit function, an audit committee is created to advise the Board of County Commissioners on significant audit matters including:

- (1) The selection, compensation, or dismissal of the County Performance Auditor;
- (2) Increases and decreases to the requested budget for the County Performance Auditor's Office; and,
- (3) Auditing principles and guidelines of established generally accepted government auditing standards and ensuring the performance audit program performs its function.



Responsibilities. The audit committee will advise the Board of County Commissioners on the selection or dismissal of the County Performance Auditor.

The audit committee is responsible for ensuring the performance audit program performs its function. The committee will:

- (1) Review the County Performance Auditor's audit plan annually and provide suggestions and comments for the annual audit plan;
- (2) Perform regular annual evaluations of the County Performance Auditor and reporting results to the Board of County Commissioners;
- (3) Ensure that audit reports are transmitted to the Board of County Commissioners and to the public;
- (4) Monitor follow-up on reported findings;
- (5) Maintain the confidentiality of personnel matters while taking responsibility for appropriate disclosure to the Board of County Commissioners or to the public;
- (6) Ensure that a system of quality control is established, maintained, and designed to provide the performance audit function with reasonable assurance that the function and its personnel comply with professional standards and applicable legal and regulatory requirements;
- (7) Review the fieldwork plans for each audit, and provide suggestions and comments on each fieldwork plan;
- (8) Evaluate the findings and recommendations of the quality assurance review as required by recognized government auditing standards;
- (9) Review and provide suggestions and comments on the County Performance Auditor's program goals;
- (10) Review the County Performance Auditor's Office annual statement of independence;
- (11) Ensure maximum coordination between work of the County Performance Auditor's Office and contracted audit efforts.
- (12) Review the County Performance Auditor's compensation and staffing annually; and,
- (13) Review the County Performance Auditor's Office budget annually.

The audit committee will make appropriate recommendations concerning the performance audit function to the Board pursuant to the above responsibilities and will report to the Board on problems or problem areas at such times as deemed appropriate.

**DEPARTMENT:** County Administration Office.

**MEETING SCHEDULE:** The audit committee will meet at least quarterly and additionally as the committee deems necessary to perform its duties. A majority of the voting members constitutes a quorum. Vacant positions are not considered in determining whether a quorum exists. The audit committee will maintain minutes in accordance with the Oregon Public Meeting Law. The committee may request certain county management staff to attend meetings to address reports being discussed. Auditee departments will be invited to meetings where their performance audit report is discussed. The County Performance Auditor will facilitate and coordinate such meetings, as well as provide ancillary support to the committee, as time permits.

**TYPE OF COMMITTEE:** Mandated.

**MEMBERSHIP:** The audit committee consists of five voting members, one County Commissioner and four at-large members, appointed by the Board of County Commissioners, and five ex-officio non-voting members.

The four at-large members must be residents of the county, not employed by or under contract with the county, and collectively possess sufficient knowledge in performance auditing and public management practices. Desired qualifications to be considered may include experience as a performance auditor, a Certified Public Accountant, Certified Internal Auditor, public manager, or other relevant professional experience. The method of selecting candidates to fill the at-large positions is determined by the Board of Commissioners.

Of the four at-large members, one member will be appointed for a term expiring on January 31, 2017; one member will be appointed for a term expiring on January 31 of the following year; and two

members will be appointed for a term expiring on January 31 of the subsequent year. Thereafter, members will be appointed to three-year terms. The four at-large members are limited to two full consecutive terms, with one year intervening before they become eligible for reappointment. If a vacancy occurs on the committee, the Board may, as soon as practicable, appoint a person to serve the unexpired portion of the former member's term.

The five ex-officio non-voting members of the committee consist of one county-wide elected official (sheriff or assessor) or designee, and the county administrator or designee. The county administrator may appoint three additional members from within the county.

The committee will select a chair of the committee by a majority vote to serve a one-year term and may be selected for additional terms. The chair will preside over meetings, as well as provide input on topics for the agenda.

**MEMBERSHIP TERM:** Three year terms.

**REPRESENTATIVE:** One member of the Lane County Board of Commissioners will be appointed as a representative to this committee.

**EXPIRATION DATE:** None.

**VACANCIES:** Per Lane County Advisory Committee Policy.

**REPORTS:** None.

**MINUTES/AGENDAS:** Posted to Committee webpage.

**BYLAWS:** Posted to Committee webpage.

*(Revised by Order No. 16-1-12-9, Effective 1.12.16; 16-02-02-01, 2.2.16; 16-11-08-03, 11.8.16; 17-06-06-06, 6.6.17)*

### **3.535 Poverty and Homelessness Board.**

**Description:** The Board provides advice to the Board of County Commissioners and the intergovernmental Human Services Commission with the goal of reducing and preventing poverty and homelessness in Lane County. It assists the development of the delivery of housing and services to meet the specific needs of people who are impoverished or homeless improving their stability. It assists to maximize the allocation of local, state and federal funds made available for this purpose. It serves as the administrative board for the Lane County Community Action Agency and as the oversight board for the Lane County Continuum of Care.

**Responsibilities:** The Board participates in the development of the county's planning, implementation and monitoring of performance and evaluate outcomes of programs serving low-income and homeless persons; develop and review program polices and priorities; assure the coordination and implementation of a housing and human service system; review coordinated assessment system for service access; review and approve privacy, security, and data quality plans, policies and procedures, and performance measures for the Human Services Management Information System; review the process for performance improvement; participate in a point-in-time count of homeless persons that is conducted at least biannually; review an annual gaps analysis that is conducted of homelessness needs and services; develop program and financial priorities for the distribution of public funds; assure a collaborative, fair, and transparent process for developing priorities for projects to be submitted in grant applications to funders; and, review the efficiency and effectiveness of funding expenditures for funded activities.

**DEPARTMENT:** Department of Health and Human Services.

**MEETING SCHEDULE:** Monthly, or as needed.

**TYPE OF COMMITTEE:** Mandated, pursuant to Oregon State Law and Federal law.

**MEMBERSHIP:** Representation will be as follows: A third of the members will be public officials currently serving or their designees; a third of the members will be representatives of low income persons in Lane County selected democratically; a third of the members will represent business, law enforcement, the private philanthropic sector, faith-based organizations, education, healthcare or other major groups of interest in the community. The number of members will be determined by the Board and reflected in the bylaws.

Public officials will consist of one Lane County Commissioner, one City of Eugene, one City of Springfield and one rural Lane County elected official. The Board will also consist of non-voting ex-officio

participants representing governmental agencies and departments that are responsible for housing, employment, health and human services and public welfare and continuum of care grant co-applicants.

**MEMBERSHIP TERM:** 1 year, public officials 3 years, others, ending June 30.

**REPRESENTATIVE:** One member of the Lane County Board of Commissioners will be appointed as a Representative to this committee.

**EXPIRATION DATE:** None.

**VACANCIES:** Per Lane County Advisory Committee Policy.

**REPORTS:** Per Lane County Advisory Committee Policy (Annual).

**MINUTES/AGENDAS:** Posted to Committee webpage.

**BYLAWS:** Posted to Committee webpage.

*(Revised by Order No. 00-8-16-1; Effective 8.17.00; 08-8-6-1, 8.6.08; 11-9-14-1, 9.14.11; 13-10-29-06, 7.1.14; 17-06-06-06, 6.6.17)*

### **3.540 Public Safety Coordinating Council.**

Description: Pursuant to Oregon State Law, the Public Safety Coordinating Council develops and recommends to the Board a plan for use of 1) state resources to serve the local offender population, and 2) state and local resources to serve the needs of that part of the local offender population who are at least 15 years of age and less than 18 years of age, which plan must provide for coordination of community-wide services involving prevention, treatment, education, employment resources and intervention strategies; and coordinates local criminal justice policy among affected criminal justice entities.

Responsibilities: In addition to the duties assigned to it under Oregon State Law, Early Disposition Programs, requires each local public safety coordinating council to establish early disposition programs for first-time offenders who have committed a nonperson offense and for persons charged with probation violations, and directs they may establish early disposition programs for other offenders.

Oregon State Law also assigns additional duties to local public safety coordinating councils: develop and recommend to the Board the plan for use of state resources to serve the local youth offender population; coordinate local juvenile justice policy among affected juvenile justice entities; develop and recommend to the Board a plan designed to prevent criminal involvement by youth, which provides for coordination of community-wide services involving treatment, education, employment and intervention strategies aimed at crime prevention; create a facility advisory subcommittee when provided with information described in Oregon State Law; if a written plan of action has been provided to the council under Oregon State Law, County Metal Theft Plan of Action, annually review the plan and, if appropriate, make written recommendations to the affected district attorney for plan improvements.

Additional duties assigned pursuant to Oregon State Law require the board of county commissioners to publish an annual summary of program, service or budget changes made in response to the recommendations of the local public safety coordinating council and provide it to the local public safety coordinating council and the Oregon Criminal Justice Commission.

Pursuant to Oregon State Law an application for justice reinvestment grant funds must be submitted by the local public safety coordinating council.

