

TITLE 10

SPECIAL ORDINANCES, REGULATIONS, RULES, POLICIES, AND BARGAINING AGREEMENTS

SUBTITLE 3 — POLICIES

POLICY 11

SUBMISSION OF ITEMS FOR THE BOARD AGENDA

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11.020 Purpose

The purposes of this policy are:

- (1) to establish policies and procedures for review and action by the Board on matters submitted by elected officials and department heads;
- (2) to comply with the notice requirements of Oregon’s Public Meeting Law; and

(3) to provide order and structure to the work session and meetings of the Board of Commissioners.

(B) In order to accomplish this purpose, it is necessary that written agenda items, including all supporting documentation, be properly prepared and processed prior to being scheduled for review and action in Board meetings.

[Adopted 86-649 eff 12/10/86; amd 98-050 eff 9/29/98]

11.050 Definitions

As used in this policy, the term:

(A) “**Agenda item**” means a request made by an elected official or department head that the Board review a matter for action.

(B) “**Cover order**” means a formal document which is:

(1) prepared by County Counsel or under direction of County Counsel;

(2) signed by the Board when an agenda item is approved; and

(3) recorded in the Commissioners’ Journal. A cover order is required for any document that requires Board approval and signature. The term includes orders, resolutions, and ordinances.

(C) “**Cover sheet**” means an informal document prepared by the submitter on a form approved by the Board that identifies the agenda item and shows that the agenda item has been adequately reviewed by appropriate staff prior to Board review and approval (see Appendix 1).

(D) “**Legal Service Request**” or “**LSR**” means a written request on a form approved by County Counsel seeking review of a matter or approval as to legal sufficiency by County Coun-

sel. A completed LSR must accompany every request for legal service tendered to County Counsel (see Appendix 2).

[Adopted 86-649 eff 12/10/86; amd 98-050 eff 9/29/98]

11.100 Statement of policy

In order to allow for expeditious review, consideration, and action on every item submitted to the Board, an employee may submit an agenda item to be reviewed by the Board for action only as set forth in this policy.

[Adopted 86-649 eff 12/10/86; amd 98-050 eff 9/29/98]

11.200 Procedure for scheduling agenda items with the board

(A) If an item, such as a contract, an agreement, order, resolution, or ordinance, etc., requires approval as to form by County Counsel, the submitter shall submit the item to County Counsel for approval pursuant to Section 11.300 before complying with this section.

(B) All items to be placed on either Work Session or Board Meeting Agendas must be submitted to the Commissioner's Office as set forth in this section.

(C) The item and all materials supporting the item (cover sheet and original documents, if any) must be submitted no later than **5:00 p.m.** on the Thursday preceding the work session or Board Meeting

(D) An exception to the 5:00 p.m. deadline required by subsection (C) of this section may be approved by the Chairperson, other commissioner, or Administrative Officer, in that order.

(E) The submitter will be contacted if there are questions about the agenda item(s). If advance explanations are necessary, the submitter may contact their Board Liaison or write a memo to the Board.

(F) *Use of cover sheets.* The item must be under a cover sheet prepared by the person submitting the item.

(1) The completed cover sheet must bear the signature of an elected official or department head approving it.

(2) It is the submitter's obligation to prepare the cover sheet.

(3) In general, new items should be listed on individual cover sheets with all backup material attached, however, more than one new item may be listed on a single cover sheet when the items are similar, for example, several routine personal service contracts may be submitted under one cover sheet.

[Adopted 86-649 eff 12/10/86; amd 98-050 eff 9/29/98]

11.300 Procedure for scheduling agenda items with the board that require review by county counsel

(A) All items which require prior review by County Counsel shall be submitted to County Counsel as described in this section.

(B) *Requirements for County Counsel review of a proposed agenda item.*

(1) All proposed agenda items shall be accompanied with a completed LSR.

(2) Except as provided in paragraphs (3) and (4), County Counsel will not assign an order number to any agenda item before the item has been reviewed and determined to be ready for Board action.

(3) County Counsel will issue an order number if the Chairperson of the Board, in consultation with County Counsel, gives the submitter prior approval for expedited review. Following such approval for expedited review, the submitter may schedule with the Board the agenda item along with its order number.

(4) County Counsel may issue an order number for a document prior to that document being reviewed by County Counsel if the document must bear an order number. An example of a document that must bear an order number is a contract.

(5) Unless there is a justification based on a contractual or statutory time limitation that requires a departure from the order of review set forth in subsection (C), and such basis is brought to the attention of County Counsel on the LSR that accompanies the agenda item, County Counsel will review agenda items on a first-in, first-out basis.

(C) *Procedure for legal review and approval of agenda items.*

(1) Submit the agenda item, cover sheet, and LSR to County Counsel.

