

“VOICE OF THE VOTERS”

HOME RULE CHARTER FOR COOS COUNTY OREGON

2012

CHARTER ISSUES INCLUDE:

- ✓ **COUNTY MANAGER OR ADMINISTRATOR WILL REQUIRE VOTE OF THE PEOPLE – Section 3.24**
- ✓ **COUNTY URBAN RENEWAL DECISIONS WILL GO TO VOTE OF THE PEOPLE – Section 12.**
- ✓ **TRANSFER OF MAJOR COUNTY ASSETS WILL GO TO VOTE OF THE PEOPLE – Section 7.2**
- ✓ **FIVE COMMISSIONERS WILL BE FULL TIME AND ELECTED AT LARGE – Sections 3.1 & 3.9**
- ✓ **COMMISSIONERS WILL VOTE ONLY AT REGULARLY SCHEDULED BOARD MEETINGS, NOT AT WORK SESSIONS OR OTHER TIMES - Section 3.12**
- ✓ **CITIZEN COMMENTS WILL BE ALLOWED AT ALL PUBLIC MEETINGS - Section 3.20**
- ✓ **STANDARDIZED OPEN BID SYSTEM FOR SUPPLIES AND PROJECTS; STANDARDIZED CONTRACTS; ACCOUNTABILITY FOR QUALITY, COMPLIANCE – Section 16.**

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2012 HOME RULE CHARTER FOR COOS COUNTY, OREGON

PREAMBLE

The people of Coos County adopt this Charter to assume local control over matters of county concern to the fullest extent permissible under the Constitution, Bill of Rights, and laws of the United States of America and of the State of Oregon. The purpose of this Charter is to create a local government that is responsive, responsible, and representative of the people of Coos County by promoting active voter participation.

SECTION 1

NAME, NATURE, BOUNDARIES, COUNTY SEAT

1.1. NAME. The name of the County as it operates under this Charter shall continue to be Coos County.

1.2. NATURE AND LEGAL CAPACITY. From the time that this Charter takes effect the county shall continue to be an agency of the State of Oregon and a body politic and corporate.

1.3. BOUNDARIES. The boundaries of the Coos County as it operates under this Charter shall be the boundaries now or hereafter prescribed for the County by the laws of the state. However, the boundaries of Coos County shall never be changed or modified without approval of a majority of County voters.

1.4. COUNTY SEAT. The seat of government of the County as it operates under this Charter shall continue to be in the city of Coquille.

1.5. FORM OF GOVERNMENT. The governmental structure of the County consists of:

- A. A five-member Board of Commissioners elected at large (i.e. – elected by all County voters), which constitutes the legislative and policy-making agency of the County and oversees the administration of County affairs in accordance with this Charter and other applicable law.
- B. A Surveyor, Assessor, Treasurer, Clerk, Sheriff, and Director of Human Resources elected at large, each of whom shall have the powers and duties presently prescribed, or as may hereafter be prescribed for them under State law and this Charter. This Charter shall not affect the selection, tenure, compensation, powers, or duties prescribed by law for the District Attorney.

- C. The County administrative and advisory offices and agencies continued or established under this Charter, except as limited by other provisions of this Charter.

SECTION 2

COUNTY AUTHORITY AND POWERS

2.1. GENERAL GRANT OF POWERS. Except as this Charter provides to the contrary, Coos County shall have authority over matters of county concern to the fullest extent granted or allowed by the laws of the United States of America and the State of Oregon, as if each power comprised in that authority were specifically granted by this Charter. Coos County accords to its citizens all of the rights, privileges, protections, duties, and immunities of the Oregon Constitution and the U.S. Constitution and its Bill of Rights.

2.2. CONSTRUCTION OF POWERS. This Charter shall be liberally construed to the end that, within the limits imposed by this Charter and the laws of the United States of America and the State of Oregon, Coos County shall have all powers necessary and convenient for the conduct of its affairs, including all the powers that counties may assume under the statutes of the State of Oregon and the provisions of the Oregon Constitution concerning county home rule. The powers shall be construed to be continuing powers. However, in construing this Charter, particular powers, procedures, and requirements that are mentioned are intended to be exclusive and to restrict the authority the County would have if the particular power, procedure, requirement, or other item specifically provided for were not mentioned or enumerated.

2.3. WHERE LEGISLATIVE POWER VESTED. The legislative power of Coos County is vested in the Board of County Commissioners, except for the initiative and referendum powers reserved to the people of Coos County under the Constitution and laws of the State of Oregon and this Charter.

2.4. WHERE ADMINISTRATIVE POWER VESTED. The administrative power of Coos County shall be vested in the Board of County Commissioners, except as this Charter provides otherwise.

SECTION 3

BOARD OF COUNTY COMMISSIONERS

3.1. BOARD OF COMMISSIONERS. The governing body of and for Coos County shall be a board of five (5) commissioners (the “Board of Commissioners” or “Board”) elected at large. Persons serving on the Board of Commissioners shall jointly hold the Office of County Commissioner.

3.2. NON-PARTISAN OFFICE. The Board of Commissioners shall be non-partisan. Ballots, petitions or declarations of candidacy shall not refer to any political party or to the political party affiliation of the candidate.

3.3. QUALIFICATIONS. No person shall serve or continue to serve upon the Board of Commissioners unless:

- A. The person is a U.S. citizen;
- B. The person is a legal voter of the state;
- C. The person has obtained thirty (30) years of age on or before the date the person is sworn into the Office of Commissioner.
- D. The person is continuously domiciled within the boundaries of Coos County during the two years immediately preceding the date the person is sworn into the Office of Commissioner.
- E. The person is continuously domiciled within the boundaries of Coos County throughout their term in office.
- F. The person has obtained a high-school diploma or passed a high school equivalency test recognized by the State of Oregon.
- G. The person has not been convicted of a crime constituting a felony within five years of taking office or during the term of office.

3.4. TERM OF OFFICE. Except Commissioners elected or appointed to fill midterm vacancies on the Board of Commissioners, the term of office begins the first day of the year immediately following his or her election to the Office of Commissioner and shall continue for four (4) years thereafter. Commissioners elected or appointed to fill midterm vacancies in office shall complete the remainder of the term the Commissioner was elected or appointed to fill.

3.5. TERM LIMIT. No person shall hold the Office of County Commissioner more than two (2) consecutive four (4) year terms. A commissioner who is elected or appointed to fill a vacancy may only serve one (1) additional four (4) year term that is consecutive to the expiration of the vacant term the commissioner was elected to fill.

3.6. LIMITATION ON SEEKING OTHER OFFICE DURING TERM. No person serving on the Board of Commissioners shall run for another office in midterm. Filing for another office in midterm shall be the same as a resignation, effective as of the date of the filing. "Midterm" does not include the final year of an elected official's term. Filing for another office in the last year of an elective term shall not constitute a resignation.

3.7. ELECTION OF COMMISSIONERS. Interested parties shall file as candidates for the Office of County Commissioner in accordance with requirements of the County Clerk. Insofar as state law permits, candidates may file for office and place statements in the voters' pamphlet by collecting signatures instead of paying a filing fee. The process for electing Commissioners shall be consistent with the following:

- A. Coos County shall not hold a nominating or primary election for the Office of County Commissioner.
- B. The ballot for the November election shall contain the names of all duly filed candidates for the Office of County Commissioner. Voters shall be entitled to vote for a number of candidates that is equal to the number of vacancies to be filled at the election. The candidates with the greatest number of votes shall be elected to the extent of available vacancies. Tie votes shall be resolved through the drawing of lots.

3.8. INVOLUNTARY LOSS OF POSITION/VACANCIES In addition to the general vacancy provisions applicable to County officers elsewhere provided in this Charter, the Office of County Commissioner shall become vacant if a commissioner: (a) is absent from the County for thirty-five (35) consecutive days, (b) is absent from a total of four (4) meetings during any five (5) month period, (c) fails to maintain his or her personal residence within Coos County for more than 30-days, (d) is removed from office as a penalty for violating this Charter, (e) is judged in judicial proceeding(s) to have committed three or more violations of this Charter, or (f) is convicted of a felony or otherwise does not maintain the qualifications for office set forth in Section 3.3.

3.9. FULL-TIME RESPONSIBILITY OF COMMISSIONERS. A person holding the Office of County Commissioner shall dedicate full time to the office.

3.10. BOARD CHAIRMAN. At its first regular meeting to occur after January 1st of each year, the Board of County Commissioners shall designate one of its members Board Chair and one of its members Vice-Chair for the year. The Board Chair shall: (a) preside over Board meetings, (b) preserve order at the meetings, (c) enforce the rules of the Board, and (d) have whatever additional functions, powers, and duties the Board prescribes consistently with this Charter. The Vice-Chair shall preside over meetings of the Board in the absence of the Chair. The Board Chair and the Vice-Chair shall have the same voting rights as other members of the Board.

3.11. QUORUM REQUIRED TO TRANSACT BUSINESS; MANNER OF VOTING.

- A. QUORUM. Four (4) members of the Board of Commissioners shall constitute a quorum for its business.
- B. A minimum of three (3) commissioners may meet and require the attendance of absent members for a meeting of the Board.

