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Chapter 3

ORGANIZATION

GENERAL

3.005 Board Rules.

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

(1) The Board shall generally meet on Wednesdays in the Public Service Building; Wednesdays shall be deemed the regular meeting day for purposes of state law.

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

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

(4) If any member of the board is absent without prior excuse at the time provided in LM 3. 005(1) and (2) above for meetings and is necessary to meet a quorum, then, at the discretion of the Chair, the Sheriff may be directed to locate and produce such member.

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

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

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

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

(9) When it is required that a copy of a proposed ordinance be provided for each member of the Board when such ordinance is introduced, a copy of the ordinance shall be served upon each Commissioner, or his or her assistant, at the office of each Commissioner not later than 24 hours before the hour designated for commencement of the meeting at which the ordinance is to be introduced.

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

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

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

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

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

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

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

(17) Any meeting of the Board may, by majority vote, be adjourned to executive session as permitted by ORS 192.660. Attendance at executive sessions will be restricted by the Board as allowed by law. *(Revised by Order No. 00-10-4-1, Effective 10.4.00; 07-10-3-11, 10.3.07)*

3.007 Use of County Letterhead Stationery.

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

(1) There are two types of letterhead authorized and provided by Lane County:

- (a) BCC Letterhead - current form containing names of all Commissioners on upper lefthand corner.

- (b) Commissioners individual letterhead - same as current form, except that only the name of the individual Commissioner appears in the upper lefthand corner.

(2) The following documents are considered appropriate for BCC letterhead:

- (a) Those officially authorized by the Lane County Board of Commissioners.

- (b) Correspondence signed by the Chair or designee(s) on behalf of the Lane County Board of Commissioners.

(3) Documents considered appropriate for a Commissioner's individual letterhead include but are not limited to:

- (a) Constituent correspondence.

- (b) Support for grant requests.

- (c) Support for projects of personal interest.

- (d) Letters of support for individuals seeking appointments, scholarships and business references.

- (e) Congratulatory notes.

(4) The following documents are considered inappropriate for BCC or individual Commissioner letterhead:

- (a) Commercial activity.

- (b) Political solicitation.

- (c) Any activity prohibited by law, especially conflict of interest laws and government ethics.

(5) Particular circumstances may allow for exceptions to this policy. Commissioners should exercise good judgment in the use of County letterhead, taking into consideration how such correspondence might reflect upon Lane County and the Board of Commissioners. *(Revised by Order No. 90-7-3-11, Effective 7.3.90)*

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

3.010 Definitions.

As used in this subchapter:

"Office" means the Office of the Board of County Commissioners of Lane County. *(Revised by Order No. 93-5-19-5, Effective 5.19.93)*

3.012 Functions.

(1) The Office shall have all those functions allocated to the Board under the State law, the Lane County Home Rule Charter, the Lane Code and the Lane Manual, except as such functions have been or may in the future be delegated by the Board. *(Revised by Order No. 93-5-19-5, Effective 5.19.93)*

3.014 Operation.

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

DEPARTMENT DIRECTORS

3.020 Department Directors.

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

- (1) As recommended by the County Administrator, where appropriate the Departments shall be so organized and employ such personnel as shall most efficiently and economically carry out the functions of the Departments and discharge their responsibilities in the best interest of the people of Lane County, subject at all times and in all respects to the direction of the Board, to the Lane County budget, and to other provisions more specifically included herein, and applicable State law.
- (2) All Department personnel shall be appointed and removed by the Director in accordance with general personnel procedures and policies of Lane County.
- (3) The Director may perform acts authorized or required to be performed by the Department, and may from time to time authorize and direct appropriate employees of the Department to perform such acts upon such terms as the Director may prescribe,

subject to requirements of law. Any such delegation of authority need not be in writing or otherwise formalized, except where required by law or order of the Board.

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

(5) The Director is authorized to sign and execute all necessary forms now existing in connection with the performance of functions assigned to the Department by this order, irrespective of any title or other designation printed thereon, and such signature and execution shall have legal effect the same as heretofore such signature and execution have had when executed by officers and employees carrying such title or designation prior to the assignment of functions provided in this order. *(Revised by Order No. 83-9-28-24, Effective 10.1.83; 07-8-14-1, 8.14.07)*

DEPARTMENT OF ASSESSMENT AND TAXATION

3.030 Definitions.

As used in this subchapter:

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

"Director" means the Director of the Department of Assessment and Taxation of Lane County, also known as the Lane County Assessor. *(Revised by Order No. 80-6-24-7, Effective 7.1.80)*

3.032 Director.

The head of the Department shall have the title of Director of the Department of Assessment and Taxation, and also the title of Lane County Assessor. *(Revised by Order No. 80-6-24-7, Effective 7.1.80)*

3.034 Functions.

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

(2) The allocation and assignment to the Department of the functions of the County Sheriff under general State law pertaining to taxes is hereby declared to include all of the functions of the County Sheriff provided for in ORS Chapter 275, and ORS 312.200, and the same are hereby so allocated and assigned to the Department. No mention or enumeration in this paragraph of particular functions of the Department shall be construed to be exclusive or to restrict the functions the Department would have if such functions were not so mentioned or enumerated, the intention of the Board in so mentioning and enumerating such functions being to assign to the Department any functions so mentioned or enumerated which are functions of the County Sheriff pertaining to the collection of taxes and which would otherwise be assigned and allocated to the Department of Public Safety.

(3) The Department shall have the functions of the County Sheriff under

general State law with respect to filing of warrants issued by the Department of Revenue pursuant to ORS 314.430 or by the Public Utility Commission pursuant to ORS 767.865.

(4) The Department of Assessment and Taxation of Lane County shall have the functions of the County Sheriff under general State law provided in ORS 481.460 to 481.490.

(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. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

DEPARTMENT OF PUBLIC SAFETY

3.040 Definitions.

As used in this subchapter:

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

"Director" means the Director of the Department of Public Safety of Lane County, also known as the Lane County Sheriff. *(Revised by Order No. 80-6-24-7, Effective 7.1.80)*

3.042 Director.

(1) The head of the Department shall have the title of Director of the Department of Public Safety of Lane County and also the title of Lane County Sheriff.

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

(3) All sworn personnel shall have the title of "Deputy" and shall be appointed and removed by the Director in accordance with general personnel procedures and policies of Lane County. All non-sworn personnel shall have the title as designated by Personnel in accordance with the job classification for which they have been hired. *(Revised by Order No. 80-6-24-7, Effective 7.1.80)*

3.044 Functions.

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

(2) The allocation and assignment to the Department of the functions described in LM 3.044(1) above is hereby declared to include all of the functions of the County Sheriff under general State law regarding the execution and garnishment on judgments for taxes, except for judgments entered pursuant to ORS 311.625, and the same are hereby allocated and assigned to the Department.

No mention or enumeration in this paragraph of particular functions of the Department shall be construed to be exclusive or to restrict the functions the Department would have if such functions were not so mentioned or enumerated, the intention of the Board in so mentioning and enumerating such functions being to assign to the Department any functions so mentioned or enumerated which are functions allocated and assigned to the Department in LM 3.044(1) above and not otherwise allocated and assigned to the Department of Assessment and Taxation.

(3) The Department shall have the functions of the County Sheriff under general State law with respect to proceeding upon warrants issued by the Department of Revenue pursuant to ORS 314.430 and by the Public Utility Commission pursuant to ORS 767.865, and filed with the Division of Records and Elections by the Department of Assessment and Taxation.

(4) The Department shall have the functions of the Office of Constable of the District Court of the State of Oregon for Lane County.

(5) The Department shall have the functions under State law of the local organization for Emergency Management for Lane County. The Director shall be the Director of the local organization for the Management for Lane County.

(6) The Department shall establish a Weighmaster Section which shall be responsible for enforcement of applicable State and County laws on vehicle length, width, height and weight.

(7) All contracts concerning functions of the Department to which 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. *(Revised by Order No. 94-2-15-7, Effective 2.15.94)*

OFFICE OF LEGAL COUNSEL

3.060 Definitions.

As used in this subchapter:

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

"County Counsel" means the attorney assigned to head the Office of Legal Counsel of Lane County.

"Department" includes, when used elsewhere in this Manual and Lane Code when not inconsistent with the context, the Office of Legal Counsel of Lane County. *(Revised by Order No. 00-1-26-7, Effective 1.26.00)*

3.062 County Counsel.

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

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

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

(4) The County Counsel may perform any act authorized or from time to time authorize and direct any employee of the Office to perform any such act upon such terms as the County Counsel may prescribe, subject to the requirements of law. Any such

delegation of authority need not be in writing or otherwise formalized except where required by law or order of the Board. *(Revised by Order No. 00-1-26-7, Effective 1.26.00)*

3.064 Functions.

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

- (1) Serve as primary legal advisor to the Board of County Commissioners.
- (2) Investigate and manage claims that are made against the County and its employees and defend County officers or employees as required by statute, in any action for damages based on an alleged wrongful act or omission in performance of official duty, except as otherwise directed by the Board.
- (3) Defend actions and suits to which the County is a party and such proceedings as resources permit.
- (4) Upon approval of the Board prosecute actions and suits to which the County is a party and such proceedings as resources permit.
- (5) Upon request, may advise County officers on legal questions that may arise.
- (6) Performance of the duties outlined in LM 3. 064(1)-(6) above include:
 - (a) Attending meetings of Board as it may request.
 - (b) Approving formal ordinances, orders and actions of the Board as to form (legal sufficiency).
 - (c) Serving as legal advisor for/to the Planning Commission.
 - (d) Representing the Assessor (Director, Department of Assessment and Taxation) before the Tax Court in significant tax cases.
 - (e) Drafting and assisting in drafting of County charter amendments, ordinances, orders, contracts, deeds and other formal documents.
 - (f) Advising and, as necessary, appearing before the County Infractions Section.
 - (g) Assisting in collection of delinquent accounts, including proceeding to judgment and execution.
 - (h) Assisting in lease and acquisition of real property by purchase or condemnation.
 - (i) Drafting ballot titles.
 - (j) Serving as legal advisor to the Fair Board.
 - (k) Potential conflicts of interest within the Office of Legal Counsel shall be handled in accordance with LM Chapter 61.
 - (l) Maintain the Lane Code and Lane Manual.
- (7) Subject to the exercise of discretion regarding ethical considerations on the part of the County Counsel, the duties of the Office of Legal Counsel generally shall be performed in the following order of priority:
 - (a) Litigation.
 - (b) Requests of or advice to the Board and elected officials.
 - (c) Requests of and advice to the County Administrator.
 - (d) Requests of and advice to the Department Directors.
- (8) Administer the Lane County Law Library program. *(Revised by Order No. 00-1-26-7, Effective 1.26.00)*

PERFORMANCE AUDITOR

3.070 Definitions.

As used in this subchapter:

"Performance auditing" is a systematic process of objectively obtaining and evaluating evidence regarding the performance of an organization, program, function or activity. Evaluation is made in terms of its economy and efficiency of operations, effectiveness in achieving desired results and compliance with relevant policies, laws and regulations, for the purpose of ascertaining the degree of correspondence between performance and established criteria and communicating the results to interested users. *(Revised by Order No. 86-1-29-4, Effective 1.29.86)*

3.072 Performance Auditor.

(1) The Performance Auditor shall be appointed by the Board of County Commissioners and shall hold office at its pleasure with input from the County Administrator.

(2) The Board will approve, with input from the County Administrator, the Work Plan for the Performance Auditor.

(3) Supervision. Routine administrative and personnel functions shall be handled by the County Administrator. Discipline, requests for leave of absence or other extraordinary personnel actions shall be handled by the Board with input from the County Administrator.

(4) Evaluation. The Board will complete the performance evaluation with input from the County Administrator. The County Administrator shall have the authority to grant annual merit salary adjustments with input from the Board.

(5) Clerical and support staff shall be provided by the Office of County Administration, in accordance with the approved Work Plan. *(Revised by Order No. 86-1-29-4, Effective 1.29.86)*

3.074 Functions.

The function of the Performance Auditor is to serve as auditor for County government and shall include, but not be limited to, the following specific functions as is consistent with budget limitations:

(1) The auditor shall be responsible for conducting performance audits of all departments, offices activities and agencies of the County to independently determine whether:

(a) Activities and programs being implemented have been authorized by the Board, state, federal, County or local law or regulation.

