

# CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Sitting/Acting as (if applicable)  
**Policy Session Worksheet**

**Presentation Date:** April 13, 2021 **Approx. Start Time:** 3:30 **Approx. Length:** 30 Minutes

**Presentation Title:** Board Rules of Procedure

**Department:** County Counsel

**Presenters:** Stephen L. Madkour

**Other Invitees:**

## **WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?**

Discussion item to gauge the Board's interest in adopting a set of formal board rules to aid in Board process and procedures.

## **EXECUTIVE SUMMARY:**

A number of County Commissions and City councils throughout Oregon have adopted some type of formal rules to aid the governing body in its legislative, quasi-judicial, and general governance functions.

The Clackamas County Board of Commissioners has not adopted any formal set of board rules or bylaws that may aid the Board in establishing and maintaining process, procedure, consistency, and expectations.

Attached is a draft set of sample Board Rules for the Board's consideration.

## **FINANCIAL IMPLICATIONS (current year and ongoing):**

Is this item in your current budget?  YES  NO

What is the cost? \$

What is the funding source?

## **STRATEGIC PLAN ALIGNMENT:**

- How does this item align with your Department's Strategic Business Plan goals?
- How does this item align with the County's Performance Clackamas goals?

Building public trust through good government

## **LEGAL/POLICY REQUIREMENTS:**

There is no statutory requirement that the Board of Commissioners adopt any formal rules or bylaws. However, County Counsel advises that just like any governing body, the Board would likely benefit from adopting and adhering to a formal set of procedures. The scope, content, and specifics would be up to the Board's discretion. A draft set of Board rules is attached.

**PUBLIC/GOVERNMENTAL PARTICIPATION:**

To date, there has been no involvement from PGA.

**OPTIONS:**

Options include maintaining the status quo and follow current process, or start a dialogue on the possible benefits and/or restrictions associated with adopting a formal set of board rules.

**RECOMMENDATION:**

County Counsel recommends that the Board have an earnest discussion about the need for formalized Board rules.

**ATTACHMENTS:**

Draft Board Rules dated 4/6/21  
Clatsop County Board Rules

**SUBMITTED BY:**

Division Director/Head Approval SLM  
Department Director/Head Approval SLM  
County Administrator Approval \_\_\_\_\_

<p>For information on this issue or copies of attachments, please contact Stephen L. Madkour, County Counsel at 503-655-8362 or S<sup>M</sup>adkour@clackamas.us</p>
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# Adopting Rules for Board Meetings for the Clackamas County Board of Commissioners

## Section 1: Organization

A. The Chair presides at Board meetings and has a vote on each matter before the Board. The presiding officer may not make or second motions unless the position is first relinquished for that purpose.

B. The Vice-Chair presides when the Chair is absent.

C. In the absence of both the Chair and Vice-Chair, the Commissioner with the most seniority in office will act as presiding officer.

D. The presiding officer will sign all documents approved at the Board meeting.

## Section 2: Appointment of Vice-Chair

A. At the first regular meeting of each calendar year, the Board will appoint a Vice-Chair. Appointments will be made on an annual basis. If there is a vacancy in the Vice-Chair position, the Board will appoint a Vice-Chair.

## Section 3: Minutes

A. The Board Clerk will make an audio or written record of all Board meetings.

B. The audio or written record will comply with the Oregon Public Meetings Law. The records will be accessible to the public during regular office hours.

## Section 4: Meetings

### A. Regular Meetings

(1) All meetings are open to the public, except executive sessions.

(2) All Board meetings are held in the Commissioners' Boardroom and other locations accessible to the public as noted on the agenda.

(3) The Board meets each Thursday to deliberate on County business and make decisions.

(4) The Board meets on Tuesdays and other days as necessary for briefings, executive sessions, work sessions and joint meetings. The Chair may cancel Board work sessions or briefings or combine them with regular or special meetings.

(5) When it is in the public interest, the Board by majority vote at any meeting may adjourn to another time or to another location accessible to the public.

#### B. Special Meetings

(1) The Chair or two other Board members may call special meetings. The special meeting notice must include an agenda of items for consideration. The notice must be available at least 24 hours before the meeting. Each commissioner shall be provided notice at the earliest opportunity.

(2) The Board may take any action at a special meeting as it would otherwise be authorized to do during a regular meeting.

#### C. Executive Sessions

(1) The Board may meet in executive session in accordance with state law and as authorized by County Counsel. At the beginning of each executive session, the statutory authority for the meeting must be stated.

(2) The Board will require that representatives of the news media and all other attendees are specifically directed not to disclose specified information that is the subject of the executive session.

### Section 5: Notice and Agenda

A. The Board Clerk will maintain an interested person Board meeting notice list. The list will include the names and addresses of interested persons including news media that have requested notice of Board meetings. The Board Clerk will give notice stating the time and place of Board meetings and the agenda to persons on the list, and post the notice to the Board's internet web site. Agenda packet materials will also be posted to the web site.

(1) Notice will be given at least 72 hours before each regular meeting.

(2) Notice will be given 24 hours before each special meeting and when an agenda items has been changed or revised.

B. The Chair, each Commissioner, the Sheriff, the District Attorney, the Auditor, the Treasurer, the Justice of the Peace, and Department Directors may place matters on a Board meeting agenda. The official who places a matter on a Board agenda may withdraw or postpone the matter at any time before the start of the meeting. If the

agenda has been distributed, the Board must decide to continue the matter to another date or postpone it indefinitely.

C. The Chair sets the agenda and will supervise agenda preparation. The Chair may adopt Executive Rules for placement of matters on the Board agenda, and the format for ordinances, resolutions, orders, proclamations and other Board documents.

D. The Board, Sheriff, District Attorney and Auditor are not bound by the Administrative Procedure for Board agenda submissions and process established by the Chair for County Department Directors. The agenda submission deadline for elected officials is noon, Wednesday, one week prior to the Thursday Board meeting.

#### Section 6: Unanimous Consent

A. The Board may act on an item not on the agenda notice if at least three Commissioners vote in favor of a motion to immediately consider the matter.

B. For the matter to be adopted, all Commissioners present must vote in favor of the matter.

#### Section 7: Attendance, Quorum

A. Commissioners will provide written or electronic mail notification of all anticipated absences from Board meetings to each other and the Board Clerk.

B. A quorum consists of three Commissioners.

C. Commissioners may appear and vote by way of telephonic or video communication.

#### Section 8: Voting

A. After a motion and second, the presiding officer will restate the motion and invite public testimony as appropriate followed by board discussion. At the conclusion of Board discussion, the presiding officer will state the motion before the Board and call for the vote.

B. After the call for the vote, no further discussion is permitted, but the presiding officer will permit the maker to withdraw the motion to allow further discussion.

C. No voting abstention is allowed. Commissioners must vote 'yes' or 'no' unless they have been excused for a conflict of interest.

D. Commissioners may not vote by proxy.

E. Commissioners will vote orally. A roll call vote will be conducted if requested by any Commissioner. The presiding officer will announce the results of the vote, and the vote of each Commissioner will be recorded.

G. Motions and amendments to motions fail if there is a tie vote.

H. If a potential conflict of interest exists for any Commissioner relating to any matter on the Board agenda, the Commissioner will publicly announce the nature of the potential conflict before participating in the Board discussion of that matter. If a Commissioner has an actual conflict of interest relating to any matter, the Commissioner will recuse him or herself and will not participate or vote on that matter.

I. Regular meeting agendas include a consent agenda for approval of items determined routine by the Chair. The consent calendar may be approved by a single motion, second and vote of the Board. At the request of any Commissioner, a consent agenda item will be removed from the consent agenda and considered on the regular agenda.

J. Agenda items may be taken out of order at the discretion of the presiding officer, or by a quorum of the Board.

#### Section 9: Public Testimony

A. The presiding officer may regulate the length of public participation and limit appearances to presentations of relevant points.

