OREGON CASCADES WEST
Council of Governments

1400 Queen Ave SE • Suite 201 • Albany, OR 97322
(541) 967-8720 • FAX (541) 967-6123

MEMORANDUM

DATE: July 24, 2018

TO: Linn County Commissioners

FROM: Fred Abousleman, Executive Director,
Oregon Cascades West Council of Governments (OCWCOG)

RE: **Update on OCWCOG Activities and Programs**

Event Updates

- *Tapas and Treasures*
  - Oregon Cascades West Senior Services Foundation, in partnership with Corvallis Rotary, is hosting *Tapas and Treasures* on August 9th, 5:00 – 8:00 pm at Garland Nursey in Corvallis. The event will be a fundraiser for *Meals on Wheels*, and includes food, live music, and raffles. For more information, visit www.TapasAndTreasures.org.

Tapas and Treasures

- *CelebrateLBL*
  - You're invited! OCWCOG's 2018's *Celebrate Linn, Benton, Lincoln* (*CelebrateLBL*) event is being held on Thursday, September 13th, 6:00 – 9:00 pm at the Oregon Coast Aquarium in Newport. Visit www.CelebrateLBL.org for more information.

CelebrateLBL

Senior and Disability Services

- Able-Bodied Adults without Dependents (ABWAD) Waiver Ending in Linn County
  - Federal regulations stipulate that individuals considered ABAWDs may only receive *Supplement Nutrition Assistance Program* (*SNAP*) benefits for a total of three full months within a three-year period, unless the consumer meets an exemption, or complies with certain work requirements. Exemptions include being over the age of 50 or receiving a disability-based benefit. States may request time limit waivers for certain areas based on unemployment rates within that area.
  - Federal time limits for ABAWDs went into effect for *SNAP* recipients in Benton, Clackamas, Lane, Marion, Multnomah, Washington, and Yamhill Counties as early as January 2016.

- *Adult Protective Services* (APS)

	Regionally		**Linn County**	
	Complaints Received About Possible Abuse	*Cases That Were or Are Still Being Investigated*	*Complaints Received About Possible Abuse*	*Cases That Were or Are Still Being Investigated*
May 2018	178	91	106	49
June 2018	186	92	110	58
Total	364	183	216	107
Changes from Last Report	12 less	32 less	13 less	41 less

- *Aging and Disability Resource Connection* (ADRC)

	Unduplicated Consumers	Total Number of Calls for the **Region***	Total Number of Calls for **Linn County***
May 2018	624	784	475
June 2018	508	610	340
Total	1,132	1,394	815
Changes from Last Report	165 less	152 less	124 less

*Total Number of Calls – includes emails, faxes, mail, in-person, other, and unspecified contacts with OCWCOG staff.

- Changes Allow Consumers to Receive Home and Community-Based Services without Hiring a Homecare Worker (HCW)
  - In the past, Oregon required that Medicaid consumers receiving in-home services have a HCW. Recent rule updates have changed this requirement, meaning Medicaid consumers will no longer have their services canceled due to not having a HCW, or not hiring one within time requirements. Consumers without a HCW can now remain on Medicaid, keeping other related benefits, such as case management, medical insurance, and *Meals on Wheels*. This change could have a large impact, with estimates projecting a 15% increase in the number of consumers receiving Medicaid services. OCWCOG is tracking data related to this change, to provide a clearer understanding of the impact. In June, of 45 new consumers who had services opened, seven had not hired a HCW, or roughly 16%.

- Centralized Abuse Management System (CAM) Rolling Out Across the State
  - CAM, the new *Adult Protective Services* (*APS*) data system, is designed to improve screenings on allegations, standardize the investigations process, and improve consistency in reports. *APS* teams will begin using CAM Statewide between now and December 2018, in a phased launch. OCWCOG's *APS* team will begin on October 1, 2018. Once the system is in place, it will allow for data collection and analysis, to show trends, track perpetrators, and to identify which interventions are resulting in the desired outcome of preventing further abuse.

- Coastal Farms Donates 150 Box Fans to Consumers
  - Coastal Farm and Ranch generously donated 150 box fans for SDS and Community Services Program (CSP) clients, just in time for rising temperatures. Fans have been distributed to SDS and CSP clients throughout the OCWCOG Region.

- State and Legal Advocates Reach Agreement on October Medicaid Changes
  - In October 2017, extensive changes were made to policies regarding the State's assessment of people eligible for Long-Term Services and Supports (LTSS), and how hours are assigned to in-home services consumers. The changes in assessment were made in order to improve consistency and standardization across the State, and provide better cognition assessment. Hours assigned to in-home consumers were also modified in most assistance categories to balance service needs, ensure program integrity, and reflect the results of an extensive time study recently conducted by the State.
  - It was anticipated that the October changes may result in the reduction and closure of benefits for many people served by Oregon's Medicaid program. In December 2017, advocates from Oregon Law Center, Disability Rights Oregon, and Legal Aid Services of Oregon threatened litigation and a rollback was done to keep all consumers at pre-October levels.
  - These advocacy groups and the State of Oregon's Aging and People with Disabilities (APD) office have reached a decision regarding the October 2017 changes, which have resulted in the following actions:
    - Case Managers are now directed to resume implementation of the October 2017 changes, which have been on hold since December 2017.
    - All actions required on individual cases, such as providing consumers with notice of changes, must be completed by August 2018.
    - Hours assigned for tasks provided to in-home consumers were restored to previous levels in four out of the six Activities of Daily Living (ADL) categories. The two remaining ADL categories had already been reinstated to previous levels, immediately after the changes in October 2017.
    - There is a new exception process for hourly service plans, which is designed to give consumers a more active role in their services. New decision notice formats were designed, which are intended to provide improved clarity to consumers. APD had been issuing the notices since changes were implemented. However, in June SDS staff was trained to complete them locally. The new decision notice format will be a time-intensive addition for Case Managers.

