

W. 5. E. 1.

Memorandum Date: December 30, 2009
Order Date: January 13, 2010

TO: Board of County Commissioners
DEPARTMENT: Public Works
PRESENTED BY: Marsha A. Miller
AGENDA ITEM TITLE: ORDER/In the Matter of Approving the Amended Bylaws for the Roads Advisory Committee Due to Lane Manual Changes.

I. MOTION

Move Approval of Order.

II. DISCUSSION

A. Background / Analysis

The Board is being asked to approve the amended Bylaws of the Roads Advisory Committee. The proposed changes will amend Article III/Membership of the Bylaws and are a result of Lane Manual Changes made by the Board during 2009. The following highlights the proposed addition to the Bylaws, approved by the committee members at their December 2, 2009 meeting.

Currently: Article III/Membership - The Committee shall consist of seven members. Each commissioner shall name one member from their voting district who shall serve the same term of office as the commissioner making the appointment. Two at-large members shall be appointed by the Board of Commissioners at a regular Board Meeting.

The Proposed amendment will add the following to the end of the paragraph above: commissioner appointments and at-large appointments shall serve at the will of the appointing commissioner(s), but for no longer than four years without reappointment and shall generally be limited to two consecutive terms.

B. Recommendation

Committee and Staff recommendation: Approve the order for the amended Bylaws.

III. ATTACHMENTS

ORDER
AMENDED BYLAWS

IN THE BOARD OF COUNTY COMMISSIONERS
OF LANE COUNTY, OREGON

ORDER NO.) IN THE MATTER OF APPROVING
) THE AMENDED BYLAWS FOR THE
) ROADS ADVISORY COMMITTEE
) DUE TO LANE MANUAL CHANGES.

WHEREAS, changes to the Roads Advisory Committee's bylaws are needed to reflect changes in Lane Manual, section 3.506

IT IS HEREBY ORDERED that the Board of County Commissioners approve the amended Roads Advisory Committee Bylaws.

DATED this _____ day of January 2010

Chair, Lane County Board of Commissioners

APPROVED AS TO FORM

Date 1-4-2010 lane county



OFFICE OF LEGAL COUNSEL

Underline = Material Being Added
~~Strike Through~~ = Material to be Deleted

BYLAWS

LANE COUNTY ROADS ADVISORY COMMITTEE

ARTICLE I. NAME

This committee shall be known as the Lane County Roads Advisory Committee, hereinafter referred to as the Committee.

ARTICLE II. RESPONSIBILITIES AND OBJECTIVES

In accordance with LM 3.595, the Committee has the following authorities and responsibilities:

Acts as a forum for public input into the County's transportation system and serves as a liaison group in representing transportation concerns of the community to the Board and representing Board decisions to the community.

In addition to the above-cited objectives, the Committee shall also have the following responsibilities and objectives:

Section 1. Review road improvement needs throughout Lane County, working with Public Works staff to establish priorities in keeping with available funds. Present a Five-Year Capital Improvement Program to the Board of Commissioners annually.

Section 2. Present recommendations to the Board regarding modifications to the Capital Improvement Program during the year if the Committee concurs by majority vote that such modifications would be in the best interest of Lane County.

Section 3. Review requests for road improvements beyond the scope of routine maintenance brought to the attention of the Committee by the Board of Commissioners, citizen groups or individual citizens and make recommendations to the Board or to staff as appropriate.

Section 4. Review road standards and policies and prepare recommendations for Board action as necessary.

Section 5. Review and provide recommendations to the Board regarding long-range planning for future transportation needs in Lane County. Included would be review of the Lane County Master Road Plan, Transportation Improvement Program and such other long-range planning as may be required by other governmental agencies or determined by the Committee to serve the public interest.

Section 6. Recommend criteria and resulting priorities for projects involving the County and other governmental agencies.

Section 7. Review needs and use of alternative transportation modes in overall transportation planning and recommendations.

Section 8. Review annually the Road Fund budget.

ARTICLE III.

MEMBERSHIP

Section 1 in accordance with LM 3.506: The Committee shall consist of seven members. Each commissioner shall name one member from their voting district who shall serve the same term of office as the commissioner making the appointment. Two at-large members shall be appointed by the Board of Commissioners at a regular Board meeting. ~~The at-large members shall serve four-year terms as specified in LM 3.506(2)(e). No at-large member shall serve more than two (2) consecutive terms as specified in LM 3.506(2)(f).~~

Commissioner Appointments and At-Large Appointments shall serve at the will of the appointing Commissioner(s), but for no longer than 4 years without reappointment and shall generally be limited to two consecutive terms.

Section 2. A member who is absent without excuse from three (3) consecutive meetings, or four out of six consecutive meetings, shall receive a certified letter from the chairperson of the Committee that if the member fails to attend the next meeting without excuse, the chairperson will request that the Board of County Commissioners declare a vacancy and appoint a replacement.

ARTICLE IV.

OFFICERS

Section 1. The officers of this Committee shall consist of a Chair and Vice Chair.