**DEPARTMENT:** County Administration Office.

**MEETING SCHEDULE:** Quarterly.

**TYPE OF COMMITTEE:** Mandated; pursuant to Oregon State Law.

**MEMBERSHIP:** The PSCC will consist of the following twenty-two members:

#### Required by Oregon State Law

*Member:*  
Police Chief

*Appointed By:*  
Police Chiefs in county

Sheriff of the County	Sheriffs in the county
District Attorney	District Attorneys of the county
State Court Judge	Presiding Judge of county judicial district
Public Defender or Defense Attorney	Presiding Judge of county judicial district
Director of Community Corrections	Board of County Commissioner
County Commissioner	Board of County Commissioners
Juvenile Department Director	Board of County Commissioners
Health Director	Board of County Commissioners
Mental Health Director	Board of County Commissioners
One lay citizen	Board of County Commissioners
City Councilor or Mayor	Cities in the county
City Manager or other city representative	Cities in the county
Representative of Oregon State Police ( <i>non-voting</i> )	Superintendent of State Police
Representative of Oregon Youth Authority ( <i>non-voting</i> )	Director of OYA
Community-based Victims Services Agency Director	Board of County Commissioners

Added by Lane County Board of Commissioners

<i>Member:</i>	<i>Appointed By:</i>
City Councilor or Mayor from Eugene or Springfield	City of Eugene or Springfield
Two Lay Citizen	Board of County Commissioners
Lane County Administrator ( <i>non-voting</i> )	Board of County Commissioners
Reentry Services Representative	Board of County Commissioners
Police Chief of Eugene or Springfield	Board of County Commissioners

MEMBERSHIP TERM: 4 years, ending December 31.  
 REPRESENTATIVE: One member of the Lane County Board of Commissioners will be appointed as a Representative to this committee.  
 EXPIRATION DATE: None.  
 VACANCIES: Per Lane County Advisory Committee Policy.  
 REPORTS: Per Lane County Advisory Committee Policy (Annual).  
 MINUTES/AGENDAS: Public access to current and archived minutes are provided by LCOG on the PSCC web pages at: <http://www.lcog.org/353/Public-Safety-Coordinating-Council>  
 BYLAWS: Posted to Committee webpage.  
 (Revised by Order No. 01-5-9-1; Effective 5.9.01; 03-8-27-3, 8.27.03; 09-4-29-1, 4.29.09; 11-9-14-1, 9.14.11; 16-01-26-06, 1.26.16; 17-06-06-06, 6.6.17; 18-11-27-02, 11.27.18)

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**MANDATED SPECIAL COMMITTEES/BOARDS**

<b>Committee</b>	<b>Department</b>
Board of Property Tax Appeals	CAO / Operations
Budget Committee	CAO
Fair Board	PW
Planning Commission	PW/LMD

**3.560 Board of Property Tax Appeals.**

Description: Hears petitions for reduction of: The assessed value or specially assessed value of property as of January 1, but only if the value that is the subject of the petition was added to the roll prior to December 1 of the tax year; the real market value of property, but only if the maximum assessed value of the property that is the subject of the petition is determined by Oregon State Law, and corrections to value is made pursuant to Oregon State law. The Board of Property Tax Appeals also considers applications to excuse liability for the penalty imposed under Oregon State Law.

DEPARTMENT: County Administration Office.

MEETING SCHEDULE: Variable between first Monday in February and April 15 of each year.

TYPE OF COMMITTEE: Mandated Special, pursuant to Oregon State Law.

MEMBERSHIP: (3) Pursuant to Oregon State Law. The county governing body will appoint a pool of members of the county-governing body or the governing body's designees, and a pool of nonoffice-holding residents of the county who are not employees of the county or of any taxing district within the county, who are eligible and willing to serve as members of the county Board of Property Tax Appeals.

The board will consist of those persons selected by the County Clerk from the pool of board members appointed under Oregon State Law. The clerk will complete the selection prior to the commencement of the board session. The board will consist of one member of the pool described in Oregon State Law and two members of the pool described in Oregon State Law.

Additional Boards of Property Tax Appeals may be selected by the County Clerk if necessary for the efficient conduct of business. Each additional board will consist of one member of the pool described in Oregon State Law and two members of the pool described in Oregon State Law. In order to avoid the appearance of a conflict of interest, any individuals who are actively involved in a real estate related business, including but not limited to, appraisers, real estate agents or consultants, property managers, or attorneys with a real estate or property tax practice, will not be appointed to the Board of Property Tax Appeals.

MEMBERSHIP TERM: The term of each member of a county board of property tax appeals will begin on the date of appointment and will end on the June 30 next following appointment or when the member resigns or is replaced, whichever occurs first.

LIAISON: One member of the Lane County Board of Commissioners will be appointed as a Liaison to this committee.

EXPIRATION DATE: None.

VACANCIES: Per Lane County Advisory Committee Policy.

REPORTS: Annually. A summary report is provided to the Department of Revenue at the conclusion of the session.

MINUTES/AGENDAS: As required by statute, petitioners receive written notice a minimum of 5 days in advance of their scheduled hearing. As required by statute, meeting agendas are posted in two places: outside the boardroom and on the public notice board near the Sheriff's office. The BoPTA website has information and petition forms. Minutes are kept electronically by the board clerk. Minutes are available to the public by request and upon payment of the fee for copies.

BYLAWS: This committee does not have bylaws.

*(Revised by Order No. 00-8-16-1; Effective 8.17.00; 03-11-12-11; 11.12.03; 17-06-06-06, 6.6.17)*

**3.565 Budget Committee.**

Description: Reviews and approves the County budget, limits the amount of tax which may be levied by the County and establishes a tentative maximum for total permissible expenditures for each fund in the County budget.

DEPARTMENT: County Administration Office.

MEETING SCHEDULE: Following a legally required Notice of Budget Committee Meeting, the process begins when the County Administrator delivers his/her budget message. Typically late April/early May each calendar year.

TYPE OF COMMITTEE: Mandated Special, pursuant to Oregon State Law.

MEMBERSHIP: (10) Consists of members of the Board of Commissioners and an equal number of lay citizens. Vacancies on this committee will not be advertised unless otherwise requested by the Board member whose district representation has been vacated.

MEMBERSHIP TERM: 3 years, staggered terms with one-third of terms ending each year. County ends terms on December 31.

REPRESENTATIVE: N/A, The Budget Officer is the County Administrator.

EXPIRATION DATE: None.

VACANCIES: Vacancies are determined by the individual Commissioner whose district has a vacancy. Vacancies will not be advertised unless requested by the Board member whose district representation has been vacated.

REPORTS: None, the Board of Commissioners are each members of the committee.

MINUTES/AGENDAS: Oregon State Law legally requires notice of first meeting to be published no less than 5 and no more than 30 days prior to the meeting. Second published notice, or publication on website is also required. Public can access the notice, agendas and all materials provided to the committee at [www.lanecounty.org/budget](http://www.lanecounty.org/budget).

Minutes are retained with the Board of Commissioners Meetings and available on the Budget Committee webpage.

BYLAWS: None.

*(Revised by Order No. 00-8-16-1; Effective 8.17.00; 13-03-11-03, 3.11.14; 17-06-06-06, 6.6.17)*

**3.570 Fair Board (Lane County).**

Description: Has the exclusive management of the ground and all other property owned, leased, used or controlled by the County and devoted to the use of the County Fair and is entrusted and charged with the entire business management and financial and other affairs of such fair. Pursuant to Oregon State Law.

DEPARTMENT: Department of Public Works (Fair Manager).

MEETING: Monthly.

TYPE OF MEETING: Mandated Special; pursuant to Oregon State Law.

MEMBERSHIP: Consists of not less than three or more than seven members.

MEMBERSHIP TERM: 3 years ending December 31; two-term limit, absent extenuating circumstances.

LIAISON: One member of the Lane County Board of Commissioners will be appointed as a liaison to this committee.

EXPIRATION DATE: None.

VACANCIES: Per Lane County Advisory Committee Policy.

REPORTS: Per Lane County Advisory Committee Policy (Annual).

MINUTES/AGENDAS: Posted to Committee webpage.

BYLAWS: Posted to Committee webpage.

*(Revised by Order No. 00-8-16-1; Effective 8.17.00; 04-3-31-15, 3.31.04; 11-9-14-1, 9.14.11; 17-06-06-06, 6.6.17)*

**3.575 Planning Commission.**

Description: Pursuant to the authority granted to the Board of County Commissioners of Lane County by Oregon State Law, the Lane County Home Rule Charter, and by the Lane Code, a Planning Commission is established for Lane County.

- (1) Duties and Functions:
  - (a) Recommend to the Board for adoption a comprehensive plan for Lane County, or any part or element thereof, and any amendment to such plan, or part or element thereof. The official comprehensive plan is effective only after its formal adoption by the Board;
  - (b) Recommend to the Board ordinances intended to carry out the purposes, principles and proposals expressed in the comprehensive plan;
  - (c) Perform the duties and functions imposed upon the prior Lane County Planning Commission and West Lane Planning Commission (abolished by Ordinance Nos. 3-70 and 12-97) by Lane County ordinances and orders, including but not limited to LC Chapters 9, 10, 11, 12, 13, 14, 15, and 16 and the citizen involvement component of the Statewide Planning Goals and the applicable comprehensive plans;
  - (d) Advise and cooperate with other planning agencies within the state and upon request, or on its own initiative, furnish advice or reports to any city, County, officer or Department on any problem arising from County, regional or metropolitan planning;
  - (e) Promote public interest in and understanding of the comprehensive plan and of planning and zoning in general;
  - (f) Make recommendations and an annual report to the Board concerning the operation of the Planning Commission and of the status of planning and zoning within its jurisdiction;
  - (g) Make recommendations to the Board with regard to orderly development within Lane County; and,
  - (h) Perform such other duties as may be prescribed by County ordinance or order of the Board.
- (2) General Procedures.
  - (a) The Planning Commission will adopt rules and procedures for the transaction of business and keep a record of its resolutions, transactions, findings, recommendations and determinations, and maintain them as public records;
  - (b) The Planning Director or the Director's designee will be the Secretary of the Planning Commission and will provide staff services and recommendations on matters coming before the Planning Commission;
  - (c) The Planning Commission will select from its voting membership a chair and vice-chair to serve for one year. No member will be eligible for more than two consecutive terms as chair or vice-chair;
  - (d) Any discussion, except at a public hearing of the Planning Commission, between any voting member and an applicant or his or her representative, or any other person with a direct interest, concerning a specific case while such matter is scheduled or likely to come before the Planning Commission will be made known, and the substance thereof related by such member, at the beginning of the public hearing before the Planning Commission on such case, all of which will be entered into the record; and,
  - (e) No member of the Planning Commission will participate in the discussion, hearing or decision of the Planning Commission upon any matter in which he or she is directly or indirectly interested in a personal or financial sense. In the event of such conflict of interest, a member will announce his or her disqualification at the earliest opportunity and such fact will be entered on the records of the Planning Commission.
  - (f) The Planning Commission will endeavor to complete its actions on all applications and requests coming before it under the Rural Comprehensive Plan and Lane Code at the earliest available date. After 60 days from its first public hearing, the Board may consider any matter upon which the Planning Commission has not completed its actions.
- (3) Referrals from the Board of Commissioners:

