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Chapter 65 - INTERGOVERNMENTAL RELATIONS

65.005 – INTERGOVERNMENTAL AGREEMENTS

65.005.005 - Intergovernmental Agreements.

See LM 21.124.

(Order 83-4-12-2, 5.1.83; Order 03-1-21-6, 1.21.03)

65.010 - INTERCOUNTY COOPERATION IN LAW ENFORCEMENT

65.010.005 - General.

Certain outdoor recreational assemblies, commonly known as rock festivals, are proposed and are being scheduled in various counties in the Willamette Valley. These assemblies give rise to additional problems of law enforcement and protection of the health and safety of the citizens of the counties. Each individual county is unable to adequately deal with these problems with the normal personnel and equipment available. It would be mutually beneficial to the counties involved to assist each other to the extent of resources available. Assistance would be best rendered by the assigning of trained law enforcement personnel for services and the lending of vehicles and equipment as needed.

(Order 83-4-12-2, 5.1.83)

65.010.010 - Statement of Principles.

The costs and expenses of assistance should be paid as follows:

- A. To the extent personnel costs are usual and ordinary for regular employees of the lending county, that county will bear the expenses and not request reimbursement from the borrowing county.
- B. To the extent extra expense is incurred by the lending county for additional personnel, overtime, employer expense and the like, reimbursement should be made by the borrowing county.
- C. The borrowing county should be responsible for payment of subsistence and maintenance expenses for the borrowed personnel.
- D. Equipment and vehicles should be loaned without charge except for expenses incurred by the lending county outside regularly expected costs, such as cost of obtaining substitute equipment.
- E. The borrowing county should be responsible for payment of costs incurred for operation of vehicles and equipment, such as fuel, and for any repair or replacement cost in the event of damage or destruction, reasonable wear or tear excepted.
- F. The borrowing county should be responsible for obtaining and maintaining in effect liability insurance to protect and hold the lending county harmless from claims for bodily injury, property damage, false arrest and any other liability claims incurred in connection with services performed for the borrowing county.

(Order 83-3-16-17, 3.16.83)

65.010.015 - Limitation.

Lane County shall furnish assistance to other counties only after receiving satisfactory proof of compliance with LM 65.010.010(F) above.

(Order 83-3-16-17, 3.16.83)

65.010.020 - Expansion.

The above Statement of Principles shall not be limited to outdoor recreational assemblies, commonly known as rock festivals, but shall apply to assistance and cooperation in all governmental functions.

(Order 83-3-16-17, 3.16.83)

65.010.025 - Transportation of Prisoners Inter/Intrastate.

Transportation of prisoners must often occur in an expeditious fashion without sufficient time to prepare and execute written contracts. After the Sheriff has made a reasonable effort to comply with LM 65.010.010(A) to (F) above, oral agreement with other governmental law enforcement agencies shall be sufficient to legally obligate Lane County to reimburse the assisting agency.

(Order 83-3-16-17, 3.16.83)

65.015 - RELATIONSHIP WITH LANE COUNCIL OF GOVERNMENTS

65.015.005 - Policy.

Lane County has two primary responsibilities as a governmental unit. First, Lane County has a responsibility to see that County government is responsive to the people it serves. Second, Lane County has the responsibility to see that County government discharges its duties to its citizens in the most efficient and effective manner. It is with these two responsibilities in mind that Lane County has supported a policy of participation in the Lane Council of Governments (LCOG), an organization composed of local elected officials concerned with finding long-range solutions to local regional problems through cooperative planning, program development, analysis, and service delivery. By working together cooperatively with other local governments through LCOG to solve regional problems of local concern, Lane County has prevented the need for higher and more removed levels of governments to solve such local problems, and has been able to find new, better and more efficient ways to serve the citizens of this County. The cooperation among the local governments has strengthened each involved.

(Order 73-11-13-2, 11.28.73; Order 03-1-15-7, 1.15.03)

65.015.010 - Purpose.

The primary purpose of LCOG is to serve the public interest and enhance the quality of life for the citizens of Lane County through the provision of technical assistance to local governments, the provision of direct services to local governments and the public, and the development of multi-year plans which analyze current and future problems and explore possible cooperative actions for the local governments to take. A

secondary purpose is to coordinate actions which must cross jurisdictional boundaries. Cooperative planning allows the local governments to make best use of their resources. Some of the areas where plans have been and are being developed are health, transportation, manpower, economic development, law enforcement, natural resources, social services, housing and education. Local elected officials for the respective governmental units are responsible for approval and implementation of final plans for cooperative action among their governments. LCOG's services to Lane County and other units of local government are provided under contract or intergovernmental agreement and include planning and research services, information services, hearings official services, and the operation of regional technology services such as Metro Television, a telephone consortium and the Regional Land Information Data Service. With guidance from its Board of Directors and under contract with the State of Oregon, LCOG also serves as the Area Agency on Aging for Lane County, and in that role is responsible for the administration of publicly funded programs for senior and disabled citizens in Lane County.