- C. **BINDING VOTE.** No action of the Board shall be valid or binding unless adopted by an affirmative vote of at least four (4) members at a regularly scheduled Board of Commissioners meeting. All votes of the Board shall be conducted by roll call and the ayes and nays recorded in the minutes in accordance with Section 3.11.E.
- D. **ABSTENTION.** No member shall abstain from voting upon any matter without stating for the record the true reason for the abstention.
- E. **CONCISE REASON FOR VOTE REQUIRED.** Each commissioner shall be required to concisely state the reason for the commissioner's vote immediately before it is cast. A vote that is cast without a concise statement shall not be recorded and shall not be valid if recorded without the concise statement required by this section.

3.12. **REQUIRED REGULAR MEETINGS.** The Board shall hold a minimum of two regular meetings per month. All regular meetings shall be at least seven (7) days apart. Regular meetings shall be held at the County Seat, standardly convening at 9:30am. The Board shall not vote on any ordinance, order, or resolution at a meeting other than a regularly scheduled Board of Commissioners meeting.

3.13. **ADDITIONAL MEETINGS.** In addition to the meetings required by Section 3.12, the Board of Commissioners shall:

- A. Conduct work sessions, which shall be open to the public. Public comments will be taken during and at the end of each work session, no sign-in required. All matters requiring a vote will be referred to the next regularly scheduled Board of Commissioners meeting.
- B. Conduct informational meetings for the purpose of providing information to the public or gathering information from the public. The holding of an informational meeting shall require the Board to hold at least one additional meeting for identical purpose in a different geographical region of the County.
- C. The Board shall schedule such additional meetings at dates, times, and locations that will maximize public attendance.
- D. Conduct duly noticed executive sessions within the boundaries of the County Seat.
- E. Schedule at least one weekly work session meeting open to the public to discuss issues and to exchange information between Board members.

- F. Schedule regular work session meetings with each department head to discuss any situations needing attention and to develop individual department 5-year plans, both financial and functional.
- G. Schedule work sessions with elected officers as needed to discuss county business.
- H. Convene and conduct emergency public meetings upon the call of the Board's Chair or a majority of commissioners, provided notice is delivered to each commissioner and published on the Coos County website not less than twenty-four (24) hours before the meeting convenes. Emergency voting will be allowed only if there is a real, substantial, actual, and imminent danger to the health or safety of Coos County citizens, which is clear and present and declared to exist by a quorum of the Board. A court reviewing any emergency vote shall have authority to determine whether the declared emergency comports with the standards of this section and exists in fact. The Board of Commissioners shall have the burden of sustaining its actions and the existence of an emergency in fact by clear and convincing evidence. If the Board does not meet this burden its emergency actions shall be declared unlawful, invalid, and in violation of this Charter.

3.14. ATTENDANCE AT PUBLIC MEETINGS. A commissioner shall not be entitled to vote at a regularly scheduled Board of Commissioners meeting unless the commissioner is physically present or appears at the meeting via real time video conferencing technology which is reasonably audible to the public in attendance and provides a close-up view of the commissioner on a screen that is reasonably visible to members of the public in attendance. A commissioner attending a public meeting via real time video conferencing technology must declare the full physical address of the location from which they are appearing. A commissioner who is not physically present at a public meeting or appearing at a public meeting via real time video conferencing technology in accordance with this section shall be deemed absent and shall not be entitled to vote or otherwise participate in a public meeting in their official capacity as commissioner.

3.15. AGENDA. The following requirements shall apply to agendas:

- A. Any commissioner may submit topics for the agenda in a timely manner.
- B. An agenda of all actions to be considered at public meetings of the Board of Commissioners shall be posted in a conspicuous place in the County Courthouse, and on the Coos County website, at least 48 hours immediately preceding the public meeting, except that in the case of emergency meetings only 24-hour posting shall be required.

- C. Copies of all notices, the agenda, and ordinances, orders, resolutions, and all other actions to be considered at the meeting shall be available at the Courthouse free of charge to interested persons throughout the time they are required to be posted and shall thereafter be published and archived on the Coos County website.
- D. The Board may not consider an item that is not on the posted agenda unless four (4) members of the Board of Commissioners vote that an emergency requires the addition of the item to the agenda. All agendas, including all revised agendas, shall be stamped with the date and time of actual posting.

3.16. MINUTES. Written and electronically recorded minutes shall be kept of all proceedings of the Board of Commissioners. The recorded minutes shall contain a true and accurate recording of the entire meeting. The written minutes shall identify all persons speaking at the meeting and reasonably summarize the comments of each speaker and the events and discussion that occurred at the meeting. The written and recorded minutes of each public meeting shall be prepared and approved by the Board within 30-days of the meeting to which the written and recorded minutes pertain. The minutes shall be made available to the public at no charge after approval by the Board, and published and archived on the Coos County website.

3.17. POTENTIAL CONFLICTS OF INTEREST. Members of the Board of Commissioners shall publicly announce a potential conflict of interest, and reasonably disclose the nature thereof, before discussing or voting on any matter that presents a potential conflict of interest.

- A. A potential conflict of interest is any action, decision, or recommendation, taken in a commissioner's official capacity as a public official, which could be to the private pecuniary benefit or detriment of the commissioner or the commissioner's relative, or a business or non-profit with which the commissioner or the commissioner's relative is associated.
- B. For purposes of this section, the term "relative" shall include: (a) the spouse of the commissioner, (b) any children of the commissioner or the commissioner's spouse, (c) any siblings, spouses of siblings or parents of the commissioner, (d) any individual for whom the commissioner has a legal support obligation, and (e) any individual for whom the commissioner provides benefits arising from the commissioner's public employment or from whom the commissioner receives benefits arising from that individual's employment.

3.18. ACTUAL CONFLICTS OF INTEREST. When met with an actual conflict of interest, a member of the Board of Commissioners shall publicly announce the nature of the actual conflict and refrain from participating as a commissioner in any

discussion or debate on the issue out of which the actual conflict arises or from voting on the issue.

- A. An actual conflict of interest is any action or decision or recommendation by a commissioner acting in an official capacity as a public official, the effect of which would be to the private pecuniary benefit or detriment of the person or the person's relative or any business or non-profit with which the person or a relative of the person is associated.
- B. For purposes of this section, the term "relative" shall include: (a) the spouse of the commissioner, (b) any children of the Commissioner or the commissioner's spouse, (c) any siblings, spouses of siblings or parents of the commissioner, (d) any individual for whom the commissioner has a legal support obligation, and (e) any individual for whom the commissioner provides benefits arising from the Commissioner's public employment or from whom the commissioner receives benefits arising from that individual's employment.
- C. Any action in a commissioner's official capacity which would affect a class consisting of all inhabitants of Coos County or a class consisting of an entire industry, occupation, or other group, and would not have a private pecuniary benefit or detriment on a subclass to which the commissioner or the commissioner's relative is a part, shall be considered a potential conflict of interest, rather than an actual conflict of interest.

3.19. ACCOUNTABILITY. In order to ensure the Board of Commissioners is accountable to the people of Coos County, each member of the Board shall provide, on a monthly basis, a true and accurate accounting of their time spent on County business, meetings, and expenses charged to the County, documented by receipts. The accounting should include a copy of each member's electronic calendar, if any. The accounting for the previous month shall be made publicly available at the second regular meeting of the Board of Commissioners the following month. The accounting shall be printed on paper and copies shall be made available to the public at the meeting at no charge. The accounting shall be posted on the County's website and also available to any member of the public, upon request, at no charge.

3.20. BOARD RULES. The Board of County Commissioners shall adopt rules for the regulation of its members and meetings, consistent with this Charter, and the laws, Constitution, and Bill of Rights of the United States and the State of Oregon. The rules shall be made available to the public at no charge and shall be published on the County website. In addition to the foregoing, the rules shall ensure that:

- A. All public meetings begin with the Pledge of Allegiance.

- B. The Chair asks for questions or comments from the public prior to the taking of any vote. Each member of the public shall be allowed a minimum of three-minutes to provide comments. Citizens shall not be required to sign-in as a condition of speaking, but must orally identify themselves before providing comments to facilitate the preparation of the meeting minutes.
- C. Questions from the public about any item on the Consent Calendar must be heard before the Consent Calendar is voted upon and there shall be an opportunity to remove items from the Consent Calendar before the Consent Calendar is voted upon.
- D. There shall be a time set aside for citizen comments at the end of every public meeting on both agenda and non-agenda items. Individual citizens will be allowed a minimum of three minutes to speak. Citizens shall not be required to sign-in as a condition of speaking, but must orally identify themselves before providing comments so as to facilitate the preparation of the meeting minutes.
- E. All Board correspondence, orders, ordinances, and other documents shall include dates, page numbers, the total number of pages, and include signatures and printed names.

3.21. ORDINANCES. The Board of Commissioners shall exercise its legislative authority through the adoption of ordinances, or by referring ordinances to voters.