- (a) Purposes;
  - (i) It is important for the Planning Commission to have an opportunity to respond to the Board concerning any substantial planning and land use regulatory measure being considered by the Board;
  - (ii) It is not necessary for the Planning Commissions to respond when the record is clear as to its position or when the proposed change has little substantive effect; and,
  - (iii) Board referrals to the planning commissions should be avoided which would serve little value and only result in time delays, unnecessary expenditures of public or private monies and public confusion;
- (b) Policy; Referrals may be made by the Board to the Planning Commission on all matters pertaining to the adoption and amendment of the comprehensive plan when:
  - (i) The change contemplated by the Board substantively differs from the Planning Commission's recommendation;
  - (ii) The Planning Commission's record is not clear as to its position with respect to the Board's contemplated change from the Planning Commission's recommendation;
  - (iii) Testimony has been received at the Board's hearing not available to the Planning Commission which the Board has reason to believe may be material to the Planning Commission's original recommendation;
  - (iv) Required legal hearing procedures have not been followed;
  - (v) Better Planning Commission-Board communication and/or public understanding of the public hearing process would be served; and,
  - (vi) Any other reason deemed sufficient by the Board.

A referral under these circumstances is optional, not mandatory, and the Board may proceed to final action without making a referral if it is in the best interests of the County.

- (4) Appointment Process for Planning Commission Vacancies.
  - (a) Notification of vacancy and receipt of applications for Planning Commission membership will be as set forth in Lane County Administrative Procedures Manual;
  - (b) Upon expiration of the application acceptance period, the County Administrator's Office will retain a copy of each application and transmit the original applications to the Planning Director;
  - (c) The Planning Director will prepare and transmit the following information to the Board or a subcommittee designated by the Board to conduct interviews:
    - (i) Copies of a Planning Commission Appointment Report. The report will contain a listing of current members, including name, address, occupation and term of appointment, plus a list of eligible applicants, which will include address, occupation, eligibility and related information;
    - (ii) A proposed interview schedule and written questions to be addressed by the candidates; and,
    - (iii) Copies of each completed Application for Planning Commission Appointment, together with all attachments thereto received.
  - (d) Only those citizens who have formally applied within the proper timeframe and meet required qualifications will be considered for appointment to the Planning Commission. However the Board may, by separate action, reopen the process by initiating a new advertisement;
  - (e) After the Board or subcommittee has determined the date, time, location and candidates for Planning Commission appointment interviews, the Planning Director will prepare and transmit a packet to selected applicants the following items:
    - (i) Introductory letter that will include the interviewing process and appointment schedule;
    - (ii) List of questions to be completed along with a return, stamped envelope;
    - (iii) A copy of the Lane Manual provisions regarding the Planning Commission;
 and,
    - (iv) Other pertinent materials deemed necessary, including any significant planning issues identified by the Board.



(f) Copies of the completed questionnaires returned to the Planning Director will be transmitted to the Board or subcommittee;

(g) The Board or subcommittee will conduct oral interviews with selected applicants at the scheduled meeting; and

(h) Upon completion of Board or subcommittee selection(s), the Planning Director will prepare and transmit to the Board a Board Order making the appointment(s).

**DEPARTMENT:** Department of Public Works.

**MEETING SCHEDULE:** Evening meetings on the 1st and 3rd Tuesday of every month (occasionally extra meetings may be required).

**TYPE OF COMMITTEE:** Mandated – Oregon State Law, Lane County Home Rule Charter, and Lane Code.

**MEMBERSHIP:** Advisory, nonvoting members may be designated by the Board to provide technical advice to the voting members.

(1) A member will remain appointed until replaced or reappointed, consistent with appointment procedures in Lane Manual;

(2) Any vacancy occurring on the Planning Commission will be filled by the Board;

(3) A member may be removed by the Board during a term for cause after a public hearing;

(4) Members will serve without compensation other than reimbursement for duly authorized expenses;

(5) No more than two voting members of each Planning Commission will be engaged principally in the buying, selling or developing of real estate for profit as individuals, or be members of any partnership or officers or employees of any corporation that is engaged principally in the buying, selling or developing of real estate for profit. No more than two voting members of each Planning Commission will be engaged in the same kind of occupation, business, trade or profession.

(6) Geographic Membership Requirements;

(a) The Lane County Planning Commission will consist of nine voting members, each of whom will be a resident of Lane County and appointed by the Board;

(b) At least three voting members will reside outside cities and at least two will reside within cities; and,

(c) At least one voting member must reside in the coastal area of Lane County. The coastal area of Lane County is described as that portion of Lane County west of approximately the range line between Range 9 West and Range 8 West or the east boundary of the Mapleton School District No. 32, whichever is the most easterly.

(d) A reasonable attempt will be made to select the voting membership from different geographic areas of the County.

**MEMBERSHIP TERM:** The term of office on the Planning Commission will be for four years, and unless the Board takes special action, no member will be eligible for more than two consecutive full terms. Terms will expire on September 30. A member will remain appointed until replaced or reappointed, consistent with appointment procedures in Lane Manual.

**LIAISON:** One member of the Lane County Board of Commissioners will be appointed as a liaison to this committee.

**EXPIRATION DATE:** None.

**VACANCIES:** Any vacancy occurring on the Planning Commission will be filled by the Board. Lane Manual.

**REPORTS:** On January 1 of every year the Planning Commission will prepare an annual report of the year's activities and other matters, for submission to the County Board of Commissioners. It will include pertinent information on:

(1) Comprehensive plan revision;

(2) Miscellaneous studies and reports and addition will contain;

(3) Progress report on projects;

(4) Areas that need future attention;

- (5) An analysis of how well the needs of the community are being met;
- (6) A suggested work program for the following year;
- (7) A report on citizen participation and suggestions for improvement; and,
- (8) Other information as deemed appropriate by the Secretary.

MINUTES/AGENDAS: Posted to Committee webpage. Minutes are archived online for 3 years. Older minutes must be requested from LMD staff.

BYLAWS: Posted to Committee webpage.

*(Revised by Order No. 97-10-21-1; Effective 10.21.97; 17-06-06-06, 6.6.17)*

**NON-MANDATED COMMITTEES**

Committee	Department
Lane County Animal Services Advisory Committee	PW
Lane County Equity and Access	CAO / Operations
Law Library Advisory Committee	CAO / Operations
Parks Advisory Committee	PW/Parks
Public Health Advisory Committee	H&HS
Transportation Advisory Committee	PW
Climate Advisory Committee	PW

**3.600 Lane County Animal Services Advisory Committee.**

Description: Advises the Public Works Director and the Board of County Commissioners on matters of animal service operations, program improvements, model and state of the art animal welfare, care control programs, and facilities.

DEPARTMENT: Department of Public Works.

MEETING SCHEDULE: Monthly, or as needed.

TYPE OF COMMITTEE: Non-Mandated.

MEMBERSHIP: (7) Consists of five members appointed by individual Commissioners and two at-large members appointed by the Board of Commissioners.

MEMBERSHIP TERM: Commissioner appointed members serve at the will of the Commissioner who appointed them, but for no longer than 4 years without reappointment. The two at-large members serve at the will of the Board of Commissioners, but for no longer than 4 years without reappointment.

LIAISON: One member of the Lane County Board of Commissioners will be appointed as a liaison to this committee.

EXPIRATION DATE: None.

VACANCIES: Per Lane County Advisory Committee Policy.

REPORTS: Per Lane County Advisory Committee Policy (Annual).

MINUTES/AGENDAS: Posted to Committee webpage.

BYLAWS: Posted to Committee webpage.

*(Revised by Order No. 07-12-12-5; Effective 12.12.07; 09-4-29-1, 4.29.09; 11-9-14-1, 9.14.11; 16-01-26-06, 1.26.16; 17-06-06-06, 6.6.17)*

**3.605 Lane County Equity and Access Advisory Board.**

Description: Advises the County Administrator on policies and practices surrounding equity, inclusion, and access in both internal and external matters.

DEPARTMENT: County Administration Office.

MEETING SCHEDULE: Monthly, or as needed.

TYPE OF COMMITTEE: Non-Mandated.

**MEMBERSHIP:** Advisory Board members must live within the geographical boundaries of Lane County. The Advisory Board will have up to fifteen (15) members and not fewer than nine (9) members. The Advisory board will ideally be made up of an odd number of members for voting purposes. At least 51% of the Advisory Board will be made up of individuals who identify with underrepresented communities, or are a part of an underrepresented community. One-third (1/3) of the Advisory Board will be made up of members that reside outside of the Eugene/Springfield Metro area. No fewer than two (2) members of the Advisory Board will reside outside of the Eugene/Springfield Metro area.

**MEMBERSHIP TERM:** The term of office will be two (2) years. The length of terms may be adjusted in order to create or maintain staggered terms. No member may serve more than two (2) full consecutive terms, or a total of five (5) years.

**LIAISON:** N/A.

**EXPIRATION DATE:** None.

**VACANCIES:** Per Lane County Advisory Committee Policy.

**REPORTS:** Per Lane County Advisory Committee Policy (Annual).

**MINUTES/AGENDAS:** Posted to Committee webpage.

**BYLAWS:** Posted to Committee webpage.

*(Revised by Order No. 16-04-05-06; Effective 4.5.16; 17-06-06-06, 6.6.17)*

### **3.610 Law Library Advisory Committee.**

Description: Advises the Law Librarian and Board of County Commissioners regarding the operations, policies, and financial requirements necessary to maintain adequate law library facilities and services. Makes recommendations for project priorities and long-range planning goals.