(b) Activities and programs are being conducted in a manner contemplated to accomplish the objectives intended by the Board, state, federal, County or local law or regulation.

(c) The implementing agency has determined that the activities or programs effectively serve the purpose intended by the Board, state, federal, County or local law or regulation.

(d) The departmental program goals and objectives are prepared, implemented and evaluated for compliance.

(e) Activities and programs are being conducted and funds expended in compliance with applicable laws.

(f) Adequate operating and administrative procedures and practices, systems of accounting, internal control and audit and other systems or internal management control have been established to economically and efficiently accomplish the objectives.

(2) At the beginning of each fiscal year, the auditor shall submit an annual Work Plan to the Board for review and comment. The Plan shall include the departments, offices, activities and agencies scheduled for performance audit for the year.

This Plan may be amended during the year after review with the Board with input from the County Administrator.

(3) The County Administrator may request the performance auditor to perform special audits that are not included in the annual Work Plan. Upon approval of the Board, a special audit requested by the County Administrator becomes an amendment to the annual Work Plan. The auditor shall submit the report of the special audit to the County Administrator and shall notify the Board of its completion.

(4) In the selection of audit areas, the determination of audit scope and the timing of audit work, the auditor may consult with federal and state auditors and independent auditors so that desirable audit coverage is provided and audit effort may be properly coordinated.

(5) If the auditor discovers apparent violations of law or apparent instances of misfeasance or nonfeasance by an officer or employee or information that indicates derelictions of this nature may be reasonably anticipated, he or she shall immediately report the irregularities in writing to the Board or, in the case of a special audit, to the County Administrator.

(6) Audit Reports to the Board.

(a) The auditor shall submit each audit report, except special audits, to the Board and shall retain a copy in his or her office as a permanent record.

(b) If appropriate, the audit report shall contain the professional opinion of the auditor or the contract auditor concerning the financial statements issued by the department or agency, or, if an opinion cannot be expressed, then a declaration that an opinion cannot be expressed with an explanation.

(c) The auditor shall include in the audit reports, at a minimum:

(i) A precise statement of the scope encompassed by the audit.

(ii) A statement of the material audit findings, including a statement of the underlying cause, evaluative criteria used and the current and prospective significance of the findings.

(iii) A statement of explanation or rebuttal submitted by a department or agency relevant to the audit findings.

(iv) A concise statement of the corrective actions previously taken or contemplated as a result of the audit findings.

(v) Recommendations for additional necessary or desirable action.

(7) The auditor shall retain for at least three years a complete file of each audit report and each report of other examinations, investigations, surveys and reviews made under his or her authority. The file should include audit work papers and other supportive material directly pertaining to the report.

(8) All officers and employees shall furnish to the auditor information and records within their custody regarding powers, duties, activities, organization, property, financial transactions and methods of business that the auditor requires to conduct an audit or otherwise perform audit duties. In addition, they shall provide access for the auditor to inspect all property, equipment and facilities within their custody. If such officers or employees fail to produce the aforementioned information, then the auditor, subject to legislative authority approval, may cause a search to be made and exhibits to be taken from any book, paper or record of any such official or employee, excepting personal information, without fee and every office having the custody of such records shall make a search and forward such exhibits as heretofore requested.

(9) Upon approval of the Board, the auditor may obtain the services of certified or registered public accountants, certified or registered in the state; qualified management consultants or other professional experts necessary to perform the auditor's duties. An audit that is performed by contract must be conducted by persons who have no financial

interests in the affairs of the governmental unit or its officers. *(Revised by Order No. 85-12-10-2, Effective 12.10.85)*

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. *(Revised by Order No. 98-4-1-11; Effective 4.1.98)*

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 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. *(Revised by Order No. 98-4-1-11; Effective 4.1.98)*

3.084 Functions.

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

(1) Finance. The Department shall be responsible for the financial operations of the County to maintain accuracy, economy and appropriate protection of public funds, and for performing the functions of County Treasurer and County Clerk under general state law with respect to financial matters. The Department shall manage the receipt of cash, investment of monies, disbursement of funds for payment of claims and payroll, handling of trust funds, maintenance of appropriate records of all financial activities, auditing of accounts and shall report as necessary to the Board or as otherwise described by law.

(2) Purchasing. The Department shall be responsible for developing and administering appropriate bid, contract award, purchasing and other procedures and systems for a centralized purchasing and contracts management program.

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

(4) Elections and Records. The Department shall be responsible for the functions of the County Clerk under general state law with respect to elections and records and any duties assigned to County Clerk by state law not otherwise specified. The Department shall also provide staff support for the Board of Property Tax Appeals.

(5) Other Functions. The Department shall be responsible for such additional functions as the County museum, print shop, a mail and courier system, data processing maintenance and applications to support the County budget and financial systems and position controls, and any other functions assigned by the County Administrator or the Board of Commissioners. *(Revised by Order No. 00-4-25-14, Effective 4.25.00; 06-11-29-4, 11.29.06; 07-5-9-5, 5.9.07)*

DEPARTMENT OF HEALTH AND HUMAN SERVICES

3.090 Definitions.

As used in this subchapter:

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

"Director" means the Director of the Department of Health and Human Services of Lane County. *(Revised by Order No. 01-2-14-10; Effective 2.14.01)*

3.092 Director.

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

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

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

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

(5) The Director shall perform such additional duties or assignments as may be delegated by the County Administrator or the Board. *(Revised by Order No. 01-2-14-10; Effective 2.14.01)*

3.094 Functions.

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

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

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

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

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

(6) In exercising the above functions, the Department shall be responsible for various related activities such as community education services, grants administration, medical investigations, and vital statistics records.

(7) Animal Services. The Department shall be responsible for Animal Services pursuant to Lane Code. *(Revised by Order No. 01-2-14-10; Effective 2.14.01; 07-5-9-5, 5.9.07; 07-12-12-5, 12.12.07)*

DEPARTMENT OF HUMAN RESOURCES

3.100 Definitions.

As used in this subchapter:

"Department" means the Department of Human Resources of Lane County.

"Director" means the Director of the Department of Human Resources. *(Revised by Order 06-11-29-4, Effective 11.29.06)*

3.102 Director.

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

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

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

(4) The Director shall perform such additional duties or assignments as may be delegated by the County Administrator or the Board. *(Revised by Order 06-11-29-4, Effective 11.29.06)*

3.104 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. *(Revised by Order 06-11-29-4, Effective 11.29.06)*

DEPARTMENT OF YOUTH SERVICES

3.110 Definitions.

As used in this subchapter:

"Department" means the Department of Youth Services of Lane County.

"Director" means the Director of the Department of Youth Services of Lane County. *(Revised by Order No. 95-6-28-2; Effective 6.28.95)*

3.112 Director.

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

(2) The Director shall also have the title and responsibilities of the Director of the County Juvenile Department under state law.

(3) The Director shall perform such additional duties or assignments as may be delegated by the County Administrator or the Board. *(Revised by Order No. 95-6-28-2; Effective 6.28.95)*

3.114 Functions.

(1) The Department shall have the dual purposes of enhancing the ability of youth to achieve success and of correcting juvenile delinquency.

(2) The Department shall perform the functions of a county juvenile department under state law. *(Revised by Order No. 95-6-28-2; Effective 6.28.95)*

DEPARTMENT OF PUBLIC WORKS**3.120 Definitions.**

As used in this subchapter:

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

"Director" means the Director of the Department of Public Works of Lane County. *(Revised by Order No. 93-3-31-7; Effective 3.31.93)*

3.122 Director.

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

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

(3) The Director shall perform such additional duties or assignments as may be delegated by the County Administrator or the Board. *(Revised by Order No. 93-3-31-7; Effective 3.31.93)*

3.124 Functions.

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

(2) The Director shall have authority and responsibility for issuance or denial of permits provided for in ORS 374.310, provided that a denial of such permit may be appealed to the Board whose decision shall be final, and provided further that in unusual circumstances where fairness and justice to the applicant requires a modification in the application of the rules governing facility permits, the Board alone may make modifications and grant the permit in accordance therewith.

(3) The Department shall have the functions of issuing permits provided for in ORS 483.502-.545, and the Director shall have the responsibility and discretion to determine proper limits and suitable roads or sections thereof to be specified in permits provided for in ORS 483.502-.545.

(4) The Director, or said Director's expressly designated representative, shall have the authority to issue fire permits pursuant to the provisions of ORS 476.380.

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

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

(7) The Department shall have the functions of County Surveyor under general State law.

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

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

(10) The Department shall be responsible for public works construction.

(11) The Department shall be responsible for real property acquisition and management pursuant to LM Chapter 21.

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

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

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

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

(16) The County Surveyor shall be accountable for the Public Land Corner Preservation Account of the General Fund. The County Surveyor is authorized to pay expenses incurred and authorized in the establishment, reestablishment and maintenance of corners of governmental surveys, ORS 209.070(5) and (6), consistent with state and County budget requirements.

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

(18) The Manager of the Land Management Division, or the Manager's designee, in addition to any other duties assigned by the Director of the Department, shall perform the duties of Planning Director under state law and Lane Code. *(Revised by Order No. 00-4-25-14; Effective 4.25.00)*

3.126 Mediation.

In those matters in which the County Surveyor or the Planning Director have the responsibility of recommending, approving or denying action regarding any duty or responsibility, the following mediation steps are established to resolve any conflicts that may arise. If the Director is unable to resolve the conflict in a manner satisfactory to the employees involved, and the matter involves a legal interpretation, the matter shall be submitted to the Office of Legal Counsel for resolution of the conflict. An appeal of the decision of Legal Counsel and all conflicts which do not involve a legal interpretation shall be submitted to the County Administrator for resolution. A subsequent appeal may be taken through any duly established process. This process shall not be used to prohibit the County Surveyor or the Planning Director from exercising his or her duties under law. *(Revised by Order No. 00-4-25-14; Effective 4.25.00)*

PAGES 3-15 THROUGH 3-25
ARE RESERVED FOR FUTURE EXPANSION

OFFICE OF COUNTY ADMINISTRATION

3.130 Definitions.

As used in this subchapter:

"Office" means the Office of County Administration as described in LC 2.110-2.115.

(Revised by Order No. 94-12-20-1; Effective 12.20.94)

3.132 County Administrator.

See Lane Code 2.110. *(Revised by Order No. 94-12-20-1; Effective 12.20.94)*

3.134 Functions.

In addition to the duties assigned in LC 2.110 through 2.115, the office shall be responsible for budget functions including budget development and administration, financial analysis and planning, and budget monitoring. *(Revised by Order No. 94-12-20-1; Effective 12.20.94; 07-8-29-4, 8.29.07)*

3.136 Assistant County Administrator.

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

(2) Under the administrative direction of the County Administrator, the Assistant County Administrator may serve as the Department Director of the Office of County Administration.

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

(4) The Assistant County Administrator shall perform such additional duties as may be delegated by the County Administrator or the Board. *(Revised by Order No. 07-8-14-1, Effective 8.14.07)*

DEPARTMENT OF CHILDREN AND FAMILIES

3.140 Definitions.

As used in this subchapter:

"Department" means the Department of Children and Families of Lane County.

"Director" means the Director of the Department of Children and Families of Lane County. *(Revised by Order No. 95-6-28-2; Effective 6.28.95)*

3.142 Director.

(1) Under the administrative direction of the County Administrator, the head of the Department shall have the title of the Director of the Department of Children and Families of Lane County.

(2) The Director shall have the duties and responsibilities of the staff director for the Lane County Commission on Children and Families.

(3) The Director shall perform such additional duties or assignments as may be delegated by the County Administrator or the Board. *(Revised by Order No. 95-6-28-2; Effective 6.28.95)*

3.144 Functions.

(1) The Department shall be responsible for implementing the plans created by the Lane County Commission on Children and Families and approved by the Board for a local system of services that is preventive, integrated in local communities, and

accessible to children and families, and that focuses on promoting the wellness of Lane County's children. *(Revised by Order No. 95-6-28-2; Effective 6.28.95)*

DEPARTMENT OF INFORMATION SERVICES

3.150 Definitions.

As used in the subchapter:

"Department" means the Department of Information Services of Lane County.

