

IN THE BOARD OF COUNTY COMMISSIONERS OF THE STATE OF OREGON

83-414

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of the Adoption of)
 an Ordinance Governing the Pro-)
 cedure for the Conduct of Board) ORDINANCE No. 353
 Meetings and the Transaction of)
 County Business; and Repealing)
 Ordinances 284 and 313)

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board), on the 24th day of AUGUST 1983, sat for the transaction of County business in regular session, Commissioners ROBIN J. HAMBLET, DAVE BISHOP and TED LOPUSZYNSKI being present.

WHEREAS, the Board has enacted Ordinances # 284 and # 313 relating to the procedures and conduct of business by the County Commissioners; and

WHEREAS Ordinance 284 provides that the agenda for the regular and special sessions of the Board of County Commissioners shall be set on the preceding Tuesday; and

WHEREAS, the Board desires to change the setting of the agenda to the preceding Monday; and

WHEREAS, for the sake of simplicity those changes should be incorporated into one ordinance instead of three; and

WHEREAS, this action would be in the best interest of the citizens of Yamhill County; NOW, THEREFORE,

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

Section 1. Organization of the Board

- 1.01 The Board shall, at its first regular meeting of each calendar year, elect a Chairman and Vice-Chairman from among its members.
- 1.02 The Board may, at its first regular meeting of each calendar year, adopt a division of responsibilities for the various departments, committees, commissions and other activities of Yamhill County among its members.

Section 2. Presiding Officer.

- 2.01 The Chairman of the Board shall be the presiding officer at all Board meetings and shall have a vote on each matter before the Board and may make motions where appropriate.
- 2.02 The Vice-Chairman shall be the presiding officer in the absence or incapacity of the Chairman.
- 2.03 All procedural decisions of the presiding officer shall be subject to review by the majority of the Board.
- 2.04 When a matter before the Board is called for a vote, the presiding officer shall, before a vote is taken, state the question before the Board in general terms, and shall announce the decision of the Board after such vote.

Section 3. Meetings.

- 3.01 Regular sessions of the Board shall be held at 10:00 a.m. on the first Wednesday of each month.
- 3.02 Special sessions shall be held at 10:00 a.m. on all other Wednesdays subject to cancellation by a majority of the Board and at such other times as the majority of the Board directs.
- 3.03 All formal business of the Board shall be conducted at regular or special sessions. The following shall be reserved for regular or special sessions:
- (a) Public hearings;
 - (b) Adoption of Ordinances or Amendments thereto;
 - (c) Hiring of personnel;
 - (d) Budget action;
 - (e) Final approval of contracts and agreements;
 - (f) All land use final decisions;
 - (g) Road vacations;
 - (h) Acceptance of roads or additional right-of-way into the County Road system.
- 3.04 Informal sessions are reserved for briefings by various staff members, receipt of reports, consultation among Commissioners, reports by Commissioners on the recent actions in the areas of their responsibility and other personnel and administrative decisions which do not require formal Board action. Informal sessions may be held at 10:00 a.m. and 2:00 p.m. each Monday, Tuesday, Thursday, and Friday.
- 3.06 All sessions of the Board shall be open to the public except as provided for in ORS 192.660.
- 3.07 The agenda for the regular and special sessions of the Board, shall, to the extent possible, be set at the informal session on the Monday preceding that session, at 10:00 a.m. Any member of the Board may place any item on any agenda, for any meeting. The Chairman shall determine the order of the agenda and any item may be taken out of order by majority vote of the Board.

Section 4. Motions, Decisions and Ties.

- 4.01 Decisions of the Board shall be made by vote on a motion of a member. Motions do not require a second in order to be brought to a vote.
- 4.02 A motion to reconsider any item may be made only by a member who voted with the majority on the question. Such a motion can be made only at the same meeting that the original motion was adopted, or at the next regular or special meeting.
- 4.03 If a tie vote results, the item voted upon shall be continued to the next regularly scheduled meeting of the same type. However, if the tie vote is the result of an abstention of a member due to a conflict of interests, the matter will not be continued and will be deemed denied. The continuance provided for in this section shall be only for the purpose of discussion and vote by the Board and the presentation of further evidence or public comment shall not be allowed.

Section 5. The Manner and Procedure for Adopting Orders, Resolutions, and Ordinances.