B. To assist persons wishing to testify at Board meetings, the Board Clerk will make public sign-up sheets available. Persons will be called to testify in the order they are submitted to the Board Clerk, unless otherwise recognized by the presiding officer.

C. The presiding officer has authority to keep order and impose reasonable restrictions necessary for the efficient and orderly conduct of a meeting. Any person who fails to comply with reasonable rules of conduct or who creates a disturbance by disrupting or interfering with government business may be asked or required to leave and upon failure to do so becomes subject to exclusion from the premises.

#### Section 10: Ordinances

A. Proposed ordinances will be prepared or reviewed and approved by the County Counsel.

B. Except for ordinances containing emergency clauses, proposed ordinances will be read at regular Board meetings on two different days at least thirteen days apart.

C. A proposed ordinance may be read by title only if copies of the ordinance are available to the public at the meeting.

D. A motion to move a proposed ordinance to its second reading requires the affirmative concurrence of at least three members of the Board. Unless a later date is provided by the Board, upon passage of the motion, the presiding officer will announce the second reading is scheduled for an upcoming regular meeting, which must be at least thirteen days from passage of the motion.

E. No change or amendment to a proposed ordinance that has been placed on the agenda may be made except by approval of a majority of the Board during the public hearing of the ordinance. If the Board approves a change that materially affects a proposed ordinance, an additional reading of the proposed ordinance may be held.

F. A non-emergency ordinance takes effect ninety days after adoption by the Board unless it prescribes a later effective date or it is referred to County voters.

G. A proposed ordinance to meet an emergency may be introduced, read once and enacted at a single meeting of all Board, provided it is by unanimous vote of all members present, provided they constitute a quorum. If the Board votes in favor of passage at the first reading but the vote is not unanimous, the proposed ordinance must be scheduled for a second reading. At the second reading, the proposed ordinance may be approved as either an emergency or a non-emergency ordinance by majority vote.

H. Following Board adoption, an emergency ordinance takes effect immediately upon signature of the presiding officer or the date provided in the ordinance.

#### Section 11: Application of Rules

The Board is the governing body for Clackamas County Service District #1, Clackamas County Development Agency, Clackamas County Extension Service & 4-H District, Clackamas County Enhanced Law Enforcement District, Clackamas County Service District #5, North Clackamas Parks and Recreation District, the Surface Water Management Agency of Clackamas County, and the Tri-City Service District. The Board also sits as the Board of Health, the Public Contract Review Board and in other capacities. These Rules apply to the meetings in all capacities.

#### Section 12: Miscellaneous

A. If any procedure or situation is not covered by law or these Rules, then the Board may resort to the most recent edition of Robert's Rules of Order Newly Revised for persuasive, but not binding, direction.

B. Copies of these Board Rules will be available at all Board meetings.

## Section 13: Adoption

This resolution repeals and all previously adopted Board Rules. These Rules take effect immediately upon Board adoption.

DRAFT



**Clatsop County**  
**Board of County Commissioners**



**Rules**

**Revised July 2015**

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## **Introduction**

Clatsop County Charter Section 5. Meetings A. states “The Board shall adopt rules governing its meetings.” These rules govern the board’s meetings and a number of operational issues that are necessary for the county board to oversee the county. The rules were developed by reviewing the board policies and incorporating the board policies into the rules so that each board policy was addressed. Many of the board policies specifically contract review, specific committee rules, and department structure are to be incorporated into an administration of the county ordinance which will be included in the revised county code of regulations.

These rules start with general policy statements patterned on the board training developed by John and Miriam Carver. The general policy statements serve as direction and reminders for the board. They are also a reference point for the rules since the rules shall be consistent with and support the general policy statements. The general policy statements are to be reviewed each year.

The rules are designed to be adopted by resolution of the board. The rules are to be reviewed and updated a minimum of every other year after the election process in odd numbered years. The rules are intended to guide the board processes, but when necessary the board should deviate from the rules if the county is better served through the process.

## GOVERNANCE PROCESS

**Policy 1. GLOBAL GOVERNANCE PROCESS** The purpose of the Board, on behalf of the residents and visitors of Clatsop County is to see to it that Clatsop County, Oregon (a) achieves appropriate results for appropriate persons at an appropriate cost, and (b) avoids unacceptable actions and situations (as prohibited in County Manager Limitations policies).

**Policy 2. GOVERNING STYLE** The Board will govern lawfully, with an emphasis on: (a) outward vision rather than an internal preoccupation, (b) encouragement of diversity in viewpoints, (c) strategic leadership more than administrative detail, (d) clear distinction of Board and County Manager roles, (e) collective rather than individual decisions, (f) future rather than past or present, and (g) proactivity rather than reactivity.

**Policy 3. BOARD JOB DESCRIPTION** Specific job outputs of the Board, as an informed agent of the residents and visitors, are those that ensure appropriate organizational performance.

**Policy 4. AGENDA PLANNING** To accomplish its job products with a governance style consistent with Board policies, the Board will follow an annual agenda that (a) completes a re-exploration of these policies annually and (b) continually improves Board performance through Board education and enriched input and deliberation.

**Policy 5. BOARD CHAIR'S ROLE** The Board Chair, a specially empowered member of the Board, assures the integrity of the Board's process and, secondarily, occasionally represents the Board to outside parties.

**Policy 6. BOARD MEMBERS' CODE OF CONDUCT** The Board commits itself and its members to ethical, businesslike, and lawful conduct, including proper use of authority and appropriate decorum when acting as Board members.

**Policy 7. BOARD COMMITTEE PRINCIPLES** Board committees, when used, will be assigned so as to reinforce the wholeness of the Board's job and so as never to interfere with delegation from the Board to the County Manager.

**Policy 8. COST OF GOVERNANCE** The Board will invest in its governance capacity.

## **BOARD-MANAGEMENT DELEGATION**

**Policy 1. GLOBAL BOARD-MANAGEMENT DELEGATION** The Board's sole official connection to the operational organization, its achievements and conduct will be through a County Manager as provided for in the County Home Rule Charter.

**Policy 2. UNITY OF CONTROL** Only officially passed motions of the Board are binding on the County Manager.

**Policy 3. ACCOUNTABILITY OF THE COUNTY MANAGER** The County Manager is the Board's only link to operational achievement and conduct, so that all authority and accountability of staff, as far as the Board is concerned, is considered the authority and accountability of the County Manager.

**Policy 4. DELEGATION TO THE COUNTY MANAGER** The Board will instruct the County Manager through written policies that prescribe the organizational ends to be achieved, and proscribe organizational situations and actions to be avoided, allowing the County Manager to use any reasonable interpretation of these policies.

**Policy 5. MONITORING COUNTY MANAGER PERFORMANCE** Systematic and rigorous monitoring of County Manager job performance will be solely against the only expected County Manager outputs: organizational accomplishment of Board policies on Ends and organizational operation within the boundaries established in Board policies and Executive Limitations.



## COUNTY MANAGER LIMITATIONS

**Policy 1. GLOBAL EXECUTIVE CONSTRAINT** The County Manager shall not cause or allow any organizational practice, activity, decision, or circumstance that is either unlawful, imprudent, or in violation of commonly accepted business and professional ethics and practices.

**Policy 2. TREATMENT OF THE POPULACE** With respect to interactions with people, the County Manager shall not cause or allow conditions, procedures, or decisions that are unsafe, untimely, undignified, or unnecessarily intrusive.

**Policy 3. TREATMENT OF STAFF** With respect to the treatment of paid and volunteer staff, the County Manager shall not cause or allow conditions that are unfair, undignified, disorganized, or unclear.

