

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER 18-09-11-10

AMENDING LANE MANUAL CHAPTER 3 TO  
TRANSFER THE AUTHORITY AND  
FUNCTIONS UNDER STATE LAW FOR  
EMERGENCY MANAGEMENT FOR LANE  
COUNTY FROM THE SHERIFF AND OFFICE  
OF THE SHERIFF TO THE COUNTY  
ADMINISTRATOR

**WHEREAS**, the Board of Commissioners are committed to their strategic goals of a safe, healthy county, vibrant communities and robust infrastructure and, the Board of Commissioners recognize that a commitment to emergency management helps to achieve their strategic goals; and,

**WHEREAS**, ORS 401 stipulates that each county of this state shall establish an emergency management agency that is directly responsible to the executive officer or governing body of the county who, in turn, shall appoint an emergency program manager who is responsible for the organization, administration and operation of the emergency management agency; and,

**WHEREAS**, pursuant to Lane Manual Chapter 3.044(5) the Sheriff's Office currently has the functions under State law for emergency management and the Sheriff is the Director of the local organization of emergency management.

**WHEREAS**, the Sheriff and County Administrator have reached agreement that additional effort must be applied to coping with hazards before, during and after they occur in Lane County, and it is agreed that the authority and function for emergency management for Lane County should be transferred to the County Administrator; t

**NOW, THEREFORE**, the Board of County Commissioners of Lane County **ORDERS and RESOLVES** as follows:

1. Approval of the transfer of functions under State law of the local organization for emergency management for Lane County move from the Sheriff and Sheriff's Office to the County Administrator, thereby creating the Lane County Office of Emergency Management.
2. Lane Manual Chapter 3 is amended by removing, substituting, or adding the following sections:

**REMOVE THIS SECTION**

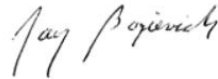
3.044  
3.132

**INSERT THIS SECTION**

3.044  
3.132

If any section, subsection, sentence, clause, phrase or portion of this Order or the referenced Lane Manual provisions is for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion is deemed a separate, distinct, and independent provision, and such holding does not affect the validity of the remaining portions. Said sections are attached hereto and incorporated herein by reference. The purpose of these substitutions is to move the functions of Emergency Management from the Sheriff and Lane County Sheriff's Office to the County Administrator (LM 3.044, 3.132).

**ADOPTED** this 11<sup>th</sup> day of September, 2018.



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Jay Bozievich, Chair  
Lane County Board of Commissioners

I concur with the transfer of the functions under State law of the local organization for Emergency Management for Lane County from the Sheriff's Office to the County Administrator upon the terms and conditions set forth above.

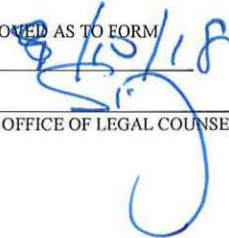
**DATED** this 12 day of September, 2018.

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Byron Trapp, Sheriff

APPROVED AS TO EORM

Date



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LANE COUNTY OFFICE OF LEGAL COUNSEL

(3) All sworn personnel will have the title of “Deputy” and will be appointed and removed by the Sheriff in accordance with general personnel procedures and policies of Lane County and any applicable collective bargaining agreements. All non-sworn personnel will have the title as designated by Human Resources in accordance with the job classification for which they have been hired. *(Revised by Order No. 80-6-24-7, Effective 7.1.80; 17-06-06-06, 6.6.17)*

### **3.044 Functions.**

(1) The Office of Sheriff will have the functions of the County Sheriff under Oregon State Law, except the functions of the Sheriff regarding the collection of taxes, and such further functions as have heretofore been allocated and assigned to the Sheriff that are not allocated and assigned to the Department of Assessment and Taxation by the Board, subject to contrary provisions included in this Manual, and such further functions as are herein allocated and assigned to the Office of Sheriff by the Board.

(2) The allocation and assignment to the Office of Sheriff of the functions described in Lane Manual is hereby declared to include all of the functions of the County Sheriff under Oregon State Law regarding the execution and garnishment on judgments for taxes, except for judgments entered pursuant to Oregon State Law, and the same are hereby allocated and assigned to the Office of Sheriff.

No mention or enumeration in this paragraph of particular functions of the Office of Sheriff will be construed to be exclusive or to restrict the functions the Office of Sheriff would have if such functions were not so mentioned or enumerated, the intention of the Board in so mentioning and enumerating such functions being to assign to the Office of Sheriff any functions so mentioned or enumerated which are functions allocated and assigned to the Office of Sheriff in Lane Manual and not otherwise allocated and assigned to the Department of Assessment and Taxation.

(3) The Office of Sheriff will have the functions of the County Sheriff under Oregon State Law with respect to proceeding upon warrants issued by the Department of Revenue and by the Public Utility Commission pursuant to Oregon State Law, and filed with the Division of Records and Elections by the Department of Assessment and Taxation.