"Director" means the Director of the Department of Information Services of Lane County. *(Revised by Order No. 96-1-30-2; Effective 1.30.96)*

3.152 Director.

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

(2) The Director shall have the responsibility for management of the Department and performance of the "functions" as stated below.

(3) The Director shall perform such additional duties or assignments as may be delegated by the County Administrator or the Board. *(Revised by Order No. 96-1-30-2; Effective 1.30.96)*

3.154 Functions.

(1) The Department shall perform all information systems strategic planning and coordination for Lane County.

(2) The Department shall establish information technology standards.

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

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

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

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

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

(8) The Department shall be responsible for administration and implementation of shared regional technology, and of such other regional information systems at the direction of the regional partners. *(Revised by Order No. 96-1-30-2; Effective 1.30.96; 04-7-28-7, 7.28.04)*

WORKFORCE PARTNERSHIP DEPARTMENT

3.155 Definitions.

As used in this subchapter:

"Department" means the Workforce Partnership Department. It is the County Department responsible for performing the administrative work pursuant to an agreement between the Lane Workforce Partnership and Lane County.

"Executive Director" means the Executive Director of the Workforce Partnership Department.

"Lane Workforce Partnership" means the entity comprised of business, agency and government representatives from Eugene, Springfield and Lane County which has been designated by these governments as the local workforce investment board under the Workforce Investment Act of 1998. *(Revised by Order No. 98-9-8-5, Effective 9.8.98; 06-11-29-4, 11.29.06)*

3.157 Executive Director.

(1) Pursuant to the administrative agreement between Lane Workforce Partnership and Lane County, the head of the Department shall have the title of Executive Director of the Workforce Partnership Department and shall be a joint employee of the two entities. The Executive Director is in the county unclassified service.

(2) The Executive Director shall be selected, hired, evaluated and discharged by the Lane Workforce Partnership; subject to the advice and consent of the County. Compensation shall be determined and paid by the Lane Workforce Partnership.

(3) The Executive Director shall be supervised and directed by the Lane Workforce Partnership with respect to its business functions and by Lane County with respect to County employment responsibilities and functions.

(4) The Executive Director shall perform such additional duties or assignments as may be delegated by the County Administrator or the Board of County Commissioners. *(Revised by Order No. 98-9-8-5; Effective 9.8.98; 06-11-29-4, 11.29.06)*

3.158 Functions.

The Department shall be responsible for providing the services as directed by the Lane Workforce Partnership to accomplish its business functions, as described by the administrative agreement. The employees within the department shall be County employees, subject to the direction of the Executive Director for the delivery of the Lane Workforce Partnership's business functions. *(Revised by Order No. 98-9-8-5; Effective 9.8.98; 06-11-29-4, 11.29.06)*

FAIR BOARD

3.160 Description.

The Lane County Fair Board is a lay board appointed by the Lane County Board of Commissioners, pursuant to state statute. It manages the facilities at the Lane County Fairgrounds pursuant to state statutes and the Lane County Home Rule Charter. While not technically a Lane County Department due to its independent management authority, the Fair Board is an integral part of Lane County government. Its budget is part of the Lane County budget and its employees are governed by the Lane County Home Rule Charter. The Board of Commissioners has delegated authority to the Lane County Fair Board, LC 2.225, to adopt a merit system of personnel administration, applicable to employees at the fairgrounds and separate from that applied to all other Lane County employees. Attached as Exhibit "A" is a memorandum of understanding executed by and between the Lane County Board of Commissioners and the Lane County Fair Board outlining in more detail their relationship. *(Revised by Order No. 98-9-9-9; Effective 9.9.98)*

EXHIBIT "A" TO LM 3.160

LANE COUNTY
BOARD OF COMMISSIONERS/FAIR BOARD
MEMORANDUM OF UNDERSTANDING

Definitions. As used in this document:

"Fair Board" means the Lane County Fair Board, which shall be a lay commission appointed by and accountable to the Board of Commissioners for the operation and maintenance of the Fairgrounds.

"Fairgrounds Director" means the Director of the Lane County Fairgrounds, who shall be employed by and accountable to the Fair Board for the ongoing operation and maintenance of the Fairgrounds.

"Fairgrounds" means the ground and all other property owned, leased, used or controlled by the County and devoted to the use of the County Fair, including but not limited to the Convention Center, Administration Building, Auditorium, the Wheeler Pavilion, the Expo Halls, Livestock Building, Lane County Ice, and various other buildings and related structures.

Recitals

A. Pursuant to ORS 565. 210(2), the Board of Commissioners shall appoint a board consisting of not less than three nor more than seven resident taxpaying citizens of the County to be known as the Lane County Fair Board. The Fair Board members shall serve staggered terms of three years each. At the first meeting in January, upon the expiration of the term of a Fair Board member, a successor shall be appointed to serve for three years. ORS 565. 210(5) provides that no more than one member of the Board of Commissioners may serve as a member of the Fair Board. It is the intent of the Board of Commissioners, absent extenuating circumstances, to limit the appointment of any individual to the Fair Board to no more than two terms. Members of the Fair Board are subject to removal per ORS 565.225, for reasons as defined by Lane Code 2.300.

B. Pursuant to ORS 565. 210(3), each member of the Fair Board is required to furnish a good and sufficient bond in favor of the County, conditional upon faithful performance of the duties of the office. The bond for each member shall be in a sum equal to \$10,000 or 20 percent of the total revenues received by the Fair in the last fiscal year ending prior to the appointment of each member, whichever is the lesser amount. The bond when approved by the Board of Commissioners shall be filed with the County Clerk. The premium on the bond shall be paid for by the Fair Board as an expense.

C. Pursuant to ORS 565. 220, the members of the Fair Board shall, as soon as their bonds have been filed and approved, meet and organize by electing a president. A majority of the members of the Fair Board shall constitute a quorum for the transaction of all business at meetings. In the absence of the President another member of the Fair Board shall perform the duties of the President.

D. The County Fair Funds are components of the Lane County Budget, and subject to review and approval by the Lane County Budget Committee, the Board of Commissioners and County staff as directed by the Board of Commissioners, as described in 32 Ops Atty Gen 193 (1965).

E. Pursuant to ORS 565. 240, the Fair Board shall make and enforce all rules and regulations necessary for the proper conduct and management of their fairs and all activities conducted on the Fairgrounds. It may appoint such marshals or police as may be necessary to keep order and preserve the peace during the time and at the place of holding the fairs and all other times when the Fair Board deems such appointments necessary for the preservation of the peace and the protection of the public and private property upon the Fairgrounds. The officers so appointed have the same authority for the preservation of order and making arrests upon the grounds, as would a deputy sheriff.

F. Under ORS 565. 230(1), the Fair Board has statutory authority for 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 Fairgrounds.

G. Under ORS 565. 230(1), the Fair Board is entrusted and charged with the entire business management and financial and other affairs of the County Fair.

H. Under ORS 565. 230(2), in order that the Fairgrounds and buildings may be utilized to the fullest extent for pleasure, recreation and public benefit, the Fair Board has statutory authority to provide park facilities for the public or to issue licenses and grant permits for the holding of any exhibitions, shows, carnivals, circuses, dances, entertainment, or public gatherings upon the Fairgrounds.

I. In the exercise of its management authority and in accordance with ORS 565. 315, the Fair Board has authority to execute contracts and sign checks, concerning management of the Fairgrounds and of the Fair, including construction of capital improvements, subject to budget approval.

J. Bonding requirements and previous commitments by the Board of Commissioners to the public are hereby recognized which pledge current and future County revenues generated by the Countywide room tax to debt service on financings and refinancings issued for the Livestock Arena and an Ice Rink and other Fairgrounds capital projects approved by the Board of Commissioners. The

use of room tax revenues for these purposes shall terminate when the debts are fully paid.

K. The Board of Commissioners, by Order No. 02-1-9-4, approved the use of excess transient room tax revenues as provided by Lane Code 4.175(5), for transfer to the Fair Board for capital improvements for a period ending June 30, 2007, to be used for capital projects pursuant to the Fairgrounds Capital Improvements Plan, and further approved, by Order No. 03-6-18-1, the use of some of these funds for reimbursement of the transient room tax revenues special projects fund for the Planetarium and for the creation of a Fairgrounds "Rainy Day" cash reserve. The identified orders control the limitations, purposes, and use of the funds described.

L. The Board of Commissioners and the Fair Board have negotiated and hereby enter into this agreement concerning the rules, policies and procedures to be used in the conduct of fair activities for the purpose of limiting the liability of the County for personnel or contractual matters.

Understandings. Below are stated the understandings between the Board of Commissioners and the Fair Board as to how the Fair Board shall perform its responsibilities under the statutes and Lane County Home Rule Charter.

1. The Fair Board is responsible for hiring, terminating and otherwise supervising the activities of a Fairgrounds Director. The Fairgrounds Director is accountable to the Fair Board and responsible for the operations and conditions of the Fairgrounds. The Fairgrounds Director shall serve as secretary to the Fair Board under ORS 565. 220(3). The Fair Board shall annually evaluate the performance of the Fairgrounds Director and may award compensation adjustments within the salary range of the position as established by the Fair Board.

2. The Fair Board is authorized to hire, terminate and otherwise supervise staff to operate and manage Fairground facilities in accordance with the Oregon Revised Statutes and the Lane County Charter. All personnel decisions, including but not limited to establishing new positions, reclassifications, etc., may be made by the Fair Board so long as they are in conformance to the budget as adopted and state laws.

3. The Fair Board shall operate and otherwise manage the Fairgrounds, including the Convention Center, Administration Building, Auditorium, the Wheeler Pavilion, the Expo Halls, the Livestock Building, Lane County Ice and all other facilities located at the Fairgrounds. The Fair Board is responsible for recruiting bookings, scheduling, establishing rental fees, general promotion, food service, concessions, maintenance and all other related operational activities.

4. The Fair Board has authority to make expenditures from the Fair Funds. The Fair Board shall comply with public purchasing laws and

administrative rules as per state statutes. The Fair Board may contract with the County Department of Finance and Management Services for central purchasing services at the Fair Board's option.

5. The Fair Board may contract with the County for management services, accounting, bookkeeping, payroll services and legal services. If the Fair Board elects to perform these services itself or to contract for these services elsewhere, the County Department of Management Services may, upon Fair Board request, review and make recommendations to the Fair Board regarding its accounting, bookkeeping, and payroll systems for conformance with minimum standards prior to implementation.

6. All Fairgrounds facilities and activities including but not limited to the County Fair, Convention Center, Administration Building, Auditorium, the Wheeler Pavilion, the Expo Halls, the Livestock Building, and Lane County Ice will operate solely on self-generated revenues, without subsidy by the County's General Fund.

7. The Fair Board shall fully compensate the County General Fund for all direct and indirect expenditures incurred by the General Fund for Fairgrounds activities.

8. Disbursement of funds within the special fund(s) established for the functions of the Fair Board shall be made in accordance with Local Budget Law and any laws specifically governing such.

9. Periodic reports describing Fairgrounds operations shall be delivered to the Board of Commissioners. These reports shall describe current and anticipated events, past, current and projected financial condition and additional information as determined by the Fair Board or requested by the Commissioners. The reports shall also be delivered to the Office of County Administration.

10. At least once a year the Fair Board and Board of Commissioners shall meet to discuss topics of mutual concern.

11. The Board of Commissioners shall appoint one of its members to serve as liaison with the Fair Board President. The County Administrator shall serve as a liaison with the Fairgrounds Director and shall facilitate day-to-day communication and cooperation. Questions, answers, complaints and information requests shall be channeled through the liaisons. When major actions or major projects are contemplated by either the Board of Commissioners or the Fair Board, each Board shall communicate with the other early in the process.

12. The Fair Board shall defend and indemnify the Board of Commissioners and the County from liability arising out of matters occurring under the Fair Board's direction, management or authority, to the extent permitted

by law. For purposes of this provision, any liability insurance purchased by the Fair Board shall either name Lane County as an additional insured, or name the insured party as Lane County, by and through its Fair Board.

13. This agreement is binding on both parties and can only be amended by the concurrence of both parties. This document shall be reviewed annually.