**Policy 4. FINANCIAL PLANNING/BUDGETING** The County Manager shall not cause or allow financial planning for any fiscal year or the remaining part of any fiscal year to deviate from the Board's adopted budget, risk financial jeopardy, or fail to be derived from the long range financial plan.

**Policy 5. FINANCIAL CONDITION AND ACTIVITIES** With respect to the actual, ongoing financial condition and activities, the County Manager shall not cause or allow the development of financial jeopardy or deviation of actual expenditures from the Board's priorities.

**Policy 6. EMERGENCY COUNTY MANAGER SUCCESSION** In order to protect the Board from sudden loss of County Manager services, the County Manager shall not permit there to be fewer than two other executives sufficiently familiar with Board and County Manager issues and processes to enable either to take over with reasonable proficiency as an interim or successor.

**Policy 7. ASSET PROTECTION** The County Manager shall not cause or allow corporate assets to be unprotected, inadequately maintained, or unnecessarily risked.

**Policy 8. COMPENSATION AND BENEFITS** With respect to employment, compensation, and benefits to employees, consultants, contract workers, and volunteers, the County Manager shall not cause or allow jeopardy to financial integrity.

**Policy 9. COMMUNICATION AND SUPPORT TO THE BOARD** The County Manager shall not cause or allow the Board to be uninformed or unsupported in its work.

## ENDS POLICIES

The Ends Policies according to Carver “refers to the effects an organization seeks to have on the world outside itself.”...”The concept embraces the impact, difference, change, benefit, or outcome to be obtained in the lives of consumers or consumer-like populations. Let’s call this *results*.

The identity, description, or characteristics of the consumers or populations to receive the results would be the *recipients*.

The monetary expense, relative worth, or relative priority of a result or set of results, or the comparative priority of certain recipients rather than others getting the results would be the *cost*. Keep in mind that *cost can mean cost in other results forgone*, not just cost in monetary terms.”

These will require board to focus and guide the county through the development and in subsequent years the review of the strategic plan.

- John and Miriam Carver, Reinventing Your board – a Step by Step Guide to Implementing Policy Governance, John Wiley and Sons, Inc. 2006, P. 151-2

# Clatsop County Board Rules

## SECTION 1 – AUTHORITY

### Rule 1.1 Authority of Rules

Section 5.A. of the county charter provides that the board will adopt board rules by resolution to govern its meetings and proceedings. These rules will decide questions and give direction on debating, voting, membership, attendance agendas, and other matters. The rules are intended to serve as a guide for the board. These rules provide the basic outline required to work together. The board may need to vary from these rules from time to time to best serve the public interest.

### Rule 1.2 Board Authority

All questions regarding these rules will be resolved by a majority vote of the board.

### Rule 1.3 Limited Public Forum

The meetings of the board, including regular meetings special meetings, work sessions and emergency meetings are open to the public in accordance with the Oregon Public Meetings Law (ORS 192.610 to 192.69). The meetings are considered a limited public forum at which board business is conducted in accordance with the agenda and rules of the board. The board chair, as the presiding officer, along with the board has the authority to require discussions at meetings to be addressed to the items under discussion. The board has the right to require persons attending the meeting, addressing the board or participating in the meeting to conform to the rules of the board and direction of the board chair or the presiding officer.

### Rule 1.4 Presentation to Board Members

The rules will be presented to all board members before the time they take the oath of office. Each appointed or elected board member will acknowledge in writing that the member has received and reviewed a copy of these board rules within 30 days of receiving the rules. The clerk of the board will furnish a form of acknowledgement to the member and retain the signed copy.

## SECTION 2 – GENERAL RULES

### Rule 2.1 Open Meetings

All board meetings will be held in accordance with the Oregon Public Meetings Law (OPML). All final action by the board will take place at board meetings that are open to the public.

### Rule 2.2 Quorum

Section 6. A. of the county charter provides that a majority of the board members is a quorum to conduct business, but a smaller number may meet and compel attendance of the absent members.

### Rule 2.3 Compelling Attendance

When a quorum is not present at the time set for a meeting or when a quorum has been present and a meeting has commenced, but a quorum is no longer present, a board member may move for a call of the house. The motion will be put in the following form: “I move for a call of the

house.” That motion will take precedence over all other business. The motion need not be seconded, but it is subject to discussion. At least two board members present must concur for call of the house motion to pass. If the motion is passed, then all unexcused absent board members will be requested to attend or return to the meeting. The county manager will provide the administrative staff assistance necessary to compel attendance of the unexcused absent board members at the meeting. The board chair is authorized to recess the meeting to a time certain while attendance is being compelled.

Rule 2.4 Vacant Positions as Relates to Quorum

If a board position is vacant, that vacant office will be counted in determining the majority of the board members that is necessary for a quorum to conduct business.

Rule 2.5 Vote Required

Section 6.B. of the county charter provides that expressed approval of a majority of the quorum of the board is necessary for any board decision except when the charter or board rules requires approval by concurrence of a majority of the entire membership of the board.

Rule 2.6 Entire membership

The entire membership of the board is comprised of five (5) board members. The absence from a particular meeting does not affect the required number of board members to constitute the majority of the entire membership. If a board position is vacant, that position will be considered when determining the entire membership of the board. This interpretation is applicable to any time the concurrence of the majority of the entire membership of the board is required for a board decision. Concurrence of the majority of three (3) members of the board is required for the passage of an ordinance.

Rule 2.7 Rules of Order

“Roberts Rules of Order, Newly revised, Tenth Edition’ or the latest editions published thereafter hereafter referred to as “Robert’s Rules of Order” will govern all of board proceedings unless they conflict with these rules. The board chair will have the authority to appoint a parliamentarian for the board. If there is not a person appointed as parliamentarian or that person is absent, county counsel will advise the board chair concerning parliamentarian matters.

Rule 2.8 Suspension of Rules

The vote to suspend board rules including Robert’s Rules of Order, requires a majority vote of those members of the board who are present. If the motion is approved, the rules will be suspended for that item only.

Rule 2.9 Records of Proceedings

The clerk of the board will attend all meetings, unless excused, and keep an accurate record of the proceedings of the board meetings. The county manager will appoint and supervise the clerk of the board. The county manager may appoint such deputy clerks as needed. The records of the proceedings are to be known as ‘minutes.’ The minutes will be kept in accordance with the Oregon Public Records and Meetings Law (OPML).

## SECTION 3 – BOARD MEMBERS

### Rule 3.1 Board Defined

Section 1 A. of the county charter states that the board consists of five board members elected from districts and by the electorate from the districts.

### Rule 3.2 Qualifications to Hold Office

Section 1. B. and C. of the county charter provides qualifications for eligibility of elective office to the board. The county charter provides that no person will be eligible to fill the elective office of the board unless that person at the time of the election is a qualified voter and has resided in the district for twelve (12) months immediately preceding the election or appointment. Furthermore, it is a requirement that the person once elected to the board must continue to meet the qualifications for the office during the term.

### Rule 3.3 Attendance

It is the duty of each board member to attend all meetings of the board. Section 3. A. (6) of the county charter provides that an office will be deemed vacant upon the absence from three (3) consecutive meetings of the board without board consent. The consent of the board for such an absence must be in writing and obtained prior to such absence, if possible. Consent will be given for good cause. The board has the authority to make the final decision concerning good cause.

### Rule 3.4 Excused Absence

When a board member cannot attend a meeting, the member will notify the board chair or county manager prior to the meeting. The board chair or presiding officer will determine if the absence is considered 'excused' or 'unexcused'. If the absence is for good cause and there are no objections from other board members who are present, the clerk will note the absence in the minutes as excused. If the board upon an affirmative vote of the majority of the board, determine the absence if not for good cause, the clerk will record the absence in the minutes as unexcused. There will be a presumption that the absence is unexcused if there is not notification of the absence prior to the meeting. The board will make the final decision on whether or not an absence is excused or unexcused.

