



## LANE COUNTY CHARTER REVIEW COMMITTEE

---

Date/Time: Wednesday, November 2, 2022 1:00pm – 2:45pm

Location: Board of County Commissioners' Conference Room

Public Service Building – 2<sup>nd</sup> Floor, 125 East 8<sup>th</sup> Ave, Eugene

Virtual Option: Join on your computer, mobile app or room device via Microsoft Teams

[Click here to join the meeting](#)

Meeting ID: 211 853 268 930

Passcode: jyBF3Q

[Download Teams](#) | [Join on the web](#)

**Or call in (audio only)**

[+1 945-468-5504](tel:+19454685504).,661975733#

### Members:

Ben Clark

Steve Cornacchia

Kevin Cronin

Sarai Johnson

Jenny Jonak

Morgan Munro

Stefan Ostrach

### Agenda

- 1) Call to Order
- 2) Introductions
- 3) Public Comment
- 4) Election of Officers: Chairperson and Vice-Chairperson
- 5) Approval of Minutes from November 2, 2022
- 6) Summary of Public Meeting Laws
- 7) Robert's Rules of Order Overview
- 8) Committee Timeline
- 9) Review of Bylaws
- 10) Committee Work Plan
- 11) Next Steps



**CHARTER REVIEW COMMITTEE**  
**Minutes – November 2, 2022, 1:00 PM**  
 Facilities Planning Room  
 Public Service Building, 125 East 8th Ave, Eugene

Regular Members:			
	Ben Clark		
	Steve Cornacchia		
	Jenny Jonak		
	Morgan Munro		
	Stefan Ostrach		

1. Call to Order:

Ms. Cusimano called the Lane County Charter Review Committee (CRC) meeting to order at 1:04 pm.

2. Introductions and Credentialing:

Ms. Cusimano led the introductions. Each member stated their name and credentials. Ms. Cusimano asked the Committee if they'd like to elect a Chair or allow her to run the meeting. The Committee chose to have Ms. Cusimano facilitate the meeting.

3. Public comment:

None

4. Overview of Lane County Charter Chapter VII, Section 35 Charter Review Committee

Ms. Cusimano read the section aloud to the Committee. She noted that there had been delays and the process was behind schedule. She explained that the Committee would go over Robert's Rules of Order and the process and guidelines for meetings during the Committee's first full meeting. She expressed that the purpose of the current meeting was to select two new members from the pool of applicants.

Ms. Williams spoke about Lane County's goals and priorities, stressing the importance of equity, representation and diversity.

5. Committee Process for Nominating Remaining Members

Ms. Cusimano suggested that each member choose a few names to put forward as nominees. After a tally of the results, Sarai Johnson, Sean Shivers, and Kevin Cronin were the top contenders.

6. Committee Discussion and Nominations

After some discussion, the Committee chose to nominate Sarai Johnson and Kevin Cronin to fill the vacant positions, citing experience and diversity as their deciding factors.

## 7. Next Steps

Ms. Cusimano noted that the nominations will go before the Board of County Commissioners at their meeting scheduled for November 29th. She invited Committee members to accompany her to the presentation of the nominees. It was suggested that the appointment be added to the Consent Calendar.

Mr. Ostrach inquired about the Committee's timeline. Ms. Cusimano said that the term was two years. She noted that the next election was in May, 2023, which would require submission by February.

Meeting dates and times were discussed. Ms. Cusimano suggested that the group study the bylaws, noting that the previous Committee had met on the 1st and 3rd Wednesdays at 3:00 pm. There was a consensus that the Committee preferred to meet before 5 pm.

Public outreach was discussed. Ms. Cusimano reminded the Committee that staff was there to assist.

Mr. Cornacchia requested that a Table of Contents be added to the Charter. Ms. Cusimano noted the request.

It was acknowledged that no new meeting date would be set until after the appointment of the new members.

## 8. Adjournment

Ms. Cusimano adjourned the meeting at 1:47 pm.

*(Minutes recorded by Angela Kern, LCOG)*

## OREGON PUBLIC MEETINGS AND PUBLIC RECORDS LAW

### **What is the intent of Public Meetings Law?**

It is the intent of the law that decisions of governing bodies be arrived at openly. Oregon's form of government requires an informed public aware of the deliberations and decisions of governing bodies and the information upon which such decisions are made.

