

81-658

FILED  
YAMHILL COUNTY, OREGON

JUN 5 2 27 PM '82

CHARLES STERN  
COUNTY CLERK  
DEPUTY

1 IN THE BOARD OF COUNTY COMMISSIONERS OF THE STATE OF OREGON  
2 FOR THE COUNTY OF YAMHILL  
3 SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

4 In the Matter of the Adoption of )  
5 an Ordinance Governing the Procedure for the Conduct of Board Meetings and the Transaction of County Business. )  
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ORDINANCE NO. 284

7 THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON  
8 (the Board) on the ~~23rd~~ day of ~~December~~, 1981 sat for the transac-  
9 tion of County business in regular session, Commissioners COLIN  
10 ARMSTRONG, TED LOPUSZYNSKI and ROBIN J. HAMBLET being present.

11 WHEREAS, ORS Chapter 203, regulating the transaction  
12 of County business, creates more questions than it answers  
13 regarding the procedures to be utilized by the Board in  
14 conduct of meetings; and

15 WHEREAS, it would be desirable to adopt an ordinance  
16 of procedure for the conduct of meetings and the transaction of County  
17 County business; NOW, THEREFORE

18 THE BOARD OF COMMISSIONERS FOR THE COUNTY OF YAMHILL  
19 ORDAINS AS FOLLOWS:

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21 I

22 ORGANIZATION OF THE BOARD

23 (1.01) The Board shall, at its first regular  
24 meeting of each calendar year, elect a Chairman and Vice-  
25 Chairman from among its members.

26 (1.02) The Board may, at its first regular meeting

1 --ORDINANCE NO. 284 (12/81)

DARYL S. GARRETTSON  
Yamhill County Counsel  
OSBA #76141  
Room 103, County Courthouse  
5th & Evans Streets  
Mt. Minville, Oregon 97128  
(503) 472-9371, ext. 229

cc:  
Book  
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1 of each calendar year, adopt a division of responsibility  
2 for the various departments, committees, commissions and  
3 other activities of Yamhill County among its members.

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## II

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### PRESIDING OFFICER

7 (2.02) The Chairman of the Board shall be the  
8 presiding officer at all Board meetings and shall have a  
9 vote on each matter before the Board and may make motions  
10 where appropriate.

11 (2.02) The Vice-Chairman shall be the presiding  
12 officer in the absence or incapacity of the Chairman.

13 (2.03) All procedural decisions of the presiding  
14 officer shall be subject to review by the majority of the  
15 Board.

16 (2.04) When a matter before the Board is called  
17 for a vote the presiding officer shall, before a vote is  
18 taken, state the question before the Board in general terms  
19 and shall announce the decision of the Board after such  
20 vote.

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## III

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### MEETINGS

24 (3.01) Regular session of the Board shall be held  
25 at 10:00 a.m. on the first Wednesday of each month.

26 (3.02) Special session shall be held at 10:00 a.m.

1 on all other Wednesdays subject to cancellation by majority  
2 of the Board and at such other times as the majority of the  
3 Board directs.

4 (3.03) All formal business of the Board shall be  
5 conducted at regular or special session. The following  
6 shall be reserved for regular or special session:

- 7 (a) Public hearings;
- 8 (b) Adoption of ordinances or amendments thereto;
- 9 (c) Hiring of personnel;
- 10 (d) Budget actions;
- 11 (e) Final approval of contracts and agreements;
- 12 (f) All land use final decisions;
- 13 (g) Road vacations;
- 14 (h) Acceptance of roads or additional right of  
15 way into the County road system.

16 (3.05) Informal sessions are reserved for briefings  
17 by various staffs, receipt of reports, consultation among  
18 Commissioners, reports by commissioners on their recent  
19 actions in their areas of responsibility and other personnel  
20 and administrative decisions that do not require formal  
21 Board action. Informal sessions may be held at 9:00 a.m. and  
22 2:00 p.m. each Monday, Tuesday, Thursday and Friday.

23 (3.06) All sessions of the Board shall be open to  
24 the public except as provided for in ORS 192.660.

25 (3.07) The agenda for regular and special sessions  
26 shall, to the extent possible, be set at the informal session

1 on the day preceding that session. Any member of the Board  
2 may place any item on any agenda for any meeting. The  
3 Chairman shall determine the order of the agenda and any  
4 item may be taken out of order by a majority vote of the  
5 Board.

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7 IV

8 MOTIONS, DECISIONS AND TIES

9 (4.01) Decisions of the Board shall be made by a  
10 vote on a motion of a member. Motions do not require a  
11 second in order to be brought to a vote.

12 (4.01) A motion to reconsider an item may be made  
13 only by a member who voted with the majority on the question.  
14 Such a motion can be made only at the same meeting that the  
15 original motion was adopted or at the next regular or special  
16 meeting.