### Rule 3.5 Explanation of Unexcused Absence

If any member has two (2) consecutive unexcused absences from meetings or subcommittee meetings of the board, the board may request an explanation at a meeting of the board.

### Rule 3.6 Filling Vacancies

Section 3. of the county charter provides that vacancies of elected offices of the county will be filled by appointment by a majority of the remaining board members. The appointee's term of office shall be from the date of appointment until the expiration of the term of office of the last person elected to that office. When such vacancies occur, the board will follow the procedure set out for filling that specific vacancy as established in the County Charter Section 3 Vacancies (B). In the event that three or more elected offices become vacant, the vacancies shall be filled consistent with ORS 236.225 (2).

Rule 3.7 Board Memberships and Liaison Role of Board

A. External to County Board Membership

Board members serve on boards, commissions, and committees that are not a part of the county organization. These external boards are identified in Exhibit 1.

1. Board Member Assignment

The board chair shall assign membership to regional boards during the first month of the year following the general election. The assignments shall be based on input from board members and the board chair shall attempt to assign board members to regional boards that they have an interest in and desire to serve and such other appointments as the Board shall decide. If there are conflicts the board chair's decision shall be final.

2. Board Member Participation

The board member shall participate on the behalf of the full board membership and shall make decisions as the serving board member determines. If a board member believes a decision is inconsistent with the majority of the board, the board member may delay the decision until the full board can consider the question and provide advice, abstain from the decision, or make the decision and explain to the board the direction at an ensuing meeting of the board.

3. Board Member Reports

Board members shall report to the full board on their participation in the regional board at the board meetings. The clerk of the board shall be provided minutes of the meeting and shall distribute the minutes to the full board for review.

B. Liaison Membership

The county code provides that board members will serve as liaison board members on local boards and commissions. The internal county boards and commissions are identified in Exhibit 1.

1. Board Member Assignment

The board chair shall assign board liaison membership to local boards and commissions during the first month of the year following the general election. The assignments shall be based on input from board members and the board chair shall attempt to assign board members to boards and commissions that have an interest and desire to serve. If there are conflicts the board chair's decision shall be final.

2. Board Member Participation

The board member serving in a liaison capacity shall not be voting members of the board or commission and shall attend as needed to provide support, advice and input to the board or commission on issues that may be of interest. The board member may represent what is understood to be the board's position on items of interest to the local board or commission and provide other advice as requested.

3. Board Member Reports

Board members shall report to the full board on their participation in the local board or commission at the board meetings. The clerk of the board shall be provided minutes of meetings and shall distribute the minutes to the full board for review.

## SECTION 4 – BOARD MEETINGS

### Rule 4.1 Regular Meetings

Section 5. of the county charter provides that the board must generally meet at least twice each month at a time and place designated by the board. At least one of the meetings shall be convened after 5:00 p.m. The board designates through these rules two regular meetings of the board, which will be held on the second and fourth Wednesday of each month at a time determined by the board, except on holidays in which event the board will meet on the next ensuing business day. The board may establish an alternative board meeting schedule during the months of November and December to accommodate the holiday schedule.

### Rule 4.2 Notice of Meeting

The notice of the regular meeting of the board, including the agenda that lists items to be considered by the board, will be given in accordance with ORS 192.640. However, the notice does not limit the items that can be considered by the board nor prevent the board from discussing any item brought before the board in accordance with ORS 192.610 to 192.690.

### Rule 4.3 Meeting Times and Places

Regular board meetings will take place in the Guy Boyington Building at 6:00 p.m. on the second and fourth Wednesday of each month unless otherwise scheduled by the board. Any change in the location or time of the regular meetings shall be noted in the notice of the meeting.

### Rule 4.4 Special Meetings

Special meetings may be called at any time upon the board chair's request or the request of three (3) members of the board. All meetings of the board will be called, noticed, and held in accordance with the county charter, county code, rules of the board, and ORS 192.610 to 192.690.

### Rule 4.5 Special Meetings and limited Purpose

Notice of a special meeting will designate the time and place as well as the business to be considered. Only business as set forth in the notice will be considered by the board, unless an actual emergency occurs in which case notice will be given in accordance with ORS 192.640 (3). The rules of procedure for special meetings will be the same as those provided for general meetings of the board insofar as such rules are applicable. The agenda to be followed at the special meeting will generally be the agenda format set forth in SECTION 5 of the Board Rules.

### Rule 4.6 Emergency Meetings

The board chair or a majority of the board members may call an emergency meeting. An emergency meeting of the board may be called with less than 24 hours' notice provided an actual emergency exists. The meeting will be convened and notice will be provided pursuant to ORS 192.640 (3). Attempts will be made to contact the media to provide notice of the emergency meeting. The board once convened shall have sole discretion to determine if an emergency exists.

Rule 4.7 Executive Session Meetings

The board may meet in executive session in accordance with ORS 192.660. Items discussed in executive session will be exempt from public disclosure pursuant to ORS 192.660. Board members will not disclose items discussed in executive session. The county manager and county counsel will attend all executive sessions, unless they are excluded by the board or are required to be excused. County staff persons as allowed by the board may attend. Other persons authorized by ORS 192.660 may attend. The board by rule may define “news media representative” within the meaning of the statute ORS 192.660 that are allowed to attend executive sessions. All final actions or decisions must be made in public session.

Rule 4.8 Information Not To Be Disclosed

All information discussed or considered in executive sessions of the board shall be undisclosed, unless otherwise authorized by the board. This policy extends to all statements made in executive sessions, to all documents considered, and all other information presented or considered regardless of the format, in executive sessions of the board. To the extent this policy may be inconsistent with Oregon Public Meeting Law, the law (ORS 192.610-192.690) shall control. This policy shall apply regardless whether persons attending any particular executive session are reminded of the policy. The board, in its sole discretion, may make exceptions to this policy if it is in the public interest to do so, and if a majority of the members vote in accordance with ORS 192.610 (1).

Rule 4.9 Adjourned and Recessed Meeting

The board may adjourn or recess any meeting to a later date and time by a majority vote of the board members present. At least 24 hours’ notice will be provided. The notice will state the date and time of the adjourned or recessed meeting.

Rule 4.10 Cancellation of Meeting

A majority of the board members present may vote to cancel a meeting when deemed appropriate. If there is no business to transact or a quorum of the board cannot attend and there is no urgent necessity to have a meeting, the board chair may cancel the meeting. Board members will be notified of the cancellation prior to notice being provided to the public. Notice of cancellation will be given as soon as possible to the public.

SECTION 5 – AGENDAS AND ADDITIONAL ITEMS FOR CONSIDERATION

Rule 5.1 Preparation of the Agenda

The county manager with the advice and consent of the board chair will prepare the agenda along with the documentation for board meetings. Any member of the board may request, through the county manager or board chair, that an item be placed on the agenda. If there is no item to be considered under a section of the agenda, that section will be omitted from the agenda and the agenda will be renumbered accordingly. The final authority regarding consideration of items on the agenda is the board.

Rule 5.2 Non-agendized Items

Prior to the meeting, the county manager may send out additions to the agenda with the appropriate documentation. The board may consider the items that are not listed on the



published agenda. The board must, by a majority, place the item on the agenda which can be accomplished through approval of the agenda or by separate motion on the specific item. Action may then be taken on the item.

Rule 5.3 Time for Submission of Items

Items for the board agenda will be submitted in time to allow for sufficient research by staff and recommendations from advisory boards, commissions or committees.

Rule 5.4 Reports by Staff

The board will receive a written report from the staff or supporting documentation and information on each item to be considered by the board at least six (6) days prior to the board meeting.