- A. An ordinance shall only embrace one subject and matters properly connected therewith. The title of the ordinance shall express the subject. No ordinance shall ever be revised or amended by mere reference to its title, but the ordinance revised, or section amended, shall be set forth and published at full length.
- B. The ordaining clause of an ordinance shall read:
 - i. In the case of adoption by the Board of County Commissioners alone: “The Board of County Commissioners of Coos County ordains as follows:”
 - ii. In the case of adoption or ratification by the voters of the County, “The People of Coos County ordain as follows:”
- C. No ordinance shall be valid, unless all the following requirements are fully satisfied:

- i. The ordinance is read by title in regular meeting of the Board on two different days at least 13-days apart before being enacted or referred to voters.
 - ii. Notice of the ordinance is published at least three-days before each required reading of the ordinance in: (a) at least two newspapers (one having the highest level of circulation in Coos County, the other having the highest level of circulation in the County Seat) (b) on the County website, and (c) in the foyer of the County Courthouse.
 - iii. Paper copies of the full text of the ordinance are available to the public free of charge at every public meeting where the ordinance is read.
 - iv. The ordinance is continuously available to the public free of charge at the County Courthouse and on the County website beginning three (3) days prior to the first reading and continuously thereafter until such time as the ordinance is adopted, rejected, or tabled by the Board of Commissioners.
 - v. Any section incorporating a substantial change in the ordinance as introduced is read fully and distinctly in a regular meeting of the board at least 13-days prior to the adoption of the ordinance, and thereafter, continuously available to the public in written form free of charge in the foyer of the County Courthouse and on the County website unless and until such time as the section incorporating a substantial change is adopted, rejected, or tabled by the Board.
- D. Upon adoption of an ordinance by the Board, the Chairman of the Board and the person who serves as Recording Secretary of the Board at the session at which the Board approves the ordinance shall sign the ordinance and indicate the date of its adoption.
- E. An ordinance adopted in accordance with this section, if not an emergency ordinance, shall take effect on the 45th day after the date of its adoption, unless it prescribes a later effective date or a referendum petition is filed thereon and delays or stays its operation, fully or in part.
- F. No ordinance or other county law imposing, increasing, or authorizing taxes, fees, assessments, or any imposition whatsoever, or exemption therefrom, shall take effect unless it is submitted to the voters of Coos County and approved by a percentage of votes cast that is equal to or greater than the percentage by which this Charter was approved. This subsection shall be liberally construed to effectuate its purpose of

requiring voter approval of all county laws imposing, increasing, or authorizing impositions of every nature, and exemptions therefrom.

- G. The Board shall not declare an emergency in any ordinance that does not address an immediate danger to the health and safety of Coos County residents and no ordinance declaring an emergency shall be adopted without the unanimous approval of all members of the Board.
- H. An index of ordinances shall be kept and maintained in the administrative office of the Board of Commissioners. A copy of the index and ordinances shall be available to the public at no charge and copies thereof shall be maintained on the Coos County website.

3.22. RESOLUTIONS. The Board of Commissioners may adopt resolutions to exercise administrative authority consistent with this Charter, but shall not exercise any legislative or quasi-judicial authority through resolutions. No resolution relating to impositions or exemptions as described in Section 3.21.F. shall be adopted without the question or proposition first being submitted to voters and approved by a percentage of votes cast that is equal to or greater than the percentage by which this Charter was approved. Adopted resolutions shall be dated, signed, and available to the public on the County's website.

3.23. ORDERS. The Board of Commissioners may adopt orders to exercise quasi-judicial authority subject to the requirements of this Charter and other applicable law, but shall not exercise legislative authority through order. Orders shall be dated, signed, and available to the public on the County's website. The Board of Commissioners shall not delegate its quasi-judicial authority.

3.24. LIMITATION ON DELEGATION OF AUTHORITY. The people of Coos County desire for Coos County to be managed and administered by elected officials who are directly accountable to voters. Therefore, the Board of County Commissioners shall be responsible for administering, managing, and overseeing Coos County government and shall not delegate responsibility for overseeing the various departments of County government to a manager, administrator, or any person. This section is specifically intended to prohibit a county manager or administrator form of government and shall be liberally construed toward that end. However, this section is not intended to prohibit the hiring of employees who have management responsibilities within individual departments, so long as these employees report directly to the Board of Commissioners.

3.25. SPECIFIC BOARD RESPONSIBILITIES. The Board of Commissioners is responsible for adequately staffing departments, meeting payroll and pension obligations, and ensuring repayment of bonded indebtedness. Each member of the Board of Commissioners is responsible for becoming personally informed upon the matters requiring Board decision. Board members are obligated to make independent decisions and shall not make decisions that are based exclusively upon the recommendations or advice of department heads, liaisons, or other Board members.

SECTION 4

INITIATIVE, REFERENDUM, AND RECALL

4.1. RESERVATION OF INITIATIVE POWER. The qualified voters of Coos County reserve the initiative power to the fullest extent permissible under the Constitution and laws of the State of Oregon.

4.2 RESERVATION OF REFERENDUM POWER. The qualified voters of Coos County reserve to themselves the referendum power to the fullest extent permitted under the Constitution and laws of the State of Oregon.

4.3. RESERVATION OF RECALL POWER. The qualified voters of Coos County reserve to themselves the recall power to the fullest extent permitted under the Constitution and laws of the State of Oregon.

4.4. MANNER OF EXERCISING RESERVED POWERS. Except as this Charter provides to the contrary:

- A. Initiative measures may be proposed by the signatures of qualified County voters of a number equal to 6% of the total number of votes cast in the County for all candidates for Governor at the regular election next preceding the filing of the petition.
- B. Referendum measures may be proposed by the signatures of qualified County voters of a number equal to 4% of the total number of votes cast in the County for all candidates for Governor at the regular election next preceding the filing of the petition.
- C. An initiative petition shall include the full text of the proposed measure, which may embrace one subject only and matters properly connected therewith.
- D. An initiative petition shall be voted upon at the next available election date that is not sooner than 90-days after the completed petition is filed.
- E. A referendum petition must be filed no later than the 90th day after the adoption of the law on which the referendum petition is filed. The filing of a referendum petition on all or part of a law shall delay or stay the effectiveness of the law, or the part of the law upon which the referendum filed.
- F. An initiative or referendum measure takes effect upon approval by voters.

- G. Coos County shall facilitate the exercise of the initiative, referendum, and recall processes by its citizens and shall not invalidate any initiative or referendum if the petition or measure substantially complies with the applicable requirements for initiative, referendum, and recall petitions and measures, unless such action is necessary to comply with state law or a directive of the Oregon Secretary of State.

SECTION 5.

GENERAL COUNTY ELECTION PROVISIONS

5.1 NOMINATION AND ELECTION OF COUNTY OFFICERS. Except as this Charter provides to the contrary, the nomination and election of County officers shall be in the manner now or hereafter prescribed by the laws of the State for nominating and electing County officers in general.

5.2 RECALL. An elective office of the County may be recalled in the manner, and with the effect, now or hereafter prescribed by the Constitution and laws of the State of Oregon.

5.3 ELECTIONS ON COUNTY MEASURES. Except as this Charter provides otherwise, an election on a measure concerning the County shall be conducted as prescribed by State law governing voting on such measures, provided, however, that such an election may be held at a regular primary or general election or a special election called by the Board. A special election may not be held sooner than ninety (90) days after the filing of a completed initiative or referendum petition, or after the measure has been referred to the voters by the Board.

5.4 CHARTER AMENDMENTS AND REPEAL. This Charter may be amended or repealed by the voters of the County at a regular primary or general election held not sooner than 90-days after the proposed amendment or proposal to repeal has been qualified by the County Clerk. The procedure for amendment or repeal of this Charter by the initiative is as prescribed by this Charter, except that the number of signatures required on a petition to repeal this Charter is equal to at least 15% percent of the total number of votes cast in the County for all candidates for Governor at the regular gubernatorial election next preceding the filing of the initiative. Any proposed amendment or repeal of this Charter must be approved by a percentage of votes cast that is equal to or greater than the percentage by which this Charter was approved.

SECTION 6

FINANCE

6.1. LOCAL BUDGET LAW. Budgets shall be made and approved in accordance with the local budget law of the State of Oregon and as provided in this Charter.

6.2. OPERATING BUDGET AND CAPITAL PROGRAM PROJECTION. The Board of Commissioners shall be responsible for preparing and presenting zero-based budgets for each department to the Budget Committee. The budget shall contain: (a) dedicated funds for all buildings, facilities, and equipment maintenance and replacement, (b) a five year projection plan of the operating budget and capital programs, (c) a clear and concise list of all dedicated and mandatory funds and their sources. Further the budget shall be prioritized providing first for payroll and the payment of all bonded indebtedness. All information shall be available for public review at the Board office and archived on the County website.

6.3. VOTER APPROVAL OF CAPITAL PROGRAMS. The Board shall not enter into any capital program or project agreement of any kind with any financial agent, agency, or individual without prior approval of Coos County voters at a regular election. A capital program or project shall include, but shall not be limited to, real estate or construction projects, whether by the issuance of bonds or by lease purchase agreement or other type of agreement, and remodeling and furnishing, for \$100,000 or more.

6.4. GRANTS. Applying for grants by Coos County officials, departments, agencies, or instrumentalities thereof shall require a quorum consent of the Board of Commissioners. No grant of \$5,000 or more shall be accepted by the Board without the Board first disclosing to the public a full accounting of all requirements and guidelines attached to the grants at a regular Board meeting. This complete information will be available at the Board office for review, and maintained on the County website. No grants whatsoever shall be accepted from foreign nations, foreign companies, or foreign political organizations.