Section 2. The Chair and Vice Chair shall be elected from the voting membership of the Committee at its first regular meeting in January of each year. The term of office shall be one year. No member shall be eligible for more than three consecutive terms as Chair or Vice Chair. In case of vacancy occurring in the office of Chair or Vice Chair, the Committee shall fill the same by an election at its regular meeting.

Section 3. The Director of the Public Works Department shall serve as Secretary of the Committee. The Secretary, with the approval of the Committee, may designate an Acting Secretary in the absence of the Secretary.

ARTICLE V.

OFFICERS' DUTIES

Section 1. It shall be the duty of the Chair to preside at all meetings of the Committee; to enforce observation of the Bylaws; to decide all questions of order; offer for consideration all motions regularly made; apportion duties of the members of the Committee; call all special meetings; appoint all necessary subcommittees; and perform such other duties as the office may require.

Section 2. In the absence of the Chair, the Vice Chair shall perform the Chair's duties.

Section 3. In the absence of the Chair and Vice Chair, the Committee shall elect a temporary chair for the particular meeting in question.

Section 4. It shall be the duty of the Secretary to provide information and services, and to keep complete records of Committee activities.

Section 5. An officer may be removed from office for misconduct or neglect of duty in office.

ARTICLE VI.

MEETINGS AND VOTING

Section 1. This Committee shall hold its regular meetings on the 4th Wednesday of each month at 5:45 p.m. at the Lane County Public Works Department, 3040 North Delta Highway, Eugene. Special meetings may be called by the Chair provided advance notice is provided at the regular meetings or in writing by the Secretary.

Section 2. All meetings of the Committee shall be conducted in accordance with the Oregon Open Meetings law, ORS 192.610-.690. The Committee is responsible for complying with the requirements of the law, including advance public notice of the agenda and written minutes, which shall be filed with the County Administration Office.

Section 3. The place and hour of any meeting may be changed by affirmative act of the Committee, and the hour of any meeting may be changed by the Secretary, if adequate notice can be given to the public and all interested parties.

Section 4. All meetings shall adjourn at 7:45 p.m. unless the Committee, by majority vote, decides to extend business beyond that time.

Section 5. Each member of the Committee shall be entitled to one vote on all issues at meetings at which the member is present, except as provided in Article VII (Conflict of Interest), and no proxy votes shall be allowed.

Section 6. A majority of the voting members shall be necessary to constitute a quorum. Except as otherwise provided by these Bylaws, all actions of the Committee shall require the vote of the majority of those voting members present, including the chair.

Section 7. The act of a majority of the total membership shall be the act of the Committee.

Section 8. Except as otherwise provided to the contrary by these Bylaws, Robert's Rules of Order shall apply to the procedures of all Committee meetings.

Section 9. When a motion has been made to approve an agenda item and the motion is defeated by proper vote and no later alternative motion is made for approval, the defeat of any such motion to approve shall be deemed a denial of the matter before the Committee, without further separate motion to deny and a vote thereon.

ARTICLE VII.

CONFLICT OF INTEREST

Members shall be required to vote on all matters which require a decision unless a member has a direct or indirect personal or pecuniary interest in said matter. When such apparent or potential conflict of interest arises, the affected member shall disclose such conflict of interest and disqualify themselves from voting on the matter, and they shall not be considered as being present for the purpose of determining whether a majority vote has been cast. Furthermore, the affected member shall notify the Board of County Commissioners as required under ORS 244.120.

ARTICLE VIII.

PUBLIC HEARINGS

Section 1. All meetings of the Committee shall be open to the public.

Section 2. Any interested party may appear for themselves or be represented by a person of their choice. Any person speaking at a public hearing shall first identify themselves by name and address and, if appearing in a representative capacity, identify whom they represent.

Section 3. Public testimony shall be limited to 5 minutes per speaker for a maximum of 30 minutes on each agenda item per meeting except that the time may be extended or limited on majority vote of the Committee.

ARTICLE IX.

SPECIAL RECORDS

Special records shall be maintained by the Secretary for the following matters:

Section 1. All reports made by the Lane County staff, Committee, subcommittee of the Committee, individual staff or Committee members, technical consultants, or other interested parties, shall be filed and made available upon request as provided by law.

ARTICLE X.

ADOPTION OR AMENDMENT OF BYLAWS

The adoption or amendment of these Bylaws shall require the vote of a majority of voting members of the Committee at a meeting prior to which the proposed rules or amendments have been distributed to all members of the Committee five days in advance of said meeting by mailing copy to Committee members' addresses as shown in records of this Committee. Amendments shall become effective only upon approval of Legal Counsel and the Board of County Commissioners.

Adopted by the Roads Advisory Committee September 12, 1979.

Amended and adopted by unanimous vote of the members present at the regular meeting of the Lane County Roads Advisory Committee this 28th day of January, 1987.

Amended and adopted by the Committee on this 28 day of February, 1990, and by the Board of County Commissioners on this 27th day of March, 1990.

Chair

Secretary