Rule 5.5 Additional Items

After consulting with the board chair, the county manager may, not later than forty-eight (48) hours prior to the meeting, send out additions to the agenda documentation and information. With prior notice to the board and under circumstances that cannot be avoided, the county manager may submit additional documentation at the board meeting. Any board member may request and will be granted adequate time to review the documentation or delay deliberation concerning the item.

Rule 5.6 Public Comments

The chair has the discretion in allowing comment during Business From the Public or allowing comment under the business agenda item. People wishing to speak during business from the public must fill out and sign a public comment sign-in card and present it to the clerk of the board. Comments by an individual under business from the public will be limited to three (3) minutes unless extended by the board chair or approved by a majority of the board. The maximum time allowed for public comments, including all speakers is thirty (30) minutes, however, this time may be changed by majority vote of the board. Speakers may address the board for less than the allotted time. Speakers who wish the board to consider written material are encouraged to submit information in writing at least ten (10) days prior to the board meeting. In the case of public hearings or items on the board agenda for action, the submission of written material for consideration or inclusion in the record may be subject to stricter time limits established by the board and publicized by the county. Speakers may also submit information at the meeting, however, it may not be considered by the board subject to the board's discretion.

Rule 5.7 Consent Calendar

The county manager with approval of the board chair will place items previously reviewed or routine in nature on the consent calendar. Items may be removed from the consent calendar by the board chair or at the request of a board member. Ordinances will not be placed on the consent calendar. Public comments will be held prior to the approval of the consent calendar to allow the public to address items to be considered under the consent calendar.

Rule 5.8 Agenda Availability

Board agendas and the accompanying documents are available at the county manager's office and are posted on the county's website normally six (6) days prior to the board meeting.

Interested persons are encouraged to read the agenda along with supporting material, and address questions to the board chair, board, or county staff prior to the meeting. The board chair and board value public input. In order to efficiently conduct county business those who have concerns are encouraged to address these issues prior to the board meeting.

Rule 5.9 Work Session Meeting Agenda

The board may hold work sessions as needed. The work session will be attended by the county manager, the county counsel, the board chair and board. Other department heads will be expected to attend if requested by the county manager. The work session is intended for discussion and no decisions or actions will be taken on the items. Work sessions are open to the public and the public is welcome to attend. Public input will not be taken except with specific permission of the board chair or a majority of the board. Minutes of the work session will be taken by the clerk of the board. The agenda may be altered by the board chair or by a majority of the board in attendance.

Rule 5.10 Business Meeting Agenda

The board may hold its regular business meetings at the time and place as specified in these rules. The business meetings are open to the public and the public is welcome to attend. Public input will be taken as provided for in these rules. Minutes of the board will be taken by the clerk of the board. The agenda may be altered by the board chair or by a majority of the board in attendance pursuant to these rules.

Rule 5.11 Joint Meeting or Community Forum Meeting Agendas

The board may hold joint meetings or community forums with other governmental entities or with the county's board, commissions, or committees or other governmental entities or an open forum to conduct business and to discuss issues, relationships, strategic plans or issues. The purpose of the community forum would be to listen and communicate. These meetings are open to the public and the public is welcome to attend. Public input will be taken as determined by the board chair or a majority of the board members. Minutes of the joint meeting or community forum will be taken by the clerk of the board or as designated by the county manager.

SECTION 6 – BOARD CHAIR

Rule 6.1 Board Chair

Section 4 of the county charter provides that the board chair will preside and facilitate all board meetings, preserve order, enforce the board rules, and determine the order of business pursuant to board rules. Pursuant to section 4.B. of the county charter at the first meeting in January, annually, the board will elect a chair from the board. The board chair is a voting member of the board and has no veto authority. The board chair, with the consent of the board, will appoint members of boards, commissions, and committees established by ordinance or resolution. The board chair will sign all records of board decisions. The board chair will review and if allowed approve all expense reimbursement claims submitted by the county manager prior to payment (See also Rule 13.1). The board chair serves as the political head of the county government.

Rule 6.2 Board Vice Chair

In the absence of the board chair, the board vice chair will act as the board chair and serve as the presiding officer. Pursuant to section 4.B. of the county charter at the first meeting in January, annually, the board will elect a vice chair from the board. Wherever in the rules the board chair is mentioned and the board chair is absent, the board vice chair may exercise the authority as the board chair. The board vice chair presides in the absence of the board chair and acts as the board chair when the board chair is unable to perform the board chair's duties.

Rule 6.3 Presiding Officer Pro Tem

In the absence of the board chair or the board vice chair at any meeting of the board where a quorum is present, the board members present may appoint a presiding officer pro tem who will preside at the meeting. The presiding officer pro tem will exercise all the authority of the board chair.

Rule 6.4 Presiding Officer Pro Tem for Specific Items

The board chair, with the consent of the appointed board members and the concurrence of the members present, may appoint a board member to serve as the presiding officer pro tem for specific items to come before the board meeting for consideration. If any board member objects to the appointment, the consent of the quorum will be obtained. The rulings and decisions of the presiding officer pro tem will have the same force and effect as those of the board chair. The board chair will be allowed to participate as any other board member.

SECTION 7 – PROCEDURES AT MEETINGS

Rule 7.1 Board Chair's Duty

The board chair will call the board members to order at the hour designated for the meeting. The board chair may compel attendance in accordance with board rule 2.3. Should there not be a quorum within fifteen (15) minutes the members present will adjourn until a quorum can be gathered or until the next scheduled meeting time established by the board or to the next regular meeting day and time.

Rule 7.2 Board Chair's Role

The board chair will preserve order and decorum, may speak to the points of order in preference to other members and will decide all questions of order subject to an appeal to the board by a majority of the board members. No member may speak more than once on an item concerning an appeal of the board chair's decision without permission of the board. If two or more members request the floor at once, the board chair will name who is to speak first.

Rule 7.3 Address the Board Chair

When any board member is about to speak in debate or deliver an item to the board, the board members should respectfully address the board chair or presiding officer. The board member should confine the remarks to the question under consideration and avoid addressing personalities.

Rule 7.4                      Voting Required

Pursuant to county charter section 5. F. every board member who is present will vote for or against the question before the board unless the board member provides an explanation for abstaining. Every board member may refrain for just legal cause and will announce the legal reason or justification for abstaining from voting.

Rule 7.5                      Discussion of Agenda Items

Discussion may occur at any time on an item. The board chair will control and determine what item will be discussed.

Rule 7.6                      Seconding Motions

Generally, no motion will be considered unless it has been seconded. When a motion is seconded, the mover may withdraw the motion with the consent of the second at any time before discussion and before any amendment is proposed. Routine motions that have the general consent of the board do not require a second, unless requested by any member of the board. Other motions not requiring a second: division, point of order, parliamentary inquiry, permission to withdraw or modify a motion and other such procedural inquiries.

Rule 7.7                      Reconsideration

When a question has been decided, it will be in order for a member who voted on the prevailing side to move for reconsideration at the same meeting or next following meeting only.

Rule 7.8                      Failure to Follow Rules

Failure to follow the rules of the board in conducting business or to abide by the rules of procedure does not invalidate the decisions of the board nor will it be grounds to later challenge the validity of a decision.

Rule 7.9                      Ordinances

The board exercises its legislative authority by adoption of ordinances. Ordinances require the concurrence of a majority of the entire membership of the board.

Rule 7.10                     Public Legislative Hearing

When the board conducts a public hearing concerning the exercise of legislative authority, the board will follow the legislative hearing format. That format is hereby attached as Exhibit 2 to these rules and by this reference incorporated.