Lane County Commissioners

Fair Board

/s/ Bobby Green, Sr.
Chair

/s/ Tom Hunton
President

/s/ Donald E. Hampton

/s/ Angel Jones

/s/ Anna Morrison

/s/ Robert Zagorin

/s/ Bill Dwyer

/s/ Charles Warren

/s/ Peter Sorenson

/s/ Mike Schwartz

Date:

Date:

EXHIBIT "A" TO
LM 3.160

(Revised by Order No. 98-9-9-9; Effective 9.9.98; 99-12-15-1, 3.8.00; 04-3-31-15, 3.31.04)

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PAGES 3-34 THROUGH 3-40
ARE RESERVED FOR FUTURE EXPANSION

COMMITTEES AND OTHER ADVISORY BODIES

3.505 General.

(1) In addition to the Department structure presented in this chapter, a number of committees, boards, task forces and other advisory bodies may be required and established pursuant to certain statutory provisions, Charter, and LC 2.010.

(2) Pursuant to LC 2.010, the Board may further create boards, commissions, committees, task forces and other advisory bodies as deemed necessary by order of the Board. The Board may also describe and establish the responsibilities of its created advisory bodies by separate Board order, which shall be included within this Manual below.

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

(4) The Board delegates authority to the County Administrator to implement the advisory committee policy. This advisory committee policy applies to all advisory committees, unless the Board chooses to make an exception. A request for an exception to this policy shall be filed in written form and filed with the County Administration Office, identifying the unique and special reasons related to the functioning responsibilities of the committee submitting the request.

(5) Definitions

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

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

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

(d) **Multi-Jurisdictional Committee.** A group of citizens appointed by a variety of governments and charged through an intergovernmental agreement with certain duties (some advisory, some independent decision-making) with respect to defined matters of mutual concern to the appointing governments.

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

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

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

(h) **Watershed Council.** A voluntary local organization designated by a local government group convened by Lane County or a governing body of an adjoining county to address the goal of sustaining natural resource and watershed protection and enhancement within a watershed, per ORS 541.351 to 541.396. *(Revised by Order No. 97-4-2-1; Effective 4.2.97; 08-7-30-9; 7.30.08)*

3.506 Lane County Advisory Committee Policy.

(1) Formation & Dissolution of Committees

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

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

(c) The Board shall assign the committee a specific charge by Board Order, which shall be included in Lane Manual Chapter 3. The Board will also establish the qualifications for membership, terms of office and determine time limits to be included in the committee's bylaws and summarized in Lane Manual, Chapter 3 (making reference also to any applicable state or federal laws). All actions of the Committee shall require the affirmative vote of the majority of the designated number of members, regardless of any vacancies. The County Administrator will provide sample bylaws in the Administrative Procedures Manual. The committee is responsible for preparing by-laws with an attached Board Order to be submitted to Legal Counsel and the Board for review and approval, unless provided otherwise. When changes in the Lane Manual require committees to make changes in their bylaws, the changes shall be submitted to Legal Counsel and the Board for review and approval within 90 days of the effective change date in the Lane Manual, unless a further extension is requested and allowed by Legal Counsel or the County Administrator.

(d) Each advisory committee shall provide the Board and County Administration an annual report detailing the committee's accomplishments over the past year and proposed work plan for the coming year. The annual report and work plan are due in the County Administration Office by February 1, each year unless statutorily required plans are due at different times. It is the responsibility of the department staff liaison to coordinate the development of the annual summary and work plan with the committee, and forward the report to County Administration for scheduling on the Board's Agenda.

(e) The County Administration Office on behalf of the Board shall conduct a review and evaluation of each committee annually. After the review, the County Administration Office may recommend to the Board whether the committee should continue, or be eliminated, consolidated or combined.

(2) Appointment Process

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

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

(c) Time Frame for Application. Only those citizens who have formally applied for membership within the proper timeframe and have the proper qualifications as specified by the Board in Lane Manual, Chapter 3 may be considered for appointment to an advisory committee.

(d) Conflicts of Interest. In furtherance of the laws relating to conflicts of interest, no vendor shall serve on any advisory committee or board that deals with or makes

recommendations on or awards of contracts with the vendor. In this context, "vendor" means any individual, partnership, joint venture, corporation, private non-profit organization or private for-profit organization who seeks to obtain a contract with the County to provide a service or product on some type of regular basis, i.e., more often than "infrequently" or "rarely." "Vendor" includes employees, board members and any members of the organization who actively participate in the management of the organization.

(e) Commissioner Appointments/At-large Appointments. The following rules apply unless otherwise stated in enabling legislation or a specific Lane Manual section. If an advisory committee consists of 5 members, each member shall be appointed by an individual commissioner. If an advisory committee consists of more than 5 members, 5 of the committee members shall be appointed by individual commissioners. The remaining committee members shall be at-large members, appointed by the Board of Commissioners. If an advisory committee consists of less than 5 members, all members shall be at-large members, appointed by the Board of Commissioners.

(e) Term. Unless otherwise stated in enabling legislation or a specific Lane Manual section, appointees to all committees, boards and commissions shall serve at the will of the appointing commissioner(s), but for no longer than 4 years without reappointment. This provision shall immediately apply to all appointments made after the date of adoption of this section. For current appointments, the committees and the Board of Commissioners shall have 6 months from the date of adoption of this section to determine which appointees are at-large appointees and which are appointed by individual Commissioners. Legal Counsel and the County Administrator shall help committees with the transition process.

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

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

(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) Mental Health Advisory/Local Alcohol and Drug Planning Committee.

The County Administrator is delegated authority to implement the interview process. If other committees choose to conduct interviews prior to submitting recommendations to the Board of Commissioners, the interview process shall be conducted consistent with the approved County interview processes. In all instances where committees are tasked

with interviewing or otherwise reviewing application materials when vacancies occur, the committees shall forward on recommendations to the Board regarding potential appointees. Unless there was not enough interest to fulfill this requirement, the committee shall forward on at least two names, unranked, for every vacancy. The Board shall determine if an appointment should be made, and if so, which individual shall be appointed.

(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 taking action.

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

TASK FORCES

3.507 Task Forces.

(l) Creation of task forces:

(a) Task Forces will be created by Board action, or by the County Administrator in cases where Board policy is being implemented. Task forces which are created by the County Administrator will follow the guidelines in 3.507(c).

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

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

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

(iii) Meetings and Reports.

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

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

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

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

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

(c) In cases where the County Administrator creates the task force, he or she will designate membership as well as the chairperson. A charge and date of completion for task force activities will be determined by the County Administrator who will have discretion as to when the task force is disbanded or extended. Progress reports will be presented to the County Administrator as needed and prior to the scheduled date of completion. *(Revised by Order No. 93-3-31-7; Effective 3.31.93)*

WATERSHED COUNCILS

3.508 Watershed Council.

(1) Creation.

(a) The Board will consider officially recognizing a watershed council when it meets the criteria described in LM 3.508(2) below, and upon completion of the following process.

(b) When a group believes it meets the criteria of LM 3.508(2) and it desires formal recognition, it shall request recognition and the Board may convene a local government group comprised of elected officials of interested cities, counties, water supply districts and sewer districts.

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

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

(2) Criteria.

(a) Watersheds. The Board has recognized five (5) river basins located primarily in Lane County: the McKenzie, the Middle Fork of the Willamette, the Coast Fork of the Willamette, the Long Tom and the Siuslaw. To be a recognized watershed council, the group must represent interests covering the entirety of one of these five basins. Other watershed councils representing interests covering the entirety of another river basin watershed that includes areas in Lane County must be recognized by the governing body of the county where most of the watershed area is located before the Board will consider recognition. If so, the Board may choose to recognize the council

without convening a local government group in Lane County if the group seeking recognition meets the membership criteria in LM 3.508(2)(b).

(b) **Membership.** The group seeking to be a recognized watershed council must be comprised of a balance of interested and affected stakeholders in the watershed, and it must meet the representational requirements of ORS 541.388(2). The Board must also be appropriately assured that the group will be able to sustain a high level of citizen involvement in the development and implementation of a watershed action program.

(3) **Purpose.** Recognized watershed councils are formed and recognized for the purpose of addressing the goal of sustaining natural resource and watershed protection and enhancement, in accordance with 541.395. The councils are recognized as voluntary local organizations.

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

(b) Councils shall periodically report on their activities to the Board, not less often than once per year. *(Revised by Order No. 97-4-2-1; Effective 4.2.97; 08-7-30-9, 7.30.08)*

PLANNING COMMISSION

3.510 Planning Commission.

Pursuant to the authority granted to the Board of County Commissioners of Lane County by ORS Chapter 215, the Lane County Home Rule Charter, and by the Lane Code, Chapter 2, a Planning Commission, hereinafter referred to as The Commission, is established for Lane County.

(1) **Duties and Functions:**

(a) Recommend to the Board for adoption a comprehensive plan for Lane County, or any part or element thereof, and any amendment to such plan, or part or element thereof. The official comprehensive plan shall be effective only after its formal adoption by the Board.

(b) Recommend to the Board ordinances intended to carry out the purposes, principles and proposals expressed in the comprehensive plan.

(c) Perform the duties and functions imposed upon the prior Lane County Planning Commission and West Lane Planning Commission (abolished by Ordinance Nos. 3-70 and 12-97) by Lane County ordinances and orders, including but not limited to LC Chapters 9, 10, 11, 12, 13, 14, 15, and 16 and the citizen involvement component of the Statewide Planning Goals and the applicable comprehensive plans.

(d) Advise and cooperate with other planning agencies within the state and upon request, or on its own initiative, furnish advice or reports to any city, County, officer or Department on any problem arising from County, regional or metropolitan planning.

(e) Promote public interest in and understanding of the comprehensive plan and of planning and zoning in general.

(f) Make recommendations and an annual report to the Board concerning the operation of the Commission and of the status of planning and zoning within its jurisdiction.

(g) Make recommendations to the Board with regard to orderly development within Lane County.

(h) Perform such other duties as may be prescribed by County ordinance or order of the Board.

(2) **Membership.**

(a) General

(i) Advisory, nonvoting members may be designated by the Board to provide technical advice to the voting members.

(ii) The term of office on the Planning Commission shall be for four years, and unless the Board takes special action, no member shall be eligible for more than two consecutive full terms. Terms shall expire on September 30.

(iii) A member shall remain appointed until replaced or reappointed, consistent with appointment procedures in LM 3. 510(5) below.

(iv) Any vacancy occurring on the Planning Commission shall be filled by the Board.

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

(vi) Members shall serve without compensation other than reimbursement for duly authorized expenses.

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

(b) Geographic Membership Requirements

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

(ii) At least three voting members shall reside outside cities and at least two shall reside within cities.

(iii) At least two voting members shall be from the coastal area of Lane County. One of these members must reside in the coastal area. The other member must reside in or own property in the coastal area. The coastal area of Lane County is described as that portion of Lane County west of approximately the range line between Range 9 West and Range 8 West or the east boundary of the Mapleton School District No. 32, whichever is the most easterly.

(3) General Procedures.

(a) The Planning Commission shall adopt rules and procedures for the transaction of business and shall keep a record of its resolutions, transactions, findings, recommendations and determinations, which record shall be a public record.

(b) The Planning Director or the Director's designee shall be the Secretary of the Planning Commission and shall provide staff services and recommendations on matters coming before the Planning Commission.

(c) The Planning Commission shall select from its voting membership a chair and vice-chair to serve for one year. No member shall be eligible for more than two consecutive terms as chair or vice-chair.

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

(e) No member of the Planning Commission shall participate in the discussion, hearing or decision of the Planning Commission upon any matter in which he

or she is directly or indirectly interested in a personal or financial sense. In the event of such conflict of interest, a member shall announce his or her disqualification at the earliest opportunity and such fact shall be entered on the records of the Commission.

(4) Referrals From the Board of Commissioners.

(a) Purposes.

(i) It is important for the Planning Commission to have an opportunity to respond to the Board concerning any substantial planning and land use regulatory measure being considered by the Board.

(ii) It is not necessary for planning commissions to respond when the record is clear as to its position or when the proposed change has little substantive effect.

(b) The Planning Director or the Director's designee shall be the Secretary of the Planning Commission and shall provide staff services and recommendations on matters coming before the Planning Commission.

(c) The Planning Commission shall select from its voting membership a chair and vice-chair to serve for one year. No member shall be eligible for more than two consecutive terms as chair or vice-chair.

