

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 98-4-1-11

) IN THE MATTER OF AMENDING CHAPTERS  
) 2, 3, 21, 54 AND 60, OF LANE MANUAL TO  
) CHANGE THE NAME OF THE DEPARTMENT  
) OF HUMAN RESOURCES AND MANAGE-  
) MENT SERVICES TO DEPARTMENT OF  
) MANAGEMENT SERVICES AND MAKE  
) HOUSEKEEPING REVISIONS

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

Lane Manual Chapters 2, 3, 4, 21, 54 and 60 are hereby amended by removing and substituting the following pages:

**REMOVE THESE PAGES**

**INSERT THESE PAGES**

2.105(2) - 2.105(3),  
i.e. 2-9  
(a total of one page)

2.105(2) - 2.105(3),  
i.e. 2-9  
(a total of one page)

2.220(1) - 2.220(4),  
i.e. 2-18  
(a total of one page)

2.220(1) - 2.220(4),  
i.e. 2-18  
(a total of one page)

2.225 - 2.225 beginning with  
"Human Resources and  
Management Services Director" to  
2.230(2) - 2.230(3),  
i.e. 2-20 to 2-22  
(a total of three pages)

2.225 - 2.225 beginning with  
"Management Services  
Director" to  
2.230(2) - 2.230(3),  
i.e. 2-20 to 2-22  
(a total of three pages)

2.250(1) - 2.250(3),  
i.e. 2-27  
(a total of one page)

2.250(1) - 2.250(3),  
i.e. 2-27  
(a total of one page)

2.285(1) - 2.290(2),  
i.e. 2-31  
(a total of one page)

2.285(1) - 2.290(2),  
i.e. 2-31  
(a total of one page)

2.305(3) - 2.305(5) to  
2.350 - 2.360 ,  
i.e. 2-33 to 2-34  
(a total of two pages)

2.305(3) - 2.305(5) to  
2.350 - 2.360,  
i.e. 2-33 to 2-34  
(a total of two pages)

**FILED**

APR 08 REC'D

COUNTY CLERK

BY M. Bullock

2.370(2) - 2.370(4),  
i.e. 2-38  
(a total of one page)

2.374(4) - 2.378(4) to  
2.384 - 2.386(4),  
i.e. 2-41 to 2-43  
(a total of three pages)

2.605 - 2.620(1),  
i.e. 2-61  
(a total of one page)

2.825 - 2.825 to  
2.850 - 2.870,  
i.e. 2-72 to 2-75  
(a total of four pages)

3.034(5) - 3.034(7),  
i.e. 3-7  
(a total of one page)

3.080 - 3.084(2)  
i.e. 3-15  
(a total of one page)

3.506(2) - 3.506(4),  
i.e. 3-30  
(a total of one page)

Listing of Lane County Committees  
i.e. 3-43  
(a total of one page)

3.538 - 3.540,  
i.e. 3-52  
(a total of one page)

3.550 - 3.552,  
i.e. 3-56  
(a total of one page)

3.554 - 3.554 to  
3.558 - 3.564 ,  
i.e. 3-58 to 3-60  
(a total of three pages)

2.370(2) - 2.370(4),  
i.e. 2-38  
(a total of one page)

2.374(4) - 2.378(4) to  
2.384 - 2.386(4),  
i.e. 2-41 to 2-43  
(a total of three pages)

2.605 - 2.620(1),  
i.e. 2-61  
(a total of one page)

2.825 - 2.825 to  
2.850 - 2.870  
i.e. 2-72 to 2-75  
(a total of four pages)

3.034(5) - 3.034(7),  
i.e. 3-7  
(a total of one page)

3.080 - 3.084(2)  
i.e. 3-15  
(a total of one page)

3.506(2) - 3.506(4),  
i.e. 3-30  
(a total of one page)

Listing of Lane County Committees  
i.e. 3-43 to 3-43a  
(a total of two pages)

3.538 - 3.538 to  
3.540 - 3.540,  
i.e. 3-52 to 3-52a  
(a total of two pages)

3.550 - 3.552,  
i.e. 3-56  
(a total of one page)

3.554 - 3.554 to  
3.558 - 3.564,  
i.e. 3-58 to 3-60  
(a total of three pages)

21.105(1) - 21.105(3),  
i.e. 21-2  
(a total of one page)

21.105(1) - 21.105(3),  
i.e. 21-2  
(a total of one page)

21.205(4) - 21.215(5),  
i.e. 21-18  
(a total of one page)

21.205(4) - 21.215(5),  
i.e. 21-18  
(a total of one page)

21.220(2) - 21.225(2),  
i.e. 21-20  
(a total of one page)

21.220(2) - 21.225(2),  
i.e. 21-20  
(a total of one page)

21.230 - 21.260(2),  
i.e. 21-22  
(a total of one page)

21.230 - 21.260(2),  
i.e. 21-22  
(a total of one page)

21.270(3) - 21.280(5),  
i.e. 21-24  
(a total of one page)

21.270(3) - 21.280(5),  
i.e. 21-24  
(a total of one page)

21.400 - 21.410(2) to  
21.425(2) - 21.425(4),  
i.e. 21-27 to 21-30  
(a total of four pages)

21.400 - 21.410(2) to  
21.425(2) - 21.425(4),  
i.e. 21-27 to 21-30  
(a total of four pages)

54.030(4) - 54.035(4) to  
54.035(4) - 54.035(6),  
i.e. 54-4 to 54-5  
(a total of two pages)

54.030(4) - 54.035(4) to  
54.035(4) - 54.035(6)  
i.e. 54-4 to 54-5  
total of two pages)

60.410(1) - 60.410(2),  
i.e. 60-8  
(a total of one page)

60.410(1) - 60.410(2),  
i.e. 60-8  
(a total of one page)


60.814 - 60.825(5),  
i.e. 60-14  
(a total of one page)

60.814 - 60.825(5),  
i.e. 60-14  
(a total of one page)

Said pages are attached hereto and incorporated herein by reference. The purpose of these substitutions is to change the name of the Department of Human Resources and Management Services to Department of Management Services and make housekeeping revisions.

Adopted this 1 day of ~~March~~ April 1998.

  
Chair, Lane County Board of Commissioners

APPROVED AS TO FORM  
Date 3/2/98 lane county  
  
OFFICE OF LEGAL COUNSEL

2.105(2)

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2.105(3)

(2) Procedure. All Lane County records shall be retained and destroyed pursuant to ORS Chapter 192, and in accordance with regulations prescribed by the State Archivist.

(a) No records shall be destroyed except pursuant to a records retention schedule prescribed or approved by the State Archivist, unless destruction is specifically authorized by ORS 192.170. Records not covered by schedules prescribed by the State Archivist may be destroyed only:

(i) In accordance with a County records retention schedule approved by the State Archivist, or

(ii) After obtaining specific approval from the State Archivist to destroy an existing set of records.

(b) No records shall be destroyed unless the destruction is approved by the Board, the County Counsel, and the County Records Officer. The order approving destruction shall certify that the records to be destroyed are of no further value to the County or the public. The approval order shall be made part of the permanent files of the Lane County Records Officer.