**DEPARTMENT:** County Administration Office.

**MEETING SCHEDULE:** Monthly, or as needed; at least quarterly.

**MEETING TYPE:** Non-Mandated.

**MEMBERSHIP:** Up to nine (9) and not fewer than seven (7) members. Consists of three (3) LCBA members appointed by the Lane County Bar Association, two (2) at-large lay (non-attorney) citizens appointed by the Board of Commissioners, and up to four (4) at-large members from the legal profession, including courts, legal aid, and related non-profits. One (1) person from the University of Oregon Law Library staff serves as an ex-officio member.

**MEMBERSHIP TERM:** At-large appointees serve at the will of the appointing Commissioner(s), but for no longer than four (4) years without reappointment.

**LIAISON:** One (1) member of the Lane County Board of Commissioners will be appointed as a liaison to this committee.

**EXPIRATION DATE:** None.

**VACANCIES:** Lane County Bar Association their members' fills vacancies annually; otherwise, per Lane County Advisory Committee Policy.

**REPORTS:** Per Lane County Advisory Committee Policy (Annual).

**MINUTES/AGENDAS:** Posted to Committee webpage.

**BYLAWS:** Posted to Committee webpage.

*(Revised by Order No. 00-8-16-1; Effective 8.17.00; 05-5-11-4, 5.11.05; 09-4-29-1, 4.29.09; 11-9-14-1, 9.14.11; 17-06-06-06, 6.6.17; 18-07-10-01, 7.10.18)*

### **3.615 Parks Advisory Committee.**

Advises the Board of County Commissioners on park needs of County residents and visitors regarding County park facilities. Recommends priorities for projects, including financial and operational development and acquisition. Also provides recommendations regarding long-range planning for future park programs and future park needs. Serves as a liaison group representing the concern of the community with regard to parks.

**DEPARTMENT:** Department of Public Works.

**MEETING SCHEDULE:** Monthly.

**MEETING TYPE:** Non-Mandated.

**MEMBERSHIP:** (7) Consists of five members appointed by individual Commissioners and two at-large members.

**MEMBERSHIP TERM:** At the will of the appointing Commissioner(s), but for no longer than 4 years without reappointment.

**LIAISON:** One member of the Lane County Board of Commissioners will be appointed as a liaison to this committee.

**EXPIRATION DATE:** None.

**VACANCIES:** Per Lane County Advisory Committee Policy.

**REPORTS:** Per Lane County Advisory Committee Policy (Annual).

**MINUTES/AGENDAS:** Posted to Committee webpage.

**BYLAWS:** Posted to Committee webpage.

*(Revised by Order No. 00-8-16-1; Effective 8.17.00; 09-4-29-1, 4.29.09; 11-9-14-1, 9.14.11; 17-06-06-06, 6.6.17)*

### **3.625 Public Health Advisory Committee.**

Makes recommendations to the Health Administrator and advises the Board of Health and Board of Commissioners on matters of public health, planning, policy development, control measures, funding, public education and advocacy. Acts in a community liaison capacity to provide a link between the community and the Health Division.

**DEPARTMENT:** Department of Health and Human Services.

**MEETING SCHEDULE:** Monthly.

**TYPE OF COMMITTEE:** Non-Mandated.

**MEMBERSHIP:** (12) Consists of five members appointed by individual Commissioners, two at-large representatives and five members from the health professions including physicians, dentists, nutritionists and health educators.

**MEMBERSHIP TERM:** At the will of the appointing Commissioner(s), but for no longer than 4 years without reappointment.

**LIAISON:** One member of the Lane County Board of Commissioners will be appointed as a liaison to this committee.

**EXPIRATION DATE:** None.

**VACANCIES:** Per Lane County Advisory Committee Policy.

**REPORTS:** Per Lane County Advisory Committee Policy (Annual).

**MINUTES/AGENDAS:** Posted to Committee webpage.

**BYLAWS:** Posted to Committee webpage.

*(Revised by Order No. 00-8-16-1; Effective 8.17.00; 07-12-5-2, 12.5.07; 09-4-29-1, 4.29.09; 11-9-14-1, 9.14.11; 17-06-06-06, 6.6.17)*

### **3.630 Transportation Advisory Committee.**

Description: Reviews road improvement needs; develops a Five-Year Capital Improvements Program; reviews and provides recommendations for long-range planning for future transportation needs, including alternative transportation modes and makes recommendations to the Board of Commissioners.

**DEPARTMENT:** Department of Public Works.

**MEETING SCHEDULE:** Every other month.

**TYPE OF COMMITTEE:** Non-Mandated.

**MEMBERSHIP:** (7) Consists of five members appointed by individual Commissioners and two at-large members.

**MEMBERSHIP TERM:** At the will of the appointing Commissioner(s), but for no longer than 4 years without reappointment.

**LIAISON:** One member of the Lane County Board of Commissioners will be appointed as a liaison to this committee.

**EXPIRATION DATE:** None.

**VACANCIES:** Per Lane County Advisory Committee Policy.

**REPORTS:** Annual list of accomplishments and an annual work plan.  
**MINUTES/AGENDAS:** Posted to Committee webpage.  
**BYLAWS:** Posted to Committee webpage.

*(Revised by Order No. 01-8-1-8; Effective 8.1.01; 09-4-29-1, 4.29.09; 11-9-14-1, 9.14.11; 17-06-06-06, 6.6.17)*

**3.635 Climate Advisory Committee.**

Advises the Board of Commissioners on topics and issues related to the policy decisions regarding Climate Change. The CAC may provide input to the Board on agenda items or may propose new policy directives.

**DEPARTMENT:** Public Works

**MEETING SCHEDULE:** Monthly.

**TYPE OF COMMITTEE:** Non-Mandated.

**MEMBERSHIP:** (11) Consists of five members appointed by individual Commissioners, five at-large representatives and one County Commissioners

**MEMBERSHIP TERM:** Initial Commissioner appointed members will serve a one-year term with the opportunity to reapply for two additional two-year terms. Thereafter, two-year terms with the opportunity to reapply for one additional term. The five at large members will serve two years with the opportunity to reapply for an additional two-year term.

**LIAISON:** One member of the Lane County Board of Commissioners will be appointed as a liaison to this committee.

**EXPIRATION DATE:** None.

**VACANCIES:** Per Lane County Advisory Committee Policy.

**REPORTS:** Per Lane County Advisory Committee Policy (Annual).

**MINUTES/AGENDAS:** Posted to Committee webpage.

**BYLAWS:** Posted to Committee webpage.

*(Revised by Order No. 20-08-18-07, Effective 8.18.20)*

**STANDING COMMITTEES**

<b>Committee</b>	<b>Department</b>
Facilities	CAO
Finance & Audit	CAO
Legislative Committee	CAO
Policies and Procedures	CAO
Technology Management Team	TS

**3.650 Standing Committees.**

The County sees a need for standing committees to advise the Board of Commissioners or the County Administrator in areas of interest of the County. The following committees have been formed to meet those needs. Each standing committee will provide an annual report to the Board by February 15 of each year that highlights the progress, successes and challenges of the committee.

These committees are:

- (1) Economic Development Standing Committee;
- (2) Facilities
- (3) Finance & Audit;
- (4) Legislative;
- (5) Policies and Procedures; and,
- (6) Technology Management Team.

*(Revised by Order No. 17-06-06-06, Effective 6.6.17)*

**3.660 Facilities Committee.**

Description: The function of this committee is to provide recommendations to the Board regarding County owned facilities issues in the following areas:

- (1) The Capital Improvement Program (CIP) for County facilities;
- (2) Real Property acquisitions and sales;
- (3) Facilities Maintenance and Custodial Services;
- (4) Construction and remodel activities; and,
- (5) Use of County facilities.

DEPARTMENT: County Administration Office.

MEETING SCHEDULE: Monthly, or as needed.

TYPE OF COMMITTEE: Standing.

MEMBERSHIP: Two Lane County Board of Commissioners.

The County Administrator.

The County's Director of Operations.

Three other Department Directors, at least one of which must be elected.

MEMBERSHIP TERM: Commissioners appointed through annual committee assignments process at the Board. Staff members serve indefinite terms.

REPRESENTATIVE: Two members of the Lane County Board of Commissioners will be appointed as a representative to this committee.

EXPIRATION DATE: None.

VACANCIES: Either through the annual committee assignments process at the Board (Commissioner Representative) or vote of committee (county staff committee members).

REPORTS: Per Lane County Advisory Committee Policy (Annual).

MINUTES/AGENDAS: Posted to Committee webpage.

BYLAWS: Posted to Committee webpage.

*(Revised by Order No. 17-06-06-06, Effective 6.6.17)*

**3.665 Finance and Audit Committee.**

Description: The committee's function is broad based, to provide recommendations to the Board regarding the following:

- (1) Review and monitor the current procedures to insure the existence of an effective financial system with appropriate internal controls;
- (2) Maintain overview responsibilities for both external and internal audit functions;
- (3) Review the development and implementation of a multi-year audit program for Lane County;

(4) Monitor the annual review of departmental fee-for-services preparatory to the ensuing fiscal year's budget process and evaluate the feasibility of potential significant alternative revenue sources, as may be identified;

(5) Provide a communication link between the independent auditors and the Board;

(6) Develop and implement internal management audits of specific units of County government. These audits are to be both fiscal and operational;

(7) Analysis of new programs that offer opportunities to increase economy and efficiency in County operations;

(8) Review and monitor the development of a multi-year financial plan that forecasts revenue and expenditures for major County programs;

(9) Review any other proposals having financial impact on County operations; and,

(10) Oversee and evaluate County Performance Auditor.

DEPARTMENT: County Administration Office.

MEETING SCHEDULE: Monthly, or as needed.

TYPE OF COMMITTEE: Standing.

MEMBERSHIP: Two Lane County Board of Commissioners.