6.5. FINANCIAL AUDIT. The Board of Commissioners shall cause a qualified and disinterested professional accounting firm to conduct a complete audit on all County departments, facilities, and all taxing districts at least every two years starting in 2013. These audits shall be reasonably staggered so as not to conduct all of the audits in one year. Accounting firms shall be selected by open bid and shall not be contracted for more than three years, whereupon another qualified auditor shall be selected by open bid.

6.6. FUNCTIONAL AUDIT. Every five (5) years, starting in 2013, the Board of commissioners shall have a functional audit of all County departments conducted by a qualified and disinterested professional auditing firm. The department audits may be staggered so as not to conduct all of the audits in one year. The auditing firm(s) shall be selected by open bid.

6.7. PUBLIC DISCLOSURE OF AUDITS. The results of all audits shall be available to the public upon request for review at the Board office at no charge and archived on the Coos County website.

SECTION 7

PUBLIC RESOURCE PROTECTION

7.1. PURPOSE. Coos County owns valuable public resources, including but not limited to: real property, water rights, minerals, mineral rights, forests, personal property, and other assets and natural resources. In addition, Coos County regularly enters into contracts that involve these public resources. The people of Coos County desire to: (a) protect their public resources from mismanagement, (b) promote transparency surrounding the use of public resources, and (c) ensure public resources are used for the maximum benefit of the people of Coos County.

7.2. VOTE REQUIRED FOR DISPOSITION OF COUNTY PROPERTY. Neither Coos County, nor any department, agency, or instrumentality thereof, shall sell, lease, exchange, gift, transfer, assign, mitigate, or destroy any real or personal property, water rights, or any interest therein, without a public vote upon the question. However, a vote shall not be required if:

- A. The property is personal property that was originally acquired by Coos County for a price of less than \$5,000. Documents reflecting the original price at which the personal property was acquired shall be made available to the public without charge.
- B. The property is personal property that was originally acquired by Coos County for a price of less than \$25,000 and all members of the Board of Commissioners unanimously approve the disposition of the property at a public meeting. Documents reflecting the original price at which the personal property was acquired shall be made available to the public without charge.
- C. The property is real property and a professional appraisal prepared by a neutral third-party shows the property has a aggregate fair market value of \$50,000 or less, and all members of the Board of Commissioners unanimously approve the disposition of the real property. The appraisal shall be made available to the public without charge.

7.3. VOTE REQUIRED BEFORE PRIVATE PROPERTY ACQUIRED. Upon the taking effect of this Charter, neither Coos County, nor any department, agency or other instrumentality thereof, shall buy, purchase, lease, condemn, receive by gift or exchange, or acquire by any means whatsoever, any private real property or water rights without a public vote approving the private property acquisition. However, no public vote is required if a professional appraisal prepared by a neutral third-party shows the fair market value of the property is \$50,000 or less. Tax defaulted properties shall not be subject to this section and shall be regulated as provided in state law.

7.4. CONTRACTS REQUIRING PUBLIC VOTE. Upon the taking effect of this Charter, neither Coos County nor any agency or instrumentality thereof shall become party to a contract in which any party thereto provides consideration of \$100,000.00 or more without the contract first receiving the approval of Coos County voters. All parties contracting with Coos County shall be deemed to have constructive notice of this requirement and any contract entered into in violation of this section shall be void.

7.5. COUNTY CONTRACTS. All County Contracts shall comply with the requirements of this section, except as this Charter provides otherwise.

- A. Before any County Contract is executed the contract shall:
 - i. Be filed with the County Clerk;
 - ii. Notice of the County Contract shall be posted at the County Courthouse and on the County's website for a continuous period of 14 days; and
 - iii. The public shall be allowed to comment on the County Contract at a regularly scheduled meeting of the Board of Commissioners held not sooner than 13-days after notice of the County Contract is first posted at the County Courthouse and on the County's website in accordance with this section.
- B. A County Contract may only be executed if it is materially consistent to the County Contract filed with the County Clerk pursuant to Section 7.5.A.i and the procedures of Section 7.5.A.ii-iii are subsequently complied with.
- C. Any County Contract that is executed without complying with all the requirements of Section 7.5 shall be void. All parties contracting with Coos County shall have constructive notice of the requirements set forth in this section.
- D. For purposes of this section, "County Contract" includes any contract to which Coos County or any agency, department, or instrumentality thereof is a party. The term "County Contract" specifically includes intergovernmental agreements.

7.6. COUNTY DEBT LIMITATION. Upon the taking effect of this Charter, Coos County shall not create any debt or liabilities which shall singly or in the aggregate, with previous debts or liabilities, exceed the sum of \$5,000; provided, however, the County may incur bonded indebtedness in excess of such \$5,000 limitation to carry out purposes authorized by statute if at least three informational meetings thereon are first

conducted and the question of whether the bonded indebtedness should be incurred or authorized is first submitted to the voters of Coos County and approved by a percentage of votes cast that is equal to or greater than the percentage by which this Charter was approved.

7.7. PUBLIC FUNDS SHALL NOT BE GIFTED. Coos County shall not make gifts of public funds to any person, business, entity, or organization.

SECTION 8

DISCLOSURE OF LEGAL SETTLEMENTS, JUDGMENTS, AND COSTS

8.1. PUBLIC DISCLOSURE REQUIRED. The people of Coos County are entitled to know the extent to which the public resources of the County are being expended on legal disputes, settlements, and judgments as well as the nature of the controversies causing these expenditures of public resources. Toward this end:

- A. The Board of Commissioners shall issue a quarterly report containing the total amounts the County has been required to pay in settlements and judgments during the immediately preceding quarter. The reports shall not disclose any confidential information regarding the settlements or judgments, but shall disclose the true amount the County is obligated to pay in settlements and judgments, in both the aggregate and in relation to particular controversies. The report may describe particular controversies in generic terms that merely describe the nature of the controversy (e.g. tort, employment, contract, constitutional violation, land use), but there shall not be a miscellaneous category.
- B. The Board of Commissioners shall issue a quarterly report containing a true and accurate account of the aggregate legal fees incurred by the County during the immediately preceding quarter. The aggregate report on attorney fees shall reflect both the costs of in-house and outside counsel, but shall not link the total amount spent on legal fees to any particular matter.
- C. The Board of Commissioners shall issue a quarterly report listing all attorneys and law firms that are currently representing the County.
- D. The Board of Commissioners shall also make publicly available, on a quarterly basis, copies of all public dockets pertaining to litigation in which Coos County is a party.
- E. The reports and information that must be disclosed under this section shall be made available to the public at no charge and archived on the County's website.

SECTION 9

COUNTY PREVENTATIVE MAINTENANCE PROGRAM

9.1. **PURPOSE.** The purpose of this section is to extend the useful life of County equipment, facilities, buildings, and building systems through regular preventative maintenance.

9.2. **DEFINITIONS.** For purposes of this section:

- A. “Maintenance” means work required to keep equipment, facilities, and buildings in proper working condition. Examples of maintenance include lubrication, oil changes, filter changes, corrosion control, belt replacements, and surface sealing.
- B. “Repair” means work required to bring equipment, facilities, and buildings back toward original condition. This definition specifically excludes upgrades or expansions from original condition.
- C. “Alterations” may include maintenance or repair but involves new construction as well as increasing or upgrading capacity or quality.
- D. “New construction” means activity that exceeds maintenance or repair and includes all alterations and equipment replacements that increase capacity or capability and cost more than \$200.00.
- E. “Preventative maintenance” means extending the useful life of equipment, facilities, buildings, and building systems through regularly scheduled maintenance.

9.3. **PREVENTATIVE MAINTENANCE PROGRAM.** The people of Coos County have suffered severe financial consequences as a result of Coos County failing to conduct preventative maintenance on County facilities and equipment in accordance with best practices. Therefore:

- A. The Board shall appoint and maintain a Chief Maintenance Officer within 90-days after this Charter is enacted.
- B. No later than the last working day of July, 2013, the Board of Commissioners shall develop and publish on the Coos County website, or cause to be developed and published on the Coos County website, a Preventative Maintenance Strategy for Coos County. The program shall be based on best inspection and preventative maintenance practices and shall include plot and building plans of all County buildings and facilities to facilitate inspections, alterations, and

maintenance of structures, equipment and systems. The Preventative Maintenance Strategy shall include:

- i. An objective process for setting priorities amongst projects.
 - ii. A strategic plan for preventative maintenance in both the short and long term.
 - iii. A framework for operating the preventative maintenance program.
 - iv. A systematic method for keeping maintenance records.
 - v. A system for involving appropriate building personnel in preventative maintenance decision-making.
- C. Each department head in each facility shall have a maintenance book noting all equipment requiring scheduled periodic inspection and maintenance. The books shall contain detail note dates of inspections, maintenance, and required maintenance dates signed by persons doing the required work. Life expectancy of equipment shall be noted with original purchase date and price to facilitate equipment replacement budgeting.
- D. The Chief Maintenance Officer shall keep a master maintenance book to list all County equipment, its purchase price and purchase date, needed inspection and maintenance dates, dates of inspections, dates and detailed notes of maintenance completed, condition of equipment and life expectancy. The Board shall be provided with estimated dates for replacement of equipment that they will use to yearly provide proper funds into the preventative maintenance and replacement budget.
- E. All County facilities, buildings, building systems, components and equipment condition shall be inventoried and graded on the following scale:
- i. Good – Components are structurally sound and only require general maintenance and minor repair; little or no deferred maintenance exists. Few building systems fail, and they allow uninterrupted daily use of the facilities.
 - ii. Fair – Components show signs of slight deterioration and require some corrective maintenance and major repairs; some deferred maintenance exists. Building systems fail occasionally, causing some interruptions in daily use of the facilities.

