

W.5.C.1

**AGENDA COVER MEMO**

Memorandum Date: January 5, 2011  
Order Date: January 19, 2011

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**TO:** Board of County Commissioners

**DEPARTMENT:** Office of Legal Counsel

**PRESENTED BY:** Andy Clark, Assistant County Counsel

**AGENDA ITEM TITLE:** In The Matter of Amending Chapter 3 of the Lane Manual to Remove References to the Lane County Metropolitan Wastewater Service District Which Was Dissolved by Board Order No. 10-6-9-15 (LM 3.515, LM 5.560)

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**I. MOTION**

TO APPROVE THE ORDER IN THE MATTER OF AMENDING CHAPTER 3 OF THE LANE MANUAL TO REMOVE REFERENCES TO THE LANE COUNTY METROPOLITAN WASTEWATER SERVICE DISTRICT WHICH WAS DISSOLVED BY BOARD ORDER NO 10-6-9-15 (LM 3.515, LM 3.560)

**II. AGENDA ITEM SUMMARY**

The Lane County Metropolitan Wastewater Service District (MWSD) was dissolved by Board Order No 10-6-9-15 (LM 3.515, LM 3.560). However, reference to MWSD was not removed from the Lane Manual at that time, which is what is proposed at this time.

**III. BACKGROUND/IMPLICATIONS OF ACTION**

**A. Analysis**

The Lane Manual contains references to MWSD that were not deleted when the district was dissolved by Board Order No. 10-6-9-15. Because these sections are superfluous they should be deleted to avoid confusion between the dissolved district (MWSD) and the Metropolitan Wastewater Management Commission, which continues to operate and maintain the regional wastewater facilities, and provides administrative and policy direction.

**B. Financial and/or Resource Considerations**

None. This is a housekeeping amendment to the Lane Manual that has no financial impacts.

**C. Alternatives/Options**

- 1) Approve the change to Lane Manual chapter 3 as proposed.
- 2) Leave the Lane Manual unchanged by not adopting the proposed order.

**IV. TIMING/IMPLEMENTATION**

NA

**V. RECOMMENDATION**

Approve the Order.

**VI. FOLLOW-UP**

Approval of the amendment to Lane Manual chapter 3 takes effect upon Board adoption of the order. No follow up is needed.

**VII. ATTACHMENTS**

Board Order No. 10-6-9-15

Draft Board Order 11-1-19-\_\_

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 11-1-19-\_\_\_\_

IN THE MATTER OF AMENDING CHAPTER 3 OF THE LANE MANUAL TO REMOVE REFERENCES TO THE LANE COUNTY METROPOLITAN WASTEWATER SERVICE DISTRICT WHICH WAS DISSOLVED BY BOARD ORDER NO. 10-6-9-15. (LM3.515, LM3.560)

The Board of County Commissioners of Lane County orders as follows:

Lane Manual Chapter 3 is hereby amended by deleting, substituting, and adding the following section:

**DELETE THIS SECTION**

3.515  
as located on pages 3-61 through 3-65  
(a total of 5 pages)

3.560  
as located on pages 3-75  
(a total of 1 page)

**INSERT THIS SECTION**

3.515  
as located on pages 3-61 through 3-65  
(a total of 5 pages)

None

Said section is attached hereto and incorporated herein by reference. The purpose of this substitution and addition is to amend Lane Manual Chapter 3 to remove references to the Lane County Metropolitan Wastewater Service District which was dissolved by Board Order No. 10-6-9-15 (LM3.515, LM3.560).

Effective this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

\_\_\_\_\_  
Chair  
Lane County Board of Commissioners

APPROVED AS TO FORM

Date 1-2-11 Lane County

\_\_\_\_\_  
OFFICE OF LEGAL COUNSEL

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 10-6-9-\_\_15

IN THE MATTER OF DISSOLVING THE LANE  
COUNTY METROPOLITAN WASTEWATER  
SERVICE DISTRICT AND TRANSFERRING ITS  
ASSETS TO THE GENERAL FUND (File No. CSD  
MWSD 2010 – DIS-3)

**WHEREAS**, Resolution and Order No. 10-5-19-M1 initiating dissolution of the Lane County Metropolitan Wastewater Service District (MWSD), a county service district legally described in Exhibit A and shown in Exhibit B, was adopted by the MWSD Board of Directors and filed with the county on May 19, 2010; and

**WHEREAS**, Findings of Fact and a Plan of Dissolution and Liquidation were adopted by the MWSD Board and were on file with the County Clerk for public viewing, a copy of which is attached as Exhibit C; and