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

(e) No member of the Planning Commission shall participate in the discussion, hearing or decision of the Planning Commission upon any matter in which he or she is directly or indirectly interested in a personal or financial sense. In the event of such conflict of interest, a member shall announce his or her disqualification at the earliest opportunity and such fact shall be entered on the records of the Commission.

(f) The Planning Commission shall complete its actions on all applications and requests coming before it under the zoning and subdivision ordinances, building code and master road plan within 60 days of the filing thereof unless a shorter time is provided by other order or ordinance. Upon request from the applicant or by its own motion after the 60 days have passed, the Board may consider any matter upon which the Planning Commission has not completed its actions.

(4) Referrals From the Board of Commissioners.

(a) Purposes.

(i) It is important for the Planning Commission to have an opportunity to respond to the Board concerning any substantial planning and land use regulatory measure being considered by the Board.

(ii) It is not necessary for planning commissions to respond when the record is clear as to its position or when the proposed change has little substantive effect.

(iii) Board referrals to the planning commissions should be avoided which would serve little value and only result in time delays, unnecessary expenditures of public or private monies and public confusion.

(b) Policy. Referrals may be made by the Board to the Planning Commission on all matters pertaining to the adoption and amendment of the comprehensive plan when:

(i) The change contemplated by the Board substantively differs from the Commission's recommendation.

(ii) The Commission's record is not clear as to its position with respect to the Board's contemplated change from the Commission's recommendation.

(iii) Testimony has been received at the Board's hearing not available to the Planning Commission which the Board has reason to believe may be material to the Commission's original recommendation.

(iv) Required legal hearing procedures have not been followed.

(v) Better Planning Commission-Board communication and/or public understanding of the public hearing process would be served.

(vi) Any other reason deemed sufficient by the Board.

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

(5) Appointment Process For Planning Commission Vacancies.

(a) Notification of vacancy and receipt of applications for Planning Commission membership shall be as set forth in Lane County Administrative Procedures Manual.

(b) Upon expiration of the application acceptance period, the County Administrator's Office will retain a copy of each application and transmit the original applications to the Planning Director.

(c) The Planning Director shall prepare and transmit the following information to the Board or a subcommittee designated by the Board to conduct interviews:

(i) Copies of a Planning Commission Appointment Report. The report will contain a listing of current members, including name, address, occupation and term of appointment, plus a list of eligible applicants, which will include address, occupation, eligibility and related information.

(ii) A proposed interview schedule and written questions to be addressed by the candidates.

(iii) Copies of each completed Application for Planning Commission Appointment, together with all attachments thereto received.

(d) Only those citizens who have formally applied within the proper timeframe and meet required qualifications will be considered for appointment to the Planning Commission. However, the Board may, by separate action, reopen the process by initiating a new advertisement.

(e) After the Board or subcommittee has determined the date, time, location and candidates for Planning Commission appointment interviews, the Planning Director will prepare and transmit a packet to selected applicants the following items:

(i) Introductory letter that will include the interviewing process and appointment schedule.

(ii) List of questions to be completed along with a return, stamped envelope.

(iii) A copy of the Lane Manual provisions regarding the Planning Commission.

(iv) Other pertinent materials deemed necessary, including any significant planning issues identified by the Board.

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

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

(h) Upon completion of Board or subcommittee selection(s), the Planning Director will prepare and transmit to the Board a Board Order making the appointment(s). *(Revised by Order No. 97-10-21-1; Effective 10.21.97)*

COMMUNITY ORGANIZATION PROGRAM

3.513 Community Organization Program.

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

(2) Charter. The organization's Charter shall:

(a) Define the physical boundaries of the community. Any boundary conflict must be resolved by the groups involved. Organizations should have a logically similar community of interest.

(b) Provide for a democratic organization which elects officers periodically for a specified term and encourages the rotation of those officers.

(c) Define the relationship between the officers and the membership as a whole.

(d) Provide for membership which is at least open to persons 18 years of age or older who either own property within the community or who reside within the community. Only nominal membership fees may be required. However, voluntary contributions may be used as a source of revenue.

(e) Include criteria regulating voting.

(f) Provide that all meetings be open to the public and well publicized in advance.

(3) Organizational Responsibilities. Responsibilities of a recognized organization shall be to:

(a) Advise and consult with the County government on matters affecting the community. Such matters would include, but not be limited to, planning, zoning, housing, parks, open space and recreation, human resource delivery systems, traffic and transportation systems, water and sewage disposal systems, and other matters affecting the community. The Board of Commissioners will consider a community organization's recommendations. The recommendations do not bind the Board, as it must also take into account other factors in making its decisions.

(b) Be informed and familiar with the views and opinions of the people of the community and be able to give an accurate presentation of those views. The organization must be flexible enough to avoid causing unnecessary delays in the County decision making process, and it will be responsible for communicating information from the County to the community and from the community to the County.

(c) Provide that all meetings, including executive committees and subcommittees, must be open to the public. Public notice of a meeting, reasonably calculated to give at least 24 hours actual notice to members of the organization and interested persons, shall be given. The notice shall contain the time and place of the meeting and, if possible, the agenda. A copy of the notice shall be sent to the County Administrator. Notices for regularly scheduled meetings shall be sent in time to be published in the Board's agenda.

(d) Provide that all meetings, including executive committees and subcommittees, shall have written minutes taken, although a verbatim transcript is not necessary.

- (e) Distribute notices of upcoming meetings and take minutes.
- (f) Keep the Board informed of any changes in its Charter, its officers and Board members, and the name and address of its representative for receipt of notices and other communications.

(4) County Responsibility. Responsibilities of the County shall include reviewing the activity level of each organization every two years. If the organization has not been active during the previous two years, the Board may decide to remove its charter. *(Revised by Order No. 98-1-7-6; Effective 1.7.98)*

3.514 Municipal Community Organizations.

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

- (a) The boundaries of the community organization are entirely within the boundaries of the city, or
- (b) The boundaries of the community organization include areas within and without the boundaries of the city and the community organization has a logically similar community of interest. *(Revised by Order No. 89-12-13-1; Effective 12.13.89)*

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ARE RESERVED FOR FUTURE EXPANSION

STANDING COMMITTEES

3.515 Standing Committees.

The following standing committees shall meet jointly with the full Board of County Commissioners on matters pertinent to their charge, and shall not meet as a separate unit unless the committee obtains prior Board approval for a separate meeting. Such requests should be submitted via a proposed Board Order for the consent calendar whenever possible. If not possible, requests should be submitted to the Chair of the Board of Commissioners.

- (a) Policies and Procedures
- (b) Legislative Affairs
- (c) Finance & Audit
- (d) Technology Management Team
- (e) Savings are Valuable to Employees (S.A.V.E.) Committee
- (f) Facilities
- (g) Economic Development Standing Committee

The County Administrator is responsible for arranging the joint meetings on an “as needed basis” in a rotating fashion on Tuesdays and Wednesdays. The County Administrator is encouraged to vet each standing committee’s presentation prior to coming before the full Board, and may ask any commissioner as needed for their participation in this process.

(1) Economic Development Committee.

(a) Scope and Function. This committee provides recommendations to the Board regarding Lane County's economic development policies and activities, including:

(i) Development and periodic review of Lane County's Economic Development Plan.

(ii) Analysis of proposed uses of County real estate for economic development purposes.

(iii) Review and analysis of economic development proposals or grants requiring Lane County sponsorship or participation.

(iv) Review and analysis of requests from outside economic development agencies or programs.

(b) Membership.

(i) Five lay citizens appointed by individual Commissioners.

(ii) Two at-large members selected by the Board as a whole.

(c) Term

All members serve at the will of the Commissioner who appointed them, but for no longer than four years without reappointment.

(2) Facilities Committee.

(a) Scope and Function. The function of this committee is to provide recommendations to the Board regarding County owned facilities issues in the following areas:

(i) The Capital Improvement Program (CIP) for County facilities.

(ii) Real Property acquisitions and sales.

(iii) Facilities Maintenance and Custodial Services.

(iv) Construction and remodel activities.

(v) Use of County facilities.

(b) Membership.

(i) The County Administrator.

(iii) The Director of the Department of Management Services.
 (iv) One at-large lay citizen, who is not a vendor, as described in LM 3.506(2)(d), who will serve at the will of the Board of Commissioners, but for no longer than four years without reappointment.

(3) Finance and Audit Committee.

(a) Scope and Function. The committee's function is broad based, to provide recommendations to the Board regarding the following:

(i) Review and monitor the current procedures to insure the existence of an effective financial system with appropriate internal controls.

(ii) Maintain overview responsibilities for both external and internal audit functions.

(iii) Review the development and implementation of a multi-year audit program for Lane County.

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

(v) Provide a communication link between the independent auditors and the Board.

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

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

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

(ix) Review any other proposals having financial impact on County operations.

(x) Oversee and evaluate County Performance Auditor.

(b) Membership.

(i) County Administrator.

(ii) County Counsel.

(iii) One elected department director or designee.

(iv) Nonvoting department managers and staff support, as required.

(4) Legislative Committee.

(a) Scope and Function. The function of this committee is to oversee all aspects of Lane County's legislative program and:

(i) Ensure staff review of all County-oriented legislation.

(ii) Submit legislation to the Board for consideration.

(iii) Coordinate all staff lobbying activities.

(iv) Monitor state legislative activities.

(v) Determine the relative priority of County legislation per Board direction.

(b) Membership.

(i) County Administrator.

(ii) All department directors or designees.

(iii) Other staff support, as required.

(5) Policy and Procedures Committee.

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

- (i) Personnel related matters particularly those relating to Lane Charter, Code or Manual provisions.
- (ii) The operating procedures between the Board, the County Administrator, and elected and administrative Department Directors.
- (iii) The development of rules and procedures on the Board's internal operations. This could include such issues as Board representation on committees or organizations, and the authority and role of those representatives or procedures for making Board appointments to the Budget or Advisory Committees.
- (iv) Other policy matters referred by the Board.
- (b) Membership.
 - (i) County Administrator.
 - (ii) County Counsel.
 - (ii) One elected Department Director or designee.
 - (iii) Nonvoting Department managers and staff support, as required.
- (6) Technology Management Team (TMT).
 - (a) Scope and Function. The function of this committee is broad based, to provide recommendations to the Board regarding the following:
 - (i) Establish ongoing mission vision and direction for Lane County information services.
 - (ii) Review and monitor the current policies to insure the existence of an effective use of technology.
 - (iii) Review and monitor the development and implementation of a multi-year strategic plan for technology.
 - (iv) Review new technologies that offer opportunities to increase economy and efficiency in County operations, and champion those technologies with the Board of Commissioners.
 - (v) Review any other proposals having a technological impact on county operations.
 - (b) Membership.
 - (i) Three department directors (or designees), representative of the largest users of the services of the Department of Information Services.
 - (ii) One department director not included in (i) above.
 - (iii) The Director of the Department of Information Services.
 - (iv) The County Administrator.
 - (c) Other Non-Voting Participants.
 - (i) Interested department managers. Computer Services Managers with the consent of the committee. *(Revised by Order No. 01-10-31-4; Effective 10.31.01; 03-11-12-6, 11.12.03; 07-5-23-2, 5.23.07; 09-4-29-1, 4.29.09; 09-6-3-3, 6.3.09)*

LANE COUNTY COMMITTEES
MANDATED ADVISORY COMMITTEES

| <u>Committee</u> | <u>Responsible Department</u> | <u>Mandate</u> | <u>LM#</u> |
|--|-------------------------------|----------------|------------|
| 1. Building Appeals and Advisory Board | PW/LMD | UBC 105 | 3.520 |
| 2. Commission on Children and Families | C&F | ORS 417.760 | 3.521 |
| 3. Public Safety Coordinating Council | CAO | ORS 423.560 | 3.522 |

| | | | | |
|----|--|--------|---|-------|
| 4. | Mental Health Advisory/Local Alcohol and Drug Planning Committee | H&HS | ORS 430.342; ORS 430.630(7); OAR 309-014-0020(3); OAR 309-016-0020(2); OAR 415-056-0005(10) | 3.524 |
| 5. | Farm Review Board | A&T | ORS 308A.095 | 3.526 |
| 6. | Historic Resources Committee (Lane County) | PW/LMD | Goal 5 | 3.528 |
| 7. | Community Action Advisory Committee | H&HS | ORS 458.505 | 3.530 |
| 8. | Community Health Council | H&HS | Section 330, Public Health Service Act (42 U.S.C. 254b, et seq., as now or hereafter amended) | 3.534 |