- iii. Poor – Components show signs of sever deterioration and require corrective maintenance and emergency repairs; deferred maintenance is extensive. Building systems fail frequently, causing ongoing interruptions in daily use of facilities.
- F. The adopted County budget shall include a dedicated budget line item for the maintenance, repair, and eventual replacement of each equipment, facility, building or building system in the County. Taking the cost of the item and dividing it by the expected life of the item shall determine the amount of each dedicated budget line item. Funds shall be appropriated to fulfill each budget line item to the extent of available funds for such purpose. Funds appropriated to fulfill each budget line item will accumulate and be carried forward for their dedicated purpose only. Any other use of such funds shall be unlawful and punishable as a violation of this Charter, in addition to other law.

SECTION 10

ADMINISTRATION

10.1. GENERAL ADMINISTRATIVE RESPONSIBILITY. The Board of Commissioners is responsible to the people of the County for the proper administration of the affairs of the County. The Board itself may carry on and may delegate administrative functions consistent with Section 3.24 and the other limitations of this Charter.

10.2. DOCUMENTATION OVERSIGHT. The Board shall oversee and ensure that all County correspondence, notes, memos, directives, communications, resolutions, ordinances, orders, and documents are page numbered, dated, and signed with a printed name underneath.

10.3. ADMINISTRATIVE AND ADVISORY PERSONNEL. The Board of Commissioners may generally appoint administrative and advisory personnel of the County to offices and positions established by the Board or its authority, or the people, consistent with this Charter and ordinances adopted pursuant thereto, provided:

- A. All volunteer advisory committees shall include both urban and rural members.
- B. After the date this Charter takes effect, no person shall be installed in an employment position with Coos County without first satisfying a criminal background check conducted by the Sherriff's department to determine whether the person meets the eligibility requirements for the employment position.

- C. No elected or appointed official of Coos County, nor any employee with hiring authority, may participate in their official or employment capacity in any interview, discussion or debate regarding the appointment, employment or promotion of a relative or member of the household to, or the discharge, firing or demotion of a relative or member of the household from, a position within Coos County that the official or employee serves or over which the official or employee exercises jurisdiction or control. For purposes of this Section, “participate” does not include serving as a reference, providing a recommendation or performing other ministerial acts that are part of the normal job functions of the official or employee.
- D. The Board shall annually review all departments and committees for cost effectiveness and efficiencies as compared to outsourcing the service to private business. A vote of the Board of Commissioners at a regular Board meeting shall be required annually to continue the existence of County committees or departments, which are not state mandated.
- E. Before an employee is released from employment because of a reduction in staff (e.g. elimination of position or department), the employee should be considered for other County employment positions for which the employee is qualified. If other County employment is not available, the employee shall be given one-month severance pay in addition to any other considerations the County may offer or provide.

10.4. COUNTY DEPARTMENTS OPEN TO PUBLIC. County departments that provide information or services to the public shall be open from 8:00am to 5:00pm. Staffing may be reduced to a minimal level during the lunch hour and the County shall provide existing employees opportunities to voluntarily adjust their work schedules to ensure minimal staffing during the lunch hour is achieved. Cross-trained employees shall be given preference in fulfilling this requirement.

10.5. FEE STRUCTURE FOR ADMINISTRATIVE SERVICES. As it is the public that funds all County services provided to the public:

- A. Individual citizens needing County services relating to their personal residences such as procedural information, forms, permits, approval, authorization, or compliance, etc. shall not be charged for such routine services. Requests for more in-depth service due to special circumstances shall be charged at actual cost based on the pay scale of the employee(s) performing services.
- B. Individual citizens or companies requesting basic procedural information and forms shall not be charged. Requests for in-depth

research information, filings, permits, etc. plus maps and mapping and related data shall be charged at the actual cost of the pay scale of the employee(s) involved.

- C. Department heads providing public service shall, with the Board, develop standard information and procedure pages available free of charge for the purpose of providing services described in subsections A and B of this section.
- D. Fees levied in accordance with this section shall be determined by the Board with information provided by the department heads. Fees shall be reviewed annually and shall never exceed actual cost.
- E. State and federal fee requirements shall not be affected or governed by this section.

10.6. **LAW LIBRARY.** The County law library shall be open to the public a minimum of one day a week from 8:00am to 5:00pm. The librarian shall assist the public during this time without requiring citizens to pay a fee or other charge.

10.7. **ADMINISTRATIVE STRUCTURE.** The structure of the administrative branch of the County government shall be prescribed consistently with this Charter by the Board of County Commissioners or by its authority. Consistent with the provisions of this Charter, the Board may establish, reorganize, unify and abolish administrative departments and prescribe their functions and the functions of offices and positions within departments.

10.8. **PRIVATIZING.** The County Commissioners, department heads and supervisors will review every six months recurring or one-time functions that can be contracted out to increase efficiency and reduce the costs of county health and retirement budgets. Examples of the types of recurring or one-time functions the County should include in its reviews include: payroll, tire repair, pothole repairs, and roadside mowing.

10.9. **THE BOARD AND DEPARTMENT HEADS.** Each department head shall, in addition to other Charter requirements:

- A. Meet with the Board on a monthly basis to review department issues, procedures, and performance. Written and audio minutes of the all meetings shall be recorded and the written minutes shall be available to the public upon request free of charge.
- B. Prepare and review with the Board a 5-year plan of department goals, including the prioritization of budget requirements such as mandates and dedicated budget funds for Preventative Maintenance.

- C. Review with the Board regular and cross-training needs to adequately staff departments.

10.10. DISBURSAL OF DEPARTMENT FUNDS. Department heads shall have the authority to disburse their budgeted funds for items and amounts set forth in their budgets without additional approval by the Board, except as this Charter otherwise provides. Goods and services must be contracted for, procured, and reported in accordance with this Charter.

10.11. CONTRACT COORDINATION. Purchases involving equipment and services overseen by a specific department, such as telephones and computers through Information Technology, must be cleared with the supervisor who is coordinating the overall system plan.

SECTION 11

COUNTY OFFICERS

11.1. QUALIFICATIONS. To be qualified to hold elective office, a person must meet the requirements set forth in Section 3.3 of this Charter.

11.2. ELECTIVE OFFICERS. The elective officers of the County shall be as stated in Section 1.5.B of this Charter.

11.3. OATH OF OFFICE. All elected and appointed officers of the County shall before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation:

I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Oregon, and the Home Rule Charter of Coos County, and that I will faithfully discharge the duties of my (insert appropriate office) according to the best of my ability.

A judge of the Circuit Court of Coos County or other person designated by the Board of Commissioners willing to assume the task may administer the oath required by this section.

11.4. TERM OF OFFICE. The term of office of a person elected to an elective County office shall begin the first day of the year following his or her election to the office and continue for four years thereafter. Persons elected or appointed to fill midterm vacancies in office shall complete the remainder of the term the person was elected or appointed to fill.

11.5. VACANCIES. In addition to vacancies created as elsewhere provided in this Charter, an elective office shall become vacant upon:

- A. The office holder's: (a) death, (b) adjudicated incompetence, (c) conviction of a felony or other offense pertinent to his or her office, (d) resignation, (e) recall, or (f) failure to maintain the qualifications of the office.
- B. Upon the occurrence of a vacancy in an elective office, the Board shall by ordinance prescribe procedures for designating an interim occupant of the office if the vacancy is to be filled. The person so designated shall serve as acting chair, commissioner, assessor, clerk, or surveyor as the case may be, until the office is filled by election or appointment as provided in Section 11.6 of this Charter. In the event of a vacancy in the office of Sheriff, the next most senior ranking officer shall serve as interim Sheriff until the provisions for filling a vacancy in elective office are implemented as prescribed in Section 11.6.

11.6. FILLING VACANCIES. If a vacancy occurs in an elective office and the term of the elective office expires:

- A. One (1) year or longer after the vacancy occurs, then a person shall be elected at the next available election date to fill the vacancy for the remainder of the term of office. If no candidate receives a majority of votes cast at that election, the Board shall call for a special election in which the names of the two candidates receiving the highest number of votes shall appear on the ballot. The candidate receiving a majority of the votes cast will be deemed elected to fill the balance of the unexpired term.
- B. Less than one (1) year but ninety (90) or more days after the vacancy occurs, then the Board shall appoint a person to fill the vacancy for the remainder of the term in office.
- C. Less than ninety (90) days after the vacancy occurs, the vacancy shall not be filled.

11.7. VIOLATION OF STATE GIFT LIMITS OR OTHER ETHICS LAWS IS A VIOLATION OF THIS CHARTER. It shall be a violation of this Charter for any elected official or public official of Coos County to violate the \$50 gift limit provided for in ORS 240.055 or violate any other provision of ORS 240.010 through ORS 244.047.