(c) A record of all records destroyed shall be created and made part of the permanent files of the Lane County Records Officer. This record shall contain at least the following information:

(i) A citation to the specific records retention schedule and Board order number which authorizes destruction of the records.

(ii) A description of the records destroyed, including the inclusive dates of the records.

(iii) A certification that the records destroyed are of a kind for which destruction is authorized under the records retention schedule cited according to (2)(c)(i) of this subsection.

(iv) The date of destruction of the records.

(3) County Records Officer. The Director of the Department of Management Services of Lane County is hereby appointed County Records Officer. All records awaiting destruction shall be deemed to belong to the County Records Officer for purposes of ORS Chapter 192 and the records retention regulations prescribed pursuant thereto by the State Archivist. The County Records Officer shall insure that Lane County records management is carried out in conformity with ORS Chapter 192 and rules promulgated pursuant thereto by the State Archivist.

PERSONNEL RULES FOR CLASSIFIED SERVICE2.220 RULE 1: General Statement of Policy.

(1) Purpose. The purpose of these rules is to implement and give effect to the provisions of the Lane Code, achieving for Lane County Classified Service the following objectives:

(a) To provide systematic, equitable and uniform principles governing matters pertaining to wages, hours, benefits and other employment relations matters.

(b) To assure appointments, terminations, promotions, demotions, layoffs, recalls, transfers, compensation and other matters affecting the status of employees are accomplished in accordance with the principles of merit, fitness and accepted personnel administrative procedures, to contribute to attracting and retaining qualified persons for County service.

(c) To establish and maintain a plan of classification and compensation which is both internally equitable and externally competitive.

(d) To provide a method of assuring that County management and employees are properly informed as to their respective mutual employment obligations.

(2) Amendment and Administration. The authority for administration, application and interpretation of these rules and regulations is delegated to the Management Services Director, whose responsibilities shall include a periodic review and recommended revisions as applicable, to assure consistency with their purpose.

(3) Variations.

(a) The Management Services Director shall have the authority to vary or modify the strict application of these rules and regulations where it is found consistent with their purpose and in the best interest of the County, subject to appeal pursuant to LM 2.280.

(b) Where any section, subsection, sentence, clause or phrase of these rules and regulations are found inconsistent with properly negotiated and ratified working agreements concluded through collective bargaining between Lane County and duly certified bargaining representatives, the terms of such agreements shall prevail.

(4) Application. These rules and regulations shall apply to all County employees in the Classified Service. All reference herein to employees designate both sexes, and wherever either gender is used, it shall be construed as including both male and female employees.

Management Services Director. The person designated by the Board who is responsible for the administration of the Lane County Personnel Rules and Regulations.

Job Description. The written description of a classification containing a title, statement of authority, duties and responsibilities, and the desired minimum qualifications for the classification.

Lane Code. All general ordinances included in the Lane Code.

Layoff. A separation from the County service because of a shortage of funds or materials, abolishment of the position, or other reasons not reflecting discredit on an employee and for reasons outside his control.

Merit Increase. An increase from one step to a higher step within a salary range for the same classification.

Nonexempt Employee. An employee who does not meet the criteria for an executive, administrative or professional exemption as defined by the Fair Labor Standards Act.

Payroll Officer. The Director of Management Services of Lane County.

Personnel Action. Any action taken with reference to appointment, compensation, tenure, promotion, demotion, transfer, layoff, dismissal or similar matters affecting the status of employment.

Position. The original location of employment with Lane County.

Probationary Period. A period of 12 months during which an employee is required to demonstrate by actual performance of the duties, his fitness for the position for which he has been appointed.

Promotion. The transfer of an employee from a position in one classification to a position in another classification having a higher salary range.

Reclassification. A change in job description of an individual job by raising it to a higher classification, reducing it to a lower classification, or moving it to another classification at the same level on the basis of significant changes in the kind, difficulty, or responsibility of the work performed in such job.

Salaried Employee. An exempt executive, administrative, or professional employee who regularly receives a predetermined amount each pay period constituting all or part of the employee's compensation, which amount is not subject to reduction because of variations in the number of days or hours worked. Exceptions for certain absences are specified in the Fair Labor Standards Act.

Salary Range. The level of pay for a particular job classification. A salary range consists of several rates of pay with a minimum and maximum rate.

Transfer. The change of an employee from one job description to another job description in the same or a different classification having the same maximum salary rate.

Voluntary Demotion. A motion requested by an employee in order to retain employment when a layoff from said employee's position is imminent or for other reasons where the action is entirely voluntary on the part of the employee.

Volunteer. An individual who performs hours of service for civic, charitable or humanitarian reasons, without promise, expectation or receipt of compensations for services rendered, is considered to be a volunteer during such hours. An individual shall not be considered a volunteer if the individual is otherwise employed by Lane County to perform the same type of services as those for which the employee proposes to volunteer.

2.230 RULE III. Classification Plan.

(1) Request for Amendment of Plan. Any Appointing Authority may initiate a request to the Management Services Director to amend the classification plan. The Management Services Director shall make or direct an investigation of any such request or make classification studies or surveys at other times on Management Services Director's own initiative. If the Management Services Director finds that substantial change in organization, creation or change of position or other pertinent conditions makes necessary the revision or abolition of an existing classification or the establishment of a new classification, the Management Services Director may amend the Plan.

(2) Assignment of Job Classifications.

(a) New Job Classifications. When an Appointing Authority desires to establish a new job classification, a notice of such proposed action, together with a description of the duties of the new classification, shall be submitted to the Management Services Director in such manner and in such form as the Management Services Director shall request. The Management Services Director shall place such new job descriptions in the appropriate classification and salary range on the basis of their authority, duties and responsibilities, and shall recommend to the Board of County Commissioners adoption of the allocation consistent with LC 2.260. The Management Services Director shall notify appropriate staff of the action of the Board.

(b) Reclassification of Existing Positions. Whenever an Appointing Authority desires to make a permanent and substantial change in the authority, duties, or responsibilities of a budgeted and authorized position, written notification of the proposed change shall be submitted in accordance with Administrative Procedures adopted by the County Administrator.

The Management Services Director may, upon his/her initiative or at the request of an Appointing Authority or employee, study the duties of any position to determine if the classification is proper. Whenever the Management Services Director finds that the changes in duties are such that the current classification is no longer correct, he/she shall change the assignment to the appropriate classification upon approval of the County Administrator.

(3) Job Description.

(a) Content of Job Descriptions. Each job description shall include the title, a general description of the duties and responsibilities of the work, and a statement of the minimum qualifications a person should possess to perform the work with reasonable prospects of success.

(b) Interpretations of Job Description and Specifications. The definitions in job descriptions and specifications are descriptive and not restrictive. They are intended to describe the kinds of work performed in several classifications as determined by duties and responsibilities, and are not to be construed as declaring what the duties or responsibilities of any job description may be, or as limiting or modifying the power of any appointing authority to assign, direct and control the work of employees under their supervision.

The use of a particular expression or illustration as to duties shall not be held to exclude others not mentioned that are of similar kind or quality, nor shall any specific omission mean that such factor is not included.