(2) Following review and approval as to readiness for Board consideration, County Counsel will assign an order number to the agenda item. Approval by County Counsel shall be indicated by signature on the cover sheet and on the cover order under the “as to form” text.

(3) After County Counsel has reviewed the agenda item, County Counsel shall return the agenda item to the submitter. It shall not be the responsibility of County Counsel to schedule items with the Board.

(4) The submitter, following review and approval by County Counsel, may then schedule the agenda item for Board action pursuant to Section 11.200.

(5) If an agenda item has been scheduled with the Board following the procedure set forth in paragraph (4) above, and the item has been returned to County Counsel for further review or revisions, following that review or revision, County Counsel will send the item directly to the Board for consideration or rescheduling.

(6) A department or office having a memoranda of understanding with County Counsel regarding pre-approved forms, may submit agenda items containing such pre-approved forms immediately after obtaining an order number from County Counsel, completing the cover sheet, and scheduling the matter with the Board.

[Adopted 86-649 §nn eff 12/10/86; amd 98-050 § nn eff 9/29/98]

11.400 Approval, preparation, and distribution of Board agenda

(A) Items will be scheduled by Commissioners’ Office and draft agendas will be compiled and distributed on Friday each week.

(B) Before the agenda is finalized, the chairperson, other commissioner, or Administrative Officer, in that order, will determine which

(1) items will appear on the Work Session and Board meeting agenda, and

(2) meeting staff should attend .

(C) Final Work Session agendas will be prepared and distributed on Mondays of each work week.

(D) Final Board meeting agendas will be prepared and distributed on Tuesdays of each week.

(E) Agendas will be placed on a table in the hallway before the meetings begin and reasonable efforts will be made to post them on the Internet.

[Adopted 86-649 eff 12/10/86; amd 98-050 eff 9/29/98]

References and Authorities:

Legislative History of Policy 11:

Adopted 86-649 eff 12/10/86

Amendments to 86-649:

#1 98-050 eff 9/29/98

#2 none

Attachments:

(1) Appendix 1 – Cover sheet

(2) Appendix 2 – Legal Service Request

Appendix 1 – Cover sheet

AGENDA ITEMS
FOR
LINN COUNTY BOARD OF COMMISSIONERS' MEETING

This document must be completed for each agenda item submitted for consideration by the Board of Commissioners. (See Linn County Policy 11)

Suggested Agenda Date(s): _____
Office/Dept. Submitting: _____ Phone: _____
Staff Person: _____
Person Attending Board Meeting (Required): _____
Person(s) Who Should Receive Signed Documents After Approval:

Type of Document: Discussion Only
 Order
 Resolution
 Contract or Amendment
 Ordinance
 Permit
 Other: _____
Executive Session:
 Litigation (Pending/Likely)
 Real Property Transaction
 Labor Negotiations
 Other: _____

Title of Agenda Item: _____

Action Requested: _____

Reviewed by (signature and date required):

Elected Official/Dept Head: _____
Board of Commissioners Office: _____
Budget Office (if applicable): _____
County Attorney: _____ Order No: _____
Admin. Officer: _____

Appendix 2 – Legal Service Request

LEGAL SERVICE REQUEST

This Space to be Completed by Requestor

Requestor: _____ Date: _____
 Dept/Office: _____ Ext: _____ Real Property involved? If yes _____
 Dept. Head/Official Review: _____ (Property Manager)

This space is reserved for Board [Pursuant to Policy 11.300(B)(3)]

Expedited Review Approved on: _____ For: _____ By: _____
 (Date) (Board Agenda Date) (Commissioner)

This space is reserved for Legal Counsel

LSR#: _____ File#: _____ New?
 Order #: _____ Access Close LSR Close File Scan File
 Board Agenda Date (if any): _____ Priority: _____
 Attorney Assigned: Karandy McCulloch Date Completed: _____
 Dept: _____ Type: _____ Sub Type: _____

1. *QUESTION TO BE ANSWERED OR LEGAL SERVICE NEEDED:* _____

2. *IS THIS A* *NEW CONTRACT OR AN* *AMENDMENT/RENEWAL TO AN EXISTING CONTRACT?*
 a. Order # of the contract being amended/renewed: _____ Copy attached? No Yes
 b. If a renewal or amendment, briefly describe above the changes.
 3. *IS THE LSR SUBJECT TO A TIME LIMITED IMPOSED BY LAW OR CONTRACT?* No Yes When? _____
 4. *LIST DOCUMENT ATTACHED (IF ANY):* (1) _____
 (2) _____
 (3) _____

(Use Additional Pages if Necessary - Do Not Use Back)

(This Section Reserved for Legal Counsel)

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