11.8. COUNTY CLERK. The County Clerk of Coos County shall be the Chief Record-keeper and Elections Officer and shall be an elected official residing in Coos County. The County Clerk shall devote full time to the duties of the office during the County Clerk's tenure. The County Clerk shall be elected at large. The County Clerk shall be responsible for:

- A. Keeping and maintaining the records of the County governing body.

- B. Recording all files and records of deeds and mortgages and other interests and title to the real property of the County.
- C. Conducting the County's elections.
- D. Other responsibilities as may become necessary or directed by the Board of Commissioners or Secretary of State.

11.9. COUNTY SHERIFF. The Sheriff of Coos County shall be the Chief Law Enforcement Officer and shall be an elective official residing within the County. The Sheriff shall be the highest law enforcement officer in the County and shall devote full time to the duties of the office during the Sheriff's tenure. The Sheriff shall be elected at large. In addition to the other requirements necessary for holding elective office in Coos County, the Sheriff must possess, at the time of taking office and throughout the term thereof, an Intermediate Police Certification from the Oregon Department of Public Safety Standards and Training or other successor agency. The Sheriff shall be responsible for:

- A. The enforcement of State Law.
- B. The enforcement of County ordinances, except as determined otherwise by the Board.
- C. The handling of criminal and civil processes as prescribed by State law and County ordinance.
- D. Administration of the County jails.
- E. The employment or termination of deputies and other personnel of the department in conformance with the County's Personnel Policies.
- F. Other duties and responsibilities as may become necessary or as directed by the Board.

11.10. COUNTY ASSESSOR. The County Assessor of Coos County shall be the Chief Property Assessment Officer and shall be an elected official residing within the County and elected at large. The Assessor shall devote full time to the duties of the office during the Assessor's tenure. The Assessor shall be responsible for:

- A. Keeping and maintaining the property tax records of the County
- B. Assessing the value of real property in the County.
- C. Other duties and responsibilities as may become necessary or as directed by the Board or required by state law.

11.11. SURVEYOR. The Surveyor of Coos County shall be an elected official residing within the County and elected at large. In addition to the other requirements necessary for holding elective office in Coos County, the Surveyor shall be a registered professional land surveyor and shall continuously maintain certification as such while in office or the office of Surveyor shall immediately become vacant. The Surveyor shall have the duties provided for under state law and other duties and responsibilities as directed by the Board.

11.12. TREASURER. The Treasurer of Coos County shall be the County's Chief Financial Officer and shall be an elected official residing within the County and elected at large. In addition to the other requirements necessary for holding elective office in Coos County, the Treasurer shall have at least six (6) years prior experience serving as a county treasurer or be a certified public accountant or certified internal auditor and continuously maintain certification as such while in office. Unless the Treasurer has at least six (6) years prior experience as a county treasurer, the failure to continuously maintain certification as a certified public accountant or certified internal auditor during the Treasurer's term in office shall cause the office to become vacant. The Treasurer shall devote full time to the duties of the office during the Treasurer's tenure. In addition to all duties required by state law, the Treasurer shall be responsible for:

- A. Advising the Budget Committee and Board of Commissioners in preparing, adopting, and executing the County budget in accordance with this Charter and state budget laws.
- B. The Treasurer shall oversee the County's compliance with financial reporting and accounting requirements.
- C. The Treasurer shall ensure the County's compliance with generally accepted accounting and auditing standards.
- D. The Treasurer shall control the flow of all money to and from the County and maintain records for the receipt, investment, and payment of all funds. This responsibility shall include, but not be limited to, responsibility for overseeing all fees and taxes collected, as well as all funds disbursed.
- E. The Treasurer's responsibilities shall include, but not be limited to, overseeing: accounts receivable, accounts payable, employee payroll, all department fee and grant monies, investment monies, indebtedness records, compliance with short-term and long-term debt obligations, insurance and fidelity bond requirements, records of public fund investments, and funds from outside sources including State Highway Fund, and other such indebtedness, funds, and financial affairs as may occur from time to time and as directed by the Board.

- F. Ensuring that adequate cash is available to meet the obligations of the County.
- G. Keeping uniform records of the amounts spent on legal fees and ensuring the public is informed of these expenditures consistent with this Charter.
- H. Other duties as may become necessary or as directed by the Board or required by state law.

11.13 HUMAN RESOURCES DIRECTOR. The Human Resources Director of Coos County shall be the Chief Personnel Officer and shall be an elected official residing within the County and elected at large. The Human Resources Director shall devote full time to the duties of the office during the Human Resource Director's tenure. The Human Resources Director shall be responsible for:

- A. Planning, directing, and administering all County human resources functions, including recruitment and selection, job classification and compensation, EEO and ADA issues, risk management, training, employee relations, assisting Board of Commissioners with collective bargaining, staff development, and benefits administration.
- B. Coordinating with each department head to create their new standard merit-step raise tests.
- C. Provide the Chief Financial Officer with all necessary information to ensure payroll is completed in a timely manner.
- D. Other duties as may become necessary or as directed by the Board or required by state law.

SECTION 12

VOTER APPROVAL OF URBAN RENEWAL

12.1. VOTER APPROVAL FOR AGENCY AUTHORIZATION. A County urban renewal agency shall not be activated or authorized to exercise additional powers without the approval of County electors at a general election.

12.2. VOTER APPROVAL FOR NEW OR CHANGED PLANS. Every new urban renewal plan, or substantial change to an existing plan, or change subject to the requirements of ORS 457.220(2), shall be referred to County electors for their approval at a primary or general election.

12.3. REQUIRED PUBLIC NOTICE. Whenever an election required by Section 12.2 of this Charter will authorize new Urban Renewal Indebtedness, the County shall determine the information required to complete the public notice statements set

forth in A-D of this Section. Public Notice Statements shall be posted on the County website and at the County Courthouse at least 45 days in advance of the election and mailed to County voters no more than 10 days in advance of distributing ballots. Public Notice Statements do not need to be mailed to County voters if printed at the top of the explanatory statement of the County Voter's Pamphlet.

- A. ATTENTION VOTER: IMPORTANT INFORMATION ABOUT [identify local measure number].
- B. If approved, this measure will authorize new Urban Renewal Indebtedness. Repayment of such debt may significantly reduce the amount of property tax revenues otherwise available for public schools, police, fire, library and other public services within Coos County for [maximum duration of indebtedness, listed in years and months].
- C. “The maximum amount of new Urban Renewal Indebtedness permitted by this measure is [maximum new URI permitted by proposed plan or amendment].”
- D. “The maximum amount of interest payable for this debt is [maximum amount of interest payments for new URI over lifespan of debt].

12.4. OTHER APPROVAL AND AMENDMENT PROVISIONS. The County shall not approve or amend a plan by any means other than by ordinance. Non-substantial changes to any plan may be approved by non-emergency ordinance of the Board of Commissioners.

12.5. TERMINATION. Upon the retirement of all urban renewal indebtedness authorized by County urban renewal plans, the purpose for a County urban renewal agency will cease and it shall be terminated. The County shall assume any continuing obligations or rights of a terminated agency.

12.6. APPROVAL OF PLAN BY OTHER MUNICIPALITIES AND AGENCIES. The Board of Commissioners shall not approve an urban renewal plan proposed by another municipality or agency unless the question is first submitted to voters and approval is received thereon by a percentage of votes cast that is equal to or greater than the percentage of votes by which this Charter was adopted.

12.7. As used in this Section 12:

- A. “Urban renewal plan” and “plan” have the meaning given those terms in ORS Chapter 457 as it now exists or may hereafter be amended, or a similar plan adopted under any other provision of law.

- B. “Substantial change” means any change proposed to an existing urban renewal plan that:
 - i. Expands the boundary, duration or borrowing authority of any plan; or
 - ii. Alters the basic project, purpose, engineering or financing principles of a voter-approved plan.
- C. “Urban renewal indebtedness” and “URI” mean debt incurred pursuant to an urban renewal plan where repayment is pledged from ad valorem taxes assessed within the County.

12.8. MISCELLANEOUS. If any provision of this Section 12 is barred from operation by superior law or otherwise deemed invalid, the other provisions of Section 12 shall remain unaffected as provided in Section 24.2. Prior to any public hearing to consider legislation that would conflict with provisions of this Section 12 or prevent them from operating, the County must provide notice of the proposed legislation and hearing date to all County electors by mail at least two weeks prior to the hearing. Any legislation passed in violation of this provision shall be void.

SECTION 13

ENTERPRISE ZONES, LOCAL IMPROVEMENT DISTRICTS, SPECIAL ASSESSMENTS

13.1. PUBLIC VOTE REQUIRED BEFORE CONSENT PROVIDED. The Board of Commissioners shall not be authorized to provide any consent required, permitted, allowed or authorized under the Oregon Enterprise Zone Act or any rule promulgated thereunder, as now enacted or hereinafter amended, without submitting the question to voters and obtaining majority approval thereon. No ordinance granting the Board of Commissioners general authority to provide consent under the Oregon Enterprise Zone Act without a separate public vote on specific approvals shall ever be enacted.

13.2. VOTE REQUIREMENT FOR SPECIAL ASSESSMENTS. No special assessment shall be imposed, through a local improvement district, local service district, or otherwise, unless the assessment is approved at an election by 85% of those persons subject to the assessment.