Community Services Program

- *Foster Grandparent Program (FGP)*
  - For the months of March – May 2018:

	Regionally	Change from Last Report	**Linn County**	Change from Last Report
Volunteers	30	increase by 5	22	increase by 3
Schools	26	no change	14	decrease by 1
Hours	6,806.8	Decrease by 318.65	4,803.55	decrease by 106.35

  - Under its existing *FGP*, OCWCOG was awarded a three-year augmentation grant of $190,000. Funds will support volunteers serving youth in local evidence-based programs, including mentors with the Boys and Girls Club of America© (BGCA) *Project Learn* in Linn and Benton Counties, and literacy tutors with Start Making a Reader Today (SMART) in Linn, Benton, and Lincoln Counties.

- *Project Learn* is a non-school program that strives to increase students' interest in education, as well as their scholastic abilities, to improve their school grades. The objective is to offset problems associated with low educational achievement, including difficult behavior and limited employment opportunities. SMART is a volunteer tutoring program created and implemented in Oregon in 1992, for students in kindergarten through second grade, who are at risk of reading failure. SMART is designed to be a low-cost, easy-to-implement intervention that places volunteer tutors in schools where at least 40% of students are eligible for free or reduced-price lunch, to read one-on-one with students twice weekly for half an hour. The program also gives each student two new books each month to encourage families to read together.

- *Meals on Wheels (MOW)* Program

	December 2017, and January and February 2018	*March, April, and May 2018*	*December 2017, and January and February 2018*	*March, April, and May 2018*
Linn County	2,038 individuals	1,901 individuals	28,876 meals	25,703 meals
Change from Last Report	137 less individuals		3,173 less meals	
Regionally	3,366 individuals	3,076 individuals	40,693 meals	41,483 meals
Change from Last Quarter	290 less individuals		790 less meals	

  - Through their Gift of Caring program, Girl Scouts© of Oregon and SW Washington donated approximately 300 cases (or 3,600 boxes) of assorted Girl Scout Cookies to *MOW*. During the Girl Scout Cookie season (February and March), community members can choose to donate purchased cookies to this program. Donated cookies were distributed to home-delivered and dining room clients. In this second year of partnership, the amount of cookie donations more than tripled; cookies were included in the more than 3,895 meals that *MOW* serves and delivers each week. *MOW* branded the event *Cookiepalooza* and expects the partnership to continue in future years.

  - Meal site managers are working to coordinate volunteer recognition events. Scheduled events include:
    - Newport: August 12th from 1:00 – 3:00 pm at the South Shore Clubhouse in South Beach; and
    - Mill City: September 12th from 12:00 – 2:00 pm at Trexler Farms in Lyons.

- *Retired Seniors Volunteer Program* (RSVP)
  - Linn County – 74 volunteers served 4,223.8 hours, between March and May 2018, an increase of 321.37 hours with four more volunteers.
  - Regionally – 218 volunteers served 11,032.95 hours in the same three-month period, an increase of 586.95 hours with 23 less volunteers.
  - Together, these volunteers assisted 22 different agencies across the Region.
  - The volunteer's numbers were lower on the normal *RSVP* programs, as these volunteers were working on a special AARP© Tax-Aide Foundation program, which only runs during the months of January – April to help low-income seniors prepare their taxes. In March and April, in Linn County, 15 volunteers assist with this program, providing 1,246 hours of support.

- *Senior Companion Program* (*SCP*)
  - OCWCOG received a three-year grant award to operate the *SCP*. Created in 1974, *SCP* provides a way for volunteers 55 and over to stay active by serving less-able seniors and other adults, helping them to maintain independence in the client's home. Among other activities, Senior Companions assist with daily living tasks, such as grocery shopping and bill paying; provide friendship and companionship; alert doctors and family members to potential problems; and provide respite to family caregivers.
  - Senior Companions will serve 15 to 40 hours per week across Linn, Benton, and Lincoln Counties. The primary focus area of this project is the *Healthy Futures, Aging in Place*; program outcomes include participants showing increased social ties and perceived social support. The *SCP* Federal investment of $117,876 will be supplemented by $26,731 from local support to include local match and in-kind funding.

- *Senior Corps Programs*
  - OCWCOG's *Senior Corps* program is expanding its community services to house all three Corporation for National Community Service (CNCS) programs. OCWCOG already administers the *Foster Grandparent Program* (*FGP*) and the *Retired and Senior Volunteer Program* (*RSVP*); moving forward, OCWCOG will now house the *Senior Companion Program* (*SCP*) as well.
  - Two new three-year funding awards received July 1, 2018 allow OCWCOG to add evidence-based support to *FGP*, and to launch *SCP*. These additional funds will help OCWCOG continue to meet critical community needs while providing life-changing opportunities for our local Senior Corps volunteers. With all three *Senior Corps* programs now in-house, OCWCOG can maximize operating efficiencies and provide robust volunteer opportunities for local seniors.

- *Senior Health Insurance Benefits Assistance Program* (SHIBA)
  - Linn County – Seven volunteers assisted 180 clients between March and May 2018; the program had 177 less clients over this reporting period.
  - Regionally – 23 volunteers assisted 367 new clients the same time period. Four fewer volunteers supported 558 less clients. The drop in clients is due to the timing of the year; the previous reporting period was during Medicaid enrollment, when OCWCOG expected the *SHIBA* client base to increase.
  - Medicare Classes – 96 individuals from across the Region took advantage of five free classes. One of these classes were held in Linn County, with a total of nine attendees.