**WHEREAS**, Findings of Fact and a Plan of Dissolution and Liquidation contain an estimate as to the cost of dissolution of \$15,000, but that the Board of County Commissioners now estimates that the total cost of dissolution will be no more than \$5,000; and

**WHEREAS**, the Board of Commissioners held a public hearing on the proposed dissolution on June 9, 2010; and

**WHEREAS**, the Board determined that the dissolution was consistent with adopted Board Goals; and

**WHEREAS**, the Board determined that the MWSD has no outstanding indebtedness; and

**WHEREAS**, the Board determined that the MWSD has fulfilled its original purpose and that MWSD is no longer necessary for the purpose for which it was formed; and

**WHEREAS**, assets of MWSD will be transferred to the General Fund; and

**WHEREAS**, the Board determined that dissolution of the MWSD is in the interest of the people of the County.

**NOW, THEREFORE, IT IS ORDERED** that the Lane County Metropolitan Wastewater Service District be dissolved and its assets be transferred to the General Fund.

**IT IS FURTHER ORDERED**, that

(1) The Findings of Fact supporting the dissolution of the service district, attached as Exhibit C, are hereby adopted and incorporated by this reference; and,

(2) This Order, with all attachments, be filed with appropriate filing agencies in accordance with ORS Chapter 198.

**EFFECTIVE** this 9th day of June, 2010.

  
\_\_\_\_\_  
**William Fleenor, Chair**  
**Lane County Board of Commissioners**

APPROVED AS TO FORM

Date 6-9-10 Lane County

  
\_\_\_\_\_  
OFFICE OF LEGAL COUNSEL

### STANDING COMMITTEES

#### 3.515 Standing Committees.

The following standing committees shall meet jointly with the full Board of County Commissioners on matters pertinent to their charge, and shall not meet as a separate unit unless the committee obtains prior Board approval for a separate meeting. Such requests should be submitted via a proposed Board Order for the consent calendar whenever possible. If not possible, requests should be submitted to the Chair of the Board of Commissioners.

- (a) Policies and Procedures
- (b) Legislative Affairs
- (c) Finance & Audit
- (d) Technology Management Team
- (e) Savings are Valuable to Employees (S.A.V.E.) Committee
- (f) Facilities
- (g) Economic Development Standing Committee

The County Administrator is responsible for arranging the joint meetings on an "as needed basis" in a rotating fashion on Tuesdays and Wednesdays. The County Administrator is encouraged to vet each standing committee's presentation prior to coming before the full Board, and may ask any commissioner as needed for their participation in this process.

(1) Economic Development Committee.

(a) Scope and Function. This committee provides recommendations to the Board regarding Lane County's economic development policies and activities, including:

(i) Development and periodic review of Lane County's Economic Development Plan.

(ii) Analysis of proposed uses of County real estate for economic development purposes.

(iii) Review and analysis of economic development proposals or grants requiring Lane County sponsorship or participation.

(iv) Review and analysis of requests from outside economic development agencies or programs.

(b) Membership.

(i) Five lay citizens appointed by individual Commissioners.

(ii) Two at-large members selected by the Board as a whole.

(c) Term

All members serve at the will of the Commissioner who appointed them, but for no longer than four years without reappointment.

(2) Facilities Committee.

(a) Scope and Function. The function of this committee is to provide recommendations to the Board regarding County owned facilities issues in the following areas:

(i) The Capital Improvement Program (CIP) for County facilities.

(ii) Real Property acquisitions and sales.

(iii) Facilities Maintenance and Custodial Services.

(iv) Construction and remodel activities.

(v) Use of County facilities.

(b) Membership.

(i) The County Administrator.

(ii) The Director of the Department of Management Services.

(iv) One at-large lay citizen, who is not a vendor, as described in LM 3.506(2)(d), who will serve at the will of the Board of Commissioners, but for no longer than four years without reappointment.

(3) Finance and Audit Committee.

(a) Scope and Function. The committee's function is broad based, to provide recommendations to the Board regarding the following:

(i) Review and monitor the current procedures to insure the existence of an effective financial system with appropriate internal controls.

(ii) Maintain overview responsibilities for both external and internal audit functions.

(iii) Review the development and implementation of a multi-year audit program for Lane County.

(iv) Monitor the annual review of departmental fee-for-services preparatory to the ensuing fiscal year's budget process and evaluate the feasibility of potential significant alternative revenue sources, as may be identified.

(v) Provide a communication link between the independent auditors and the Board.

(vi) Develop and implement internal management audits of specific units of County government. These audits are to be both fiscal and operational.

(vii) Analysis of new programs that offer opportunities to increase economy and efficiency in County operations.

(viii) Review and monitor the development of a multi-year financial plan that forecasts revenue and expenditures for major County programs.