### **What agencies are required to hold public meetings?**

The public meetings law applies to a governing body of any state agency, regional government, city, county, school district, special district, municipal corporation, or any subcommittee of these public bodies. A body that has the authority to make recommendations to a public body on policy or administration is a governing body.

### **What is a public meeting?**

The purpose of the meeting triggers the requirements of the law. A public meeting is any meeting conducted by a quorum of a state, regional or local governing body to decide or consider *any matter*. A meeting for the sole purpose of gathering information for a subsequent decision is a public meeting. For the meeting to be subject to open meetings law, a majority must be present.

Meetings of governing bodies must be open to the public and the governing body must notify the public of the time and place of the meeting, as well as the principal subject to be discussed. Meetings of governing bodies must be accessible to persons wishing to attend. Minutes must be taken or recorded at all meetings, including executive sessions.

A violation of the public meeting laws can occur even when a quorum of a public body never meets at the same time to make a decision or deliberate toward a decision. These "serial meetings" occur when deliberations or decisions of a quorum of a governing body take place through one-on-one meetings or in meetings with groups less than a quorum, outside of official public meetings, in a deliberate attempt to build a majority for or against a matter. Factors to consider are the number of members involved, the topic of discussion, and the purpose for which it is being discussed. Communications that could constitute deliberations or decision-making should be avoided.

### **What are the notice requirements for public meetings?**

Notice must be reasonably calculated to inform the public and all interested parties about the time, place and agenda of the public meeting. Meetings of governing bodies must be open to the public and be accessible to persons wishing to attend. A meeting without notice violates the public meetings law.

Public meetings may be conducted electronically, but the public must have adequate notice and access to the meeting.

### **What are the rules for keeping minutes of a public meeting?**

Public bodies must keep a record of their public meetings. Written minutes are acceptable, as are audio or video recordings. Written minutes must include the members present; all motions, proposals, resolutions, orders, ordinances, measures proposed and other actions; the substance of any discussion; a reference to any public document discussed at the meeting; and any votes that were taken.

All official actions by governing bodies must be taken by public vote. The vote of each member must be recorded. *Secret ballots are prohibited.* The minutes or alternative recording must be available to the public within a reasonable time after the meeting.

### **What is a public record?**

A public record is any writing that contains information relating to the conduct of public business that is prepared, owned, used or retained by a public body. With few exceptions, *all* government records *of any kind* are considered public records.

The law applies to every “public body,” which includes every state officer, agency, department, bureau, board and commission; every county and city governing body, school district, special district, municipal corporation or any board, department, commission, council or agency thereof.

### **Who is subject to Public Records Law?**

The law applies to every “public body,” which includes every state officer, agency, department, bureau, board and commission; every county and city governing body, school district, special district, municipal corporation or any board, department, commission, council or agency thereof.

### **What is the department staff liaison assigned to a committee responsible for?**

Specific direction from the Board of Commissioners and advisory committee bylaws define the role of the department staff liaison. A staff liaison is responsible for, among other things, ensuring any committee meetings are properly noticed, creating and maintaining a committee webpage pursuant to Administrative Procedures Manual, preparing vacancy notices, processing and maintaining applications for membership and preparing advisory committee agenda packets for the consideration of the Board of Commissioners.

It is also the responsibility of the department staff liaison to coordinate the development of the annual report detailing the committee’s accomplishments over the past year and the proposed work plan for the coming year. The staff liaison will work with the County Administrator’s Office for scheduling on the Board of Commissioners’ Agenda if required. The staff liaison will post the annual report on the committee’s website.

### **Additional Resources**

Administrative Procedures Manual, Chapter One

Lane Manual, Chapter Three

Oregon Revised Statutes, Chapter 192

Oregon Attorney General’s Public Records and Meetings Manual

THIS DOCUMENT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT A SUBSTITUTE  
FOR RELEVANT LAWS AND POLICIES AS THEY APPLY TO LANE COUNTY PUBLIC  
MEETINGS AND PUBLIC RECORDS

## Robert's Rules of Order

### An Introduction for the Charter Review Committee

The Robert's Rules website: <https://robertsrules.com/>

Robert's Rules of Order helps establish clear, consistent practices for meetings. Everyone on the committee has the right and the responsibility to participate in the conversation. If you have an idea, concern, or question, Robert's presents a structure and framework for how to put forward your input and make your voice heard.