Community and Economic Development Program

- *Cascades West Business Lending* (*CWBL*)
  - *CWBL* continues to reach out to banks and credit unions across the Region, having now loaned a total of $2,237,400, and created or retained 59 jobs within the community.

Transportation Services

- *Cascades West RideLine* (*RideLine*)
  - *RideLine* continues to provide high levels of transportation assistance. In the period of April through June 2018, more than 4,000 *Ride Line* clients took a total of 55,388, trips. Most of these trips were sedan trips or mileage reimbursements.
    Most transportation services are for physical, mental, and dental health, with the single highest concentration of transportation services around alcohol and drug treatment, and mental health. A breakdown of trips by County is below:

	Trips	Clients
Linn County	35,757	2,480
Change from Last Reporting Period	1,159 more	96 more
Regionally	52,166	3,865
Change from Last Reporting Period	3,222 more	197 more

  - In total, nearly 69,000 individuals are eligible for transportation assistance in OCWCOG's tri-County Region, including 37,964 in Linn County (6,263 Oregon Health Plan (OHP); 28,344 InterCommunity Health Network Coordinated Care Organization clients; plus, other Linn County residents on OHP with another Coordinated Care Organization total 1,732).

- Linn-Benton Loop (Loop) Transit Service
  - The Albany Area Metropolitan Planning Organization and the Corvallis Metropolitan Planning Organization are working with the Loop Technical Advisory Committee (TAC) and Board of Directors regarding an analysis of the service. The Loop is operated by the City of Albany, and provides a vital link between Albany, Corvallis, and surrounding communities. The service is heavily utilized by commuters for education and employment, and its routes and schedule need optimization. The service analysis is expected to be completed this year and will enable the Loop to compete for Statewide funds made available in House Bill 2017, Oregon's transportation funding package passed by the Legislature in 2017.

- *Safe Routes to School* (*SRTS*)
  - OCWCOG continues to work with communities in preparation for upcoming *SRTS* infrastructure funding opportunities. A reminder of June workshops offered by the Oregon Department of Transportation (ODOT) was sent to transportation stakeholders throughout the Region. OCWCOG is offering technical assistance to gather data, provide Geographical Information System (GIS) services, and grant writing capacity to interested communities and school districts.
  - The purpose of the funding is to build projects within the public right-of-way, in a one-mile radius of elementary and middle schools. Examples include curb extensions and pedestrian crossings. Eligible applicants will include cities, counties, tribes, and transit agencies, in cooperation with school districts, and the governing body with jurisdiction over the impacted roadways. OCWCOG's *SRTS* program will continue to provide updates and technical assistance to local jurisdictions as the process moves forward. The application process begins July 23, 2018 and completed applications are due to ODOT on October 15, 2018.

LINN COUNTY JUVENILE DEPARTMENT

104 4th SW, Room 200 / PO Box 100
Albany OR 97321
Phone: 541-967-3853 Fax: 541-967-4268

REPORT TO COMMISSIONERS

Update for June 2018

Submitted by Torri Lynn; Juvenile Department Director

Detention

Benton: 5 youth were held for 23 total of days of care, 2 females and 5 males.
Total Admissions to Detention =5
Average Length of Stay = 4.6 days
Average Daily Population = 0.7 youth

Linn: 34 youth were held for 332 total of days of care, 11 females and 23 males.
Total Admissions to Detention = 34
Average Length of Stay = 9.8 days
Average Daily Population = 10.7 youth

Time for Change Program: 1 (Linn)

Measure 11 Youth: 1 (Yamhill)

Probation

The Juvenile Department received 102 referrals during the month of June 2018.

Of the 102 referrals, 4 represent dependency, 69 status and 29 criminal.

There are currently 267 youth in the Probation Unit either on probation or pending court with 33 of those being assessed high-risk.

There are currently 223 youth under the Community Programs Unit serving on informal probation and the Intervention Specialist is currently open so is serving 0 youth.

Victim Advocate is serving 41 .

Cases Unassigned: 34

Torri Lynn	**Rob Perkins Jr.**	**Lisa Robinson**	**Tracy Vaughan**	**Troy Fuller**
Director	Supervisor	Supervisor	Admin Asst/Office Mgr.	Detention Manager
Juvenile Department	Community Programs	Probation Services	Juvenile Department	Linn Benton Detention Center
				(541) 791-9397
tlynn@co.linn.or.us	rperkins@co.linn.or.us	lrobinson@co.linn.or.us	tvaughan@co.linn.or.us	tfuller@co.linn..or.us

OYA Cases: 58

Work Crew

Tier 1 – 7 youth completed 48.25 hours of community service in 2 project days. In 2017 0 youth completed 0 hours of service during the same time period.