Rule 7.11                     Public Administrative Hearing (reserved)

Rule 7.12                     Public Quasi-judicial Hearing

The board exercises its quasi-judicial authority usually by adoption of an ordinance. When the board conducts a quasi-judicial public hearing the board will follow the quasi-judicial hearing format. There are two separate and distinct types of quasi-judicial public hearing procedures that will be used by the board and they are as follows:

A.                              Quasi-judicial Land Use Public Hearing Procedure

Whenever the board is considering a land use issue that requires a quasi-judicial land use public hearing procedure, the board will use the procedure in the Land and Water Development and Use Ordinance Section 2.185 page 2-54 and by this reference is incorporated in these rules.

**B. Quasi-judicial Non-land Use Public Hearing Procedure**

Whenever the board is considering a non-land use issue that requires a quasi-judicial non-land use public hearing procedure, the board will use the procedure that is hereby attached as Exhibit 3 and by this reference is incorporated in these rules.

**Rule 7.13 Ex-parte' Contact**

When the board holds a quasi-judicial public hearing, the board should declare any ex-parte' contact. The ex-parte' contact rules are provided for in state law and board members are encouraged to seek advice from county counsel if there are questions. The board member should clearly state the content of the contact and follow the advice of the county counsel for disclosure. Failure to state ex-parte' contact could raise questions of prejudice and affect the credibility of the board member.

**Rule 7.14 Public Comment Registration**

Interested persons who want to offer the board comments during the public comment part of the board agenda shall fill out a public comment form at the board meeting. The form shall provide space for each subject the interested person wants to comment on at the board meeting. The public comment registration form shall be part of the meeting records in accordance with the Oregon Public Meeting Law ORS 192.650. The registration forms will contain a provision by which a person may indicate that they do not wish their address, phone number or e-mail address released in any public records request. When the person addresses the board that person should state their name, but does not need to state their mailing address, phone number or email address. A form complying with this rule will be available at all meetings of the board. The county manager is assigned to draft, revise, and produce the necessary form that complies with this rule.

**Rule 7.15 How to Testify**

Those addressing the board should do so in a courteous and considerate manner. The person needs to register and follow other rules as provided in the board rules. The public will be furnished guidelines and should comply with these guidelines for testifying before the board. The guidelines and helpful information shall assist the public in testifying and will be provided at each board meeting. The county manager is assigned to draft, revise, and produce the guidelines.

**SECTION 8 – ENFORCEMENT OF BOARD RULES**

**Rule 8.1 Presiding Officer**

The board chair or presiding officer will enforce the board rules. In addition, the board chair or presiding officer has the authority to preserve decorum and will determine all points of order, subject to the right of any board member to appeal to the board. The board chair or presiding officer will enforce order, prevent attacks on personalities or the impugning of members' motives, and keep those in debate to the question under discussion.

Rule 8.2 Board members

Board members will preserve order and decorum during board meetings, and will not by conversation or other action delay or interrupt the proceedings or refuse to obey the orders of the board chair or presiding officer and board rules. Board members will when addressing staff of board members confine themselves to questions or issues that are under discussion; will not engage in personal attacks; will not impugn the motives of any speaker; and will at all times, while in session or otherwise, conduct themselves in a manner appropriate to the dignity of the office. Board members will not attack the knowledge, skills, abilities and personalities or impugn county staff members' motives in board or at county meetings. The board members may discuss or suggest anything with the county manager related to county business.

Rule 8.3 Attire at Board Meetings (reserved)

Rule 8.4 Removal of Any Person

Any persons making disruptive or threatening remarks or actions during a meeting will be barred from further attendance at that meeting, unless permission is granted by a majority vote of the councilors present. The board chair may summon the assistance of the Sheriff's Office or other administrative staff to prevent further interruption by such person by any action necessary, including the removal of that individual. In case the board chair should fail to act, any board member may move to require enforcement of this rule; and, upon an affirmative vote of the board majority present, the Sheriff or administrative staff will be authorized to remove the person(s) as the board directs.

## SECTION 9 – AD-HOC COMMITTEES

Rule 9.1 Structure of Ad-Hoc Committees

Ad-Hoc committees include up to two board members and additional committee members as approved by the board. The board chair is assigned the authority to recommend the membership and formation of ad-hoc committees and may refer items to the appropriate committee on approval of the board.

Rule 9.2 Duty of Ad-Hoc Committees

The board may form ad-hoc committees to deal with specific tasks within specific timeframes in order to make recommendations to the board. The board will establish membership criteria for the ad-hoc committees on a case by case basis.

Rule 9.3 Appointment of Ad-Hoc Committee Members

The board chair will appoint members of the ad hoc committees. The board chair will designate the ad hoc committee chair and vice chair. Membership on the committee will be appointed as needed to advise the board on specific programs or projects. Members will continue to serve until their mission is accomplished or they are replaced or reappointed.

Rule 9.4 Functions of Ad-Hoc Committees

Each member of the ad-hoc committee will have a vote on the committee. The reports of the ad-hoc committee will only be recommendations to the board. The board reserves all authorities with regard to the disposition of the recommendations.

Rule 9.5 Removal of Members from Ad-Hoc Committees

The board chair with the board's consent may remove any member of the ad hoc committee at any time.

Rule 9.6 Meetings of the Ad-Hoc Committee

The meeting time and place of the committees will be decided by the appointed chair of the ad-hoc committee with the consent of the committee members. The ad-hoc committee chair will have the authority to cancel any meeting of the committee for lack of business or necessity to meet. A majority of the committee however may consent to hold a meeting. Meetings are public meetings and will be conducted in accordance with Oregon Public Meeting Laws.

Rule 9.7 Staff Support of Ad-Hoc Committees

The county manager has the responsibility to furnish the necessary staff support for each ad-hoc committee. The county manager will assign the specific duties to the staff supporting and working with the membership of the ad-hoc committee. The committee will not have the authority to assign specific tasks to any staff person of the county but will work through the county manager.

Rule 9.8 Ex-officio Members of Ad-Hoc Committees

The board chair, county manager and the county counsel will be ex-officio, non-voting members of all ad-hoc committees. The ex-officio members may attend any committee meeting. If they attend, they may participate in the discussion, but they are not required to attend the committee meetings unless assigned by the board.

SECTION 10 – ELECTRONIC MAIL

Rule 10.1 Electronic Mail

All board members will observe the county technology use policies and the following guidelines when using an electronic media for correspondence as elected officials:

A. Subject to Disclosure

All board e-mail correspondence is subject to the Oregon Public Records Law ORS 192.410 – 192-505 and Oregon State Records Retention OAR 166-150 standards and is subject to disclosure. ORS 192.410(4)(a) defines a "public record" as *including*:

any writing that contains information relating to the conduct of the public's business, including but not limited to court records, mortgages, and deed records, prepared, owned, used or retained by a public body regardless of physical form or characteristics.

B. Purpose of E-mail

E-mail may be used for correspondence, meeting scheduling, sending informative information messages, or request information from other members of the county, the county manager or county department directors.

C. Not Appropriate for Policy Issues with a Quorum

E-mail may not be used to discuss policy issues with a quorum of the board at one time or a quorum of an ad-hoc, advisory board, commission or committee. Communicating with a majority of these bodies is a violation of Oregon Public Meeting Law ORS 192.670(1).

## SECTION 11 – PROCLAMATIONS

### Rule 11.1 Requests for Proclamation

Organizations, citizens, or board members may request a proclamation that proclaims a specific date or dates to recognize the efforts of community groups or individuals. The board chair shall determine whether the proclamation is appropriate for board consideration. Upon receipt, the clerk of the board shall notify the board chair of the request and on approval of the board chair shall prepare the proclamation for the board chair's signature. The proclamation shall be placed on a board agenda for board approval prior to the board chair signing the proclamation.

### Rule 11.2 Reading of Proclamations

At the discretion of the board chair, a proclamation may be read at a board meeting or presented or mailed to the requesting individual, organization or group.

