

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Adopting an Ordinance)
Establishing the Columbia County Jail) ORDINANCE No. 2014-4
Operating Fund Advisory Committee)
_____)

The Board of County Commissioners for Columbia County, Oregon ordains as follows:

SECTION 1. TITLE.

This Ordinance shall be known as Ordinance No. 2014-2. Exhibit "A", which is attached hereto and incorporated herein by this reference, shall be known as the "Columbia County Jail Operating Fund Advisory Committee Ordinance".

SECTION 2. AUTHORITY.

This Ordinance is adopted under the authority of ORS 203.035.

SECTION 3. PURPOSE.

The purpose of this Ordinance is to establish a committee which shall serve in an advisory capacity to the Columbia County Sheriff ("Department") and to the Columbia County Board of Commissioners concerning the proper appropriation of jail levy funds for operation of the Columbia County Jail.

SECTION 4. HISTORY.

In 1998, County voters approved a bond levy for the purpose of constructing a 255 bed jail. At the time, operating funds were not levied. Rather, the County raised revenue to support the increased operating costs through federal bed rentals and an increase in County general fund support. At the time of the 1998 election the Board of Commissioners and County Sheriff pledged to run the new jail for a period of time without seeking an operating levy in order to accurately determine the amount of additional funds required to operate the Jail. Accurate operating costs have now been established. However, between 2001 and 2013, voters have rejected seven local option levies for Jail operating funds. The County has referred a Jail operating levy to the May 20, 2014, primary election. The County desires to establish an advisory committee to advise the Board of County Commissioners and Columbia County Sheriff regarding the appropriate use of the Jail operating levy funds to assure voters that the funds will be used for the operation of the Jail.

SECTION 5. ADOPTION.

The Columbia County Jail Operating Fund Advisory Committee Ordinance, which is attached hereto, labeled Exhibit "A" and is incorporated herein by this reference, is hereby adopted.

SECTION 6. SEVERABILITY.

If any provision of this Ordinance, including Exhibit "A", is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the remaining portions thereof.

SECTION 7. EMERGENCY.

This Ordinance being immediately necessary to maintain the public health, safety and welfare, an emergency is declared to exist and this Ordinance shall take effect upon the passage the Jail operating levy at the May 20, 2014, primary election as certified by the Columbia County Clerk.

DATED THIS 2nd DAY OF April, 2014.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Anthony Hyde, Chair

By: [Signature]
Henry Heimuller, Commissioner

By: [Signature]
Earl Fisher, Commissioner

Attest:
By: [Signature]
Recording Secretary

Approved as to form

By: [Signature]
Office of County Counsel

First Reading : 4-2-14
Second Reading : 4-2-14
Effective Date : 5-20-14

EXHIBIT "A"

**COLUMBIA COUNTY JAIL OPERATING FUND ADVISORY
COMMITTEE ORDINANCE**

Adopted by Ordinance No. 2014-4

**SECTION I. JAIL OPERATING CITIZEN ADVISORY COMMITTEE CREATED;
MEMBERSHIP.**

- A. Creation. There is hereby created the Columbia County Jail Operating Fund Advisory Committee (hereinafter referred to as the "Jail Operating Citizen Advisory Committee" or "JOCAC").
- B. Membership. The JOCAC shall consist of ten (10) members appointed by the Columbia County Board of Commissioners (hereinafter referred to as the "Board"). The Board shall strive to appoint two (2) JOCAC members from each of the geographical areas served by the Clatskanie, Rainier, St. Helens, Scappoose and Nehalem Valley Columbia 9-1-1 Zones.
- B. Removal. JOCAC members may be removed by the Board, after hearing, for misconduct or nonperformance of duty.
- C. No Compensation. Members of the JOCAC shall serve without compensation other than reimbursement for duly authorized expenses. The Board may, by order, establish a per diem allowance and mileage expenses and otherwise authorize reimbursement of expenses incurred.
- D. Terms. Appointments shall be for three years, beginning April 1 and ending May 31. Vacancies shall be filled for the remaining term of the vacant position.
- E. Qualifications. Qualifications are to include experience and/or interest in Jail operations. Members should be experienced in fiscal management and outcome based budgeting.
- G. Role of Staff. The Board of Commissioners may appoint one or more employees to manage and the JOCAC. Staff shall serve at the pleasure of the Board of County Commissioners.
- H. Appointments Following Vacancy. The Board of Commissioners shall appoint Members to the JOCAC to fill vacancies upon nomination of the JOCAC. If nominations are not timely received by the Board the Board may advertise for qualified County residents interested in serving, and may appoint Members from such list. Member vacancies shall be filled for the remaining term of the vacant position, if any.