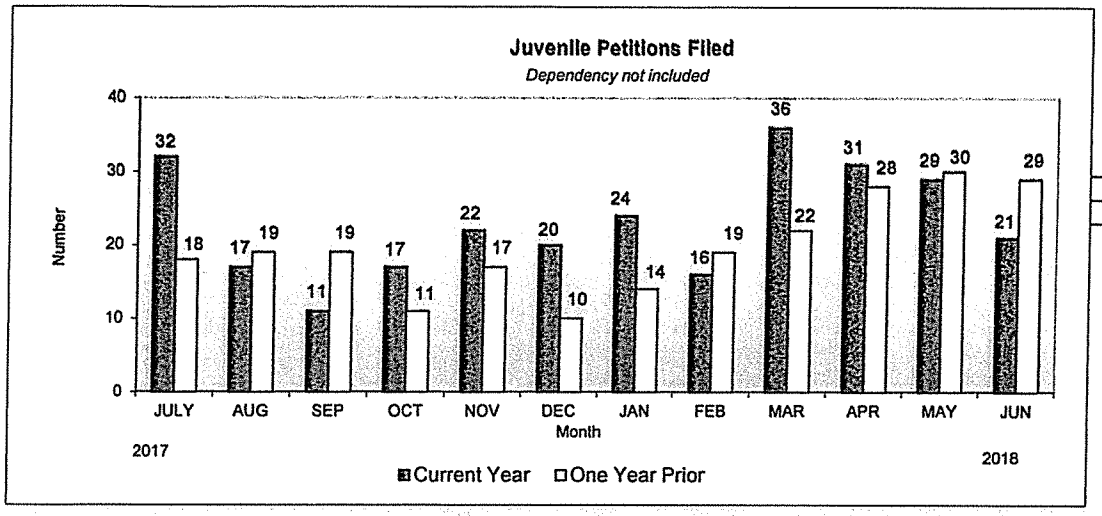
Tier 2 – 65 youth completed 1343.00 hours of work crew in 36 project days. In 2017 51 youth completed 1,157.50 hours of service during the same time period.

Girls Crew – 8 youth completed 124.25 hours of work crew in 4 project days. In 2017 8 youth completed 117.50 hours of service during the same time period.

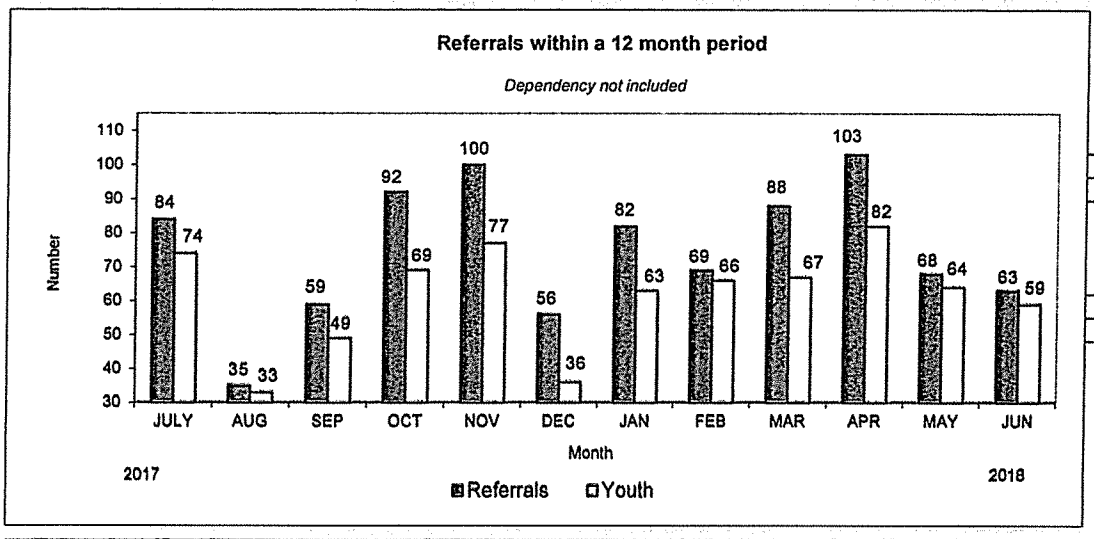
Miscellaneous Business -

Torri Lynn	**Rob Perkins Jr.**	**Lisa Robinson**	**Tracy Vaughan**	**Troy Fuller**
Director	Supervisor	Supervisor	Admin Asst/Office Mgr.	Detention Manager
Juvenile Department	Community Programs	Probation Services	Juvenile Department	Linn Benton Detention Center
				(541) 791-9397
tlynn@co.linn.or.us	rperkins@co.linn.or.us	lrobinson@co.linn.or.us	tvaughan@co.linn.or.us	tfuller@co.linn..or.us