(c) Use of the Job Description. In determining where to place a job description within the classification plan, a description for each classification shall be given for the general duties, specific tasks, responsibilities, qualification requirements and relationship to other job descriptions, which shall be indicative of typical work being performed.

2.250(1)

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2.250(3)

2.250 RULE VI. Physical Examinations.

(1) Examination. Regardless of having otherwise qualified for employment with Lane County, each person, prior to actual employment, may be required to successfully pass a physical examination by a competent medical doctor of such person's choice. The physical examination shall be at the expense of the applicant.

(2) Nature of Examination. The Management Services Director, with the assistance of the County Health Officer, shall determine the nature and extent of such physical examination, based upon the requirement of the position to be filled by the person taking such examination and other factors which may be specifically applicable to such person.

(3) Additional Physical Examinations. The Management Services Director may require additional physical examinations of any applicant or employee when it is determined that such additional examinations are in the interest of the person examined or Lane County.

2.285 RULE XI: Records and Reports.

(1) Division Attendance Record. Each Department shall maintain records of attendance, vacation and sick leave, compensatory time and overtime. This information shall then be transferred to the payroll report for the pay period, certified by the appointing authority, and submitted to the Department of Management Services. The Department of Management Services shall then record the information on the payroll and benefit accrual reports. These records shall be available for inspection by the Human Resources and Management Services Director and individual employees shall be permitted to inspect their records.

(2) Roster. The Management Services Director shall establish and maintain a roster of all employees in the County service, showing for each employee the classification title, assignment, salary rate, date of employment and such other employment data deemed pertinent by the Director.

(3) Reports to the Management Services Director. Every appointment, transfer, promotion, demotion, dismissal, change of salary rate, leave of absence without pay and other temporary or permanent change in the status of an employee shall be reported to the Management Services Director in writing on such forms as the Director shall require.

2.290 RULE XII: Payroll Certification.

(1) Certification of Payroll Accuracy. Written certification of the appointing authority accompanying any payroll shall constitute official notice that services for which payment is to be made have been performed and that funds are available and allocated for the purpose. The Management Services Director shall have previously certified approval and certification of the Personnel Action Forms, that the persons named therein have been appointed and are employed in accordance with the provisions of the Lane Code and these Rules and Regulations.

Exceptions taken to unauthorized payroll items shall be noted in writing and shall constitute the Management Services Director's official notification to the Board that such items are in violation of the Lane Code and these Rules and Regulations.

(2) Effect of Payroll Checking. The Payroll Officer shall not make or approve, or take any part in making or approving, any payment for personal service to any person holding a position in the County service unless the payroll bears the signature of the Department Head or other authorized representative.

2.305(3)

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2.305(5)

(3) In the event the request is for a longer period, or continuing nature, the Department Head shall submit the request with recommendation for approval or denial to the Management Services Director. The Management Services Director shall review and approve or deny the request, subject to appeal to the Board for final determination.

(4) In determining approval or denial of the request, the following shall be taken into consideration:

(a) Will the activity interfere with or adversely affect the performance of said employee;

(b) Will the activity subject the County to undue adverse criticism, or

(c) Does the activity constitute a real or apparent conflict of interest due to the nature, condition, competition or some other aspect of the activity.

(5) An employee who does not obtain approval prior to engaging in such activities will be subject to disciplinary action which may include discharge.

OTHER PERSONNEL POLICIES

2.350 Reimbursement for Moving Expenses. It is the policy of Lane County, when individuals are recruited out of the area to fill certain key positions, such as the Director of a Department, a Division Head, or certain key professional positions, that Lane County will provide some measure of reimbursement for moving expenses incurred by those individuals. The amount of reimbursement shall be as follows:

1) Fifty percent (50%) of the expenses of the move shall be reimbursed by Lane County when the move is accomplished by a professional mover; or

2) One hundred percent (100%) of the expenses of the move shall be reimbursed by Lane County when the move is accomplished solely by the individual involved. The determination of what shall be construed as "key position" and an "out of the area" recruitment shall be made by the County Administrator.

2.355 Release of Employee Information. Because each employee personnel file contains personal information which it is both in the public's and individual employee's interest not to disclose, these files shall be treated as confidential. However, members of the public may be furnished nonpersonal information about County employees such as name, employing department, position, wage classification and length of time employed by the County. The release of any employee information, however, for commercial, political or other associated purposes is strictly prohibited.

Personnel files shall be available to appointing authorities and those persons expressly authorized in writing by such appointing authorities, to members of the Board, the County Administrator and the Management Services Director and his or her staff. Individual employees may examine their own files.

2.360 "After Hours" Access. The County Administrator has full authority over access to the Courthouse/Public Service Building between 5:30 p.m. and 7:00 a.m. weekdays and all day Saturday, Sunday and holidays.

(2) Procedure.

(a) Paid sick leave is indicated and approved on the biweekly payroll authorization by the Division or Department Head. It is, of course, paid subject to the employee's unused sick leave balance. The Management Services Director should be notified as soon as it is known that a case will involve insurance claims and benefits. Division and Department Heads should follow up on these situations to see that insurance claims have been filed by the employee when applicable.

(b) When the employee has received an insurance payment from a County-subsidized program, he should endorse the check payable to Lane County. Then the Division or Department Head is to send the check to the Management Services Director with a letter giving the particulars of the situation, including the time period covered by the benefit payment.

(3) The Department of Management Services will then issue a separate check payable to the employee in the same amount as the insurance check. Payroll and sick leave records will also be adjusted as follows:

On the very next payroll authorization sheet for that division, that employee's pay is to be reduced by the amount of the insurance payment. At the same time in the "exception" column, mark "restore days sick leave," which will equate with the dollar reduction in payroll. (This process may involve several pay periods and payroll authorizations when the benefit payment is larger than a biweekly pay or a series of insurance payments are involved.

(4) In this process, the employee's cash pay has not been delayed, he will have received an amount equal to full regular pay, and he will have benefitted with greater "take home" pay because of these insurance benefits being nontaxable.

2.374(4)

2.378(4)

(ii) Agencies must be registered with the IRS and exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

(iii) Agencies must provide substantial services to Lane County residents.

(iv) Agencies must be in compliance with registration and filing requirements of Oregon's Charitable Trust and Corporations Act.

(b) Any charity denied participation may appeal that determination to the County Administrator, whose determination shall be final.

2.376 Travel Expense Reimbursement Policy. The Expense Reimbursement Policy is designed to allow for the reimbursement of expenses incurred by employees when traveling on official business for the County. It shall be the County's policy that no County Employee shall sustain personal monetary loss as a result of performing official County duties. The County Administrator is delegated the authority and responsibility to develop and maintain Administrative Procedures necessary to implement this policy.

2.378 Lane County Employee Assistance Program.

(1) Lane County, as an employer, is primarily concerned with an individual's job performance. However, the County recognizes that job performance can be affected by circumstances outside the work environment such as financial instability, drug or alcohol abuse and emotional and family problems. In order to serve all the needs of our employees and the citizens of the County, an Employee Assistance Program is provided to acquaint employees with appropriate community agencies to help them overcome their problems and restore them to full job efficiency.