(4) The Office of Sheriff will have the functions of the Office of Constable of the Circuit Court of the State of Oregon for Lane County.

(5) All contracts concerning functions of the Office of Sheriff to which County is a party will be prepared by the Office of Sheriff, reviewed and approved by the County Administrator and executed by the Board, except when the power to contract has been expressly delegated otherwise. *(Revised by Order No. 94-2-15-7, Effective 2.15.94; 12-10-24-04; 10.24.12; 17-06-06-06, 6.6.17)*

## **OFFICE OF LEGAL COUNSEL**

### **3.060 Definitions.**

As used in this subchapter:

County Counsel means the attorney assigned as Department Director of the Office of Legal Counsel of Lane County.

Department includes, when used elsewhere in this Manual and Lane Code when not inconsistent with the context, the Office of Legal Counsel of Lane County.

Office means the Office of Legal Counsel of Lane County, which will be a Staff Department of the Office of the Board of County Commissioners. *(Revised by Order No. 00-1-26-7, Effective 1.26.00; 17-06-06-06, 6.6.17)*

### **3.062 County Counsel.**

(1) The County Counsel will be appointed by the Board.

(2) The Office will be so organized and employ such personnel as in the judgment of the County Counsel will most efficiently and economically carry out the functions of the Office and discharge its responsibilities in the best interest of the people of Lane County, subject at all times and in

the matter will be submitted to the Office of Legal Counsel for resolution of the conflict. An appeal of the decision of Legal Counsel and all conflicts which do not involve a legal interpretation will be submitted to the County Administrator for resolution. A subsequent appeal may be taken through any duly established process. This process will not be used to prohibit the County Surveyor or the Planning Director from exercising his or her duties under law. *(Revised by Order No. 00-4-25-14; Effective 4.25.00; 17-06-06-06, 6.6.17)*

## OFFICE OF COUNTY ADMINISTRATION

### 3.130 Definitions.

As used in this subchapter:

Director means the Director of County Administration - Operations.

Office means the Office of County Administration as described in Lane Code.

Operations means the County Administration-Operations division of Lane County. *(Revised by Order No. 94-12-20-1; Effective 12.20.94; 98-4-1-11, 4.1.98; 17-06-06-06, 6.6.17)*

### 3.132 County Administrator.

(1) See Lane Code.

(2) The County Administrator shall serve as the Director of the local organization of emergency management and be responsible for the functions under State law of local emergency management for Lane County. The Administrator may delegate the day-to-day organization, administration and operation of the Lane County Office of Emergency Management. *(Revised by Order No. 94-12-20-1; Effective 12.20.94; 17-06-06-06, 6.6.17)*

### 3.134 Director.

(1) Under the administrative direction of the County Administrator, the head of the Operations division will have the title of Director of Operations Lane County.

(2) The Director will have the responsibility for the management of the County Operations division and the "Functions" as stated below.

(3) The Director will also have the titles of Finance Director and Treasurer of Lane County, and such other titles as are authorized under state law for use by the County Clerk in performing the functions described below. The Director may further delegate such authority in writing.

(4) The Director will have the authority to authorize and issue refunds for fines, fees or excess payments, except for taxes and for payments made to the Department of Public Works on applications denied or not acted upon by request of the applicant.

(5) The Director will be responsible for developing procedures for the uniform application of financial policies consistent with the law.

(6) The Director will perform such additional duties or assignments as may be delegated by the County Administrator or the Board. *(Revised by Order No. 17-06-06-06, Effective 6.6.17)*

### 3.136 Functions

(1) In addition to the duties assigned in Lane Code, the Office of County Administration will be responsible for the following functions:

(a) Budget & financial planning functions to ensure compliance with Oregon local budget law related to budget development, monitoring and administration. Other functions related to financial and policy analysis and planning of new and existing programs, revenue measures, financing strategies as well as quarterly financial reports, administration of budget systems and position control.

(b) Administer the Lane County Law Library program.

(c) Justice Courts in cooperation with the elected Justice of the Peace.

(d) Strategic Planning coordination, development and implementation.

At left margin indicates changes

**Bold** indicates material being added

~~Strike through~~ indicates material being deleted

3.042

Lane Manual

3.060

Director means the Lane County Sheriff, Director of Public Safety of Lane County. *(Revised by Order No. 80-6-24-7, Effective 7.1.80; 17-06-06-06, 6.6.17)*

### **3.042 Director.**

(1) The Lane County Sheriff will be the head of the Department of Public Safety of Lane County.

(2) The Sheriff will appoint a Chief Criminal Deputy who will have such functions and responsibility as the Sheriff may from time to time determine.