Linn County Juvenile Department
JUNE Statistics

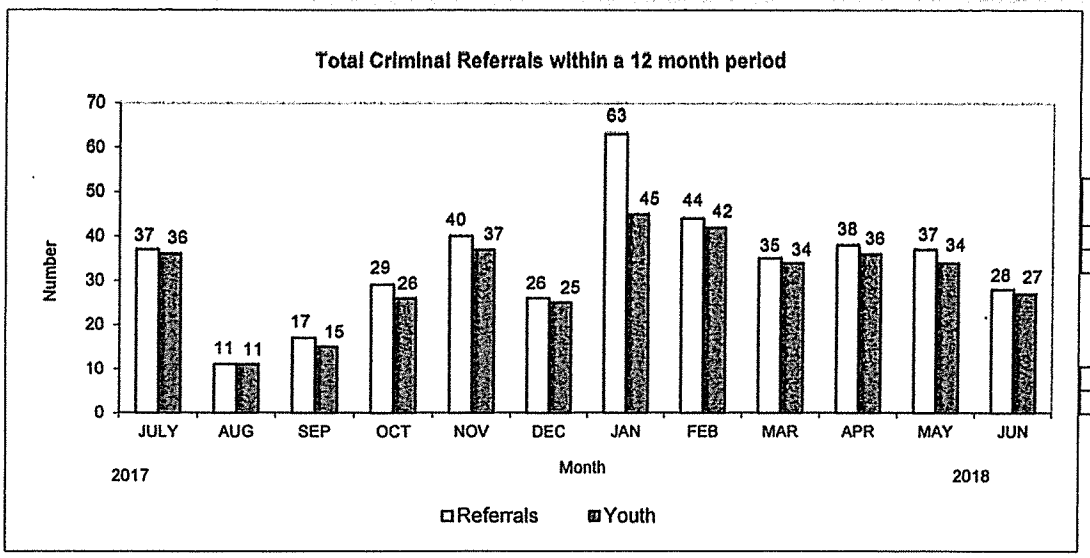


PETITIONS	
Current	276
Last	236
Difference	40



REFERRALS	
Current	899
Last	859
Difference	40

YOUTH	
Current	739
Last	786
Difference	-47

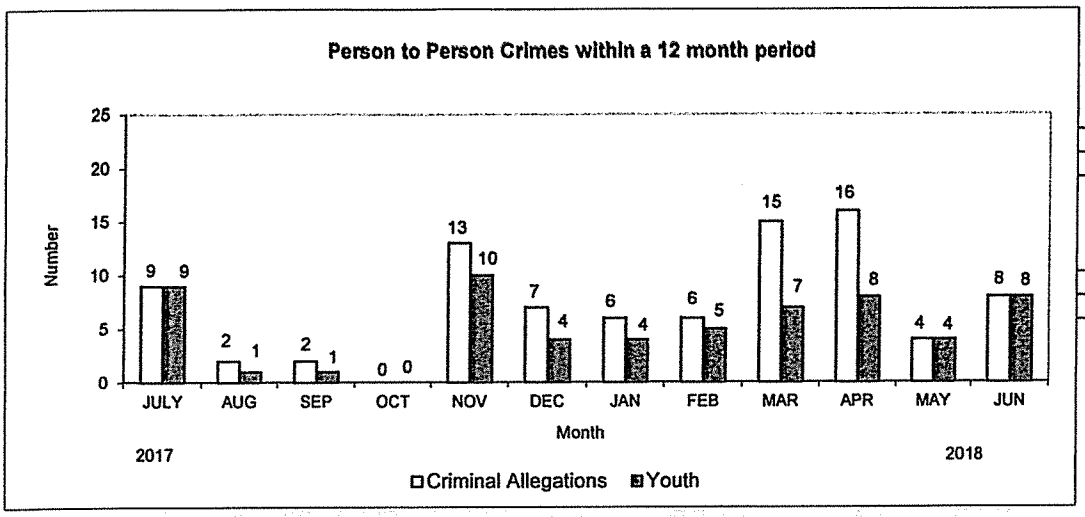


CRIMINAL REFERRALS	
Current	405
Last	348
Difference	57

YOUTH	
Current	368
Last	318
Difference	50

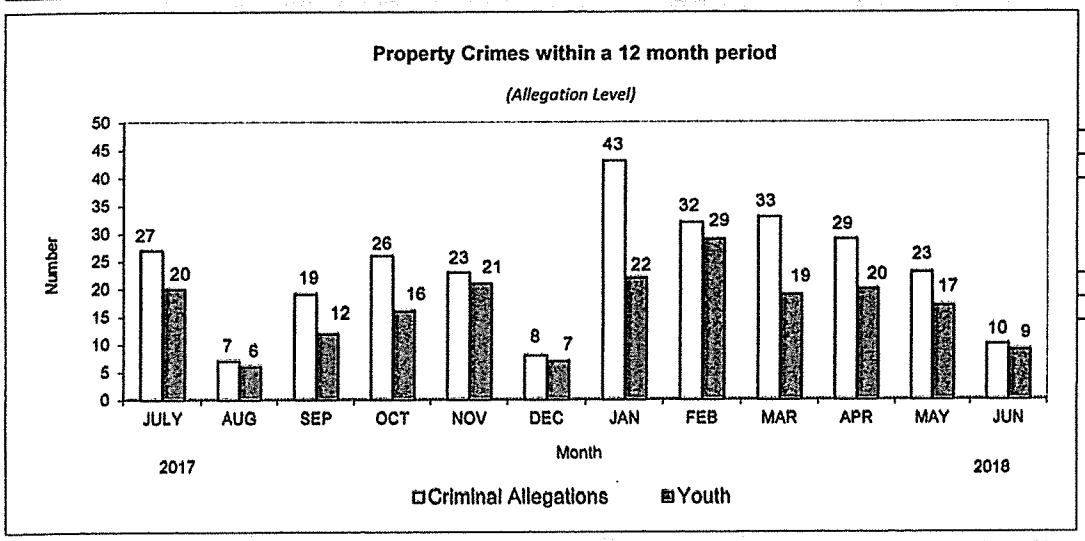
Linn County Juvenile Department
JUNE **Statistics**

Note: Person, Property & Drug Crimes are at the ALLEGATION level.