## SECTION 12 – COMMUNITY AND MEDIA RELATIONS

### Rule 12.1 Relationships with residents

The county shall establish and maintain open, honest, respectful and uniform relations with residents of the community, and shall endeavor to keep residents informed about the deliberations and decisions of the Board of Commissioners and about county policies, operations, services, activities and plans in a timely manner. Information made available by the county shall be useful, accurate, clear and truthful. Information requested from the county shall be provided promptly and on an equal basis without favoritism.

### Rule 12.2 Commissions and Committees

The members of commissions and committees serving as advisors to the board shall be advised by board liaisons and county staff from time to time regarding relations with the media. When issues involving commissions and committees arise that may involve scrutiny by the media board members are encouraged to advise the county manager to offer county staff media relations services. The chairperson of the committee should be the spokesperson when practical. Board, commission and committee members are cautioned to only represent what is in the record and to not speculate on the outcome of decisions by the commission, committee or board.

### Rule 12.3 Providing Timely Information

The county shall promote and encourage the receipt of timely information from residents of the community about commission decisions, county policies, operations, activities and plans.

### Rule 12.4 Granting Interviews

The county shall promote the understanding and support of its residents of the community for commission decisions and county policies, operations, activities or plans. County staff, as appropriate, shall comply with requests for interviews from both the print and electronic media regarding commission decisions and county policies, operations, activities or plans.



Rule 12.5 County Information to be Provided, Exceptions

The county shall provide any and all information requested by the news media unless, upon written advice of county counsel, the information requested is confidential and privileged from public disclosure by legislative decree of the State of Oregon.

Rule 12.6 County Manager to Establish Guidelines

The county manager's office may coordinate all news media requests for information and shall adopt procedures, guidelines and instructions to county employees that ensure that all such requests are responded to promptly and accurately.

Rule 12.7 Media Deadlines and Releases

When providing information requested by the news media, the county shall be mindful of media deadlines and shall do its best to respond in a timely manner. All news releases or public service announcements issued by the county shall be distributed to all news organizations without favoritism.

Rule 12.8 Board Copied on All Releases

Copies of news releases prepared and distributed by the county shall be given to the board.

Rule 12.9 Corrections

If misinformation is reported by any news media, the county may promptly inform the reporter or media organization involved of the correct information. The County shall request a timely correction or clarification when the misinformation reported seriously reflects adversely upon the county's policies, operations, activities or plans.

SECTION 13 – Reimbursement of Claims

Rule 13.1 Board and Manager Reimbursement

Claims by members of the board for reimbursement of expenditures made on behalf of the county will be reviewed by the manager prior to payment. The manager will submit to the board chair for approval any claims by commissioners not conforming to the approved appropriations or which are unusual in nature. The board chair will review and if allowed approve all expense reimbursement claims submitted by the manager prior to payment.

SECTION 14 - FINANCIAL RESPONSIBILITY

Rule 14.1 Board Responsibility

The board shall maintain general oversight of the financial operation of the county through:

- A. Annual review, adoption and adherence to the policies, unless the board identifies a specific variance from the policies, in the long range financial plan.
- B. Attendance and participation as members of the county budget committee.
- C. Hold public hearings and adopt the budget prior to July 1 the start of the fiscal year.
- D. Take immediate action to avert financial crisis in the county.

E. Hold the county manager accountable for reporting the condition of the budget and financial condition of the county.

Rule 14.2                      Manager's Responsibility

The county manager is responsible for the careful administration of the adopted budgets of all County agencies. The Manager is responsible for:

- A. Directing departmental and agency expenditures in a manner that will assure that total expenditures for the department or agency will not exceed approved appropriations. The Manager is authorized to transfer funds between personal services and materials and supplies if necessary, but may not authorize an increase in full-time employees or the purchase of capital equipment in excess of those items proposed in the budget.
- B. Promptly informing the board and recommending appropriate action whenever it appears that, because of changes in revenue or expenditure projections, the approved expenditures of a fund may exceed the available resources exclusive of any contingency appropriation.
- C. The Manager shall hold department and agency heads responsible for assuring that expenditures do not exceed approved appropriations within major classes, such as Personal Services, Materials and Supplies, and Capital Outlay. The county manager is authorized to increase expenditures for any line item within the class, provided that an offsetting decrease will be made elsewhere in the class.
- D. Department and agency heads will promptly inform the county manager and recommend appropriate action whenever it appears that expenditures in a major class will exceed approved appropriations despite the efforts of the department or agency to control them.

Rule 14.3                      Investment Policy

The board shall review the county's investment policy each year and adopt an investment policy that is consistent with state law.

SECTION 15- TRAVEL POLICY

Rule 15.1                      Purpose and Scope

This policy pertains to all travel and travel-related expenses for the board. This policy does not apply to social gatherings, committee meetings or business meetings held in the county.

Rule 15.2                      Reimbursable Travel Defined

The term Reimbursable Travel will be defined as official travel outside the county as defined within this Policy.

Rule 15.3                      Reimbursable Travel Approval

The board approves reimbursable commissioner travel that is consistent with this policy. Board members will advise the board of the purpose and relevancy of travel, and if questioned, board members will be responsible for assuring the board and electorate that the travel is in the best interest of the county. Travel requiring airplane flight out of state, except the State of Washington, will be preapproved by the board.

#### Rule 15.4 Travel Expense Form

All travel expenses will be documented on a travel request for reimbursement form that is provided by the clerk of the board. Travel request forms must be submitted to the Chair of the Board for review, approval with regard to compliance with this travel policy and for processing. Any dispute not resolved by the Chair of the Board and board member shall be presented to the board at a public meeting to resolve. The board's decision shall be final.

#### Rule 15.5 AOC Conference Attendance

The annual Association of Oregon County's (AOC) meeting is considered to be important, relevant and in the best interest of Clatsop County. It is assumed that the board will attend the AOC Conference.

#### Rule 15.6 Budget Consideration

At no time will the board engage in travel that will result in costs beyond what is provided for in the current year budget unless the travel is specifically approved by the board and additional resources are authorized pursuant to Oregon Budget Law.

#### Rule 15.7 Committee Participation Encouraged

The board encourages and supports participation in county business and AOC committees. The expenses resulting from travel related to county business or AOC committees will be reimbursed provided sufficient funds are available.

#### Rule 15.8 Acceptable Reimbursable Travel Expenses

Upon proper approval of the Travel Request Form, the County will reimburse for all reasonable and necessary travel expenses which are directly related to the Board of Commissioner authorized assignments such as commercial transportation, lodging, meals, tips (up to 20%), registrations, parking fees, mileage and communication charges at actual cost up to a maximum amount of one-fifth per commissioner of the annual Reimbursed Travel Expense line item included in the adopted board's annual budget. Upon approval of the Board Chair, individual commissioners may exceed their one-fifth allotment, provided each commissioner has adequate budgeted funds available to fulfill their duties as an elected official, including attendance at the AOC Annual Conference.

#### Rule 15.9 Reimbursement of Significant Other Expenses

The County will not reimburse travel-related expenses for personal guests of an elected official, unless expressly authorized by the board prior to the travel.

#### Rule 15.10 Reimbursement of Entertainment

Entertainment expenses are not reimbursable except for expenses of entertainment associated with conference programs. Examples of non-reimbursable entertainment expenses include, but are not limited to, alcoholic beverages, theater tickets, and sporting event tickets.

#### Rule 15.11 Mileage Reimbursement

Mileage will be reimbursed at the IRS approved rate for authorized use of the board's private vehicles on County business. When traveling to a place outside of the County, reimbursement

shall start at the commissioner's residence. Rent a car if reasonable. Carpooling is encouraged to save county resources.

Rule 15.12 Least Expensive Transportation Mode

Out-of state transportation related expenses will be based upon the least expensive mode of transportation available, unless a more expensive mode is necessary due to business-related requirements. In determining the least expensive mode, commercial bus service and train will be excluded.