(2) Strictest confidence shall be maintained between the Employee Assistance Program and the employee. No employee shall, by admitting that a problem exists, endanger his or her job. Such admission and the steps taken to correct deteriorating job performance shall be looked upon as evidence that the employee is concerned with improving his or her performance and with continuing employment with the County.

(3) This program is designed to:

- (a) Identify problems at their earliest stages,
- (b) Motivate the employee to seek help,
- (c) Direct him or her towards the best assistance available, and
- (d) Correct the problem before it necessitates the

loss of the employee.

(4) The Employee Assistance Program shall be under the direction of the Management Services Director who shall administer the program on behalf of the Board.

2.380        Drug Free Work Place Policy. It is the policy of Lane County to ensure a drug-free work environment. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the workplace. Any unlawful manufacture, distribution, or dispensation of a controlled substance in the workplace shall be cause for immediate discharge. Unlawful possession or use of a controlled substance in the workplace shall be cause for immediate disciplinary action which could result in discharge. The County Administrator shall adopt administrative procedures implementing this policy including the sanctions for policy violation. The Administrator shall also adopt policies necessary to keep Lane County government in compliance with Public Law 100-690 (the Anti-Drug Abuse Act).

2.382        Sexual Harassment Policy. It is the policy of Lane County that all employees should be able to work in an environment free from discrimination, including sexual harassment. Sexual harassment occurs when a person is subjected to unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. Conduct of this type is improper when submission to the conduct is either an explicit or implicit term or condition of employment; when submission to or rejection of the conduct is used as a basis for employment decisions affecting the person(s) involved; when the conduct has the purpose or effect of substantially interfering with work performance or work environment. Such conduct is specifically prohibited by Lane County. Appropriate management and supervisory personnel shall take prompt, corrective action when they become aware of sexual harassment. Any employee or applicant for employment who believes himself or herself subjected to sexual harassment or intimidation is encouraged to bring such incidents to the immediate attention of the Management Services Director.

2.384        Workplace Violence Policy. It is the policy of Lane County to provide a workplace that is free from violent acts or threats of the same against another person's life, health, well-being, family or property. Such acts or threats of violence by words, gestures or symbols, are entirely unacceptable.

Violence in the workplace may occur between one co-worker and another or between any member of the public and a County employee. Violence in the workplace includes, but is not limited to: striking, stabbing, shooting or otherwise causing bodily harm; making an oral (including by telephone) or written threat to cause any such bodily harm; displaying weapons or devices, or accessories clearly associated with weapons or devices in such a manner as to imply a direct threat to cause any such bodily harm; any other harassment or intimidation between co-workers which implies the threat of or potential for bodily harm to a co-worker's life, health, well being, family or property.

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Any employee who believes that he or she has been the target of violence or threats of violence, or has witnessed or otherwise learned of violent conduct by or directed at another employee should bring such incidents to the immediate attention of his or her supervisor, manager, department director, the Director of Management Services or, if applicable, union representative. Management and supervisory personnel shall take prompt, appropriate action when they become aware of any aspect of violence in the workplace.

2.386 Elected Officials' Transition Policy. The public need requires that newly elected County officials be adequately oriented and prepared in order to achieve an orderly assumption of office. Therefore, the following transition policy shall apply to each newly elected County Commissioner, Sheriff, Assessor and District Attorney:

(1) Orientation. After the election results have been certified, each Department of the County shall present to the newly elected official an overview of the functions of and programs administered by the Department, if so desired by that official. The content of the presentations shall acquaint each newly elected official with the full scope of County operations in an organized fashion. The County Administrator shall coordinate the Department presentations.

(2) Staff Support. During the period between the election and taking office, there shall be provided staff support for each newly elected official as required during the transition period. Such support shall include office space, materials and supplies and clerical assistance as arranged by the County Administrator.

(3) Reimbursement for Expenses. There shall be provided reimbursement for expenses incurred in transition activities deemed necessary by each newly elected official an amount not to exceed \$100 per month, transportation from the Motor Pool as may be necessary for such activities and such liability and workers' compensation coverage as is needed to protect County liability for such transition activities.

(4) Outgoing Commissioners shall provide complete files and case histories on pending or unfinished business to incoming Commissioners, and generally provide for a smooth transition.

FLEET SERVICES

2.605 Policy Statement. The Board of County Commissioners, by the rules set forth herein, authorizes the County Administrator to administer and enforce these rules inclusive of any further supplements or amendments hereto. The rules shall be applicable to all County vehicles or equipment used, owned or operated by all Lane County Departments or any other group, district or agency governed by the Board.

2.610 Purpose. The purposes of these rules are the following:

(1) That every effort will be made to provide adequate transportation whenever and wherever the need is apparent and justified.

(2) That the Fleet Services Fund (Fund 19) operates on a self-sustaining basis.

(3) That modern, well-equipped vehicles and equipment will be maintained and fully utilized at the lowest possible cost.

2.615 Responsibility. In promulgating these rules, the Board directly and specifically charges each Department Director with the responsibility of ensuring that all employees of their individual Department who operate County vehicles are thoroughly aware of the contents hereof and that they comply with these rules at all times, and that all vehicles assigned to their individual Department are maintained as directed herein.

2.620 General Description of Duties and Responsibilities.

(1) Subject to the supervision of the Director of the Department of Public Works, the Support Services Manager is responsible for the following:

(a) Developing and maintaining an adequate cost control and recording system in conjunction with the Department of Management Services.

(b) Establishing an organizational structure and maximizing the utilization of such personnel.

(c) Determination of inventory levels for gas, oil, parts, tires and maintenance thereof.

(d) Providing recommendations for specifications of vehicles and equipment.

(e) Recommending whether needs for transportation require purchase of vehicles or equipment or some less costly alternative, e.g., private mileage, lease or rental.

2.825

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2.825      Demolition of Structures.    The Real Property Supervisor of the Department of Management Services shall examine all buildings, structures, and improvements and County-owned property not required for use for County purposes, and at such time as it is determined that said buildings structures, and improvements should be removed, he or she is authorized and directed to cause said buildings, structures, and improvements to be removed from County-owned property, including the recommending of the necessary implementing contracts to the County Administrator.

2.840

Lane Manual

2.840(3)

2.840 County Vending Machine Operations. The County provides vending machine services of food, coffee, cigarettes, candy, gum, soft drinks and other products for use of employees and for the general public in areas where there is public access to them. The County has the exclusive right to control vending machine installations in order to provide efficient service and will determine the advisability and need for requested machines.

(1) Requests for Vending Machines. Requests for vending machine installations will be directed to the Department of Management Services. The request will be made in the form of a letter or memorandum and will contain the following information:

- (a) The type of vending machine installation requested.
- (b) The estimated usage of the vending machine installations. If both County employees and the general public have access, an estimate of the comparative use by the two groups will be given.
- (c) The justification for the vending machine installations.
- (d) The recommended location for the installation, with reasons for its selection.