Things to keep in mind with Robert's Rules of Order:

#### **1. The meeting agenda is created and shared ahead of the meeting**

To add to the agenda, contact the chair, vice chair, or staff liaison ahead of time. Agenda items can be adjusted within the meeting. Members can request the committee revise the agenda. The chair will generally review the agenda at the beginning of each meeting and ask if anyone would like to adjust the agenda. Also, at the end of each meeting, the chair will generally review the items on the agenda for the coming meeting. If you have topics you'd like to see on the next meeting, please suggest them or reach out to the chair later.

#### **2. The agenda items are addressed in order**

Our meetings will begin with committee member introductions and public comment. We will review and vote whether to accept the minutes from the previous meeting. If you notice an error in the minutes, please bring it up and we can correct it before we accept the minutes into the record. ("Accepting them into the record" means voting to approve them.)

Agenda items may also include presentations, discussions, decisions, and trainings.

#### **3. Discussions and decisions have their own order**

In this committee, we can choose to follow strict Robert's Rules processes or (slightly) more informal processes. In a strict environment, discussion on an idea or topic must start with a motion. In a more informal environment, discussion on an idea or topic may begin without a formal motion. As the discussion progresses, a motion may be proposed. Once a motion is proposed (and seconded), the following discussion will focus on that proposal until the committee votes to accept or reject the proposal.

Formal process: Motion > Seconded > Discussion about this proposal > Discussion closes > Committee votes

Informal process: General Discussion on a topic > Motion > Seconded > Discussion about this proposal > Discussion closes > Committee votes

#### **4. Who gets to talk in our meeting?**

All committee members are encouraged to participate in our meetings. The chair decides who gets to speak and in what order. The chair works with the vice chair to keep track of who wants to speak (the speaking queue). In a formal Robert's Rules environment, participants may speak once on a topic and then wait for the rest of the participants to have a chance to speak. The chair has the option to set time limits on how long a committee member or alternate may speak and would do this if discussion was excessively lengthy.

#### **5. What is a motion?**

A motion is a proposal that is made during a meeting. For a motion to be considered by the committee, it usually needs to be "seconded." This helps ensure that one person can't act alone and clog up the meeting with random ideas. When someone "seconds" a motion, they are not agreeing to support it but rather they are agreeing that it's worth discussing.

#### **6. What is an amendment?**

An amendment is a proposed change to the motion that the committee is currently discussing. When a motion is being discussed, it can also be described as "on the table" or in front of us. Amendments also need a second to be considered and they are voted on before the original motion.

#### **7. What does it mean to "Call the question?"**

"Calling the question" is a request from a participant that the group wrap up discussion and move to a vote. For a participant to "call the question", they need to be in the speaking queue and recognized by the chair. They would move "the previous question" and this would require a second, before it would be voted upon. To close discussion and move the committee to a vote, the chair may also note that the speaking queue is empty and begin the vote on the motion at hand.

#### **8. What if someone has a question about what's going on or they know what they want to do but aren't sure how to do it – and it's in the middle of a meeting?**

Any committee member can ask the chair a question or say "I'd like to do \_\_\_\_\_ but I'm not sure the right way to do it." No one needs to be a meeting process expert and we are going to work together to figure this out. The chair and vice chair are here as resources as well as other committee members and staff who have experience with this type of process. It's more important that you ask your questions or share your ideas, than worry whether they are phrased in the exact most precise format.

BEFORE THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDER NO. 11-3-15-4 | IN THE MATTER OF APPROVING BYLAWS OF THE  
LANE COUNTY CHARTER REVIEW COMMITTEE

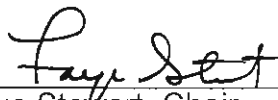
**WHEREAS**, on May 18, 2010, Lane County voters gave approval to a Home Rule Charter Of Lane County (Charter) amendment that directs the Lane County Board of Commissioners to convene a Charter Review Committee (CRC) charged with reviewing and recommending suggested changes or updates to the existing Charter; and

**WHEREAS**, the Lane County Board of Commissioners recognized the individual Commissioner appointments of members to the CRC and appointed two at-large members to the CRC; and

**WHEREAS**, those members of the CRC have reviewed and submitted bylaws of the CRC to be reviewed and approved by Legal Counsel and the Board of Commissioners.

**NOW, THEREFORE, IT IS HEREBY ORDERED**, that the Board of County Commissioners accept and approve the bylaws of the Lane County Charter Review Committee attached and incorporated here by this reference.

Approved this 15<sup>th</sup> day of March, 2011.