- 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. Orders 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. Resolutions 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. Ordinances 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 Orders and Resolutions shall be adopted by the Board at the appropriate Board meeting in accordance with applicable law. Repeal or amendment of an order or resolution shall be accomplished by subsequent order or resolution.
- 5.03 The procedure for adopting ordinances as provided in ORS 203.045 shall apply to all ordinances adopted by the Board, unless another procedure is authorized by law. Repeal or amendment of an ordinance shall be accomplished by subsequent ordinance adopted in compliance with this section.
- 5.04 Nothing in this section shall invalidate any action of the Board of Commissioners as a result of mislabeling or otherwise misnaming the written enactments, so long as the procedures required by statute for the decision made have been met.
- 5.05 Unless otherwise provided by law or by the document itself, orders, resolutions and ordinances shall be effective upon passage.

Section 6. Appointment of Committees, Boards and Commissions.

- 6.01 The Board, by order, may create advisory committees, boards, task forces and commissions to deal with any matter which is of County concern, and appoint members thereto, set the terms thereof, adopt by-laws and take such other action regarding said boards, committees, task forces and commissions as the Board deems appropriate.
- 6.02 When a vacancy occurs on an appointive committee, board, task force or commission, by resignation, expiration of term, or for any other reason, notice of such vacancy shall be placed on the regular or special Board session agenda. The Board may solicit nominations or applications for such position from the public, for a specified period. In any event, the Board shall make an appointment upon nomination by any member of the Board.

Section 7. Operations of the Commissioners Office.

- 7.01 The office of the Board of Commissioners includes the offices of the individuals Commissioners, the Administrative Assistant and the County Counsel. The duties of the Administrative Assistant and County Counsel shall be as follows:
- (a) The Administrative Assistant shall supervise and manage the County's budget, purchasing, personnel and other essential administrative functions.
 - (b) County Counsel shall serve as legal counsel to the County on all civil matters involving the County and advise and represent various Boards, commissions, officers, employees and agents of Yamhill County on legal matters.
- 7.02 The Administrative Assistant and County Counsel will be under the principal direction of the Chairman, subject to the approval and direction of the majority of the Board of Commissioners.
- 7.03 Each Commissioner shall supervise and direct the operations of the various departments assigned to him/her. Said Commissioner will provide liaison with departments controlled by other elected officials, boards, commissions and other committees.
- 7.04 Each Commissioner shall make routine decisions dealing with his/her areas of responsibility, including expenditure of County funds in amounts of no more than \$500.00 subject to ratification by the Board. The balance of the Board shall be informed of those actions involving the expenditure of County funds at the earliest convenient informal session.
- 7.05 In the absence of any Commissioner, the responsibility for his/her departments will pass to the Chairman. If the Chairman is absent, the Vice-Chairman shall adopt his/her functions.

Section 8. Authority.

- 8.01 Robert's Rules of Order, Newly Revised, shall be the parliamentary authority for the Board, except as modified by this ordinance, statute or other law.

Section 9. Repeal.

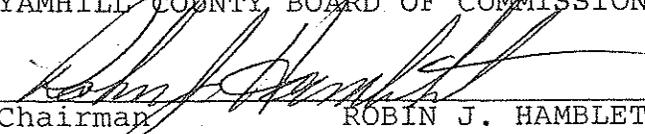
- 9.01 Ordinance # 284 and # 313 are hereby repealed. This repeal shall not, however, effect or otherwise invalidate any decision or action of the Board made in accordance with the terms of Ordinance # 284 and/or Ordinance # 313.

Section 10. Effective Date.

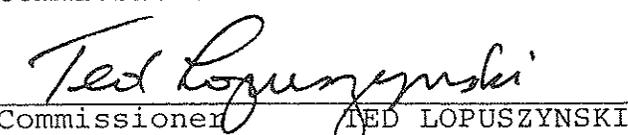
- 10.01 This Ordinance being necessary for the preservation of the health, safety, and welfare of the citizens of Yamhill County and an emergency being declared to exist, shall be effective upon passage hereof.

DATED this 24th day of AUGUST, 1983 at McMinnville, Oregon.

YAMHILL COUNTY BOARD OF COMMISSIONERS


Chairman ROBIN J. HAMBLET


Commissioner DAVE BISHOP


Commissioner TED LOPUSZYNSKI