One elected department director or designee.

County Administrator – non-voting.

County Counsel – non-voting.

Nonvoting department managers and staff support, as required.

MEMBERSHIP TERM: Commissioners appointed through annual committee assignments process at the Board. Staff members serve indefinite terms.

REPRESENTATIVE: Two members of the Lane County Board of Commissioners will be appointed as a representative to this committee.

EXPIRATION DATE: None.

VACANCIES: Either through the annual committee assignments process at the Board (Commissioner Representative) or vote of committee (county staff committee members).

REPORTS: Per Lane County Advisory Committee Policy (Annual).

MINUTES/AGENDAS: Posted to Committee webpage.

BYLAWS: Posted to Committee webpage.

*(Revised by Order No. 17-06-06-06, Effective 6.6.17)*

### **3.670 Legislative Committee.**

Description: The function of this committee is to oversee all aspects of legislative and administrative policy making by other deliberative bodies which may affect Lane County's legislative program and:

(1) Ensure staff reviews legislation and rulemaking for fiscal impacts;

(2) Submit proposed legislation and rulemaking to the Board for consideration;

(3) Coordinate all staff lobbying activities;

(4) Monitor state and federal legislative activities;

(5) Establish and periodically review policy principles which staff may utilize to respond to the dynamic environment of Congress and the Oregon Legislative Assembly; and,

(6) Monitor implementation of newly passed legislation and/or newly adopted rules.

DEPARTMENT: County Administration Office.

MEETING SCHEDULE: The Committee will meet as needed, but no less than quarterly.

TYPE OF COMMITTEE: Standing.

MEMBERSHIP: County Administrator.

All department directors or designees.

Two Lane County Board of Commissioners.

Other staff support, as required.

MEMBERSHIP TERM: Commissioners appointed through annual committee assignments process at the Board. (Staff members serve indefinite terms).

**REPRESENTATIVE:** Two members of the Lane County Board of Commissioners will be appointed as a representative to this committee.

**EXPIRATION DATE:** None.

**VACANCIES:** Either through the annual committee assignments process at the Board (Commissioner Representative) or vote of committee (county staff committee members).

**REPORTS:** Per Lane County Advisory Committee Policy (Annual).

**MINUTES/AGENDAS:** Posted to Committee webpage.

**BYLAWS:** Posted to Committee webpage.

*(Revised by Order No. 17-06-06-06, Effective 6.6.17)*

### **3.675 Policy and Procedures Committee.**

Description: The function of this committee is to provide recommendations on all new issues that have the potential for requiring the Board to adopt a final policy or position, or change existing policy, and may include:

(1) Personnel related policies, particularly those relating to Lane Charter, Code or Manual provisions;

(2) The operating procedures between the Board, the County Administrator, and elected and administrative Department Directors;

(3) The development of rules and procedures on the Board's internal operations. This could include such issues as Board representation on committees or organizations, and the authority and role of those representatives or procedures for making Board appointments to the Budget or Advisory Committees; and

(4) Other policy matters referred by the Board.

**DEPARTMENT:** County Administration Office.

**MEETING SCHEDULE:** As needed.

**TYPE OF COMMITTEE:** Standing.

**MEMBERSHIP** Two Lane County Board of Commissioners.

County Administrator.

County Counsel.

Three Department Directors, at least one of which must be elected.

Nonvoting Department managers and staff support, as required.

**MEMBERSHIP TERM:** Commissioners appointed through annual committee assignments process at the Board. (Staff members serve indefinite terms).

**REPRESENTATIVE:** Two members of the Lane County Board of Commissioners will be appointed as a representative to this committee.

**EXPIRATION DATE:** None.

**VACANCIES:** Either through the annual committee assignments process at the Board (Commissioner Representative) or vote of committee (county staff committee members).

**REPORTS:** Per Lane County Advisory Committee Policy (Annual).

**MINUTES/AGENDAS:** Posted to Committee webpage.

**BYLAWS:** Posted to Committee webpage.

*(Revised by Order No. 17-06-06-06, Effective 6.6.17)*

### **3.680 Technology Management Team (TMT).**

Description: The function of this committee is broad based, to provide recommendations to the Board regarding the following:

(1) Establish ongoing mission vision and direction for Lane County Technology Services;

(2) Review and monitor the current policies to insure the existence of an effective use of technology;

(3) Review and monitor the development and implementation of a multi-year strategic plan for technology;



(4) Review new technologies that offer opportunities to increase economy and efficiency in County operations, and champion those technologies with the Board of Commissioners; and,

(5) Review any other proposals having a technological impact on county operations.

DEPARTMENT: Department of Technology Services.

MEETING SCHEDULE: As needed.

TYPE OF COMMITTEE: Standing.

MEMBERSHIP: Three department directors (or designees), representative of the largest users of the services of the Department of Technology Services.

One department director not included in above.

The Director of the Department of Technology Services.

The County Administrator.

Two Lane County Board of Commissioners.

Other Non-Voting Participants.

Interested department managers.

Computer Services Managers with the consent of the committee

MEMBERSHIP TERM: Commissioners appointed through annual committee assignments process at the Board. (Staff members serve indefinite terms).

REPRESENTATIVE: Two members of the Lane County Board of Commissioners will be appointed as a representative to this committee.

EXPIRATION DATE: None.

VACANCIES: Either through the annual committee assignments process at the Board (Commissioner Representative) or vote of committee (county staff committee members).

REPORTS: Per Lane County Advisory Committee Policy (Annual).

MINUTES/AGENDAS: Posted to Committee webpage.

BYLAWS: Posted to Committee webpage.

*(Revised by Order No. 01-10-31-4, Effective 10.31.01; 03-11-12-6, 11.12.03; 07-5-23-2, 5.23.07; 09-4-29-1, 4.29.09; 09-6-3-3, 6.3.09; 11-9-14-1, 9.14.11; 17-06-06-06, 6.6.17)*

**MULTI-JURISDICTIONAL COMMITTEES**

Committee	Department
Human Services Commission	H&HS
Lane Workforce Partnership Advisory Board	Multi-jurisdictional
Metropolitan Wastewater Management Commission	Multi-jurisdictional

**3.685 Human Services Commission.**

Description: Provides advice to the Board of County Commissioners and the Eugene and Springfield City Councils on community needs and priorities for human services. Its tasks will include: assisting in the development of an intergovernmental human services plan and budget, assisting in planning, review and evaluation of services in the intergovernmental human services plan; assisting in evaluation of proposals to provide services, providing for citizen participation in the planning process for community human services, and making recommendations to units of local government regarding their specific human services proposals.

DEPARTMENT: Department of Health and Human Services.

MEETING SCHEDULE: Monthly.

TYPE OF COMMITTEE: Multi-Jurisdictional.

MEMBERSHIP: (7) The Committee will consist of seven members. Representation will be as follows: three representatives from the City of Eugene, two representatives from Lane County, and two representatives from Springfield. Representative delegations will include at least one or more elected officials and may include one appointed budget committee member.

MEMBERSHIP TERM: 1 year, ending January 14.  
 REPRESENTATIVE: Two members of the Lane County Board of Commissioners may be appointed as a representative to this committee.  
 EXPIRATION DATE: None.  
 VACANCIES: Filled by jurisdictions.  
*(Revised by Order No. 00-8-16-1, Effective 8.17.00; 17-06-06-06, 6.6.17)*

### **3.690 Lane Workforce Partnership Board.**

Description: Carries out all responsibilities pursuant to the Job Training Partnership Act (Pursuant to Federal law), subsequent federal workforce legislation and the responsibilities of regional workforce committees pursuant to Oregon State Law. The Lane Workforce Partnership is the result of a consolidation between the Southern Willamette Private Industry Council and the Lane Regional Workforce Committee. The Lane Workforce Partnership will prepare and approve a budget for itself and may hire staff, incorporate and solicit and accept contributions and grant funds.

DEPARTMENT: N/A.  
 MEETING SCHEDULE: Monthly.  
 TYPE OF COMMITTEE: Mandated Multi-Jurisdictional; Pursuant to Federal and Oregon State Law.  
 MEMBERSHIP: (33) There will be 33 members. The majority of the membership must be representative of business and industry, who will be owners, chief executives, chief operating officers or other business and industry executives who have substantial management or policy responsibility;

- (17) Business;
- (4) Education;
  - Lane Community College;
  - Lane Education Service District;
  - Higher Education (U of O);
  - K-12 selected by the Lane County Superintendents' Group;
- (3) Labor;
- (2) Community Based Organizations;
- (3) Local Elected Officials;
  - Lane County Commissioner;
  - City of Eugene Councilor;
  - City of Springfield Councilor;
- (3) Public Agencies;
  - Employment Department;
  - Adult and Family Services; and
  - Vocational Rehabilitation.
- (1) Economic Development.

Business representatives will be selected from among individuals nominated by general purpose business organizations. The number of such nominations must be at least 150 percent of the number of business and industry slots to be filled. Labor representatives will be recommended by recognized state and local labor organizations or appropriate building trades councils. The remaining members will be individuals recommended by interested organizations. Each jurisdiction will appoint one-third of the business and industry membership whenever possible. Public sector and labor appointments will be made by unanimous agreement of the chair of the Lane County Board of Commissioners and the mayors of Eugene and Springfield.

MEMBERSHIP TERM: 3 years, ending December 31.  
 REPRESENTATIVE: One member of the Lane County Board of Commissioners will be appointed as a representative to this committee.  
 EXPIRATION DATE: None.  
*(Revised by Order No. 00-8-16-1, Effective 8.17.00; 17-06-06-06, 6.6.17)*

**3.695 Metropolitan Wastewater Management Commission.**

Description: Operates and maintains the regional sewerage facilities, adopts financing plan and operation budget.

