

PASSED

IN THE BOARD OF COUNTY COMMISSIONERS  
OF LANE COUNTY, OREGON

ORDER NO. 04-6-23-14 ) IN THE MATTER OF CLARIFYING ORDER NO 02-  
 ) 6-19-1 WITH RESPECT TO RETIREE MEDICAL  
 ) INSURANCE FOR DISTRICT ATTORNEY

WHEREAS, F. Douglass Harclerod has been the Lane County District Attorney since 1985, and before that time, was a deputy District Attorney since 1974, and

WHEREAS, the District Attorney is a state officer, but pursuant to ORS 8.830, whenever, in the judgment of the Board, the salaries paid by the State to the District Attorney are not commensurate with the character of the service performed, the Board may pay such additional amounts as will properly compensate the officer for the service performed, and

WHEREAS, pursuant to ORS 8.830, Lane County has traditionally provided a salary supplement to the District Attorney, including a health insurance benefit (1985-1988; 2002 to date) or its cash equivalent (1988-2002), and

WHEREAS, in June, 2002, the Board, at the District Attorney's request, authorized the provision of the County health insurance benefit (Order No. 02-6-19-1), but Order 02-6-19-2 did not clearly indicate that the health insurance benefit included the retiree medical insurance benefit, and

WHEREAS, the retiree medical insurance benefit is available to all non-represented County employees who began work before March 5, 1991 and who have worked 10 continuous years, conditions which Mr. Harclerod would satisfy if treated as a County employee, and

WHEREAS, Mr. Harclerod has indicated an intent to retire July 1, 2004, and resume office for his newly elected term in January, 2005, and has requested that the retiree medical benefit be available to him upon any subsequent retirement,

NOW, THEREFORE IT IS HEREBY ORDERED that the Order 02-6-19-2 is hereby clarified in that the Board intends with the granting of the health insurance benefit that the District Attorney also receive the retiree medical benefit upon meeting the same requirements as if he were a full County employee at such time as he completely retires without intent to resume office, and that he be entitled to receive health insurance during his intended period of absence by self-paying the premiums per applicable COBRA regulations, and it is further

ORDERED that if Mr. Harclerod resumes office in January, 2005, the roughly 6 months period of absence shall not be deemed a break in service for the purposes of the retiree medical benefit, and upon any subsequent retirement, he shall be entitled to receive it the health insurance and retiree medical benefits if he otherwise meets the same requirements as if he were a full County employee.

DATED this 23rd day of June, 2004.

APPROVED AS TO FORM

Date 6/23/04 Lane County

Jerome J. White  
OFFICE OF LEGAL COUNSEL

Bobby Green, Sr.

Bobby Green, Sr., Chair,  
Lane County Board of Commissioners