(3) All sworn personnel will have the title of “Deputy” and will be appointed and removed by the Sheriff in accordance with general personnel procedures and policies of Lane County and any applicable collective bargaining agreements. All non-sworn personnel will have the title as designated by Human Resources in accordance with the job classification for which they have been hired. *(Revised by Order No. 80-6-24-7, Effective 7.1.80; 17-06-06-06, 6.6.17)*

### **3.044 Functions.**

(1) The Office of Sheriff will have the functions of the County Sheriff under Oregon State Law, except the functions of the Sheriff regarding the collection of taxes, and such further functions as have heretofore been allocated and assigned to the Sheriff that are not allocated and assigned to the Department of Assessment and Taxation by the Board, subject to contrary provisions included in this Manual, and such further functions as are herein allocated and assigned to the Office of Sheriff by the Board.

(2) The allocation and assignment to the Office of Sheriff of the functions described in Lane Manual is hereby declared to include all of the functions of the County Sheriff under Oregon State Law regarding the execution and garnishment on judgments for taxes, except for judgments entered pursuant to Oregon State Law, and the same are hereby allocated and assigned to the Office of Sheriff.

No mention or enumeration in this paragraph of particular functions of the Office of Sheriff will be construed to be exclusive or to restrict the functions the Office of Sheriff would have if such functions were not so mentioned or enumerated, the intention of the Board in so mentioning and enumerating such functions being to assign to the Office of Sheriff any functions so mentioned or enumerated which are functions allocated and assigned to the Office of Sheriff in Lane Manual and not otherwise allocated and assigned to the Department of Assessment and Taxation.

(3) The Office of Sheriff will have the functions of the County Sheriff under Oregon State Law with respect to proceeding upon warrants issued by the Department of Revenue and by the Public Utility Commission pursuant to Oregon State Law, and filed with the Division of Records and Elections by the Department of Assessment and Taxation.

(4) The Office of Sheriff will have the functions of the Office of Constable of the Circuit Court of the State of Oregon for Lane County.

~~(5) The Office of Sheriff will have the functions under State law of the local organization for Emergency Management for Lane County. The Sheriff will be the Director of the local organization for the Management for Lane County.~~

~~(6)~~ All contracts concerning functions of the Office of Sheriff to which County is a party will be prepared by the Office of Sheriff, reviewed and approved by the County Administrator and executed by the Board, except when the power to contract has been expressly delegated otherwise. *(Revised by Order No. 94-2-15-7, Effective 2.15.94; 12-10-24-04; 10.24.12; 17-06-06-06, 6.6.17)*

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(1) See Lane Code.

(2) **The County Administrator shall serve as the Director of the local organization of emergency management and be responsible for the functions under State law of local emergency management for Lane County. The Administrator may delegate the day-to-day organization, administration and operation of the Lane County Office of Emergency Management.** *(Revised by Order No. 94-12-20-1; Effective 12.20.94; 17-06-06-06, 6.6.17)*

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(2) The Director will have the responsibility for the management of the County Operations division and the "Functions" as stated below.

(3) The Director will also have the titles of Finance Director and Treasurer of Lane County, and such other titles as are authorized under state law for use by the County Clerk in performing the functions described below. The Director may further delegate such authority in writing.

(4) The Director will have the authority to authorize and issue refunds for fines, fees or excess payments, except for taxes and for payments made to the Department of Public Works on applications denied or not acted upon by request of the applicant.

(5) The Director will be responsible for developing procedures for the uniform application of financial policies consistent with the law.

(6) The Director will perform such additional duties or assignments as may be delegated by the County Administrator or the Board. *(Revised by Order No. 17-06-06-06, Effective 6.6.17)*

### **3.136 Functions**

(1) In addition to the duties assigned in Lane Code, the Office of County Administration will be responsible for the following functions:

(a) Budget & financial planning functions to ensure compliance with Oregon local budget law related to budget development, monitoring and administration. Other functions related to financial and policy analysis and planning of new and existing programs, revenue measures, financing strategies as well as quarterly financial reports, administration of budget systems and position control.

(b) Administer the Lane County Law Library program.

(c) Justice Courts in cooperation with the elected Justice of the Peace.

(d) Strategic Planning coordination, development and implementation.

(2) The County Operations division will perform and be responsible for the following functions:

(a) Financial operations of the County to maintain accuracy, economy and appropriate protection of public funds, and for performing the functions of County Treasurer and County Clerk under Oregon State Law with respect to financial matters. Other Financial functions consisting of managing the receipt of cash, investment of monies, disbursement of funds for payment of claims and payroll, handling of trust funds, maintenance of appropriate records of all financial activities, auditing of accounts and will report as necessary to the Board or as otherwise described by law.

(b) Will be responsible for purchasing functions including developing and administering appropriate bid, contract award, purchasing and other procedures and systems for a centralized purchasing and contracts management program.

(c) Other Functions. Additional functions consisting of equity and access efforts, mail and courier system, warehouse and archive storage, as well as applications to support the County financial systems and any other functions assigned by the County Administrator or the Board of Commissioners.