Marion County
OREGON

ADMINISTRATIVE POLICIES

SECTION:	**General Administration**	**POLICY #:**	**201**
TITLE:	**Placing Business Before the Board of Commissioners**	**PROCEDURE #:**	**201-A**
		ORDER #:	
DEPT:	**Board of Commissioners' Office**	**DIVISION:**	**N/A**
ADOPTED:	**4/84** **REVIEWED:**	**REVISED:**	**1/13**

PURPOSE: To define the public meetings held by the board of commissioners for review and actions of county concern. To set forth rules for bringing issues of county concern to the board of commissioners at public meetings. To ensure that items brought before the board of commissioners are complete, timely, and in an appropriate format.

AUTHORITY: The Marion County Board of Commissioners may establish rules and regulations in reference to managing the interest and business of the county under ORS 203.010, 203.035, 203.111, and 203.230.

APPLICABILITY: All county departments and employees

GENERAL POLICY: This policy establishes the criteria and requirements for placing business before the board of commissioners.

POLICY GUIDELINES:

1. Definitions

   1.1. Public meetings – a meeting that is open for members of the public to attend (ORS Chapter 192)

   1.2. Formal board action - any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of a governing body is required, at any meeting at which a quorum is present.

2. Responsibilities: The board of commissioners is responsible for review and approval of issues of county concern under its executive, legislative, and quasi-judicial powers per ORS Chap. 203. These issues include agreements, budgets, contracts, grant awards, land use decisions, leases, ordinances, policies, and a myriad other business matters of county concern.

   2.1. Matters of county concern can be presented to the commissioners in five publicly noticed meetings; management update, board session, work session, executive session, and special meetings.

2.1.1. Management Update - Administrative issues can be brought forward to a weekly planning meeting chaired by the chief administrative officer (CAO). Management Update meetings provide a process for the CAO to bring forth timely administrative issues for board discussion and review. In some cases, issues for formal board action can be brought to a Management Update meeting. For the most part, the board does not take formal action during Management Update meetings.

2.1.2. Board Session - Presentations to the board and matters for formal board action are brought forth at weekly Board Sessions.

2.1.3. Work Session - Issues requiring an in-depth briefing on any matter that is or may come before the board for consideration. The board does not take formal action at Work Sessions.

2.1.4. Executive Session - In very specific circumstances, matters of county concern are brought to the board of commissioners through an Executive Session. Executive Sessions are governed by ORS 192.660. The board does not take formal action at Executive Sessions.

2.1.5. Special Meetings – Meetings can be called for any matter that requires board review with 24 hour notice. The board may take formal board action at Special Meetings.

2.2. Matters for formal board action:

2.2.1. Formal action refers to a request for the Marion County Board of Commissioners to adopt, approve, deny, or accept an official document on a matter of county concern.

2.2.2. A formal board action can be a proclamation, resolution, order, or ordinance.

2.2.2.1. A proclamation is a formal announcement from the board.

2.2.2.2. A resolution governs a general topic, but is not required to have the same force of law as an ordinance. Resolutions and orders are functionally synonymous. Resolutions tend to govern general topics.

2.2.2.3. An order is a formal mandate of the board. Orders are discrete actions or directives from the board on a specific topic. Resolutions and orders are functionally synonymous. An order is the most common means by which the board takes formal board action on a matter.

2.2.2.4. An ordinance is the formal exercise of the county's police powers within the scope of the powers granted to the county by the state and federal constitutions. The board can enact legislative and

administrative ordinances. The process for enacting legislative ordinances is defined in ORS 203.045. Processes for approving administrative ordinances are found in the Marion County Code, Chapter 1.10, Ordinances.

2.2.3. A state statute may require an issue to have a particular form of formal board action. In that case, the statutorily-directed form is to be used.

2.2.4. In addition to the formal board actions listed in 1.2.2., the board can take formal action by signing contracts or conveying interests in real property by deeds.

2.3. Agendas:

2.3.1. The CAO shall be responsible for preparing the agendas for Management Updates, Board Sessions and Special Meetings.

2.3.2. Agenda planning sessions, to preview submitted agenda items and supporting documents, are held each week prior to the Management Update meeting and Board Session.

2.3.3. Any commissioner or the CAO, upon notification to the commissioners, may authorize additions to an agenda up until 24 hours before a scheduled meeting.

2.3.4. The CAO, upon notification to the commissioners, may remove an item or items from an agenda for administrative purposes. The change or changes to the agenda can be made up until 24 hours before a scheduled meeting.

2.3.5. Items accepted and placed on a Board Session agenda cannot be changed or removed within the twenty four hour period prior to the Board Session. Required changes or removal of an agenda item within the twenty four hour period can only be made by formal action of the board during the scheduled board session.

3. Exceptions: Exceptions to matters not dictated by statute may only be granted by the board of commissioners or the chief administrative officer.

4. Implementation: The board of commissioners' office has the authority and responsibility to implement this policy and assure compliance by county departments.

5. Periodic Review: Review of this policy shall be conducted every three years by the board of commissioners' office.

Adopted: 4/84

Revised: 8/96
1/13