17 (4.03) If a tie vote results, the item voted upon  
18 shall be continued to the next regularly scheduled meeting  
19 of the same type. However, if the tie vote is the result  
20 of an abstention of a member due to a conflict of interest,  
21 the matter will not be continued and will be deemed denied.  
22 The continuance provided for in this § shall be only for  
23 the purpose of discussion and vote by the board and the  
24 presentation of further evidence for public comment shall  
25 not be allowed.

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MANNER OF MEMORIALIZING DECISIONS OF THE BOARD

(5.01) Those decisions of the Board requiring written documentation shall be in the form of either orders, resolutions or ordinances to be used as indicated below:

(A) Order-- shall be used by the Board for those matters which constitute the transaction of County business but are not legislative in nature or when an order is required by statute, ordinance or other law.

(B) Resolution -- shall be used for the issuance of proclamations of County concern on non-legislative matters which do not direct the expenditure of funds or when otherwise required by statute, ordinance or other law.

(C) Ordinance -- shall be used for the legislative enactments of general law on matters of local concern by the Board of Commissioners or when otherwise required by statute, ordinance or other law.

(5.02) Nothing in this § shall invalidate any action of the Board of Commissioners as a result of mislabeling or otherwise misnaming the written enactment so long as the

1 procedures required by statute for the decision made have  
2 been met.

3 (5.03) Unless otherwise provided by law or by the  
4 document itself, orders, resolutions and ordinances shall be  
5 effective upon passage.

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7 VI

8 APPOINTMENT OF COMMITTEES, BOARDS AND COMMISSIONS

9 (6.01) The Board, by order, may create advisory  
10 committees, boards and commissions to deal with any matter  
11 which is of County concern and appoint the members thereto,  
12 set the terms thereof, adopt bylaws and take such other actions  
13 regarding said boards, committees and commissions as the  
14 Board deems appropriate.

15 (6.02) When a vacancy occurs on an appointive  
16 committee, board or commission by resignation, expiration of  
17 term or for any other reason, notice of such vacancy shall be  
18 placed on the regular or special Board session agenda. The  
19 Board may solicit nominations or applications for such  
20 position from the public for a specified period. In any event,  
21 the Board shall make an appointment upon nomination by any  
22 member of the Board.

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6 -- ORDINANCE NO. 284 (12/81)

DARYL S. GARRETTSON  
Yamhill County Counsel  
OSBA #76141  
Room 103, County Courthouse  
5th & Evans Streets  
McMinnville, Oregon 97128  
(503) 472-0371, ext. 220

VII

OPERATIONS OF THE COMMISSIONERS' OFFICE

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3 (7.01) The office of the Board of Commissioners  
4 includes the offices of the individual Commissioners, the  
5 Administrative Assistant and County Counsel. The duties of  
6 the Administrative Assistant and County Counsel shall be as  
7 follows:

8 (A) The Administrative Assistant shall  
9 supervise and manage the County's budget,  
10 purchasing, personnel and other central  
11 administrative functions.

12 (B) County Counsel shall serve as legal counsel  
13 to the County on all civil matters involving  
14 the County and advise and represent the  
15 various boards, commissions, officers,  
16 employees and agents of Yamhill County on  
17 legal matters.

18 (7.02) The Administrative Assistant and County Counsel  
19 will be under the principal direction of the Chairman, subject to  
20 the approval and direction of the majority of the Board of  
21 Commissioners.

22 (7.03) Each Commissioner shall supervise and direct  
23 the operations of the various departments assigned to him/her.

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1 Said Commissioner will provide liaison with departments  
2 controlled by other elected officials, boards, commissions and  
3 other committees.

4 (7.04) Each Commissioner shall make routine  
5 decisions dealing with his/her areas of responsibility  
6 including expenditure of County funds in amounts of no more  
7 than \$ 500.00, subject to ratification by the Board.  
8 The balance of the Board shall be informed of those actions  
9 involving the expenditure of County funds at the earliest  
10 convenient informal session.

11 (7.05) In the absence of any Commissioners, the  
12 responsibility for his/her departments will pass to the  
13 Chairman. If the Chairman is absent, the Vice-Chairman  
14 shall adopt his/her functions.

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#### VIII

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#### AUTHORITY

18 (8.01) Robert's Rules of Order, newly revised,  
19 shall be the parliamentary authority for the Board except as  
20 modified by this Ordinance, statute, or other law.

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#### EFFECTIVE DATE

24 (10.01) This Ordinance being necessary for the  
25 preservation of the health, welfare and safety of the  
26 citizens of Yamhill County and an emergency being declared

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1 to exist, shall be effective upon the passage hereof.

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DATED this 23<sup>rd</sup> day of December, 1981

at McMinnville, Oregon.

ATTEST:

by Patricia A. Mullen  
PATRICIA A. MULLEN, Deputy

YAMHILL COUNTY BOARD OF COMMISSIONERS:

Colin Armstrong  
Chairman COLIN ARMSTRONG

Ted Lopuszynski  
Commissioner TED LOPUSZYNSKI

Robin J. Hamblet  
Commissioner ROBIN J. HAMBLET