SECTION 14

LAND USE

14.1. PUBLIC VOTE REQUIRED. The Board shall not submit any ordinance or plan to the Oregon Department of Land Conservation and Development or the Land

Conservation and Development Commission or their successors until such ordinance or plan is ratified by a majority vote of the County's qualified electors at a General Election in an even-numbered year.

14.2. **BALLOT TITLE REQUIREMENTS.** The Board shall provide by law a means of summarizing the key provisions of any ordinance or plan subject to a public vote under Section 14.1. The ballot title must explain the economic impact and actual major effects of any such ordinance or plan, including specifically the economic impact and costs imposed on residents and property owners.

SECTION 15

TRAVEL EXPENSE REGULATIONS

15.1. **REQUIREMENT TO MINIMIZE EXPENSES.** All County employees, including the Board, shall use available equipment and technology, such as teleconferencing, to avoid incurring travel expenses whenever possible.

15.2. **TRAVEL CONVEYANCE.** A commissioner or other employee who is required by the Board to travel beyond normal home-to-work may be provided a vehicle or other means of transportation as necessary, upon the approval of a quorum of the Board.

15.3. **TRANSPORTATION AND LODGING.** Official travel arrangements for a commissioner or other authorized County employees shall be made by a Board designee who shall have approval to use a County credit card for such purpose.

15.4. **\$1,000 AND OVER.** Travel expenses of \$1,000 or over shall be approved by a quorum of the Board.

15.5. **MILEAGE REIMBURSEMENT.** Employees using their own vehicles for transportation will be reimbursed per the official mileage rate recognized by the states, upon the approval of a quorum of the Board.

15.6. **MEAL REIMBURSEMENT.** Employees shall be reimbursed for meals at a maximum of \$60.00 per day with provision of appropriate receipts, upon the approval of a quorum of the Board.

15.7. **LIMITED-AMOUNT CREDIT CARDS.** Employees using County-provided vehicles may be issued limited-amount temporary credit cards for gasoline and small emergency repairs, upon the approval of a quorum of the Board.

15.8. **CREDIT CARD RESTRICTION.** The County will no longer issue permanent credit cards to Commissioners or other employees, the only exception being a credit card in the name of a designated employee in the Board's office who has need and use of such card to make authorized credit card payments for authorized County business.

15.9. DISCLOSURE REQUIREMENT. The County will post a monthly accounting of all travel expenses, available at no charge at the Board office, and posted and archived on the website.

SECTION 16

PUBLIC CONTRACTING

16.1. COMPETITIVE SEALED BIDDING OR PROPOSALS REQUIRED. All public contracts for goods or services, including personal services, shall be awarded by competitive sealed bidding or competitive sealed proposals. Bids shall be in accordance with the procedures of ORS 279B.050 to ORS 279B.098, except as this Charter otherwise provides.

16.2. APPLICABILITY OF PUBLIC CONTRACTING CODE. The Public Contracting Code, as defined in ORS 279A.010(bb), and the Attorney General Rules adopted thereunder pursuant to ORS 279A.065, shall apply to all public contracting in Coos County, including those contracts identified in ORS 279.025(2), except as this Charter otherwise provides.

16.3. ADDITIONAL CHARTER REQUIREMENTS. In addition to the other requirements of this Section:

- A. All notices shall be posted in the Courthouse foyer, on the Coos County website, as well as in newspapers with the highest subscription rate in the County and the highest subscription rate in the County Seat. In publishing notices required under this Section, the County shall make arrangements to ensure that all notices are consistently published on the same page of the newspaper in which publication is required.
- B. All public contracts shall be subject to the requirements set forth in Section 7 of this Charter.
- C. To ensure that persons submitting bids for public contracts are competing for contracts on a level playing field, no entity bidding for a public contract shall have their bid subsidized by another entity.
- D. All public bidding contracts for less than \$50,000 shall be noticed for a minimum of 10 working days in the County Courthouse and on the County's website. Such contracts shall be additionally noticed in the newspaper with the highest subscription rate in the County and in the newspaper having the highest subscription rate in the County Seat a minimum of ten (10) working days prior to the bid due date.

- E. All public bidding contracts for \$50,000 or more shall be noticed for a minimum of fourteen (14) working days in the County Courthouse and on the County's website. Such contracts shall be additionally noticed in the newspaper with the highest subscription rate in the County and in the newspaper having the highest subscription rate in the County Seat a minimum of fourteen (14) working days prior to the bid due date.
- F. All bid envelopes shall be publicly opened on the first working day following the due date for submitting bids.
- G. All bids shall specify manufacturers and model numbers of all equipment. All material shall note the equipment manufacturer's standard of quality.
- H. The Coos County Boards of Commissioners shall review all bids for quality and compliance with bidding requirements before awarding the winning bid. The lowest bid is not necessarily the best bid for Coos County.
- I. The County shall receive more than one qualified bid prior to awarding a contract. If only one bid is forthcoming, the contract and the advertising will be reviewed by the Board and reposted. If one bid is all that is returned after the second posting, then a vote of the Board will override this requirement.
- J. Public contracts awarded by Coos County shall contain:
 - i. A ten-percent (10%) maximum cost overrun.
 - ii. Time-line requirements with financial penalties for overruns.
 - iii. A requirement that the Board of Commissioners must approve any substitution of equipment and/or materials after the Contract is awarded.
 - iv. A declaration that the contracting party is entering into the contract with actual notice of the requirements contained in Section 7 of this Charter.

16.4. **PROCUREMENT.** The Board of Commissioners shall appoint an employee as Procurement Officer for all County department supplies and equipment.

- A. Procurement of supplies and equipment shall be organized in such a manner as to provide for bulk purchasing where possible.

- B. All heads of County departments shall provide the Procurement Officer with a detailed list of standard required supplies every three months, and other supplies as needed.
- C. Equipment and supplies approved in a department budget need not be additionally approved at a Board meeting. However, each department shall monthly fill out a county standard sheet denoting: (a) all monthly expenditures for services, goods, or equipment procured, (b) to whom the contract was awarded, (c) monies for each, and (d) the date. The expenditure information sheet shall be reviewed and signed by the head of the department or their assistant and each member of the Board of Commissioners. Copies of all department expenditure sheets shall be kept in the Board office for review by citizens for one year and then archived for five years. All standard supplies shall be put out to bid in accordance with Section 16. Special bid orders over \$100.00 shall follow all applicable bid requirements when possible.

SECTION 17 COLLECTIVE BARGAINING

17.1. PUBLIC NEGOTIATIONS. Unless prohibited by superior state or federal law, Coos County shall conduct all collective bargaining negotiations in public, unless the collective bargaining unit requests otherwise. Except for this requirement, this Charter shall not be construed to alter, change, or otherwise affect the collective bargaining rights of Coos County or any person or representative thereof.

SECTION 18 VETERANS

18.1. VETERANS SERVICES OFFICE TO REMAIN OPEN. The Veterans Services Office shall be open 8-hours per day, 5-days per week, 52-weeks per year, except for legal holidays. The hours of the Veterans Services Office shall not be reduced below the required level stated in this section for any reason, except for natural disaster, emergency, or act of war, without an ordinance to reduce the hours of the Veterans Services Office first being approved by the voters of Coos County.

18.2. APPOINTMENT OF VETERAN SERVICES OFFICERS. Insofar as is consistent with state law, the Board of Commissioners shall appoint officers to the Veterans Services Officers.

SECTION 19 PRIVATE PROPERTY RIGHTS

19.1. PRIVATE PROPERTY RIGHTS. Coos County shall strictly protect the individual private property rights of its citizens as prescribed in the U.S. Constitution.

19.2. RESTRICTIONS ON PRIVATE REAL PROPERTY. Without the approval of voters, Coos County shall not adopt any law imposing a restriction, requirement, condition, limitation, or regulation on private real property, rights therein, or the use thereof, which is not mandated or required by superior state or federal law. This section shall be liberally construed consistently with the requirements of state and federal law.

19.3. BUILDING MATERIALS. Coos County shall not place restrictions on building materials that meet design safety standards.

19.4 THE COUNTY AND THE ENVIRONMENT. Private property rights of the individual come first in Coos County. Good stewardship is a land ideal. Any individual may choose “green” codes or suggestions as they see fit assuming these codes or suggestions, when followed, meet standard state and federal building codes and the requirements of this Charter. However, the County will not join the International Council for Local Environmental Initiatives (ICLEI), renamed in America "Local Governments for Sustainability,” or other organizations with similar overlapping goals. Unless required by superior state or federal law, the County will not adopt any of the International Codes Council's numerous codes, nor will the County ever require LEED certification (Leadership in Energy and Environmental Design). Unless required by superior state or federal law, the County will not adopt or promote the International Green Construction Code. These and other similar programs remove the property owners from the decision-making process on their own property. Therefore, unless required by superior state or federal law, none of the foregoing shall be enforced in the County or in any County project, and the County will not accept any grants, awards, loans, gifts, or other items of value that stipulate compliance with the guidelines of these organizations, and their numerous associates.

19.5. COUNTY WATER. Private property rights come first in Coos County. Upon the taking effect of this Charter, Coos County shall not take any action to create or promote metering or taxation of water from any source. The County shall not endorse, promote, or vote in favor of any law, regulation, agreement, or proposal that would grant outside control over county waters. The County shall not accept grants, loans, gifts, trades, or other items of value that promote or condone restrictions on water or water use within Coos County.