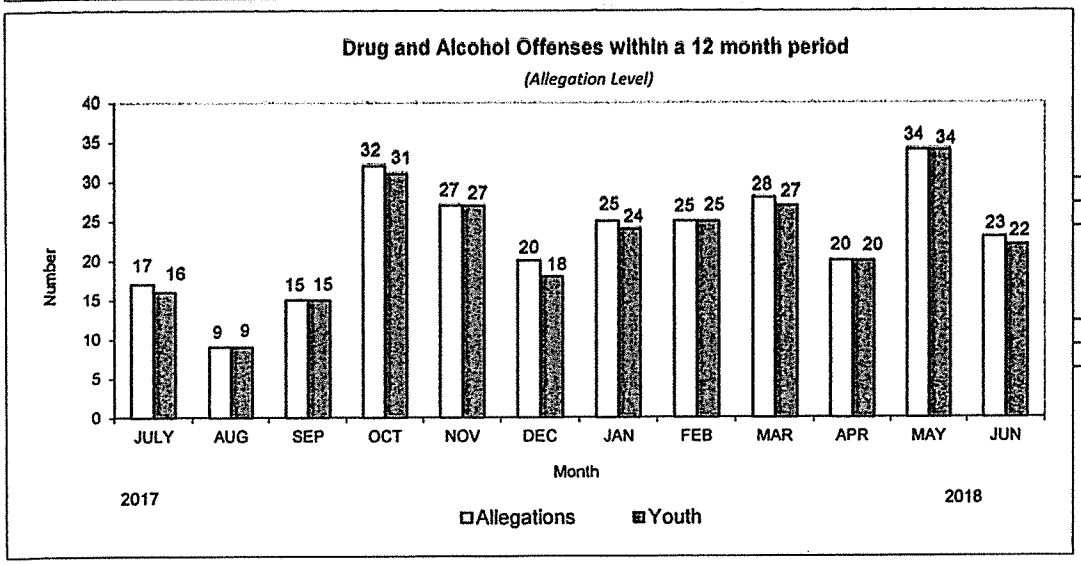
CRIMES	
Current	88
Last	94
Difference	-6

YOUTH	
Current	61
Last	63
Difference	-2



CRIMES	
Current	280
Last	218
Difference	62

YOUTH	
Current	198
Last	171
Difference	27



CRIMES	
Current	275
Last	248
Difference	27

YOUTH	
Current	268
Last	245
Difference	23

LINN COUNTY JUVENILE DEPARTMENT

104 4th SW, Room 200 / PO Box 100
Albany OR 97321
Phone: 541-967-3853 Fax: 541-967-4268

Resolution and Order
No. 2018-229

Intergovernmental Agreement between Benton County and Linn County for the Juvenile Detention Center

Contract Amount $346,904

This intergovernmental agreement is a continuation of the contract with Benton County for 4 beds at the Linn Benton Juvenile Detention Center. Current bed rate is $237.61 per day.

Torri Lynn	Rob Perkins Jr.	Lisa Robinson	Tracy Vaughan	Kevin Husk
Director	Supervisor	Supervisor	Admin Asst/Office Mgr.	Detention Manager
Juvenile Department	Community Programs	Probation Services	Juvenile Department	Linn Benton Detention Center
				(541) 791-9397
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DRAFT

COPY

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR LINN COUNTY

IN THE MATTER OF AN ORDINANCE AMENDING THE LINN COUNTY SURVEYOR'S CODE, CODIFIED AT LINN COUNTY CODE CHAPTER NO. 320	ORDINANCE NO. 2018-252 (Amending Code)

WHEREAS, At 10:00 a.m., on July 24, 2018, the Board conducted a first regularly scheduled and duly advertized public meeting and reading and considered the proposed amendments to the Surveyor's Code;

WHEREAS, At 9:50 a.m., on August 7, 2017, the Board conducted a second regularly scheduled and duly advertized public meeting and reading and considered the proposed amendments to the Surveyor's Code;

WHEREAS, This Ordinance changes the mode of selection of the Linn County Surveyor from elected to appointed and must be submitted to and approved by the electors of Linn County before taking effect, pursuant to ORS 203.035(3); and

WHEREAS, The Board having read the proposed ordinance; now, therefore,

The Linn County Board of Commissioners Ordains as Follows:

Section 1. Amendment. LCC Chapter 320 is amended as set forth in Exhibit 1 (redline indicates text that has been added to the Code; ~~strikeout~~ indicates text that has been deleted from the Code).

Section 2. Savings clause. Repeal of a code section or ordinance shall not revive a code section or ordinance in force before or at the time the repealed code section or ordinance took effect.

Office of the County Attorney
for Linn County
PO Box 100
Albany, OR 97321

The repeal shall not affect a punishment or penalty incurred before the repeal took effect, nor a suit, prosecution, or proceeding pending at the time of the repeal for an offense committed under the repealed code section or ordinance.

Section 3. Severability. Invalidity of a section or part of a section of this ordinance shall not affect the validity of the remaining sections or parts of sections.

Section 4. Effective date. This ordinance shall take effect on January 1, 2019 if approved by the electors of Linn County at the November 6, 2018 general election.

Section 5. Codification. Following adoption and approval, this ordinance shall be codified pursuant to LCC Chapter 120.

First public reading held July 24, 2018.
Second public reading held August 7, 2018.
Adopted and passed August 7, 2018.
The effective date of this Ordinance shall be January 1, 2019, if approved by Linn County electors.

Signed August 7, 2018.

BOARD OF COUNTY COMMISSIONERS FOR LINN COUNTY

		VOTING	
		FOR	AGAINST
Steve Druckenmiller, County Clerk Recording Secretary			
	Roger Nyquist, Chairman	___	___
By _____ Deputy	John K. Lindsey, Commissioner	___	___
	William C. Tucker, Commissioner	___	___

COPY

APPROVED AS TO FORM:

_____
Eugene J. Karandy II
County Attorney for Linn County

Office of the County Attorney
for Linn County
PO Box 100
Albany, OR 97321

TITLE 3

COUNTY OFFICERS AND EMPLOYEES

CHAPTER 320

SURVEYOR CODE

TABLE OF CONTENTS

Section	*Title*
320.005	Title
320.050	Election of County Surveyor
320.100	Authority
320.200	Private surveys, mandated surveys, liability
320.300	County line surveys

Statutory References and Other Authorities

Legislative History of Chapter 320 (formerly codified at Chapter 3.20)

320.005 Title

This Chapter, LCC 320.005 to LCC 320.300, shall be known and may be cited as the "Linn County Surveyor's Code" or simply as the "Surveyor's Code."