NONMANDATED ADVISORY COMMITTEES

| | | | | |
|-----|--|---------------|--|-------|
| 9. | Public Health Advisory Committee | H&HS | | 3.538 |
| 10. | Lane County Animal Services Advisory Committee. | H&HS | | 3.536 |
| 11. | Lane County Commission for the Advancement of Human Rights | CAO | | 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 |

MANDATED SPECIAL COMMITTEES/BOARDS

| | | | | |
|-----|---|------------|-------------|-------|
| 19. | Board of Property Tax Appeals | MS | ORS 309.020 | 3.554 |
| 20. | Budget Committee | MS | ORS 294.336 | 3.556 |
| 21. | Fair Board (Lane County) | FAIR BOARD | ORS 565.210 | 3.558 |
| 22. | Metropolitan Wastewater Service District Budget Committee | CAO | ORS 294.336 | 3.560 |

23. Planning Commission PW/LMD ORS 215.030 3.510

LANE COUNTY COMMITTEES/MULTI-JURISDICTIONAL COMMITTEES

24. Eugene-Springfield Metropolitan Partnership Board of Directors City of Eugene 3.566
25. Human Services Committee H&HS 3.568
26. Lane Workforce Partnership Advisory Committee WFP 20 CFR 628.410; ORS 258A.458 3.570
27. Metropolitan Wastewater Management Commission City of Eugene 3.572

OTHER APPOINTED COMMITTEES

28. Elected Officials Compensation Board MS 3.600
(Revised by Order No. 00-8-16-1; Effective 8.17.00; 07-10-24-8, 10.24.07; 07-12-5-2, 12.5.07; 07-12-12-5, 12.12.07; 09-4-29-1, 4.29.09)

ADVISORY COMMITTEES/MANDATED COMMITTEES

3.520 Building Appeals & Advisory Board.

Advises on building construction, suitability of alternate materials, methods of construction, and provides interpretations of building code. Serves as Board of Appeals in connection with administration of Structural and Mechanical Specialty Codes and Fire and Life Safety Regulations, Plumbing Specialty Code and Uniform Code for the Abatement of Dangerous Buildings.

STAFFING: Land Management Division

MEETS: As needed

MANDATED: UBC 105

MEMBERSHIP: (7) Consists of representatives of the building construction industry.

TERM: 4 years, ending June 30 *(Revised by Order No. 00-8-16-1; Effective 8.17.00)*

3.521 Commission on Children and Families.

Plans, initiates and coordinates systems to serve children and families throughout Lane County. The four major goals of the Commission are to promote a wellness system, create and encourage collaborative partnerships, establish structured community planning and decision making processes, and to maintain a framework of accountability. The Commission also develops policy and oversees the implementation of the local coordinated comprehensive plan. The Commission advises the Board of County Commissioners on critical issues and services affecting Lane County's children and families and serves as a local planning body for the Oregon Commission on Children and Families.

STAFFING: Department of Children and Families

MEETS: Monthly

MANDATED: ORS 417.760

MEMBERSHIP: (21) Consists of 21 members, the majority of whom are laypersons. A layperson is one whose primary income is *not* derived from either offering

direct service to children and youth or being an administrator for a program for children and youth. Membership of the Commission shall consist of the County Administrator,; three (3) youth representatives (between the ages of 15 and 20 at the time of appointment) with a preference that one youth represent a rural area and one youth position represent a metropolitan area; two (2) rural representatives; five (5) members appointed by individual County Commissioners, and nine (9) at-large members, appointed by the Board of County Commissioners. The Board shall appoint the chair.

TERM: 4 years, ending June 30. (*Revised by Order No. 00-8-16-1; Effective 8.17.00; 07-2-21-1, 2.21.07; 09-4-29-1, 4.29.09*)

3.522 Public Safety Coordinating Council.

Under ORS 423.560, develops and recommends to the Board a plan for use of 1) state resources to serve the local offender population, and 2) state and local resources to serve the needs of that part of the local offender population who are at least 15 years of age and less than 18 years of age, which plan must provide for coordination of community-wide services involving prevention, treatment, education, employment resources and intervention strategies; and coordinates local criminal justice policy among affected criminal justice entities.

In addition to the duties assigned to it under ORS 423.560, the Council develops and recommends to the Board the plan for use of state resources to serve the local youth offender population; coordinates local juvenile justice policy among affected juvenile justice entities; and in consultation with the Commission on Children and Families, develops and recommends to the Board a plan designed to prevent criminal involvement by youth, which provides for coordination of community-wide services involving treatment, education, employment and intervention strategies aimed at crime prevention.

STAFFING: County Administration

MEETS: Quarterly

MANDATED: ORS 423.560

MEMBERSHIP: Up to 20, selected by the Board (unless noted otherwise) as follows:

- (1) Police chief, selected by the police chiefs in the county
- (1) Sheriff;
- (1) District Attorney;
- (1) State Court Judge, appointed by Presiding Judge;
- (1) Public Defender or Defense Attorney, appointed by Presiding Judge;
- (1) Community Corrections Manager;
- (1) County Commissioner;
- (1) Youth Services Department Director;
- (1) Public Health Official recommended by the Health and Human Services Department Director;
- (1) Mental Health Official recommended by the Health and Human Services Department Director;
- (3) Up to three lay Citizens;
- (1) City Councilor or Mayor, selected by the City of Eugene;
- (1) City Councilor or Mayor, selected by the City of Springfield;
- (1) City Manager or other City Representative, selected by the cities other than Eugene or Springfield;
- (1) County Administrator;

- (1) Representative of the Oregon State Police (non-voting), selected by the Superintendent of Oregon State Police;
- (1) Oregon Youth Authority Representative (non-voting), selected by the Director of Oregon Youth Authority

TERM: 4 years, ending December 31 (*Revised by Order No. 01-5-9-1; Effective 5.9.01; 03-8-27-3, 8.27.03; 09-4-29-1, 4.29.09*)

3.524 Mental Health Advisory/Local Alcohol and Drug Planning Committee.

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

STAFFING: Department of Health and Human Services

MEETS: Monthly

MANDATED: ORS 430.342, ORS 430.630(7), OAR 309-014-0020(3), OAR 309-016-0020(2), OAR 415-056-0005(10)

MEMBERSHIP: (13) Consists of 13 persons who are broadly representative of the community, with a balance of age, sex, ethnic, socioeconomic, geographic, professional and consumer interests represented. Membership shall include advocates for persons with mental or emotional disturbances, drug abuse problems, mental retardation or other developmental disabilities and alcoholism and alcohol abuse problems. It shall also include a number of minority members which reasonably reflects the proportion of the needs for alcoholism treatment and rehabilitation services of minorities in the community as well as a representative for the mental health Consumer Council. Subcontractors of mental health services, alcohol and drug prevention and treatment services, developmental disabilities services, their employees and their board members are barred from membership on this committee.

TERM: 4 years, ending October 31 (*Revised by Order No. 00-8-16-1; Effective 8.17.00; 07-12-5-2, 12.5.07; 09-3-18-1; 3.18.09*)

3.526 Farm Review Board.

Advises the County Assessor with respect to the use of comparable sales figures in assessing agricultural land; the Board also advises the County Assessor as to whether figures or factors are proper under ORS 308A.092.

STAFFING: Department of Assessment and Taxation

MEETS: Once or twice each year

MANDATED: ORS 308A.095

MEMBERSHIP: (5) Two appointed by the Board of Commissioners, two appointed by the Assessor and fifth member chosen by other four members.

TERM: 2 years for Commissioner and Assessor appointees, 1 year for joint appointee, all ending January 31 (*Revised by Order No. 00-8-16-1; Effective 8.17.00*)

3.528 Historic Resources Committee (Lane County).

Represents a variety of historical interests and the interests of the property owners. Its tasks shall include: general concern with historical matters in the County; to monitor conditions affecting such resources; to devise criteria and methods for the selection of newly-designated historical resources; to advise the staff and officials of the County on proposed new historical sites and structures; to oversee the administration of the Historic Structures or Sites ordinance; and to perform other related tasks and duties. The

Committee reports to the Planning Commissions and subsequently to the Board of County Commissioners.

STAFFING: Department of Public Works, Land Management Division
 MEETS: Monthly
 MANDATED: Lane County Goal 5, Policy 1 and Statewide Planning Goal 5
 MEMBERSHIP: (7) Reflects the geographic diversity of the County and other requirements of the Goals.
 TERM: 4 years, ending November 30 (*Revised by Order No. 00-8-16-1; Effective 8.17.00*)

3.530 Community Action Advisory Committee.

Provides advice to the Board of County Commissioners on the emergency basic needs and community action service systems, to address the needs of low income citizens of Lane County. Its tasks shall include: Reviewing and approving program policy related to the expenditure of federal and state anti-poverty funds; being involved in and consulted on the hiring and firing of the designated Community Action Program Coordinator/Administrator; monitoring and evaluating program effectiveness; insuring the effectiveness of community involvement in the planning process; assuming all duties delegated it by the Board of County Commissioners.

STAFFING: Department of Health and Human Services
 MEETS: Monthly
 MANDATED: ORS 458.505
 MEMBERSHIP: (12) The Committee shall consist of twelve members appointed by the Lane County Board of Commissioners. Representation shall be as follows: A third of the members shall be public officials currently serving or their designees; at least a third of the members shall be representatives of low income persons in Lane County; the balance of the members shall represent business, industry, labor, religious, welfare, education or other major groups of interest in the community.

Public officials shall consist of at least one Lane County member, one City of Eugene member and one City of Springfield member.

The remaining members are appointed by Board of Commissioners. Subcontractors of emergency basic needs or community action services, their employees and their board members are barred from membership on this committee.

TERM: 1 year, public officials
 4 years, others, ending June 30 (*Revised by Order No. 00-8-16-1; Effective 8.17.00; 08-8-6-1, 8.6.08*)

3.534 Community Health Council

Provides assistance and advice to the Board of Commissioners and the Health & Human Services Department's Community Health Centers of Lane County (CHCLC) in promoting its mission to provide comprehensive health care that is quality-driven, affordable and culturally competent to the people of Lane County. The Community Health Council will provide input and feedback to generally advise the development, implementation and evaluation of CHCLC programs, including but not limited to all programs funded through the Federal Bureau of Primary Health Care Grant(s). This may include providing feedback and advice regarding the health care needs of Lane County residents. One goal of the Community Health Council is to review marketplace trends and to provide assistance and advice which reflect the economic realities of the marketplace. The Council shall participate in the selection and evaluation of the CHCLC Project Director/Program Manager, in accordance with County personnel policies and procedures. This Council shall assist with monitoring CHCLC operation in accordance

with applicable federal, state and local laws and regulations; participate in planning and reviewing the CHCLC budget; review the budget and financial plan for each fiscal year, as well as the project budget and primary care grant renewals, and give recommendations prior to their submission to the Board of County Commissioners for adoption, in accordance with local budget law. The Council shall participate in planning, measuring and evaluating the CHCLC's progress in meeting its annual and long-term programmatic and financial goals, including client satisfaction with the services offered; participate in selecting the services provided by the CHCLC and in determining its operating hours and which services will be offered at which sites; participate in adopting health care policies regarding scope and availability of services; participate in approving or disapproving subsequent grant applications for the CHCLC's programs. The Council shall work with the H&HS/CHCLC's management team and with community leaders to actively engage in long-term strategic planning to build sustainability for the centers.

STAFFING: Department of Health & Human Services

MEETS: Monthly

MANDATED: Section 330 of the Public Health Service Act (42 U.S.C. 254b, et seq., as now or hereafter amended) and CFR 42 Part 51c subpart C.

MEMBERSHIP: (17) The Council shall have 17 members. Representation shall be from consumers, health care providers and community representatives as follows: 51% of the members of the Council must be individuals who are served by the CHCLC and must also be representative with respect to demographic factors. 49% of the members shall be representative of the CHCLC catchment area and will be selected for their expertise in community affairs, local government, finance, legal affairs, trade unions, commercial or industrial concerns or social service agencies. No more than half of the non-consumer representatives may derive more than 10% of their annual income from the health care industry. No member may be an employee of the CHCLC, spouse, or child, parent, brother or sister by blood or marriage.