- DEPARTMENT: City of Eugene.
- MEETING SCHEDULE: Monthly.
- TYPE OF COMMITTEE: Non-Mandated.
- MEMBERSHIP: (7) Consists of one elected official each from Lane County, the City of Eugene and the City of Springfield, plus two lay citizens appointed by the City of Eugene, one by Lane County and one by the City of Springfield.
- MEMBERSHIP TERM: 3 years, ending January 31.
- REPRESENTATIVE: One member of the Lane County Board of Commissioners will be appointed as a representative to this committee.
- EXPIRATION DATE: None.
- VACANCIES: Vacancies are filled by the Governing Body which has the vacancy. If the vacancy is an elected official, the Governing Body will appoint a member of their Council or Commission to fill the vacancy. If the vacancy is created by a citizen representative, the Governing Body will determine how to recruit and fill the vacancy.
- REPORTS: Annually for budget ratification. Staff reports to the Governing Bodies regarding the MWMC budget and 5-year Capital Improvement Plan once per year.
- MINUTES/AGENDAS: Copies of the agenda and meeting materials are available at Springfield City Hall, and electronically on the MWMC’s website at [www.mwmcpartners.org](http://www.mwmcpartners.org).
- BYLAWS: Available for review on the MWMC’s website at [www.mwmcpartners.org](http://www.mwmcpartners.org).

*(Revised by Order No. 00-8-16-1, Effective 8.17.00; 17-06-06-06, 6.6.17)*

**OTHER COMMITTEES**

Committee
Elected Officials Compensation Board
Hearings Official

**3.700 Other Committees.**

In addition to the committees outlined in this Manual, Lane County Commissioners may be asked to serve on other appointed or multi-jurisdictional committees. Where there are committees with commissioner representation, the method of selection for these committees is at the discretion of the Board of County Commissioners. All committee assignments are reviewed annually and posted to the Lane County website.

*(Revised by Order No. 17-06-06-06, Effective 6.6.17)*

**3.705 Elected Officials Compensation Board (Lane County).**

Description: Recommends to the Budget Committee and to the Board of County Commissioners a compensation schedule for County elected officials. Compensation Board is established pursuant to the authority granted by the Lane County Home Rule Charter.

Duties of the Elected Compensation Board:

Recommends to the Budget Committee a compensation schedule for County Commissioners and recommends to the Board of County Commissioners a compensation schedule for non-board elected officials (Assessor, Sheriff, Justice of the Peace, and District Attorney). The Compensation Board will consider at least the following when determining the compensation schedule:

- (1) The compensation paid to persons comparably employed by the State of Oregon; local public bodies, private businesses, non-profit agencies, and/or other counties within a labor market deemed appropriate by the Compensation Board for each elected officer;

(2) The number of employees supervised; the size of the budget administered by each elective officer; the duties and responsibilities of each elective officer; and the compensation paid to subordinates and other appointed employees who serve in positions of comparable management responsibility. In any event, the Sheriff's compensation will be fixed in an amount which is not less than that for any member of the Department of Public Safety; and

(3) "Compensation" is to be evaluated on the basis of the total compensation received, as relevant to the particular elected position. For example, the District Attorney position receives health insurance benefits from the State of Oregon as a State official. Total compensation includes consideration of insurance benefits, retirement benefits (including pension and deferred compensation programs), time management or vacation and sick leave, life insurance, medical leave, and other fringe components.

The Compensation Board will prepare and approve by majority vote a recommended compensation schedule for the elective officers and will submit the recommended schedule to the Board of County Commissioners and/or the Budget Committee, with a copy provided to the Board of County Commissioners.

DEPARTMENT: Department of Human Resources.

MEETING SCHEDULE: As needed, but at least once each year in which there is a general election, prior to July 31 of that same year.

TYPE OF COMMITTEE Non-Mandated.

MEMBERSHIP: (5) Consists of five members appointed by the County Administrator.

MEMBERSHIP TERM: 4 years, ending December 31. No limit on number of terms.

EXPIRATION DATE: None.

VACANCIES: Appointed by the County Administrator.

REPORTS: As needed to the Board and/or Budget Committee when there are recommendations that could result in salary increases for elected officials.

MINUTES/AGENDAS: Posted to Committee webpage.

BYLAWS: Posted to Committee webpage.

*(Revised by Order No. 00-8-16-1, Effective 8.17.00; 06-1-25-5, 1.26.06; 17-06-06-06, 6.6.17)*

### **3.710 Hearings Official.**

Pursuant to the authority granted to the Board of Lane County by Oregon State Law, the Lane County Home Rule Charter and Lane Code, a Hearings Official is established for Lane County.

(1) Appointment:

(a) The Hearings Official will be appointed by the Board upon recommendation from the County Administrator and serve at the pleasure of the Board; and

(b) The Hearings Official will be appointed solely on the basis of said Hearings Official's qualifications for the duties of the office and will have such training and experience as will qualify said Hearings Official to conduct administrative and quasi-judicial hearings, and to discharge the other functions conferred upon the office.

(2) Duties and Functions:

(a) The Hearings Official will receive and examine available information, conduct public hearings, and prepare a record thereof and enter findings and conclusions for the adoption or rejection of land use applications as provided for in the Lane Code; and

(b) The Hearings Official will perform such other duties as may be prescribed by County ordinance or order of the Board.

(3) General Procedures:

(a) The Hearings Official will adopt rules and procedures for the transaction of business and will keep a record of said Hearings Official's findings, recommendations and determinations, which record will be a public record;

(b) The Planning Director will provide staff services and recommendations on matters coming before the Hearings Official;

(c) Any discussion, except at a public hearing, between the Hearings Official and an applicant or applicant's representative, or any other person with a direct interest concerning a specific case while such matter is scheduled or likely to come before the Hearings Official will be made known, and the substance thereof related at the beginning of the public hearing, all of which will be entered into the record;

(d) The Hearings Official will not render decisions upon any matter in which the Hearings Official is directly or indirectly interested in a personal or financial sense. In the event of such conflict of interest, the Hearings Official will announce said Hearings Official's disqualification and the County Administrator will appoint a replacement as provided below; and

(e) When, for whatever reason, the Hearings Official is unable to fulfill the responsibilities prescribed herein, the County Administrator will appoint a substitute Hearings Official to discharge the Hearings Official's responsibilities.

*(Revised by Order No. 89-12-13-1, Effective 12.13.89; 17-06-06-06, 6.6.17)*

## **TASK FORCES**

### **3.800 Task Forces.**

(l) Creation of task forces:

(a) Task Forces will be created by Board action, or by the County Administrator in cases where Board policy is being implemented. Task forces which are created by the County Administrator will follow the guidelines in 3.800(c);

(b) When the Board creates a task force, the following procedures will be followed:

(i) The Board will give the task force a specific charge, and that charge will be transmitted to the task force through a Notice of Board Action. The charge will include a date on which the task force will complete their deliberations and report to the Board or request an extension;

(ii) In creating a specific task force, the Board will designate membership;

(c) Meetings and Reports;

(i) If the County Administrator is a member of the task force, he or she will call the first meeting. If the County Administrator is not a member of the task force(s), he or she will designate one of the members to call the first meeting;

(ii) At the first meeting of the task force, a chairperson will be elected, the charge of the task force will be reviewed and a time frame will be established for meeting that charge;

(iii) The chairperson will be responsible for developing a memorandum to be sent to the County Administrator, listing the chairperson and the schedule for meeting the charge of the task force;

(iv) No later than every two months, the chairperson will submit a memorandum to the County Administrator, detailing the progress of the task force and outlining the status of deliberation; and

(v) Disbandment. When the task force has accomplished its original charge and has prepared a report to the Board of County Commissioners, the chairperson will contact the County Administrator to put the report on the Board agenda. The chairperson will then present the report to the Board. If the Board does not set any additional specific tasks or charges to the task force, the task force will cease to exist. If additional charges are given to the task force, then they will operate according to the above-established guidelines.

(d) In cases where the County Administrator creates the task force, he or she will designate membership as well as the chairperson. A charge and date of completion for task force activities will be determined by the County Administrator who will have discretion as to when the task force is disbanded or extended. Progress reports will be presented to the County Administrator as needed and prior to the scheduled date of completion.

*(Revised by Order No. 93-3-31-7, Effective 3.31.93; 17-06-06-06, 6.6.17)*

## **WATERSHED COUNCILS**

<b>Committee</b>	<b>Role</b>
Coast Fork Willamette Watershed Council	Commissioner Liaison
East Willamette Resource Conservation District	Commissioner Liaison
Long Tom Watershed Council	Commissioner Liaison
McKenzie Watershed Council	Commissioner Liaison
Middlefork Willamette Watershed Council	Commissioner Liaison
Siuslaw Watershed Council	Commissioner Liaison

### **3.805 Watershed Council.**

(1) Creation:

(a) The Board will consider officially recognizing a watershed council when it meets the criteria described below, and upon completion of the following process.

(b) When a group believes it meets the criteria below and it desires formal recognition, it will request recognition and the Board may convene a local government group comprised of elected officials of interested cities, counties, water supply districts and sewer districts.

(c) The purpose of convening the local government group is to consider whether the requestor group is comprised of a sufficient balance of interested and affected stakeholders in the watershed, and whether it assures a high level of citizen involvement in the watershed action program. If so, the local government group will designate the requestor group as a recommended watershed council to the Board.

(d) The Board may, but is not required to, use the services of the Lane Council of Governments as the local government group.

(2) Criteria:

(a) Watersheds. The Board has recognized five (5) river basins located primarily in Lane County: the McKenzie, the Middle Fork of the Willamette, the Coast Fork of the Willamette, the Long Tom and the Siuslaw. To be a recognized watershed council, the group must represent interests covering the entirety of one of these five basins. Other watershed councils representing interests covering the entirety of another river basin watershed that includes areas in Lane County must be recognized by the governing body of the county where most of the watershed area is located before the Board will consider recognition. If so, the Board may choose to recognize the council without convening a local government group in Lane County if the group seeking recognition meets the membership criteria in Lane Manual;

(b) Membership. The group seeking to be a recognized watershed council must be comprised of a balance of interested and affected stakeholders in the watershed, and it must meet the representational requirements of Oregon State Law. The Board must also be appropriately assured that the group will be able to sustain a high level of citizen involvement in the development and implementation of a watershed action program;

(3) Purpose. Recognized watershed councils are formed and recognized for the purpose of addressing the goal of sustaining natural resource and watershed protection and enhancement, in accordance with Oregon State Law. The councils are recognized as voluntary local organizations, and

(a) Councils are encouraged to seek monetary and staff resources through partnerships or grants. Lane County recognition does not mean the County can or will provide such resources; and

(b) Councils will periodically report on their activities to the Board, not less often than once per year.