[Adopted 98-526 §9 eff 12/16/98]

320.050 ~~Election~~ Appointment of County Surveyor

~~Under authority of Oregon Laws 2009, Chapter 491, the~~ The position of Linn County Surveyor ~~shall continue as an elective position.~~ shall be appointed by the Linn County Board of Commissioners. The appointed Surveyor shall serve at the pleasure of the Board.

[Adopted by Ord ~~1009~~-555 eff 12/2/09: amd 18-xxx eff 1/1/19]

320.100 Authority

This chapter is pursuant to authority granted counties over matters of County concern by ORS 203.035.

[Adopted by Ord 82-211 eff 7/1/82]

320.200 Private surveys, mandated surveys, liability

(A) Except as provided in subsection (B) of this section, in addition to performing the duties of county surveyor, the county surveyor may perform a survey of any tract of land in the county at the expense of the person requesting the survey.

(B) A county surveyor shall not perform a survey pursuant to LCC 320.200 (A) that would interfere with the surveyor's duties as county surveyor.

(C) A survey performed pursuant to LCC 320.200 (A) shall not for any purpose, be considered a service rendered in the course or scope of the county surveyor's office or employment. No liability shall attach to, or be assumed by, Linn County from the performance of or agreement to perform, that survey by the surveyor.

[Adopted by Ord 82-211 eff 7/1/82]

320.300 County line surveys

(A) In any survey affecting a county line, the county surveyor shall notify in writing the surveyor of the adjoining county and shall make reasonable efforts to cooperate with that surveyor in making the survey. Notice shall be considered given in accordance with this section if properly addressed and mailed at least six calendar days before commencing the survey.

(B) Upon completion of the survey, the surveyor shall file a copy of the plat and field notes of the survey in the county surveyor's office.

[Adopted by Ord 82-211 eff 7/1/82; amd 98-526 §9 eff 12/16/98]

Statutory References and Other Authorities:
ORS 203.035; SB 244 which became law as Oregon Laws 2009, Chapter 491, Section 1(2) ; ORS 204.005(2)

Legislative History of Chapter 320 (formerly codified at Chapter 3.20):
Adopted by Ord 82-211 eff 7/1/82
Amendments to 82-211 and LCC 3.20:
#1 95-177 eff 5/10/95 (renumbering)
#2 98-526 eff 12/16/98
#3 09-~~2~~555 eff 12/22/09
#4 18-xxx eff 1/1/19

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Office of the County Attorney
or Linn County
O Box 100
lbany, OR 97321

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The repeal shall not affect a punishment or penalty incurred before the repeal took effect, nor a suit, prosecution, or proceeding pending at the time of the repeal for an offense committed under the repealed code section or ordinance.

Section 3. Severability. Invalidity of a section or part of a section of this ordinance shall not affect the validity of the remaining sections or parts of sections.

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		VOTING	
		FOR	AGAINST
Steve Druckenmiller, County Clerk Recording Secretary			
	Roger Nyquist, Chairman	___	___
By _____ Deputy	John K. Lindsey, Commissioner	___	___
	William C. Tucker, Commissioner	___	___

COPY

APPROVED AS TO FORM:

_____
Eugene J. Karandy II
County Attorney for Linn County

Office of the County Attorney
for Linn County
PO Box 100
Albany, OR 97321

TITLE 3

COUNTY OFFICERS AND EMPLOYEES

CHAPTER 320

SURVEYOR CODE

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Statutory References and Other Authorities

Legislative History of Chapter 320 (formerly codified at Chapter 3.20)

320.005 Title

This Chapter, LCC 320.005 to LCC 320.300, shall be known and may be cited as the "Linn County Surveyor's Code" or simply as the "Surveyor's Code."

[Adopted 98-526 §9 eff 12/16/98]

320.050 ~~Election~~ Appointment of County Surveyor

~~Under authority of Oregon Laws 2009, Chapter 491, the~~ The position of Linn County Surveyor ~~shall continue as an elective position.~~ shall be appointed by the Linn County Board of Commissioners. The appointed Surveyor shall serve at the pleasure of the Board.

[Adopted by Ord ~~1~~009-555 eff 12/2/09: amd 18-xxx eff 1/1/19]

320.100 Authority

This chapter is pursuant to authority granted counties over matters of County concern by ORS 203.035.

[Adopted by Ord 82-211 eff 7/1/82]

320.200 Private surveys, mandated surveys, liability

(A) Except as provided in subsection (B) of this section, in addition to performing the duties of county surveyor, the county surveyor may perform a survey of any tract of land in the county at the expense of the person requesting the survey.

(B) A county surveyor shall not perform a survey pursuant to LCC 320.200 (A) that would interfere with the surveyor's duties as county surveyor.

(C) A survey performed pursuant to LCC 320.200 (A) shall not for any purpose, be considered a service rendered in the course or scope of the county surveyor's office or employment. No liability shall attach to, or be assumed by, Linn County from the performance of or agreement to perform, that survey by the surveyor.