TERM: 4 years, ending June 30 (*Revised by Order No. 03-11-25-8, Effective 11.25.03; 07-12-5-2, 12.5.07*)

NONMANDATED COMMITTEES

3.536 Lane County Animal Services Advisory Committee.

Advises the Health and Human Services Director and the Board of County Commissioners on matters of animal service operations, program improvements, model and state of the art animal welfare, care control programs, and facilities.

STAFFING: Department of Health and Human Services

MEETS: Monthly

NONMANDATED

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

TERM: Commissioner appointed members serve at the will of the Commissioner who appointed them, but for no longer than 4 years without reappointment. The two at-large members serve at the will of the Board of Commissioners, but for no longer than 4 years without reappointment. (*Revised by Order No. 07-12-12-5; Effective 12.12.07; 09-4-29-1, 4.29.09*)

3.538 Public Health Advisory Committee.

Makes recommendations to the Health Administrator and advises the Board of Health and Board of Commissioners on matters of public health, planning, policy development,

control measures, funding, public education and advocacy; 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 five members appointed by individual Commissioners, two at-large representatives and five members from the health professions including physicians, dentists, nutritionists and health educators.

TERM: At the will of the appointing Commissioner(s), but for no longer than 4 years without reappointment. *(Revised by Order No. 00-8-16-1; Effective 8.17.00; 07-12-5-2, 12.5.0709-4-29-1, 4.29.09)*

3.540 Lane County Commission for the Advancement of Human Rights (LCCAHR).

The protection of human rights is a primary responsibility of the County, based on the inalienable rights and inherent worth of all people. In light of that recognition, the LCCAHR shall:

Advise the Board of County Commissioners on the status of civil and human rights in the County, and provide the Board of County Commissioners and County departments community input and feedback regarding human rights and affirmative action; provide community education and outreach concerning human rights programs within Lane County; recommend, support, and assist in development of programs and seminars on human rights, cultural diversity, equal opportunity, and affirmative action; develop and publicize a system to assist persons in seeking resolution of harassment and discrimination complaints and recommend appropriate action; recommend policies and actions to improve access to County services and employment opportunities, and for overcoming cultural, linguistic and physical barriers which limit accessibility; provide an annual report to the Board of County Commissioners on the progress and condition of human rights in Lane County (including past activities, future goals and the number, type, and resolution of complaints); hold at least three (3) Commission meetings outside the Eugene/Springfield area utilizing city council meetings, community forums, and joint meetings with the Commissioner of the District in which the meetings are held; develop a work plan annually for the upcoming year; affirm, encourage, and promote 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.

The LCCAHR may take positions on human rights issues as a commission and speak to the public solely on behalf of the LCCAHR. The members shall not take positions on behalf of the County without prior written approval. Positions can be distinguished by a clarifying comment on all written statements and a signature by the chair. Unless approved by the Board, positions taken by LCCAHR do not necessarily reflect the views or positions of the County or the Board of Commissioners. All such written statements must be copied to County Counsel.

STAFFING: County Administration, with collaborations with the Human Resources Department, and Department of Children and Families. The Board recognizes that dedicated staff is necessary to support the LCCAHR, track and report on complaints, act as liaison within the County organization, oversee grant writing, monitoring, and interns, and otherwise assist and provide administrative support to the LCCAHR.

MEETS: Monthly, with Commissioners attending commission meetings held in their district. In any case, one (1) Commissioner liaison should attend all commission meetings. Video-conferencing should be made available as possible to ensure county-wide involvement.

NONMANDATED

MEMBERSHIP: (7) Consists of 7 members comprised of five (5) individual commissioner appointees and two (2) at-large appointees nominated by the individual commissioner appointees, but appointed by the Board as a whole.

No more than two (2) County employees may serve on the Commission.

TERM: At the will of the appointing Commissioner(s), but for no longer than 4 years without reappointment. *(Revised by Order No. 00-8-16-1, Effective 8.17.00; 02-8-28-15, 8.28.02; 05-10-12-3, 10.12.05; 06-11-29-4, 11.29.06; 07-10-24-8, 10.24.07; 09-4-29-1, 4.29.09; 09-11-10-1, 11.11.09)*

3.542 Law Library Advisory Committee.

Works with assigned county staff to maintain adequate law library facilities and services.

STAFFING: Office of Legal Counsel

MEETS: Quarterly

NONMANDATED

MEMBERSHIP: (9) Consists of seven members appointed by the Lane County Bar Association, two at-large lay citizens appointed by the Board of Commissioners, and a member of the University of Oregon Law Library staff as an ex-officio member.

TERM: At-large appointees serve at the will of the appointing Commissioner(s), but for no longer than 4 years without reappointment. *(Revised by Order No. 00-8-16-1; Effective 8.17.00; 05-5-11-4, 5.11.05; 09-4-29-1, 4.29.09)*

3.544 Parks Advisory Committee.

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

STAFFING: Department of Public Works

MEETS: Monthly

NONMANDATED

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

TERM: At the will of the appointing Commissioner(s), but for no longer than 4 years without reappointment. *(Revised by Order No. 00-8-16-1; Effective 8.17.00; 09-4-29-1, 4.29.09)*

3.546 Resource Recovery Advisory Committee.

Makes recommendations to the Board of Commissioners concerning administrative policy legislation, long-range planning and financing for the County's Solid Waste Program; also investigates possible alternative methods of garbage disposal and recycling programs.

STAFFING: Department of Public Works

MEETS: Monthly

NONMANDATED

MEMBERSHIP: (16) Consists of five members appointed by individual Commissioners, seven at-large members appointed by the Board, one rural wastehauler, and three special regional members, one each from Springfield, Eugene and rural Lane County.

TERM: All members serve at the will of the appointing Commissioner(s), but for no longer than 4 years without reappointment. *(Revised by Order No. 01-8-1-8; Effective 8.1.01; 09-4-29-1, 4.29.09)*

3.548 Roads Advisory Committee.

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

STAFFING: Department of Public Works

MEETS: Monthly

NONMANDATED

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

TERM: At the will of the appointing Commissioner(s), but for no longer than 4 years without reappointment. *(Revised by Order No. 01-8-1-8; Effective 8.1.01; 09-4-29-1, 4.29.09)*

3.549 Rural Community Improvement Council.

Analyzes the needs and issues of the non-metro communities and makes recommendations to the Board of Commissioners on any Lane County economic development activities including but not limited to recommendations on the rural component of video lottery funds and room tax funds. Advises the Board in accordance with the following purpose, goals and subjects:

Purpose. To provide a forum for discussion and an avenue for implementation of rural economic and community development projects and programs including: (1) Provides the mechanism for small communities to participate in policy development that affects them, focusing on diversification of rural opportunities (i.e. jobs); (2) Enhancement of the rural lifestyle and character that contributes to the economic and cultural stability of rural Lane County.

Goals. Develop rural community and economic development goals recognizing funding requirements, specific infrastructure needs and other factors important to rural incorporated and unincorporated communities in Lane County.

Primary Subject Areas. Rural/Urban Interaction, Economic Diversification /Enhancement of Rural Communities, Transportation, Housing, Job Creation, Long-Term Resource Management and other issues established by the Rural Community Improvement Council.

STAFFING: Department of County Administration

MEETS: Monthly

NONMANDATED

MEMBERSHIP: (11) Consists of representatives of the following interests:
 One from City in East Lane Commissioner District
 One from City in West Lane Commissioner District
 One from Unincorporated Community in East Lane Commissioner District
 One from Unincorporated Community in West Lane Commissioner District

One At-Large from East Lane Commissioner District

One At-Large from West Lane Commissioner District

One from Business Community

One from Agricultural Community

One from Rural Fire Protection District

East Lane County Commissioner

West Lane County Commissioner

The Oregon Department of Transportation, Lane County Public Works Department and Land Management Division and other agencies as determined appropriate shall have ex-officio positions on the Rural Community Improvement Council.

TERM: 3 years, ending December 31 *(Revised by Order No. 00-8-16-1; Effective 8.17.00)*

3.550 Tourism Council (Lane County).

Advises the Board on policy issues and activities to enhance tourism throughout Lane County, including the 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: (5) Five members appointed by individual Commissioners.

TERM: At the will of the appointing Commissioner(s), but for no longer than 4 years without reappointment. *(Revised by Order No. 00-8-16-1; Effective 8.17.00; 08-11-25-5, 11.25.08; 09-4-29-1, 4.29.09)*

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: (7) Five members appointed by individual Commissioners and two at-large appointments.

TERM: Commissioner appointed members serve at the will of the Commissioner who appointed them, but for no longer than 4 years without reappointment. The two at-large members serve at the will of the Board of Commissioners, but for no longer than 4 years without reappointment. *(Revised by Order No. 00-8-16-1; Effective 8.17.00; 09-4-29-1, 4.29.09; 09-7-8-2, 7.8.09)*

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). In order to avoid the appearance of a conflict of interest, any individuals who are actively involved in a real estate related business, including but not limited to, appraisers, real estate agents or consultants, property managers, or attorneys with a real estate or property tax practice, will not be appointed to the Board of Property Tax Appeals.

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

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: 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. 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 *(Revised by Order No. 00-8-16-1; Effective 8.17.00)*

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 seven members.
TERM: 3 years ending December 31; two-term limit, absent
 extenuating circumstances. *(Revised by Order No. 00-8-16-1; Effective 8.17.00; 04-3-31-15, 3.31.04)*

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

3.562 Planning Commission (Lane County).

See LM 3. 510. *(Revised by Order No. 00-8-16-1; Effective 8.17.00)*

MULTI-JURISDICTIONAL COMMITTEES

3.566 Eugene-Springfield Metropolitan Partnership Board of Directors.

STAFFING: City of Eugene
MEETS: As needed
NONMANDATED
MEMBERSHIP: (44) Consists of three classes of positions as follows:
 Class I: Mayor of Eugene; Mayor of Springfield; Chair of the Lane County Board of Commissioners; President of the Eugene Area Chamber of Commerce; President of the Springfield Area Chamber of Commerce; Chair of the Southern Willamette Private Industry Council; President of the University of Oregon; President of Lane Community College; President of Eugene City Council; President of Springfield City Council; First Vice-President of the Eugene Area Chamber of Commerce; the University of Oregon Vice-President of Research.
 Class II: Three (3) appointees of the Eugene City Council; three (3) appointees of the Springfield City Council; three (3) appointees of the Eugene Area Chamber of Commerce; three (3) appointees of the Springfield Area Chamber of Commerce; three (3) appointees of the Lane County Board of Commissioners; one (1) appointee who is a Lane County Commissioner, to be appointed by the Chair of the Lane County Board of Commissioners. No Class II appointee shall be an employee of any group entitled to make a Class II director appointment.
 Class III: Five (5) at-large regional appointees of the Board of Directors of the Corporation; and ten (10) at-large Eugene-Springfield Metropolitan Area appointees of the Board of Directors of the Corporation who shall represent the private sector. Class III directors are elected each year at the annual meeting immediately preceding their term of office.
TERM: Variable, depending on class of membership *(Revised by Order No. 00-8-16-1; Effective 8.17.00)*

3.568 Human Services Commission.

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

STAFFING: Department of Health and Human Services

MEETS: Monthly

NONMANDATED

MEMBERSHIP: (7) The Committee shall consist of seven members.

Representation shall be as follows: three representatives from the City of Eugene, two representatives from Lane County, and two representatives from Springfield. Representative delegations shall include at least one or more elected officials and may include one appointed budget committee member.

TERM: 1 year, ending January 14 (*Revised by Order No. 00-8-16-1; Effective 8.17.00*)

3.570 Lane Workforce Partnership Advisory Committee.

Carries out all responsibilities pursuant to the Job Training Partnership Act (29 U.S.C. 1501 et seq.), subsequent federal workforce legislation and the responsibilities of regional workforce committees pursuant to ORS 285A.458. The Lane Workforce Partnership is the result of a consolidation between the Southern Willamette Private Industry Council and the Lane Regional Workforce Committee. The Lane Workforce Partnership shall prepare and approve a budget for itself and may hire staff, incorporate and solicit and accept contributions and grant funds.