(e) The recommended fund into which the revenue is to be deposited.

(2) Acceptability of Installations.

(a) The Department of Management Services will evaluate the advisability of the vending machine installations.

(b) The approved installation will be ordered by the Department of Management Services and installed at the earliest convenient date. The Department of Management Services will decide which company is to install and service the machine, with due consideration to the Oregon Commission for the Blind according to ORS 346.520 through 346.570 inclusive.

(3) Revenues.

(a) The Department of Management Services will receive the County's share of all revenues from County vending machine installations.

(b) These revenues will be deposited in the General Fund or, where appropriate, in a special County fund.

2.840(3)

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2.840(4)

(c) In an installation to which the public generally does not have access, two-thirds of the County's share of such revenues may be deposited to an appropriate account to be used for the common benefit of the user groups. One-third will remain in the General or special fund in consideration of the space, utilities, and maintenance furnished by the County.

(d) Any employee groups receiving vending machine revenue will annually present an accounting report to the Department of Management Services.

(4) Vending Machine Contracts. The policy of the County is to award the majority of vending machine installations to one company in order to facilitate uniform high quality service with maximum returns to the fund involved. This is done by means of competitive bid through the Department of Management Services, giving due consideration to State Statutes governing vending activities in public buildings.

2.850

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2.870

2.850        Vendors and Solicitors. Vending activities (other than those supplied in the cafeteria, at newsstands or by vending machines) and solicitations interfere with the work of County employees and the public's conduct of business with the County. They are, therefore, not authorized. Department Heads are responsible for the orderly conduct of County business in areas under their jurisdictions and are expected to enforce this LM Section. The Director of the Department of Management Services is responsible for its enforcement in areas not under the jurisdiction of a single Department such as corridors, halls, conference and meeting rooms, patios, walkways and parking lots.

2.860        Information Booth. The Information Booth is staffed by volunteers between 9:00 a.m. and noon and 1:00 p.m. and 4:00 p.m. each work day. The written material available to the public on the counter and shelf shall be limited exclusively to information authored by federal, state and local governments.

2.870        Free Speech Rack. Any legal publication may be placed for distribution by any person on the information rack located in the main entry to the Courthouse. For purposes of this paragraph, the term "legal publication" means any publication which it is not a crime to publish, or which is protected from prior governmental restraint or censorship under the state or federal constitutions. To ensure broad public access to the information rack, the County Administrator shall, at regular intervals not more frequent than weekly, remove all publications from the information rack. The County Administrator may, at any time, remove large single publications or some copies of multiple-copy publications to permit reasonable use of the information rack by other persons wishing to display or distribute other legal publications.

3.034(5)

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3.034(7)

(5) The Director shall make regular reports to the Department of Management Services of changes in amounts receivable from taxes, and in accounts of the various taxing districts of the County, which result from adjustments in the tax roll.

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

(7) The Director is authorized to refund taxpayers for any double payments made in payments of taxes. Each transaction will be reported in proper form to the Director, and a copy of such report forwarded to the Board.

3.080

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3.084(2)

DEPARTMENT OF MANAGEMENT SERVICES

3.080 Definitions. As used in this subchapter:  
"Department" means the Department of Management Services of Lane  
County.

"Director" means the Director of the Department of Management  
Services.

3.082 Director.

(1) Under the administrative direction of the County Administrator, the head of the Department shall have the title of Management Services Director of Lane County.

(2) The Director shall have the responsibility for the management of the Management Services Department and the "Functions" as stated below.

(3) The Director shall also have the titles of Finance Officer, Treasurer and County Clerk 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 shall 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 shall be responsible for developing procedures for the uniform application of all personnel, budget and financial policies consistent with the law.

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

3.084 Functions. The Department shall perform and be responsible for the following functions:

(1) Human Resources: The Department shall 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 shall be responsible for administering the County's centralized human resources system, including: labor relations, affirmative action, merit system administration, recruitment, selection, testing, training, classification and compensation plans, benefits programs, employee assistance, and employee orientation.

(2) Risk Management. The Department shall be responsible for risk management functions, including loss prevention, safety and administration of workers' compensation and self-insurance programs, with the exception of general liability claims management.

of the two-term limit of LM 3. 506(2)(f). If the unexpired portion of the term is for six months or less, the appointment shall be for both the unexpired portion plus a full term. In that case, the appointment is considered as meeting one term of the two-term limit.

(h) 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).
- (iv) Planning Commission (West Lane).
- (v) Community Mental Health Advisory Committee.

The County Administrator is delegated authority to implement the interview process.

(i) Notice. Notice of committee vacancies shall be sent to city offices, public libraries and other sources, in addition to the normal news media list.

(j) County Employees. County employees shall not ordinarily be deemed eligible as citizen representatives on advisory committees. However, there are instances where such membership may be appropriate. The Board shall consider applications from County employees when the employee presents sufficient written rationale for membership to County Administration Office. The County Administration Office shall 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 minutes of advisory committee meetings shall be sent to the County Administration Office.

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

(4) Staff Support for Committees

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

(b) Staff may participate in committee deliberations, but shall not vote on deliberations.

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

LANE COUNTY COMMITTEES  
MANDATED ADVISORY COMMITTEES

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<u>Committee</u>	<u>Department</u>	<u>Responsible Mandate</u>	<u>LM#</u>
1. Building Appeals and Advisory Board	PW/LMD	UBC 204	3.520
2. Community Corrections Advisory Committee	CAO	ORS 423. 560	3.522
3. Community Mental Health Advisory Committee	H&HS	ORS 430. 342 ORS 430. 630(8) OAR 309-14-020(2)	3.524
4. Farm Review Board	A&T	ORS 308. 350	3.526
5. Historic Resources Committee (Lane County)	PW/LMD	Goal 5	3.528
6. Community Action Advisory Committee	H&HS	ORS 184. 802	3.530
7. Library Advisory Committee (Lane County)	H&HS	ORS 357. 465	3.532
8. Public Welfare Board (Lane County)	H&HS	ORS 411. 145	3.534
9. Youth Development Commission	YS	ORS 417. 400	3.536

NONMANDATED ADVISORY COMMITTEES

10. Human Rights/Affirmative Action Advisory Committee	MS		3.538
11. Community Health Advisory Committee	H&HS		3.540
12. Law Library Advisory Committee	Legal Counsel		3.542
13. Parks Advisory Committee	PW/Parks		3.544
14. Resource Recovery Advisory Committee	PW/W. Mgmt.		3.546
15. Roads Advisory Committee	PW		3.548
16. Rural Community Improvement Council	CAO		3.549
17. Tourism Council (Lane County)	PW/Parks		3.550
18. Vegetation Management Committee	PW		3.552
19. Traffic Safety Commission	PS		3.553

MANDATED SPECIAL COMMITTEES/BOARDS

20. Board of Property Tax Appeals	MS	ORS 309. 020	3.554
21. Budget Committee	MS	ORS 294. 336	3.556
22. Fair Board (Lane County)	FAIR BOARD	ORS 565. 210	3.558
23. Metropolitan Wastewater Service District Budget Committee	CAO	ORS 294. 336	3.560
24. Planning Commission (Lane County)	PW/LMD	ORS 215. 030	3.562