(ix) Review any other proposals having financial impact on County operations.

(x) Oversee and evaluate County Performance Auditor.

(b) Membership.

(i) County Administrator.

(ii) County Counsel.

(iii) One elected department director or designee.

(iv) Nonvoting department managers and staff support, as required.

(4) Legislative Committee.

(a) Scope and Function. The function of this committee is to oversee all aspects of Lane County's legislative program and:

(i) Ensure staff review of all County-oriented legislation.

(ii) Submit legislation to the Board for consideration.

(iii) Coordinate all staff lobbying activities.

(iv) Monitor state legislative activities.

(v) Determine the relative priority of County legislation per Board direction.

(b) Membership.

(i) County Administrator.

(ii) All department directors or designees.

(iii) Other staff support, as required.

(5) Policy and Procedures Committee.

(a) Scope and Function. The function of this committee is to provide recommendations on all new issues that have the potential for requiring the Board to adopt a final policy or position, or change existing policy, and may include:

(i) Personnel related matters particularly those relating to Lane Charter, Code or Manual provisions.

(ii) The operating procedures between the Board, the County Administrator, and elected and administrative Department Directors.

(iii) The development of rules and procedures on the Board's internal operations. This could include such issues as Board representation on committees or organizations, and the authority and role of those representatives or procedures for making Board appointments to the Budget or Advisory Committees.

(iv) Other policy matters referred by the Board.

(b) Membership.

(i) County Administrator.

(ii) County Counsel.

(ii) One elected Department Director or designee.

(iii) Nonvoting Department managers and staff support, as

required.

(6) Technology Management Team (TMT).

(a) Scope and Function. The function of this committee is broad based, to provide recommendations to the Board regarding the following:

(i) Establish ongoing mission vision and direction for Lane County information services.

(ii) Review and monitor the current policies to insure the existence of an effective use of technology.

(iii) Review and monitor the development and implementation of a multi-year strategic plan for technology.

(iv) Review new technologies that offer opportunities to increase economy and efficiency in County operations, and champion those technologies with the Board of Commissioners.

(v) Review any other proposals having a technological impact on county operations.

(b) Membership.

(i) Three department directors (or designees), representative of the largest users of the services of the Department of Information Services.

(ii) One department director not included in (i) above.

(iii) The Director of the Department of Information Services.

(iv) The County Administrator.

(c) Other Non-Voting Participants.

(i) Interested department managers. Computer Services Managers with the consent of the committee. *(Revised by Order No. 01-10-31-4; Effective 10.31.01; 03-11-12-6, 11.12.03; 07-5-23-2, 5.23.07; 09-4-29-1, 4.29.09; 09-6-3-3, 6.3.09)*

#### LANE COUNTY COMMITTEES MANDATED ADVISORY COMMITTEES

<u>Committee</u>	<u>Responsible</u>		<u>LM#</u>
	<u>Department</u>	<u>Mandate</u>	
1. Building Appeals and Advisory Board	PW/LMD	UBC 105	3.520
2. Commission on Children and Families	C&F	ORS 417.760	3.521
3. Public Safety Coordinating Council	CAO	ORS 423.560	3.522



4. Mental Health Advisory/Local Alcohol and Drug Planning Committee	H&HS	ORS 430.342; ORS 430.630(7); OAR 309-014-0020(3); OAR 309-016-0020(2); OAR 415-056-0005(10)	3.524
5. Farm Review Board	A&T	ORS 308A.095	3.526
6. Historic Resources Committee (Lane County)	PW/LMD	Goal 5	3.528
7. Community Action Advisory Committee	H&HS	ORS 458.505	3.530
8. Community Health Council	H&HS	Section 330, Public Health Service Act (42 U.S.C. 254b, et seq., as now or hereafter amended)	3.534

NONMANDATED ADVISORY COMMITTEES

9. Public Health Advisory Committee	H&HS		3.538
10. Lane County Animal Services Advisory Committee.	H&HS		3.536
11. Lane County Commission for the Advancement of Human Rights	CAO		3.540
12. Law Library Advisory Committee	Legal Counsel		3.542
13. Parks Advisory Committee	PW/Parks		3.544
14. Resource Recovery Advisory Committee	PW/W. Mgmt.		3.546
15. Roads Advisory Committee	PW		3.548
16. Rural Community Improvement Council	CAO		3.549
17. Tourism Council (Lane County)	PW/Parks		3.550
18. Vegetation Management Committee	PW		3.552

MANDATED SPECIAL COMMITTEES/BOARDS

19. Board of Property Tax Appeals	MS	ORS 309.020	3.554
20. Budget Committee	MS	ORS 294.336	3.556
21. Fair Board (Lane County)	FAIR BOARD	ORS 565.210	3.558
22. Planning Commission	PW/LMD	ORS 215.030	3.510