STAFFING: The Workforce Partnership Department

MEETS: Monthly

MANDATED: 20 CFR 628.410; ORS 285A.458

MEMBERSHIP: (33) There shall be 33 members. The majority of the membership must be representative of business and industry, who shall be owners, chief executives, chief operating officers or other business and industry executives who have substantial management or policy responsibility.

(17) Business

(4) Education

Lane Community College

Lane Education Service District

Higher Education (U of O)

K-12 selected by the Lane County

Superintendents' Group

(3) Labor

(2) Community Based Organizations

(3) Local Elected Officials

Lane County Commissioner

City of Eugene Councilor

City of Springfield Councilor

(3) Public Agencies

Employment Department

Adult and Family Services

Vocational Rehabilitation

(1) Economic Development

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

TERM: 3 years, ending December 31 (*Revised by Order No. 00-8-16-1; Effective 8.17.00*)

3.572 Metropolitan Wastewater Management Commission.

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

STAFFING: City of Eugene

MEETS: Variable

NONMANDATED

MEMBERSHIP: (7) Consists of one elected official each from Lane County, the City of Eugene and the City of Springfield, plus two lay citizens appointed by the City of Eugene, one by Lane County and one by the City of Springfield.

TERM: 3 years, ending June 30 (*Revised by Order No. 00-8-16-1; Effective 8.17.00*)

OTHER APPOINTED COMMITTEES

3.600 Elected Officials Compensation Board (Lane County).

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

STAFFING: Management Services

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

NONMANDATED

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

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

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

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

(b) The number of employees supervised; the size of the budget administered by each elective officer; the duties and responsibilities of each elective officer; and the compensation paid to subordinates and other appointed employees who

serve in positions of comparable management responsibility. In any event, the Sheriff's compensation shall be fixed in an amount which is not less than that for any member of the Department of Public Safety.

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

The Compensation Board shall prepare and approve by majority vote a recommended compensation schedule for the elective officers and shall submit the recommended schedule to the Board of County Commissioners and/or the Budget Committee, with a copy provided to the Board of County Commissioners. *(Revised by Order No. 00-8-16-1; Effective 8.17.00; 06-1-25-5, 1.26.06)*

3.700 Hearings Official.

Pursuant to the authority granted to the Board of Lane County by ORS Chapter 215, the Lane County Home Rule Charter and Lane Code Chapter 2, a Hearings Official is established for Lane County.

(1) Appointment.

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

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

(2) Duties and Functions.

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

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

(3) General Procedures.

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

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

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

(d) The Hearings Official shall not render decisions upon any matter in which the Hearings Official is directly or indirectly interested in a personal or financial sense. In the event of such conflict of interest, the Hearings Official shall announce said Hearings Official's disqualification and the County Administrator shall appoint a replacement as provided in LM 3.700(3)(e) below.

(e) When, for whatever reason, the Hearings Official is unable to fulfill the responsibilities prescribed herein, the County Administrator shall appoint a substitute Hearings Official to discharge the Hearings Official's responsibilities. *(Revised by Order No. 89-12-13-1; Effective 12.13.89)*

DELEGATIONS AND AUTHORIZATIONS

3.825 Refund of Taxes on Real and Personal Property.

When the total amount being refunded to an individual taxpayer under the authority of ORS 311.806 does not exceed \$20,000, the Director of the Department of Assessment and Taxation, or in the absence of the assessor, a deputy expressly authorized, may authorize the proper refund. All other refunds under the authority of ORS 311.806 shall be made only upon written order of the Board, except that the Director may refund above \$20,000 without a Board order where the taxpayer has made a double payment. *(Revised by Order No. 89-12-13-1; Effective 12.13.89; 06-4-12-5, 4.12.06)*

3.831 Board Chairman or Acting Chairman.

All orders approved in a public meeting by the Board may be signed on behalf of the Board by the Chairman or Acting Chairman. *(Revised by Order No. 94-11-22-6; Effective 11.22.94)*

BOARD LAND USE HEARING RULES

3.900 Scheduling of Land Use Hearings.

The Board may schedule hearings at suitable times. Hearings or deliberations may be continued to a time and place certain. *(Revised by Order No. 89-10-4-12; Effective 10.4.89)*

3.905 General Nature and Conduct of De Novo Hearing.

A. Board hearings which will result in a determination as to the permissible use of specific property within the provisions of LC Chapters 10, 11, 12, 13, 15, 16 and LC 9.700 through 9.765 shall be conducted according to the rules and procedures contained herein and in applicable provisions of LC Chapter 14. Unless waived, interested parties are entitled to an opportunity to be heard, to present and rebut evidence to an impartial tribunal, to have a record of the proceedings, and to have a decision based upon the record and supported by written findings as required by ORS 215.416. The procedures of the Board shall not impair the right to meet or rebut information.

B. Persons shall be orderly, nonabusive and/or nondisruptive of the orderly conduct of hearings.

C. Persons shall not present irrelevant, immaterial or repetitious testimony or evidence.

D. There shall be no audience demonstrations, such as applause, cheering, display of signs, or other conduct disruptive of the hearing. Such conduct may be cause for immediate termination of the hearing by the Board. *(Revised by Order No. 89-10-4-12; Effective 10.4.89)*

3.910 Responsibilities of Presiding Officer.

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

- A. Regulate the course and decorum of the hearing;
- B. Dispose of procedural requests or similar matters;
- C. Rule on offers of proof and relevancy of evidence and testimony; and
- D. Take such other action authorized by the Board appropriate for conduct commensurate with the nature of the hearing. *(Revised by Order No. 89-10-4-12; Effective 10.4.89)*

3.915 Procedural Rules for Conduct of Hearing.

Procedure for all matters considered shall be as follows, unless otherwise directed by the Board.

A. **Opening of Hearing.** The presiding officer shall commence the hearing by announcing the nature and purpose of the hearing and summarizing the rules for the conduct of the hearing.

B. **Disclosure of Pre-Hearing Ex Parte Contacts.**

1. **Policy of Disclosure Rule.** To assure fair and impartial recommendations and determinations and to assure advocates the opportunity to respond or refute information which Board members have available to them, it is mandatory that full disclosures of pre-hearing (ex parte) consideration of all public hearing land use agenda items be made at the time of the public hearing. Board members should avoid prehearing contacts so that their recommendations and determinations can be made based solely on the evidence presented at the time of public hearing.

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

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

C. **Call for Abstentions.**

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

2. No Commissioner shall participate in a hearing or a decision on a proposal when that Commissioner:

a. Is a party to or has a direct personal or pecuniary interest in the proposal,

b. Is in business with the proponent, or

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

D. **Challenges for Bias, Prejudgment or Personal Interest.**

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

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

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

4. Such challenge shall be incorporated into the record of the hearing.

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

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

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

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

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

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

I. **Argument - Limited Review Appeals**

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

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

J. **Public Testimony on Proposed Actions - De novo Hearings.**

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

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

3. Opponents of the proposed action shall present their case next in the public hearing.

4. Proponents shall then have an opportunity to rebut any new matters presented by the opponents.

5. County staff members and representatives of other public agencies shall be afforded an opportunity to give testimony as appropriate during the public hearing.

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

K. Board Discussion and Action - De novo Hearings.

1. Upon closure of the portion of the public hearing devoted to public testimony, the Board may take the following actions:

a. Deliberate and render a final decision;

b. Decide to continue the hearing or continue deliberation to a subsequent meeting;

c. Decide to reopen the public hearing to public testimony; or

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

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

L. Board Discussion and Action - Limited Review Appeals.

1. Upon completion of the argument the Board may take the following actions:

a. Affirm the Hearings Official;

b. Reverse or modify the Hearings Official decision only if an error is established.

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

d. Schedule an additional Limited Hearing on a specific issue or issues.

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

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

M. Preparation of Findings - Quasi Judicial Proceedings.

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

a. The proposed findings shall be in the following form:

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

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

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

- Change from Zone ____ to Zone ____).
- (b) Purpose of application (for example, Zone ____).
 - (c) Statement of applicant(s) legal interest in the property.
 - (d) Date of original application.
 - (e) Whether or not applicant represents self or another person.
 - (f) Date of all public hearings in the matter before an administrative body, Planning Commission and Boards and actions taken at those hearings.
 - (g) Whether Board heard the matter in a de novo hearing or conducted review upon the record.
 - (h) Other relevant background facts, as appropriate.
- (3) Identify applicable legal criteria for decision making. (These may include the Lane County Charter, Lane Code and Lane Manual provisions, applicable Lane County Comprehensive Plan and Policy documents (including, but not limited to, Subarea Plans), applicable Statewide Planning Goals and applicable State statutes.
- (4) Set forth specific Findings of Fact, individually numbered. (For example, soil classification, character of surrounding neighborhood, etc.)
 - (5) Set forth ultimate Findings of Fact and Conclusions, individually numbered: Such findings must relate relevant facts to the legal criteria identified previously. The findings may require an explanation of possible conflict between provisions of the identified legal criteria and an explanation of how any such conflicts were resolved.
 - (6) Proposed findings may incorporate by reference any relevant portion of the Hearings Officer's findings, documentary evidence, or exhibits and other relevant documents (e.g., staff report, written statement of applicant) in the record. Documents incorporated by reference may be attached to the proposed findings as exhibits. The other relevant facts as necessary to support Board's decision in light of recent Oregon case law and LCDC decisions may be used, so long as they are in the Record.
 - b. The original and 10 copies of the proposed findings shall be submitted to the Clerk of the Board within 14 days of the tentative decision of the Board. The Board Clerk will provide copies of proposed findings to the parties appearing before the Board and to other persons upon request.
 - c. Persons who appeared at the Board hearing shall have seven days to submit written objections to the proposed findings and 10 copies of the objections shall be filed with the Board Clerk.
 - d. Except as provided in subsection (f) of this provision, within seven days after the last day written objections are due to be filed with the Board Clerk, County Counsel shall review the proposed findings and objections, if any. County Counsel may comment on or, if deemed necessary by County Counsel, revise the proposed findings to conform to legal and stylistic requirements. County Counsel shall forward the findings proposed by the attorney, any objections thereto, and County Counsel's comments or revised findings to the Board of County Commissioners.
 - e. The matter shall be placed on the Board agenda for deliberation and decision. No additional public hearings shall be held, except upon notice to all persons who appeared at the Board hearing and who filed proposed findings or filed written objections.
 - f. If the County Counsel cannot review and comment upon the proposed findings and objections thereto or prepare revised findings, as necessary, within

the prescribed time limit, County Counsel shall request an extension to a date certain for submission of the proposed findings, objections and revised findings to the Board.

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

2. County Counsel Findings.

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

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

c. If the Board directs County Counsel to prepare proposed findings, the Board Secretary shall forward all documentary evidence and exhibits in the record to County Counsel by 10 a. m. of the day succeeding the Board's tentative decision. *(Revised by Order No. 89-10-4-12; Effective 10.4.89)*

3.920 Burden of Proof and Criteria for Decision.

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

B. The criteria applicable to the matter shall be those provided in the Lane Code and Lane Manual applicable to the decision, and such other criteria as are provided by law. *(Revised by Order No. 89-10-4-12; Effective 10.4.89)*

3.925 Record of Proceedings.

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

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

C. All records of the Planning Division, Planning Commission Land Use Hearings Official, and Board shall be available for inspection by any person so requesting, except as such records may be exempt under ORS Chapter 192.

D. The following items shall be deemed a part of the record of each hearing, without any additional action by the Board or any party:

- a. All physical or documentary evidence received;
- b. Electronic or stenographic records;
- c. Staff reports received by the Board and available to the public;
- d. The Lane Code and Lane Manual, including these rules, and
- e. Lane County General Plan, Goal and Policies, and any applicable

Subarea Comprehensive Plan. *(Revised by Order No. 89-10-4-12; Effective 10.4.89)*

3.930 Publication of Rules.

These rules shall be placed of record with the Planning Division and the Secretary to the Board and be available to the public. *(Revised by Order No. 89-10-4-12; Effective 10.4.89)*

3.935 Amendment and Suspension of Rules.

Any rule of procedure not required by law or the Charter for Lane County may be amended, suspended or repealed at any hearing by majority vote of those Board members present and voting. *(Revised by Order No. 89-10-4-12; Effective 10.4.89)*