*(Revised by Order No. 97-4-2-1, Effective 4.2.97; 08-7-30-9, 7.30.08; 17-06-06-06, 6.6.17)*

## **COMMUNITY ORGANIZATION PROGRAM**

### **3.820 Community Organization Program.**

(1) Recognition. In order to be officially recognized by the Lane County Board of Commissioners, a community organization must make a written request to the Board for recognition. A copy of the organization's Charter, the name and address of its representative for the receipt of notices and

other communication, and the names and addresses of the organization's officers and Board members must accompany the request.

- (2) Charter. The organization's Charter will:
  - (a) Define the physical boundaries of the community. Any boundary conflict must be resolved by the groups involved. Organizations should have a logically similar community of interest;
  - (b) Provide for a democratic organization which elects officers periodically for a specified term and encourages the rotation of those officers;
  - (c) Define the relationship between the officers and the membership as a whole;
  - (d) Provide for membership which is at least open to persons 18 years of age or older who either own property within the community or who reside within the community. Only nominal membership fees may be required. However, voluntary contributions may be used as a source of revenue;
  - (e) Include criteria regulating voting; and
  - (f) Provide that all meetings be open to the public and well publicized in advance.
- (3) Organizational Responsibilities. Responsibilities of a recognized organization will be to:
  - (a) Advise and consult with the County government on matters affecting the community. Such matters would include, but not be limited to, planning, zoning, housing, parks, open space and recreation, human resource delivery systems, traffic and transportation systems, water and sewage disposal systems, and other matters affecting the community. The Board of Commissioners will consider a community organization's recommendations. The recommendations do not bind the Board, as it must also take into account other factors in making its decisions;
  - (b) Be informed and familiar with the views and opinions of the people of the community and be able to give an accurate presentation of those views. The organization must be flexible enough to avoid causing unnecessary delays in the County decision making process, and it will be responsible for communicating information from the County to the community and from the community to the County;
  - (c) Provide that all meetings, including executive committees and subcommittees, must be open to the public. Public notice of a meeting, reasonably calculated to give at least 24 hours actual notice to members of the organization and interested persons, will be given. The notice will contain the time and place of the meeting and, if possible, the agenda. A copy of the notice will be sent to the County Administrator. Notices for regularly scheduled meetings will be sent in time to be published in the Board's agenda;
  - (d) Provide that all meetings, including executive committees and subcommittees, will have written minutes taken, although a verbatim transcript is not necessary;
  - (e) Distribute notices of upcoming meetings and take minutes; and
  - (f) Keep the Board informed of any changes in its Charter, its officers and Board members, and the name and address of its representative for receipt of notices and other communications.
- (4) County Responsibility. Responsibilities of the County will include reviewing the activity level of each organization every two years. If the organization has not been active during the previous two years, the Board may decide to remove its charter.

*(Revised by Order No. 98-1-7-6, Effective 1.7.98; 17-06-06-06, 6.6.17)*

### **3.830 Municipal Community Organizations.**

The Board may recognize a community (or neighborhood) organization which has been officially recognized by a city within Lane County, based on guidelines substantially similar to those provided in this section for recognition of community organizations, when:

- (1) The boundaries of the community organization are entirely within the boundaries of the city, or
- (2) The boundaries of the community organization include areas within and without the boundaries of the city and the community organization has a logically similar community of interest.

*(Revised by Order No. 89-12-13-1, Effective 12.13.89; 17-06-06-06, 6.6.17)*

## DELEGATIONS AND AUTHORIZATIONS

### 3.850 Board Chairman or Acting Chairman.

All orders approved in a public meeting by the Board may be signed on behalf of the Board by the Chairman or Acting Chairman.

*(Revised by Order No. 94-11-22-6, Effective 11.22.94; 17-06-06-06, 6.6.17)*

## BOARD LAND USE HEARING RULES

### 3.900 Scheduling of Land Use Hearings.

The Board may schedule hearings at suitable times. Hearings or deliberations may be continued to a time and place certain.

*(Revised by Order No. 89-10-4-12, Effective 10.4.89; 17-06-06-06, 6.6.17)*

### 3.905 General Nature and Conduct of De Novo Hearing.

(1) Board hearings which will result in a determination as to the permissible use of specific property within the provisions of LC Chapters 10, 11, 12, 13, 15, 16 and LC 9.700 through 9.765 will be conducted according to the rules and procedures contained herein and in applicable provisions of LC Chapter 14. Unless waived, interested parties are entitled to an opportunity to be heard, to present and rebut evidence to an impartial tribunal, to have a record of the proceedings, and to have a decision based upon the record and supported by written findings as required by Oregon State Law. The procedures of the Board will not impair the right to meet or rebut information.

(2) Persons will be orderly, non-abusive and/or non-disruptive of the orderly conduct of hearings.

(3) Persons will not present irrelevant, immaterial or repetitious testimony or evidence.

(4) There will be no audience demonstrations, such as applause, cheering, display of signs, or other conduct disruptive of the hearing. Such conduct may be cause for immediate termination of the hearing by the Board.

*(Revised by Order No. 89-10-4-12, Effective 10.4.89; 17-06-06-06, 6.6.17)*

### 3.910 Responsibilities of Presiding Officer.

The Chair of the Board of County Commissioners will be the presiding officer at hearings. In the Chair's absence, or with consent of the Chair, the Board may designate one of its members, or any other officer, employee, or person to act as presiding officer at any appropriate hearing. If not a member of the Board, the presiding officer will have no vote on the determination of the matter. The presiding officer will have authority to:

(1) Regulate the course and decorum of the hearing;

(2) Dispose of procedural requests or similar matters;

(3) Rule on offers of proof and relevancy of evidence and testimony; and

(4) Take such other action authorized by the Board appropriate for conduct commensurate with the nature of the hearing.

*(Revised by Order No. 89-10-4-12, Effective 10.4.89; 17-06-06-06, 6.6.17)*

### 3.915 Procedural Rules for Conduct of Hearing.

Procedure for all matters considered will be as follows, unless otherwise directed by the Board:

(1) Opening of Hearing. The presiding officer will commence the hearing by announcing the nature and purpose of the hearing and summarizing the rules for the conduct of the hearing;

(2) Disclosure of Pre-Hearing Ex Parte Contacts;

(a) Policy of Disclosure Rule. To assure fair and impartial recommendations and determinations and to assure advocates the opportunity to respond or refute information which Board members have available to them, it is mandatory that full disclosures of pre-hearing (ex parte) consideration of all public hearing land use agenda items be made at the time of the public hearing. Board members should



avoid prehearing contacts so that their recommendations and determinations can be made based solely on the evidence presented at the time of public hearing;

(b) Disclosure of Contacts by Board with Public and Staff. Any discussion, except at a public hearing of the Board, between any voting member and an applicant or his representative, or any other person with a direct interest, concerning a specific case while such matter is scheduled or likely to come before the Board will be made known, and the substance thereof related by such member, at the beginning of the public hearing before the Board on such case, all of which will be entered into the record;

(c) Disclosure of Visual Inspections of Property (Views). The Board or members of the Board may visually inspect properties and the general vicinity of properties involved in a land use hearing. Any member of the Board who has taken a view of the property must disclose that they have done so at the hearing and report the observations which were made that are material to the Board's deliberations. The Board will then allow parties an opportunity to respond to the report regarding the view.

(3) Call for Abstentions.

(a) The presiding officer may call for abstentions, inquiring of the Board whether any member thereof wishes to abstain from participation in the hearing. Any member then announcing such an abstention will not participate in the hearing, in the discussion of the question, or the vote on the question;

(b) No Commissioner will participate in a hearing or a decision on a proposal when that Commissioner:

(i) Is a party to or has a direct personal or pecuniary interest in the proposal;

(ii) Is in business with the proponent, or

(iii) For any other reason, has determined that Commissioner cannot participate in the hearing and decision in an impartial manner.

(4) Challenges for Bias, Prejudgment or Personal Interest.

(a) Any proponent or opponent of a proposal to be heard by the Board may challenge the qualification of any Board member to participate in such hearing and decision.

(b) Such written challenge must be delivered by personal service to the Director, Chairman of the Board and the Commissioner whose qualification is challenged not less than 5 days preceding the time set for public hearing.

(c) Such challenge must state facts in writing, by affidavit, relied upon by the submitting party relating to a member's bias, prejudgment, personal interest, or other facts from which a party believes that the member will not participate and make a decision in an impartial manner.

(d) Such challenge will be incorporated into the record of the hearing.

(e) Any member whose participation has been challenged by an allegation of bias, prejudgment, personal interest or partiality or who has been subject to significant ex parte or prehearing contact from proponents or opponents may make a statement in response thereto or in explanation thereof, for the record, and the commissioner's decision to abstain or not. This statement will not be subject to cross-examination, except upon consent of that member, but will be subject to rebuttal by any party to the proceeding.

(5) Objections to Jurisdiction of the Board. The presiding officer may inquire of the audience whether there are any objections to jurisdiction of the Board to hear the matter and, if such objections are received, conduct such further inquiry as necessary to determine the question. The presiding officer will terminate the hearing if the inquiry results in substantial evidence that the Board lacks jurisdiction. Any matter thus terminated may, if the defect can be remedied, be rescheduled by the Board.