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LANE COUNTY COMMITTEES  
MULTI-JURISDICTIONAL COMMITTEES

<u>Committee</u>	<u>Department</u>	<u>Responsible Mandate</u>	<u>LM#</u>
25. Eugene-Springfield Metropolitan Partnership Board of Directors	CAO		3.566
26. Metropolitan Area Planning Advisory Council (MAPAC)	L-COG & CAO		3.568
27. Metropolitan Bicycle Committee	L-COG & CAO		3.570
28. Metropolitan Wastewater Management Commission	MS		3.572
29. Southern Willamette Private Industry Council (SWPIC)	JTPA	20 CFR 679. 31	3.576
30. Intergovernmental Human Services Committee	H&HS		3.578

NONMANDATED COMMITTEES

3.538 Human Rights/Affirmative Action Advisory Committee.

Advises the Board of Commissioners on the status of civil and human rights in the County, provides the Board of County Commissioners and County departments community input and feedback regarding human rights and affirmative action; monitor implementation of Implementation Priorities of the County Diversity Implementation Plan and annually report progress to the Board; develops and publicizes a system to assist persons in seeking resolution of harassment and discrimination complaints and recommends appropriate action; monitors the County's equal employment opportunity program and assists in the development and implementation of the affirmative action and human rights policies and plans; recommends policies and actions to improve access to County services and employment opportunities, and for overcoming cultural, linguistic and physical barriers which limit accessibility; affirms, encourages and promotes programs and services designed to effectuate the spirit and intent of laws prohibiting discrimination and that recognize and value the cultural diversity of Lane County.

STAFFING: Department of Management Services

MEETS: Monthly

NONMANDATED

MEMBERSHIP: (14) Consists of up to 14 citizens, to include representation from among the protected classes of women, youth, older workers, disabled persons and African-Americans, Latinos, Asian-Americans and Native Americans. Notwithstanding LM 3.506 (2)(j), County employees may apply, and be appointed, to serve on off-duty hours.

TERM: 4 years, ending April 30

3.540

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3.540

3.540 Community 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; and, acts in a community liaison capacity to provide a link between the community and the Health Division.

STAFFING: Department of Health and Human Services

MEETS: Monthly

NONMANDATED

MEMBERSHIP: (12) Consists of seven at-large representatives and five members from the health professions including physicians, dentists, nutritionists and health educators.

TERM: 4 years, ending August 31

3.550 Tourism Council (Lane County). Advises the Board on policy issues and activities to enhance tourism throughout Lane County, including the development and implementation of a marketing plan toward which Lane County will allocate the dedicated funds from the Transient Room Tax.

STAFFING: Department of Public Works/Parks Division

MEETS: As needed

NONMANDATED

MEMBERSHIP: (8) Consists of geographically diverse members from the following categories:

- One Convention & Visitors Bureau Board member
- One University of Oregon member
- One Fair Board member
- One Lane County Chamber of Commerce member
- Three Industry representatives
- One At-Large member

TERM: 4 years, ending June 30

3.552 Vegetation Management Advisory Committee. Acts as a forum for public input into the County's Integrated Vegetation Management (IVM) Program. Reviews vegetation management needs and related issues and makes recommendations to the Board of County Commissioners. Works with Public Works staff to establish vegetation management priorities in keeping with available funds and IVM methodologies. Reviews requests for vegetation management activities beyond the scope of routine maintenance. Reviews the program standards and policies, including long-range planning for future program needs and prepares recommendations for Board action as necessary. Serves as liaison group in representing the vegetation management concerns of the community to the Board and representing Board decisions to the community.

STAFFING: Department of Public Works

MEETS: Monthly

NONMANDATED

MEMBERSHIP: (9) Consists of all at-large appointments.

TERM: 4 years, ending December 31

MANDATED SPECIAL COMMITTEES/BOARDS

3.554 Board of Property Tax Appeals. Hears petitions for reduction of: a) 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; b) 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 ORS Chapter 308, and c) Corrections to value is made pursuant to ORS Chapter 311.

Board also considers applications to excuse liability for the penalty imposed under ORS 308.295.

STAFFING: Department of Management Services, Division of Chief Deputy County Clerk

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

MANDATED: ORS 309.020

MEMBERSHIP: (3) ORS 309.067. The county governing body shall 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 shall consist of those persons selected by the County Clerk from the pool of board members appointed under ORS 309.067. The clerk shall complete the selection prior to the commencement of the board session. The board shall consist of one member of the pool described in ORS 309.067(1)(a) and two members of the pool described in ORS 309.067(1)(b).

Additional boards of property tax appeals may be selected by the County Clerk if necessary for the efficient conduct of business. Each additional board shall consist of one member of the pool described in ORS 309.067(1)(a) and two members of the pool described in ORS 309.067(1)(b).

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

3.556

3.556

3.556 Budget Committee. 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.

STAFFING: Department of Management Services

MEETS: As needed

MANDATED: ORS 294.336

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.

TERM: 3 years, ending December 31

3.558

3.562

3.558 Fair Board (Lane County). 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.

STAFFING: Fair Manager

MEETS: Monthly

MANDATED: ORS 565.210

MEMBERSHIP: Consists of not less than three nor more than five members.

TERM: 3 years ending December 31

3.560 Metropolitan Wastewater Service District Budget Committee. Reviews and approves the County Service District budget, limits the amount of tax which may be levied by the County Service District and establishes a tentative maximum for total permissible expenditures for each fund in the County Service District budget.

STAFFING: Office of County Administration

MEETS: As needed

MANDATED: ORS 294.336

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

TERM: 3 years, ending December 31

3.562 Planning Commission (Lane County). See LM 3. 510.

21.105(1)

Services, Parks, Land Management and Solid Waste divisions.

(b) The Director of the Department of Management Services may call and open bids for public contracts for the purchase of materials, materials and services, equipment, supplies, office furniture and other personal property, and for public contracts for construction, renovation, remodeling and maintenance of County facilities and related capital outlay expenditures.

(c) Pursuant to ORS 565.230 the Fair Board may call and open bids for all contracts relating to fairground facilities and operations.

(d) The County Administrator may call and open bids for the lease, purchase or sale of computers and related data processing equipment.

(2) Calling for Requests for Proposals. Each Department Director is delegated the authority to call for open and direct evaluation of requests for proposals. The recommendation for award of the contract shall be made to either the Board or the County Administrator, according to whether authority to execute the contract has been specifically delegated in LM 21.105(3) below.

(3) Execution of Contracts.

(a) The County Administrator is delegated authority to execute the following types of contracts:

(i) All contracts which have been competitively bid and awarded by the Board.

(ii) All contracts and agreements not exceeding \$25,000 nor three years in length.

(iii) Subcontracts and subgrants not exceeding \$25,000 which implement grants.

(iv) Amendments to contracts or modifications to grants, subgrants, and subcontracts as described in LM 21.270.

(v) All computer software licenses not exceeding a purchase price of \$25,000.

(vi) Insurance nonwaiver agreements and insurance endorsements to original policies.