[Adopted by Ord 82-211 eff 7/1/82]

320.300 County line surveys

(A) In any survey affecting a county line, the county surveyor shall notify in writing the surveyor of the adjoining county and shall make reasonable efforts to cooperate with that surveyor in making the survey. Notice shall be considered given in accordance with this section if properly addressed and mailed at least six calendar days before commencing the survey.

(B) Upon completion of the survey, the surveyor shall file a copy of the plat and field notes of the survey in the county surveyor's office.

[Adopted by Ord 82-211 eff 7/1/82; amd 98-526 §9 eff 12/16/98]

Statutory References and Other Authorities:
ORS 203.035; SB 244 which became law as Oregon Laws 2009, Chapter 491, Section 1(2) ; ORS 204.005(2)

Legislative History of Chapter 320 (formerly codified at Chapter 3.20):
Adopted by Ord 82-211 eff 7/1/82
Amendments to 82-211 and LCC 3.20:
#1 95-177 eff 5/10/95 (renumbering)
#2 98-526 eff 12/16/98
#3 09-~~2~~555 eff 12/22/09
#4 18-xxx eff 1/1/19

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BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR LINN COUNTY

IN THE MATTER OF CALLING AN ELECTION ON THE QUESTION OF WHETHER TO MAKE THE LINN COUNTY SURVEYOR AN APPOINTED POSITION AND REFERRING ORDINANCE NO. 2018-252	RESOLUTION & ORDER NO. 2018-253 (Ordinance Referral)

WHEREAS, The Linn County Board of Commissioners desires to refer the question of whether to change the mode of selection of the Linn County Surveyor from an elected position to an appointed position, and has adopted an ordinance (Ordinance 2018-252) to that effect for referral to the voters of Linn County; now therefore be it

RESOLVED AND ORDERED, That an election be held on November 6, 2018 to submit the question to the electors of Linn County of whether to change the mode of selection of the Linn County Surveyor from an elected position to an appointed position. A notice of measure election in compliance with ORS 250.035 (Exhibit 1) and an Explanatory Statement in compliance with ORS 251.345 (Exhibit 2) are attached to and made a part of this Resolution and Order;

RESOLVED, That Chairman Roger Nyquist is delegated authority to sign and submit SEL 805 Request for Ballot Title Publication of Notice (Exhibit 3); and

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ice of the County Attorney
Linn County
Box 100
any, OR 97321

RESOLVED, That the County Administrative Officer is delegated authority to sign and submit SEL 801 Notice of Measure Election upon completion of the notice and ballot title challenge process.

Resolved and Ordered this 7th day of August, 2018.

BOARD OF COUNTY COMMISSIONERS FOR LINN COUNTY	AYE	NO
Roger Nyquist, Chairman	____	____
John K. Lindsey, Commissioner	____	____
William C. Tucker, Commissioner	____	____

COPY

APPROVED AS TO CONTENT:

Ralph E. Wyatt
County Administrative Officer

APPROVED AS TO FORM:

Eugene J. Karandy II
County Attorney

Office of the County Attorney
for Linn County
PO Box 100
Albany, OR 97321

DRAFT a

Exhibit 1

NOTICE OF MEASURE ELECTION

Notice is hereby given that on Tuesday, November 6, 2018 a measure election will be held in Linn County on the question of whether to change the mode of selection of the Office of the Linn County Surveyor from an elective office to an appointed position.

The following shall be the ballot title of the measure to be submitted to the voters of Linn County on this date:

CAPTION

Making the Linn County Surveyor an appointed position.

QUESTION

Shall the mode of selection of the Linn County Surveyor be changed from election by voters to appointment by Commissioners?

SUMMARY

Approval of this measure would change the mode of selection of the Office of the Linn County Surveyor from an elective office to an appointed position. Currently the Linn County Surveyor is elected by the voters of Linn County to a four year term. Approval of this measure would change the office to a position appointed by the Linn County Board of Commissioners for an indefinite period.

The Linn County Board of Commissioners adopted Ordinance 2018-252 to change the mode of selection of the Linn County Surveyor from election to appointment. Under Oregon law, the change of the mode of selection of an elective county office to an appointed position must be submitted to and approved by the voters of Linn County before taking effect.

A Yes vote would change the mode of selection of the Linn County Surveyor from election to appointment by the Linn County Board of Commissioners.

A No vote would retain the current mode of selection of the Linn County Surveyor of election by the voters.

DRAFT a

Exhibit 2

EXPLANATORY STATEMENT FOR VOTERS' PAMPHLET

Ballot Title Caption: Making the Linn County Surveyor an appointed position.

Measure Number: _____

Approval of this measure would change the mode of selection of the Office of the Linn County Surveyor from an elective office to an appointed position. Currently the Linn County Surveyor is elected by the voters of Linn County to a four year term. Approval of this measure would change the office to a position appointed by the Linn County Board of Commissioners for an indefinite period. Approval of this measure would not affect the current term of office of the Linn County Surveyor which expires in January 2021.

In 2009 the Oregon Legislature enacted Chapter 491 Oregon Laws 2009 which changed State law to require that the governing body of a county appoint a county surveyor, unless an adopted county charter or a county ordinance provides otherwise. Prior to 2009, Oregon State law required that county surveyors be elected. The Linn County Board of Commissioners, as the governing body for Linn County, adopted Ordinance No. 2009-555 providing that the Linn County Surveyor would continue as an elected position.

In August 2018 the Linn County Board of Commissioners adopted Ordinance 2018-252 to change the mode of selection of the Linn County Surveyor from election to appointment. Under Oregon law, the change of the mode of selection of a County elective office to an appointed position must be submitted to and approved by the voters of Linn County before taking effect.

Submitted by the Linn County Board of Commissioners