LANE COUNTY COMMITTEES/MULTI-JURISDICTIONAL COMMITTEES

23. Eugene-Springfield Metropolitan Partnership Board of Directors	City of Eugene		3.566
24. Human Services Committee	H&HS		3.568
25. Lane Workforce Partnership Advisory Committee	WFP	20 CFR 628.410; ORS 258A.458	3.570
26. Metropolitan Wastewater Management Commission	City of Eugene		3.572

OTHER APPOINTED COMMITTEES

27. Elected Officials Compensation Board	MS		3.600
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*(Revised by Order No. 00-8-16-1; Effective 8.17.00; 07-10-24-8, 10.24.07; 07-12-5-2, 12.5.07; 07-12-12-5, 12.12.07; 09-4-29-1, 4.29.09)*

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LANE COUNTY COMMITTEES  
MANDATED ADVISORY COMMITTEES

<u>Committee</u>	<u>Responsible Department</u>	<u>Mandate</u>	<u>LM#</u>
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**LEGISLATIVE  
FORMAT**

3.515	Lane Manual		3.515
2.	Commission on Children and Families	C&F	ORS 417.760 3.521
3.	Public Safety Coordinating Council	CAO	ORS 423.560 3.522
4.	Mental Health Advisory/Local Alcohol and Drug Planning Committee	H&HS	ORS 430.342; ORS 430.630(7); OAR 309-014-0020(3); OAR 309-016-0020(2); OAR 415-056-0005(10) 3.524
5.	Farm Review Board	A&T	ORS 308A.095 3.526
6.	Historic Resources Committee (Lane County)	PW/LMD	Goal 5 3.528
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11.	Lane County Commission for the Advancement of Human Rights	CAO	3.540
12.	Law Library Advisory Committee	Legal Counsel	3.542
13.	Parks Advisory Committee	PW/Parks	3.544
14.	Resource Recovery Advisory Committee	PW/W. Mgmt.	3.546
15.	Roads Advisory Committee	PW	3.548
16.	Rural Community Improvement Council	CAO	3.549
17.	Tourism Council (Lane County)	PW/Parks	3.550
18.	Vegetation Management Committee	PW	3.552

MANDATED SPECIAL COMMITTEES/BOARDS

19.	Board of Property Tax Appeals	MS	ORS 309.020 3.554
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**LEGISLATIVE  
 FORMAT**

3.515	Lane Manual			3.515
20.	Budget Committee	MS	ORS 294.336	3.556
21.	Fair Board (Lane County)	FAIR BOARD	ORS 565.210	3.558
<del>22.</del>	<del>Metropolitan Wastewater Service      District Budget Committee</del>	<del>CAO</del>	<del>ORS 294.336</del>	<del>3.560</del>
<b>2322.</b>	Planning Commission	PW/LMD	ORS 215.030	3.510

LANE COUNTY COMMITTEES/MULTI-JURISDICTIONAL COMMITTEES

<b>2423.</b>	Eugene-Springfield Metropolitan Partnership Board of Directors	City of Eugene		3.566
<del>2524.</del>	Human Services Committee	H&HS		3.568
<b>2625.</b>	Lane Workforce Partnership Advisory Committee	WFP	20 CFR 628.410; ORS 258A.458	3.570
<b>2726.</b>	Metropolitan Wastewater Management Commission	City of Eugene		3.572

OTHER APPOINTED COMMITTEES

<b>2827.</b>	Elected Officials Compensation Board	MS		3.600
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*(Revised by Order No. 00-8-16-1; Effective 8.17.00; 07-10-24-8, 10.24.07; 07-12-5-2, 12.5.07; 07-12-12-5, 12.12.07; 09-4-29-1, 4.29.09)*

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3.560

LEGISLATIVE  
FORMAT

Lane Manual

3.560

~~3.560 Metropolitan Wastewater Service District Budget Committee.~~

~~Reviews and approves the County Service District budget, limits the amount of tax which may be levied by the County Service District and establishes a tentative maximum for total permissible expenditures for each fund in the County Service District budget.~~

~~STAFFING: Office of County Administration~~

~~MEETS: As needed~~

~~MANDATED: ORS 294.336~~

~~MEMBERSHIP: (10) Consists of members of the Board of Commissioners and an equal number of lay citizens. Lay citizens must live within the County Service District boundaries. Vacancies on this committee will not be advertised unless otherwise requested by the Board member whose district representation has been vacated.~~

~~TERM: 3 years, ending December 31 (Revised by Order No. 00 8 16 1; Effective 8.17.00)~~