(vii) Land use improvement agreements, Building Program Quick Start Agreements and acceptance and release of land use performance bonds.

(viii) Real property leases, licenses and permits, caretaker agreements involving the lease of property, and concessionaire agreements, not exceeding \$25,000 nor three years in length.

(ix) Emergency contracts which do not exceed \$25,000 and which are executed within 60 days of the declaration of the emergency. See LM 21.280 below.

(x) Contracts and assignments for the collection of County judgments.

21.205(4)

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21.215(5)

(c) When good cause is demonstrated to the County Administrator, such that he or she believes award of the contract without utilizing the selection procedures is in the public's interest.

21.210 Material Contracts and Materials and Services Contracts. Materials contracts and materials and services contracts (hereinafter all are called materials and services contracts) cover the broad range of contracts in which the County obtains personal property, or personal property with such services that do not fall into the category of personal services or trade-related contracts. They do include purchase of goods, rental, lease and various forms of lease-purchases.

(1) Materials and services contracts may only be executed after appropriate selection procedures have been completed.

(2) Title to all personal property shall be described on all formal title documents and bills of sale as: Lane County, Lane County Public Service Building, Eugene, Oregon 97401.

(3) For contracts involving the rental, lease or lease purchase of equipment, the Risk Manager should be consulted regarding insurance requirements.

21.215 Purchase Orders. Purchase orders may be used to obtain materials, services, personal or professional services, to implement a purchase pursuant to a requirements contract, to implement a purchase utilizing a contract competitively bid by other political subdivisions when the specifications indicated that more than one political subdivision could utilize the bid award, and to purchase price-regulated items when the rate or price has been set by Federal, State or local regulatory authority.

(1) In implementation of LM 21.107 above, quotations for purchase orders shall be solicited from appropriate minority, women and emerging small business enterprises, who are certified by the State pursuant to ORS Ch. 200. The County Administrator shall implement this requirement through administrative procedure.

(2) Purchases of more than \$25,000 can be made by purchase order only in implementation of an appropriately awarded written contract or to purchase price-regulated items. Purchase orders shall not be utilized to circumvent the public contract law or regulations.

(3) A purchase order for more than \$10,000 of trade-related services must comply with all applicable conditions for public improvement contracts.

(4) The Director of Management Services or his or her delegate shall have the discretion to require a written contract in lieu of a purchase order, whenever he or she believes a contract to be in the best interests of the County.

(5) The Director of the Department of Management Services is delegated authority to execute all purchase orders. He or she may further delegate such authority in writing.

- (b) Bid security - see ORS 279.027, OAR 125-360-010, LM 21.115 above.
- (c) Performance security - see ORS 279.029, OAR 125-360-020, LM 21.115 above.
- (d) Prevailing rates of wage - ORS 279.348 to 279.365, OAR 137-40-010, LM 21.130 above.
- (e) Retainage - see ORS 279.400 to 279.435, OAR 125-31-001 to OAR 125-31-010, OAR 137-40-025, LM 21.225 below.
- (f) Prompt payment policies - see ORS 279.435; OAR 137-40-035, OAR 137-40-040.
- (g) Subcontractor clauses - see ORS 279.435.
- (h) Insurance - see LM 21.305 below.

In addition, public improvement contracts which are funded by federal funds may involve additional federal requirements.

(3) The County Administrator is delegated the authority to make final acceptance of a public improvement. However, if he or she determines the project should not be finally accepted, the matter shall be brought to the attention of the Board.

#### 21.225 Retainage.

(1) Retainage of five percent of the contract price of the work completed shall be withheld on all public improvements contracts until the project is at least 50 percent complete, after which the retainage may be reduced, upon the County Administrator's approval, in accordance with ORS 279.435.

#### (2) Deposit of Securities in lieu of retainage.

(a) Notwithstanding LM 21.225(1) above, Lane County shall reduce the retainage in an amount equal to the market value of bond or securities deposited by the contractor in accordance with the procedures set out below. Bonds or securities offered for deposit in lieu of retainage shall be as authorized in OAR 125-31-005.

(b) All bonds or securities in lieu of retainage shall be deposited with a bank or trust company in Lane County, Oregon, in an account for the benefit of Lane County established for this purpose. Upon deposit, the bank or trust company shall prepare an Assignment and Safekeeping Receipt in the form set out in Exhibit "A." The contractor shall deliver in person one copy of this receipt to the Department of Management Services.

(i) Bonds or securities deposited shall be in fully transferable form. Any nonnegotiable bonds or securities shall have all necessary instruments attached to enable the County to effect transfer of title should the contractor be unable to fulfill the contract obligations.

(ii) Bonds or securities deposited in lieu of retainage shall be released only upon the written instructions and authorization of the County. Upon default, the County may elect to authorize the bank or trust company to transfer any securities deposited under these provisions, rather than undertake to transfer such securities itself.

21.230 Lane Manual 21.260(2)

21.230 Intergovernmental Agreements. Under the authority of Chapter II, Section 8 of the Lane County Home Rule Charter and ORS Chapter 190, it is the policy of Lane County to offer services to other public agencies where feasible. Lane County must be compensated for the complete cost of providing all intergovernmental services. An intergovernmental agreement should be utilized whenever possible as the implementing document. The Board in its discretion may approve waivers to the policy of complete compensation.

21.240 Maintenance and Repair Contracts. Contracts for the maintenance or repair of equipment or public improvements are subject to the public contract laws and regulations.

(1) Contracts for maintenance or repair of equipment must comply with the requirements of OAR 125-310-035.

(2) Road, highway or parking lot maintenance contracts must comply with the requirements of OAR 125-310-020(2)(d).

21.250 Requirements Contracts. Requirements contracts provide for the establishing of unit prices for goods or services when the County knows it will need them, but is unable to determine in advance the quantity. Requirements contracts must be competitively bid in accordance with OAR 125-310-300, with a term, including all renewals, not to exceed three years. The contract shall also provide that the County will purchase a specified minimum amount of the goods or services and that the contract may be canceled upon 30 days written notice by County. Once a requirements contracts has been awarded and executed, purchases thereunder may be made through a purchase order.

21.260 Revenue Contracts. Revenue contracts must comply with all public contract laws and regulations and LM Chapter 21.

(1) The County Administrator and the Director of the Department of Management Services each individually are delegated the authority to execute certificates of title and bills of sale for County-owned personal property duly sold under established procedures and may further delegate this authority in writing.

(2) A revenue contract which involves elements of an interest in real property (for example, a caretaker or concessionaire agreement or a lease), may also have to comply with laws regarding the disposition of publicly owned real property. The Department considering such a contract should consult with the Office of Legal Counsel regarding appropriate procedures and contract terms.