SECTION II. MEMBERSHIP REQUIREMENTS; POLICIES.

- A. Advisory Committee. The JOCAC shall act in an advisory capacity to the Board and the Department with respect to the use of operating levy funds.
- B. JOCAC Requirements. JOCAC members shall at all times adhere to the following membership requirements:
1. Meetings. Members shall attend meetings. It is the responsibility of Members to notify staff of an intended absence from a meeting. If a member has two unexcused absences in a twelve month period the Chair shall ask for their resignation. If the Member does not respond to the request within 30 days, the Chair shall notify the Board of County Commissioners of the unexcused absences and recommend that the Board remove the Member.
 2. Conflicts of Interest. Members shall adhere to all state laws, rules, and regulations regarding conflicts of interest and rules of ethics for public officials.
 3. Policies and Procedures. The JOCAC shall adopt and adhere to policies and procedures which shall not be inconsistent with this Ordinance or applicable laws, rules or regulations. A copy of all policies and procedures shall be provided to the Board of County Commissioners and to the Office of County Counsel.

SECTION III. MEETING PROCEDURES.

- A. Compliance with Public Meetings Act. The JOCAC will conduct meetings in accordance with ORS 192.610 through ORS 192.690.
- B. Regular Meetings. The JOCAC shall establish a regular public meeting schedule annually as provided in its policies and procedures.
- C. Special Meetings. The JOCAC may hold special meetings and emergency meetings in compliance with ORS 192.610 through ORS 192.690.
- D. Robert's Rules of Order. Meetings shall be conducted in accordance with Robert's Rules of Order.
- E. Public Comment. The Chair shall allow public comment during all regular meetings. Public comment may be limited to three (3) minutes per person.
- F. Compliance with Law. Meetings shall be held in compliance with Title VI of the Civil Rights Act of 1964, Section V of the Rehabilitation Act of 1973, and with all applicable requirements of federal and state civil rights and rehabilitation statutes,

rules and regulations, including the the Americans with Disabilities Act of 1990, ORS 659.425, and all regulations and administrative rules established pursuant to those laws.

- G. Quorum. A majority of appointed members shall constitute a quorum.

SECTION IV. OFFICERS AND COMMITTEES

- A. Officers. The JOCAC shall elect one member to serve as Chair of the JOCAC, and one member to serve as Vice-Chair with the power to act as the Chair in the Chair's absence. The Chair and Vice-Chair shall serve two year terms. Officers shall be elected at the first regular meeting in January.
- B. Duties of the Chair. The Chair shall:
1. Preside over and be entitled to vote at all meetings of the JOCAC at which s/he is present.
 2. Serve as executive officer of the JOCAC.
 3. Facilitate leadership.
 4. Ensure correct meeting procedure is followed. Decisions may be made by a majority of the members present provided the members present constitute a quorum of the entire membership.
- C. Duties of the Vice-Chair. The Vice-Chair performs the duties of the Chair in the absence of the Chair and performs such other duties as assigned by the Chair.
- D. Teams and Sub-Committees.
1. The Chair may appoint one or more committees upon approval of the JOCAC.
 2. Committees and teams shall consist of at least three (3) members. A majority of a committee shall constitute a quorum.
 3. Teams and Sub-Committees shall comply with Oregon's public meetings laws.