(Order 73-11-13-2, 11.28.73; Order 03-1-15-7, 1.15.03)

65.015.015 - Membership.

LCOG has been established by an intergovernmental agreement made and entered into by most of the special districts, cities, school districts and public utility companies in Lane County, plus Lane Community College and Lane County. The Council is the governing body for LCOG and is composed of elected officials from the local governments represented. Each participating government is assessed part of the cost of LCOG's operation. The complete agreement is set forth in "Charter and Agreement - Lane Council of Governments," dated December 15, 1971 and subsequently amended, most recently April 23, 1998.

(Order 73-11-13-2, 11.28.73; Order 03-1-15-7, 1.15.03)

65.020 – APPOINTING POSITIONS TO THE COMMISSION OF THE HOUSING AUTHORITY AND COMMUNITY SERVICES AGENCY OF LANE COUNTY

65.020.005 – General.

For purposes of ORS Chapter 456, the Board of Commissioners is the “governing body” for the Housing Authority and Community Services Agency of Lane County (“Housing Authority”). While the Housing Authority is a separate governmental entity, the Board of Commissioners has statutory authority to make appointments to the Housing Authority commission. This section establishes the procedures for making Housing Authority commission appointments.

(Order 22-03-29-12, 4.5.22)

65.020.010 – Housing Authority Commission.

- A. Pursuant to ORS 456.095, the Board of Commissioners has elected to have the powers of the Housing Authority exercised by a commission composed of nine (9) persons appointed by the Board of Commissioners. The commission will be comprised of: two (2) residents who receives direct assistance from the Housing Authority; two (2) sitting Commissioners from the Board of Commissioners; and five (5) persons appointed from the community.
- B. Appointments and reappointments will be made by Board order.
- C. The commissioners who are first appointed shall serve terms as follows:

1. Two (2) commissioners shall be appointed for terms of one (1) year.
 2. Two (2) commissioners shall be appointed for terms of two (2) years.
 3. Two (2) commissioners shall be appointed for terms of three (3) years.
 4. Three (3) commissioners shall be appointed for terms of four (4) years.
- D. After the initial term, commissioners shall be appointed by Board order in the same manner as the original appointment for a term of office of four (4) years except that all vacancies shall be filled for the unexpired term.
- E. A commissioner shall hold office until a successor has been appointed and qualified.

(Order 22-03-29-12, 4.5.22)

65.020.020 - Appointment Process.

- A. Applications. Applications for commission membership will be accepted at any time and will be kept for twelve (12) months from the date of the application. Incumbents will submit a new application to be considered for reappointment to the commission.
- B. Advertisement. Vacancies for the commission will be advertised for thirty (30) days, unless the County Administrator determines that there is an adequate pool of candidates from a previous advertisement within the past six (6) months. A shorter advertisement period or alternative means of identifying qualified applicants may be utilized upon consultation with the Housing Authority executive director.
- C. Time Frame for Application. Only those citizens who have formally applied for appointment within the proper timeframe and have the proper qualifications may be considered for appointment.
- D. Conflicts of Interest. In furtherance of the laws relating to conflicts of interest, no Housing Authority vendor will be appointed to the commission. In this context, "vendor" means any individual, partnership, joint venture, corporation, private non-profit organization or private for-profit organization who seeks to obtain a contract with the Housing Authority to provide a service or product on some type of regular basis, i.e., more often than "infrequently" or "rarely." "Vendor" includes employees, board members and any members of the organization who actively participate in the management of the vendor.
- E. Vacancy During a Term. Whenever a vacancy occurs during a term, a replacement will be appointed.
- F. Interview. The Board may utilize an interview process prior to appointment. The Board may appoint a subcommittee to conduct the interviews.
- G. Employees. Housing Authority and County employees will not be eligible for appointment to the commission.
- H. Administration of Appointment Process. The County Administrator is delegated authority to work with the Housing Authority executive director to create an application form, advertise for applications, implement interview processes, and otherwise administer the commission appointment procedures.

(Order 22-03-29-12, 4.5.22)