(6) Qualification of Board Member Absent at Prior Hearing. If a Board member has been absent from a prior public hearing on the same matter which is under consideration, that member will be qualified to vote on the matter if that member has reviewed the record of the matter in its entirety and announces, prior to participation that this has been done.

If the member does not review the record in its entirety, that member will not be qualified to vote and must abstain. The presiding officer may, at the request of any Board member or party to the hearing, adjourn the hearing and reschedule it at a later date to allow the member the opportunity to review the record.

(7) **Presentation of Staff Report.** A Lane County staff member having responsibility in the matter will present a summary of the action under consideration as required by law, and any other information deemed necessary to establish appropriate considerations prior to presentation of any public testimony or argument.

(8) **Establishment of Time Limit.** The Board may, at the request of any Board member or any party to the hearing, establish a time limit for those persons testifying before the Board. Such a time limit will be established by majority vote of the Board prior to the time any public testimony is given, and will apply equally to all proponents, opponents, County staff members and others who offer public testimony before the Board.

(9) **Argument - Limited Review Appeals**

(a) **Written Argument.** 10 copies of written argument must be delivered to the Secretary to the Board one week prior to the scheduled argument. Any written argument submitted on the date of oral argument is highly disfavored, and the Board will accept no more than two written (double spaced) pages on that date.

(b) **Oral Argument.** Each party to the appeal will be granted 10 minutes in which to present their position and argument. The appellant may reserve part or all of the allotted time for rebuttal.

(10) **Public Testimony on Proposed Actions - De novo Hearings.**

(a) Persons who testify will first receive recognition from the presiding officer, state their full names and addresses and, if appearing in a representative capacity, identify whom they represent. Any interested persons may appear on their own behalf or be represented by a person of their choosing.

(b) The proponents (applicants for the proposed action and others supporting their position) will present their case first in the public hearing.

(c) Opponents of the proposed action will present their case next in the public hearing.

(d) Proponents will then have an opportunity to rebut any new matters presented by the opponents.

(e) County staff members and representatives of other public agencies will be afforded an opportunity to give testimony as appropriate during the public hearing.

(f) The presiding officer and Board members may question any person who appears and interested persons may submit questions to the Board during the public hearing. The presiding officer may, upon the request of any party to the hearing, reopen the public hearing to allow additional testimony and response by the proponents and opponents.

(11) **Board Discussion and Action - De novo Hearings.**

(a) Upon closure of the portion of the public hearing devoted to public testimony, the Board may take the following actions:

(i) Deliberate and render a final decision;

(ii) Decide to continue the hearing or continue deliberation to a subsequent meeting;

(iii) Decide to reopen the public hearing to public testimony; or

(iv) Refer the matter to staff, other official bodies, or other interested persons for further study, review, or recommendation.

(b) The Board may request a party or party's counsel to submit proposed findings to Board for its review and use as the Board deems appropriate in preparing its final order.

(12) **Board Discussion and Action - Limited Review Appeals.**

(a) Upon completion of the argument the Board may take the following actions:

(i) Affirm the Hearings Official;

(ii) Reverse or modify the Hearings Official decision only if an error is established.

(iii) Remand the matter to the Hearings Officer for a full De novo or Limited Issue Hearing.

(iv) Schedule an additional Limited Hearing on a specific issue or issues.

(v) Schedule the matter for a De novo Hearing before the Board if the requirements of L.C. 14.400(3) are fully satisfied.

(b) The Board may request a party or party's counsel to submit proposed findings to Board for its review and use as the Board deems appropriate in preparing its final order.

(13) Preparation of Findings - Quasi Judicial Proceedings.

(a) Outside Attorney Findings. The Board may direct an outside attorney, appearing on the prevailing parties' side, to prepare proposed findings.

(i) The proposed findings will be in the following form:

(A) A caption or title, i.e., "Findings in the Matter of [Applicant(s) Name(s)] Application for a [Type of Request]."

(B) A preamble summarizing basic facts regarding the property and actions taken prior to the final public hearing before the Board of County Commissioners. This preamble should include, but should not be limited to, statements regarding:

(a) Size and location of property in question, including tax lot number(s) and Map numbers.

(b) Purpose of application (for example, Zone Change from Zone \_\_\_\_ to Zone \_\_\_\_).

(c) Statement of applicant(s) legal interest in the property.

(d) Date of original application.

(e) Whether or not applicant represents self or another person.

(f) Date of all public hearings in the matter before an administrative body, Planning Commission and Boards and actions taken at those hearings.

(g) Whether Board heard the matter in a de novo hearing or conducted review upon the record.

(h) Other relevant background facts, as appropriate.

(C) Identify applicable legal criteria for decision making. (These may include the Lane County Charter, Lane Code and Lane Manual provisions, applicable Lane County Comprehensive Plan and Policy documents (including, but not limited to, Subarea Plans), applicable Statewide Planning Goals and applicable State statutes.

(D) Set forth specific Findings of Fact, individually numbered. (For example, soil classification, character of surrounding neighborhood, etc.)

(E) Set forth ultimate Findings of Fact and Conclusions, individually numbered: Such findings must relate relevant facts to the legal criteria identified previously. The findings may require an explanation of possible conflict between provisions of the identified legal criteria and an explanation of how any such conflicts were resolved.

(F) Proposed findings may incorporate by reference any relevant portion of the Hearings Officer's findings, documentary evidence, or exhibits and other relevant documents (e.g., staff report, written statement of applicant) in the record. Documents incorporated by reference may be attached to the proposed findings as exhibits. The other relevant facts as necessary to support Board's decision in light of recent Oregon case law and LCDC decisions may be used, so long as they are in the Record.

(ii) The original and 10 copies of the proposed findings will be submitted to the Clerk of the Board within 14 days of the tentative decision of the Board. The Board Clerk will provide copies of proposed findings to the parties appearing before the Board and to other persons upon request.

(iii) Persons who appeared at the Board hearing will have seven days to submit written objections to the proposed findings and 10 copies of the objections will be filed with the Board Clerk.

(iv) Except as provided in subsection (f) of this provision, within seven days after the last day written objections are due to be filed with the Board Clerk, County Counsel will review the proposed findings and objections, if any. County Counsel may comment on or, if deemed necessary by County Counsel, revise the proposed findings to conform to legal and stylistic requirements. County Counsel will forward the findings proposed by the attorney, any objections thereto, and County Counsel's comments or revised findings to the Board of County Commissioners.

(v) The matter will be placed on the Board agenda for deliberation and decision. No additional public hearings will be held, except upon notice to all persons who appeared at the Board hearing and who filed proposed findings or filed written objections.

(vi) If the County Counsel cannot review and comment upon the proposed findings and objections thereto or prepare revised findings, as necessary, within the prescribed time limit, County Counsel will request an extension to a date certain for submission of the proposed findings, objections and revised findings to the Board.

(vii) Persons preparing proposed findings or objections to proposed findings will be permitted access to documents and exhibits submitted at the hearing at reasonable times and in a reasonable manner as determined by the Board Clerk.

(b) County Counsel Findings.

(i) When findings and orders are not assigned to outside attorneys, the Board may direct County Counsel or Planning Staff to prepare proposed findings and submit them to the Board of County Commissioners' agenda for deliberation and decision. Objections to the findings will not be permitted.

(ii) If the Board directs County Counsel to prepare proposed findings, the Planning Division will forward their file on the matter and the applicable Comprehensive Plan to County Counsel by 10 a.m. of the day succeeding the Board's tentative decision.

(iii) If the Board directs County Counsel to prepare proposed findings, the Board Secretary will forward all documentary evidence and exhibits in the record to County Counsel by 10 a. m. of the day succeeding the Board's tentative decision.

*(Revised by Order No. 89-10-4-12, Effective 10.4.89; 17-06-06-06, 6.6.17)*

### **3.920 Burden of Proof and Criteria for Decision.**

(1) The burden of proof in a hearing will be as allocated by law. In general, the burden will be upon the proponent of the land use change, except that for an appeal on the record, the burden of proof will be upon the appellant.

(2) The criteria applicable to the matter will be those provided in the Lane Code and Lane Manual applicable to the decision, and such other criteria as are provided by law.

*(Revised by Order No. 89-10-4-12, Effective 10.4.89; 17-06-06-06, 6.6.17)*

### **3.925 Record of Proceedings.**

(1) The Board Secretary or a designee of the presiding officer will be present at each formal hearing and will provide that the proceedings be electronically or stenographically recorded.

(2) The presiding officer will, where practicable, cause to be received all physical and documentary evidence presented which will be marked to show the identity of the person offering and whether presented on behalf of proponent or opponent. Such exhibits will be retained by the Board until after any applicable appeal period has expired at which time the exhibit will be released upon demand to the person identified thereon. Exhibits not claimed within 60 days of the final order will be retained as provided by law.

(3) All records of the Planning Division, Planning Commission Land Use Hearings Official, and Board will be available for inspection by any person so requesting, except as such records may be exempt pursuant to Oregon State Law.

(4) The following items will be deemed a part of the record of each hearing, without any additional action by the Board or any party:

(a) All physical or documentary evidence received;

(b) Electronic or stenographic records;

(c) Staff reports received by the Board and available to the public;

(d) The Lane Code and Lane Manual, including these rules, and

(e) Lane County General Plan, Goal and Policies, and any applicable Subarea Comprehensive Plan.

*(Revised by Order No. 89-10-4-12, Effective 10.4.89; 17-06-06-06, 6.6.17)*

**3.930 Publication of Rules.**

These rules will be placed of record with the Planning Division and the Secretary to the Board and be available to the public.

*(Revised by Order No. 89-10-4-12, Effective 10.4.89; 17-06-06-06, 6.6.17)*

**3.935 Amendment and Suspension of Rules.**

Any rule of procedure not required by law or the Charter for Lane County may be amended, suspended or repealed at any hearing by majority vote of those Board members present and voting.

*(Revised by Order No. 89-10-4-1, Effective 10.4.89; 17-06-06-06, 6.6.17)*