Rule 15.13 Lodging

Reimbursement of lodging expenses will be based on what is a normal and reasonable cost for the area. Proximity to the conference, seminar, or meeting will also be taken into account. If a double room is required because a spouse or personal guest has accompanied an elected official, the County will reimburse only the cost of a single room. The County will reimburse any business-related communications costs (telephone, fax, modem, etc.). The County will not reimburse the cost of any in-room movie or personal communications costs.

Rule 15.14 Meals

Board members will be reimbursed for meals at actual cost. Board members will be responsible for justifying expenses that are considered excessive or out of the ordinary. A total meal cost includes food, beverages, taxes, and tips. Reimbursement of tips will be limited to no more than 20% of the total meal cost. The county will not reimburse the cost of any alcoholic beverages. Board members are required to retain and submit receipts for all meals in order to receive reimbursement.

Rule 15.15 Meals included in Registration Fees

The County will not reimburse for meals if they are included in registration fees (for example, a conference banquet). Complimentary continental breakfasts are not considered meals and will not reduce a daily standard meal allowance.

Rule 15.16 Request To Receive Travel Expense Report.

Only "reimbursable" travel expenses need to be entered on the Travel Expense Report. In other words, only those costs needed to calculate the amount due needs to be included. The county retains all travel expense reports, submitted reimbursement receipts and county cash reimbursements.

Rule 15.17 Submission for Reimbursement

Board members shall submit all receipts and reimbursable expenses in a timely manner, generally no later than the 10<sup>th</sup> of the month following the month that the expense was incurred. If a board member is requesting reimbursement, the travel expense form along with receipts shall be delivered to the Board Chair and/or Vice-Chair.

SECTION 16 - 19 – RESERVED FOR EXPANSION

SECTION 20 – ADOPTION, AMENDMENTS AND REVISIONS

Rule 20.1 Adoption, Amendments and Revisions

These rules shall be adopted by resolution. Amendments and revisions to the rules shall be adopted by resolution.

Rule 20.2 Review

These rules shall generally be reviewed every two years in a work session.

Note: Meeting times and locations are subject to change.

Board or Committee	Meeting Time	Meeting Location
Ambulance Service Dist. Area Adv. Committee	The committee meets quarterly	800 Exchange St., Astoria
Arts Council of Clatsop County	The Council meets on the 3 <sup>rd</sup> Monday of each month.	Meeting places move around the county.
Board of Property Tax Appeals (BOPTA)	The Board generally meets between February and April of each year.	Judge Guy Boyington Building 857 Commercial St., Astoria.
Budget Committee	The Committee usually meets in May each year.	Boyington Building 857 Commercial St., Astoria.
Human Services Advisory Committee	The committee meets at least four times per year.	800 Exchange, Suite 430, Astoria
Planning Commission	The Planning Commission meets on the 2 <sup>nd</sup> Tuesday of each month at 10:00 p.m. Periodically, the Commission meets more frequently.	Boyington Building 857 Commercial St., Astoria.
Public Safety Coordinating Council (PSCC)	The Council at least meets quarterly on the first Friday of the month at 2:30 p.m.	800 Exchange, Suite 430, Astoria.
Recreation Lands Advisory Committee	The Committee meets on the last Thursday of each month. Meetings are usually from 12:00 - 2:00 p.m.	800 Exchange, Suite 430, Astoria.
Rural Law Enf. Dist. Advisory Committee	The Committee generally meets three times a year.	The RLED meets throughout the county, generally in the rural communities to include Arch Cape, Jewell, Knappa/Svensen/Westport, Lewis and Clark, Clatsop Plains.
AOC Council of Forest Trust Land Advisory Committee (CFTLC)	Meets at the annual Association of Oregon Counties fall conference.	
Clatsop Economic Development Resources (CEDR)	Meets as needed.	
Columbia-Pacific Economic Development District (Col-Pac)	Meets as needed.	Rotates among the three counties, Clatsop, Columbia and Tillamook.
Columbia River Estuary Study Task Force (CREST)	Meets monthly on the 4 <sup>th</sup> Wednesday at noon.	
Community Action Team		St. Helens

Board or Committee	Meeting Time	Meeting Location
Fair Board	The Board meets on the first Tuesday of each month at 5:30 p.m.	Fairgrounds, 92937 Walluski Loop Astoria
National Association of Counties (NACO)	There is a legislative conference in Washington, D.C. each March. There is also an annual conference each year held in a different location each year	
Northwest Area Commission on Transportation (ACT)	The Committee meets every other month.	Rotates among the three counties, Clatsop, Columbia and Tillamook.
Northwest Oregon Economic Alliance (NOEA)	Meets as needed.	Rotates among the three counties, Clatsop, Columbia and Tillamook.
Northwest Oregon Housing Authority (NOHA)	The Committee meets the first Thursday of each month at 10:00 a.m.	Rotates among the three counties, Clatsop, Columbia and Tillamook.
Northwest Oregon Regional Partnership	Meets as needed.	Rotates among the three counties, Clatsop, Columbia and Tillamook.
Northwest Senior and Disability Services	The Committee usually meets the 3 <sup>rd</sup> Thursday of each month at 1:30 pm.	Rotates among the five counties, Clatsop, Marion, Polk, Tillamook, Yamhill.
Oregon Coastal Zone Management Association (OCZMA)	Meeting schedule is posted: <a href="http://www.oczma.org/index.php">http://www.oczma.org/index.php</a>	
The Oregon Consortium and Oregon Workforce Alliance	Meets monthly	Rotates throughout service delivery area.
Soil & Water Conservation District	The District meets the first Wednesday of each month at 10:00 a.m.	4H & Extension Conference Room, 2001 Marine Dr., Astoria

## Exhibit 2 – Public Legislative Hearing

### PUBLIC LEGISLATIVE HEARING Clatsop County Board of County Commissioners

1. Call to Order  
Open the public hearing, announce the purpose, discuss testimony procedure and time allotments.
2. Declaration of Conflicts of Interest or Abstentions
3. Staff Reports
4. Public Testimony
  - a. Chair announces time limits
  - b. Testimony
    1. Invites each speaker to the table
    2. Informs speakers to state name and address at the beginning of testimony and reminds speaker to speak into the microphone.
    3. Remind speakers to be brief.
    4. Order to testimony
      - a. Proponent
      - b. Opponent
      - c. Undecided
  - c. Close Public Testimony
5. Recommendations from Staff
6. Board Deliberation
7. Decision
  - a. Ordinance – motion to take action; if approved, complete motion then ask for second reading by title only.
    1. Board may need a roll-call vote
    2. Majority of entire membership required to approve an ordinance



## Exhibit 3 – Quasi-Judicial Non-Land Use Public Hearing Procedure

### QUASI-JUDICIAL NON-LAND USE PUBLIC HEARING PROCEDURE Clatsop County Board of County Commissioners

1. Open the public hearing, announce the purpose, discuss testimony, procedure, and time allotments.
2. Call for abstentions, bias, ex-parte contact, and objections to jurisdiction.
3. Staff Report
4. Public Testimony
  - a. Chair announces time limits
  - b. Testimony
    1. Invites each speaker to the table
    2. Informs speakers to state name and address at the beginning of testimony and reminds speaker to speak into the microphone.
    3. Remind speakers to be brief.
    4. Order to testimony
      - a. Proponent
      - b. Opponent
      - c. Undecided
  - c. Close Public Testimony
5. Questions of proponents and opponents from the floor or the board directed through the chair.
6. Public Agency letters or comments
7. Close of public testimony portion of hearing
8. Final comments from staff and recommendation
9. Deliberation of board including discussion of criteria with findings of fact
10. Board Action
  - a. Resolution and Order approval could be required.
  - b. Voice vote is permitted.
  - c. Majority of quorum required unless ordinance then majority of total board.