(3) On-Site Construction Change Orders. The Director of the Department of Public Works or his or her authorized representative, is delegated the authority to execute an on-site construction change order to a contract for the construction or renovation of roads or other transportation facilities and the Director of the Department of Management Services, or his or her representative, is delegated the authority to execute an on-site construction change order to a contract for the construction, renovation, remodeling or repair of County facilities, if all of the following conditions are met:

- (a) The change would not increase the cost of the project by more than 10 percent of the contract price or \$10,000, whichever is less,
- (b) The change order is necessary for completion of the contract,
- (c) Failure to immediately authorize the change could result in a work stoppage or severe slowdown, causing undue and unnecessary costs, or result in a hazard to the public and
- (d) It is in the best interest of the County to authorize the order and facilitate completion of the project.

21.280 Emergency Contracts.

(1) An emergency is generally defined, but not limited to, as a set of circumstances creating a substantial risk of loss, damage, interruption of services or threat to public health or safety that could not have been reasonably foreseen. If such an emergency exists which requires the prompt execution of a contract to remedy the situation, the provisions of ORS 279.015, 279.029, OAR 125-310-030 and 125-310-032 shall be appropriately followed.

(2) The County Administrator is delegated authority to declare an emergency and to execute a contract to remedy it not to exceed \$25,000. The Board of Commissioners must declare the emergency and award any contract of \$25,000 or more.

(3) In all cases, the nature of the emergency and the anticipated harm if a contract is not promptly executed must be described with specificity in writing, and the efforts, if any, made to encourage competition through informal solicitations or quotes.

(4) Any performance bond requirement may be waived upon approval of all members of the Board, pursuant to ORS 279.029(5).

(5) Unless an extension is approved by the Director of the State Department of General Services, an emergency contract must be awarded within 60 days of the declaration of emergency.

REAL PROPERTY21.400 Real Property Acquisition, Management and Disposition Policy.

(1) The Department of Management Services shall be responsible for procuring real property for County needs, as directed by the Lane County Board of Commissioners, through purchase and lease, for managing County-owned, rented and tax-foreclosed real property and for disposing of surplus real property, with the exception of County rights-of-way and other property purchased through the General Road Fund. The Department of Management Services shall maintain records on County-owned and occupied property, shall cause all property related transactions to be properly filed and/or recorded and shall represent the County's interest in all property matters in accordance with applicable Federal, State and local laws, rules and regulations. The Board shall have final authority on all real property matters, except as delegated elsewhere in this Chapter.

(2) The Department of Public Works shall be responsible for acquiring additional rights-of-way for road improvement projects and for managing and disposing of any excess County rights-of-way or parcels of land acquired through the General Road Fund. The Department of Public Works shall maintain records on County-owned and occupied rights-of-way and property acquired through the General Road Fund, shall cause all such transactions to be properly filed and/or recorded and shall represent the County's interest in all such matters in accordance with applicable Federal, State and local laws, rules and regulations. The Board shall have final authority on all property matters related to the General Road Fund, except as delegated elsewhere in this Chapter.

(3) No action of Lane County officers, employees or agents in acquiring, managing or disposing of real property shall be binding upon Lane County, if undertaken through fraud, breach of fiduciary duty or through purported exercise of powers not specifically delegated by law.

21.410 Real Property Acquisition.

(1) All contracts for real property acquisition shall be acted upon by the Board through prescribed agenda process. Upon Board approval, the County Administrator will be delegated authority to sign the contracts on behalf of the Board and copies will be distributed in accordance with standard contract routing procedures.

(2) Acquisition of additional right-of-way for road and bridge improvement projects shall be negotiated by the Public Works Department in accordance with the "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970" and other applicable Federal, State and local rules and regulations. The Department shall establish such internal procedures as necessary to

insure that independent appraisals and unbiased reviews are used to determine fair market value for property acquisition for such purposes. Funding for right-of-way acquisition will be included in normal budgeting procedures and as part of the project costs projected through the Public Works Five-Year Capital Improvements Program. The Director of the Department of Public Works or his or her authorized representative, may be delegated responsibility to authorize purchase of right-of-way budgeted and authorized through the Capital Improvements Program and to execute related instruments at the direction of the Board.

21.420 Management of County-Owned or County-Utilized Real Property.

(1) The Department of Management Services shall be responsible for the lease or rental of County-owned land and buildings, subject to the provisions of state statutes and other applicable laws and regulations.

(2) The Department of Management Services is delegated authority to negotiate rental agreements subject to established contract procedures and Board approval. Rental of County-owned property shall normally be on a month-to-month basis. The Department shall also be responsible for collection of rents. It is the intent of the Board to utilize County-owned real property as a revenue source where possible, and to keep such property on the tax rolls where reasonable to do so. The Department of Public Works is delegated similar authority with regard to rental units on County rights-of-way or County real property acquired through the General Road Fund.

(3) The Department of Management Services is authorized to negotiate caretaker agreements, where rent of County-owned or leased property is included as part of remuneration for services rendered by the occupant, subject to established contract procedures and Board approval.

(4) The Department of Management Services is delegated the authority to negotiate any license for the utilization of County-owned real property, and the Department of Public Works is delegated the authority to negotiate any license for the utilization of County rights-of-way or real property acquired from the General Road Fund for other than road purposes, subject to established contract procedures, the following conditions and such other conditions deemed necessary by the Department:

(a) All licenses to utilize County-owned real property are subject to 30 days termination, unless a shorter term is specified.

(b) A statement shall be signed by the person utilizing County-owned real property, County rights-of-way or County real property acquired through the General Road Fund holding the County harmless from all claims arising out of that person's license, including liability for any ad valorem taxes arising as a result of the license.

21.420(5)

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21.425(2)

(5) Lease of real property by Lane County shall be negotiated by the Department of Management Services in keeping with the needs of the County Department requesting additional space and in keeping with space allocation procedures established by the Board or County Administrator. Lease agreements shall be subject to the established contract review and execution procedures.

(6) Lane County reserves the right to contract for management of real property owned and leased by Lane County to be utilized in land banking and low income housing programs.

21.425 Disposition of County-Owned Real Property.

(1) Subject to deed restrictions and Federal and State laws, it shall be the policy to dispose of County-owned lands not needed for public purposes at market value, except that real property which may be utilized by a governmental agency for a public purpose within a reasonable period of time after acquisition, as determined by the Board or the Department of Management Services, shall be retained by the County until further order of the Board.

(2) The following procedures shall be followed in disposition of County-owned land:

(a) Real Property Officers, or other staff members, as delegated by the Directors of the Departments of Management Services and Public Works, are authorized to negotiate the sale, subject to Board approval, of real property having a true cash value of \$20,000 or less, if the County has no present or future need of the property, as determined by the Department of Public Works in the case of excess County rights-of-way and other property purchased through the General Road Fund, and the Department of Management Services in the case of other excess County-owned property. If funding and staffing levels permit the Department of Management Services may provide assistance with real property disposition to the Public Works Department on request. Such negotiations may only occur after the property has been offered for sale through procedures defined in ORS Chapter 275.

(b) The Director of Public Works in the case of excess rights-of-way and other property acquired through the General Road Fund, and the Director of Management Services in the case of other excess property are authorized to negotiate the sale of real property having a true cash value of \$50,000 or less, if the County has no present or future need of the property as determined by those respective Departments, subject to Board approval. Such negotiations may only occur after the property has been offered for sale through procedures defined in ORS Chapter 275.