  
\_\_\_\_\_  
Faye Stewart, Chair  
Lane County Board of Commissioners

APPROVED AS TO FORM

Date 3-9-2011, Lane County

  
\_\_\_\_\_  
OFFICE OF LEGAL COUNSEL

BYLAWS  
LANE COUNTY CHARTER REVIEW COMMITTEE

ARTICLE I. NAME. This Committee shall be known as the Lane County Charter Review Committee, hereinafter referred to as the Committee

ARTICLE II. RESPONSIBILITIES AND OBJECTIVES. In accordance with Lane County Charter, Section 38, the Committee is convened to review the existing Charter and make recommendations to the Board of County Commissioners regarding suggested changes to the Charter.

In completing the above-cited objective, the Committee may recommend both substantive and housekeeping measures that could improve Lane County government and improve the Charter's clarity, readability, and effectiveness as a guide to County policy and administrative decisions.

ARTICLE III. MEMBERSHIP.

A. The Committee shall consist of a total of seven (7) members comprised as follows:

1. Five (5) members, one appointed by each Lane County Commissioner and each member shall serve a maximum two (2) year term as specified in the Charter, Section 38; and
2. The Committee shall nominate additional persons to fill two (2) at-large positions, to be appointed by the Lane County Commissioners, who will also serve a maximum two (2) year term as specified in the Charter, Section 38.

B. Subsequent Charter Review Committees will be appointed in the same manner every 10 years.

ARTICLE IV. VACANCIES.

A. Vacancies may occur because of death, illness, resignation or other reasons. When such a situation occurs, the Committee shall notify the County Administrator, who will then request that the Board of County Commissioners declare a vacancy and appoint a replacement.

B. A member who is absent from two (2) consecutive meetings without an excuse acceptable to a majority of Committee members shall receive a certified letter from the chairperson of the Committee that if the member fails to attend the next meeting without excuse, the chairperson will request that the Board of County Commissioners declare a vacancy and appoint a replacement.

ARTICLE V. OFFICERS.

A. The officers of the Committee shall be elected to serve for a maximum of two (2) years or until released by the County Board of Commissioners upon completion of their duties and shall consist of the following:

1. Chairperson - who shall preside at all meetings of the Committee and shall represent the Committee before the Board of Commissioners.

2. Vice-Chairperson - who shall act in the absence of the Chairperson.
3. Secretary - who shall be the County staff person assigned to the Committee to provide administrative support and not a member of the committee, and who shall maintain accurate minutes of topics discussed, motions and votes. Furthermore, the secretary shall develop each meeting's agenda in coordination with the Chair or Vice Chair.

B. An officer may be removed from office for any reason and at any time by a majority vote of all other Committee members.

#### ARTICLE VI. MEETINGS AND VOTING.

A. The Committee shall meet regularly on the first and third Thursday of each month at 3:00 p.m. for the term of the Committee or until all work is completed. The date and time of any regularly scheduled meeting may be changed or a meeting cancelled by the Chair or majority of the Committee as long as any change is made with ample time to provide required public notice

B. All meetings of the Committee shall be conducted in accordance with the Oregon Open Meetings law, ORS 192.610-.690. The Committee is responsible for complying with the requirements of the law, including advance public notice of the agenda and written minutes, both of which shall be filed with the Office of the County Administrator.

C. Meetings of the Committee shall be conducted according to Roberts' Rules of Order, latest revision, unless otherwise specified in these bylaws.

D. Each member of the Committee shall be entitled to one vote on all issues at meetings at which the member is present, except as provided in Article VII (Conflict of Interest), and no proxy votes shall be allowed.

E. Four of the Committee members shall constitute a quorum for the transaction of business at any meeting of the Committee.

F. The act of a majority of the total membership shall be the act of the Committee.

ARTICLE VII. CONFLICT OF INTEREST. In accordance with ORS Chapter 244, no Committee member shall participate in a decision in which he or she has a private financial interest. Affected members shall disqualify themselves from participation by written notification to the Board of County Commissioners as mandated by ORS 244.120.

ARTICLE VIII. ROLE OF STAFF. The role of the staff should be in accordance with LM Chapter 3.

ARTICLE IX. AMENDMENTS TO BYLAWS. The Committee by two-thirds vote of members present may recommend amendments to these bylaws. Amendments shall become effective only upon approval of Legal Counsel and the Board of County Commissioners.