

W. 5. B. 1.

AGENDA COVER MEMO

AGENDA DATE: February 2, 2011
Memorandum Date: January 23, 2011

TO: LANE COUNTY BOARD OF COMMISSIONERS

DEPARTMENT: OFFICE OF LEGAL COUNSEL

PRESENTED BY:  H. Andrew Clark, Assistant County Counsel

AGENDA ITEM TITLE: Order No. 11-2-02-___/In the Matter of Reappointing Members to the Lane County Fair Board

I. MOTION

To approve the reappointment of Greg Evans and Robert "Cliff" Kelley to the Lane County Fair Board.

II. DISCUSSION

A. Board Action and Other History Greg Evans was appointed to the Lane County Fair Board on December 16, 2008, by Order No. 08-12-16-2, signed on December 17, 2008. That order indicated that Mr. Evans term expired on 12/31/2009. However, it was later determined that Mr. Evans' term should have been set to expire on 12/31/2010 according to ORS 565.210(2), which sets the initial staggering of terms for Fair Board members. Accordingly, Mr. Evans' term was corrected to expire on 12/31/2010 by Order No. 09-1-28-4.

Robert "Cliff" Kelley was appointed to the Lane County Fair Board on May 20, 2009, by Order No. 09-5-20-3. That order indicated that Mr. Kelley's term expired on 12/31/2010.

Ideally, this agenda item would have been prepare to appear on the agenda for the Board of Commissioners' first meeting in January, 2011. Due to confusion about the end of Mr. Evans' term, this item has been delayed. However, the Fair Board has not yet had its first meeting in 2011, which is scheduled for February 10, 2011. Assuming the Board of Commissioners determines to reappoint Mr. Evans and Mr. Kelley, both would be eligible to take part in the first scheduled Fair Board meeting for 2011.

B. Recommendation Commissioner Handy has nominated Greg Evans and Commissioner Bozievich has nominated Cliff Kelley for reappointment to the Lane County Fair Board. Fair Board member appointments are subject to approval by a majority of the Board of Commissioners.

III. ATTACHMENTS

Board Order

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 11-2-02-__

IN THE MATTER OF REAPPOINTING
MEMBERS TO THE LANE COUNTY FAIR
BOARD

WHEREAS, Lane County Fair Board member Greg Evans' term expired December 31, 2010, and

WHEREAS, Lane County Fair Board member Robert "Cliff" Kelley's term expired December 31, 2010, and

WHEREAS, ORS 565.210(2) provides that upon the expiration of the term of a member, appointment or reappointment occur at the first meeting in January of the following year, and

WHEREAS, due to a record keeping error, neither the Fair Board nor the Board of County Commissioners was aware that Mr. Evans' and Mr. Kelley's terms had expired, and

WHEREAS, the Board of County Commissioners wishes to retain Mr. Evans' and Mr. Kelley's services on behalf of the Lane County Fair for a second term, and

WHEREAS, this matter having been fully considered by the Board of County Commissioners; now therefore,

IT IS HEREBY ORDERED, that Greg Evans and Cliff Kelley are reappointed to serve on the Lane County Fair Board, with the term to expire as indicated below:

<u>NAME</u>	<u>TERM EXPIRATION</u>
Greg Evans	12/31/2013 (2 nd term)
Robert "Cliff" Kelley	12/31/2013 (2 nd term)

Dated this _____ day of February, 2011.

Chair
Lane County Board of Commissioners

APPROVED AS TO FORM
Date 1-29-11 Lane County

OFFICE OF LEGAL COUNSEL