19.6. REGULATION OF NUISANCES. Private property rights come first in Coos County. Upon the effective date of this Charter, only nuisances expressly defined in the statutes of the State of Oregon shall be recognized as nuisances in Coos County and any existing County ordinances declaring nuisances not expressly defined in the statutes of the State of Oregon shall be superseded by this Charter and invalid. County ordinances to declare nuisances not expressly defined in the statutes of the State of Oregon must be limited to the protection of public health and safety and submitted to voters at an election and approved by a majority voting thereon.

SECTION 20

PREDATOR CONTROL

20.1. MINIMUM FUNDING. The County shall create a dedicated budget line item for Predator Control and annually appropriate an amount of money for predator control programs that is equal to 0.008 of the General Funds or 0.0018 of the County's Total Funds adopted budget, whichever is greater. This section is intended to establish the minimum required funding for predator control and shall not be interpreted or construed to limit the County's authority to appropriate a greater amount of money to reduce predation or the impacts thereof.

SECTION 21

HEALTH CARE FREEDOM

21.1. HEALTH GENERALLY. The health of the individual citizens of Coos County is up to the individuals themselves and to their personal choices. The County shall not demand or enforce any health initiatives, measures, programs, or regulations that violate the citizens' personal choices regarding health care decisions nor will the County accept any grants, gifts, endowments, or other items of value that prescribe such demands or enforcement.

21.2. Except in the event of immediate emergency involving imminent danger to a person's health or safety, no medical procedure shall be performed on any person through any employee, contractor, or agency of the County without written permission by the person or their legal guardian (if the person is a minor or incompetent).

SECTION 22

COMPENSATION

22.1. ELECTED OFFICIALS. Except as provided in Section 22.4, the consideration to be paid to elected officials of Coos County for their full-time service to the County shall consist solely of salary and benefits that are equal to the salary and benefits paid to such elected officials at the time this Charter takes effect. The salary and benefits paid to elected officials of Coos County shall not be increased except through an ordinance approved by voters. The Human Resources Director shall have pay and benefits equal to the County Clerk and the County Treasurer.

22.2. NON-UNION EMPLOYEES. Except as this Section 22 otherwise provides, this Charter shall not affect the salary and benefits currently paid to Coos County employees who are not represented by a union for purposes of collective bargaining.

22.3. UNION EMPLOYEES. This Charter shall not affect, alter, or change the terms of any collective bargaining agreement.

22.4. COST OF LIVING ADJUSTMENTS.

- A. Upon the effective date of this Charter, elected officials and County employees not party to a collective bargaining contract shall receive an annual cost of living adjustment of 1.25%. This provision shall automatically sunset on December 31, 2017.
- B. Before the provisions of 22.4.A sunset, but not sooner than January 1, 2016, the Board of Commissioners shall refer an ordinance to voters to establish a new cost of living adjustment policy for elected officials and County employees who are not party to a collective bargaining agreement.
- C. No County law or policy relating to cost of living adjustments for Coos County elected officials or employees who are not party to a collective bargaining contract shall take effect without voter approval.
- D. All laws and policies providing for cost of living adjustments for Coos County elected officials or employees not party to a collective bargaining contract shall automatically sunset four (4) years after such laws take effect.

22.5. LONGEVITY RAISES. The County shall provide employees with longevity raises at 5, 10, 15, and 20 years of cumulative County employment.

22.6. SPECIAL TRAINING REQUIREMENT. Employees requesting special training or education paid for by the County shall be required to sign an agreement to remain as employees of the County for a minimum period of three-years before receiving special training or education paid for by the County.

22.7. PROBATIONARY PERIOD. The probation period for new County employees shall be one year from the date of hire.

22.8. MERIT RAISES. All merit raises provided to County employees must be at least eighteen (18) months apart. Merit raises shall be issued based on tests administered and rated for each applicant for a merit raise by a volunteer committee in January and July of each year. Tests shall be available to all employees after their first twelve months of employment. Names of applicants shall not be available to the reviewing committee.

SECTION 23

ENFORCEMENT

23.1. PENALTIES GENERALLY. A court of competent jurisdiction may impose a civil penalty not to exceed \$2,500.00 upon any person for any violation of this Charter for which a specific penalty is not otherwise provided.

23.2. SPECIFIC PENALTY FOR CONFLICT OF INTEREST AND STATE ETHICS LAW VIOLATIONS. A court of competent jurisdiction may impose a civil penalty not to exceed \$25,000.00 upon any person for violation of Section 3.17 and 3.18, relating to potential and actual conflicts of interest, or for an act defined as a violation in Section 11.7.

23.3. ADDITIONAL PENALTIES FOR PUBLIC OFFICIALS. In addition to all other penalties provided for in this Charter or permitted by law, incompetency, corruption, malfeasance or delinquency in office may be tried in the same manner as criminal offenses and judgment may be given of dismissal from office.

23.4. PRIVATE ENFORCEMENT. Any person adversely affected shall be entitled to enforce this Charter, prevent a violation of this Charter, determine the applicability of this Charter, compel action under this Charter, seek imposition of civil penalties provided for in this Charter, or seek any other relief relating to this Charter in a court of competent jurisdiction. A prevailing plaintiff in any such action shall be awarded reasonable attorney fees and costs at trial and on appeal. This section shall be liberally construed to effectuate its purpose.

23.5. RESPONSIBILITY FOR PENALTIES. A civil penalty imposed pursuant to this Charter shall be the responsibility of the person against whom the penalty is assessed and the civil penalty shall be paid from the personal funds of the person.

23.6. PUBLIC OFFICIALS RESPONSIBLE FOR OWN ATTORNEY FEES AND COSTS. In any action brought against a public official in their personal capacity asserting a violation of this Charter, the public official shall pay their own attorney fees and costs and those costs shall not be advanced, indemnified, reimbursed, or otherwise paid by Coos County, except as superior state law requires.

23.7. CIVIL PENALTIES INUR TO COOS COUNTY. All civil penalties provided under this Charter shall be paid to Coos County.

23.8. REMEDIES CUMULATIVE. The remedies and penalties provided by this section are cumulative and do not exclude any other penalty or remedy under law.

SECTION 24

MISCELLANEOUS

24.1. **EFFECTIVE DATE.** This Charter shall become effective immediately upon adoption by Coos County voters.

24.2. **SEVERABILITY.** If any provision of this Charter is held invalid, the other provisions of this Charter shall not be affected thereby. If the application of this Charter or any of its provisions to any person or circumstance is held invalid, the application of this Charter and its provisions to other persons or circumstances shall not be affected thereby. It is the intent of the voters that all provisions of this Charter are severable and this section shall be construed consistently with this intent.

24.3. **PROHIBITION ON USE OF TAXPAYER FUNDS TO CHALLENGE VOTER-APPROVED LAWS.** No public funds of Coos County may be used to challenge the validity of any voter-approved Charter, Charter provision, Charter amendment, or law. Use of taxpayer money to challenge the validity of any voter approved Charter, amendment, or law shall be an unlawful expenditure. Any public official or employee who authorizes expenditure of public funds in violation of this section shall be personally liable to Coos County for treble the amount unlawfully expended. Electors of Coos County shall be entitled to enforce this Section and in any action to enforce this section a prevailing plaintiff shall be awarded reasonable attorney fees and costs.

24.4. **CHARTER REQUIREMENTS SHALL NOT BE EVADED THROUGH ARTIFICE OR SUBTERFUGE.** It shall be a violation of this Charter to artificially divide, fragment, or otherwise structure any transaction for the purpose of evading a requirement of this Charter.

24.5. **PROHIBITION ON RETROACTIVE ACTIONS.** Except as this Charter otherwise provides, no County law shall be applied retroactively and no fee, tax, assessment, or imposition of any nature shall ever be retroactively applied or imposed.

24.6. **REDUCED FEES FOR RESIDENTS.** All fees for the use of County public facilities, such as parks, shall be substantially less for residents of Coos County than for non-residents.

24.7. **EMERGENCY CONTRACTING POWER.** In extraordinary circumstances, the Board of Commissioners may enter into contracts without complying with the requirements of Section 7.4, Section 7.5, and Section 16 of this Charter. Such emergency action shall only be permitted if there is a real, substantial, actual, and imminent danger to the health or safety of Coos County citizens, which is clear and present and declared to exist by a quorum of the Board. A court reviewing any emergency action taken pursuant to this section shall have authority to determine whether the emergency declared comports with the standards of this section and exists in fact. The Board of Commissioners shall have the burden of sustaining its actions and the existence

of an emergency in fact by clear and convincing evidence. If the Board does not meet this burden, its actions shall be declared unlawful, invalid, and in violation of this Charter.

24.8. GENERAL EMERGENCY POWER. When immediate prompt action in a declared emergency or disaster, such as tsunami or earthquake, is necessary for the health and safety of the citizens, the Board is empowered to make decisions and take actions outside the confines of this Charter.

SECTION 25

TRANSITION PROVISIONS

25.1. CONTINUITY. There shall be no break in the existence or legal status of the County upon or in connection with this Charter's adoption and effect.

25.2. CONTINUITY OF LAWS, ORDERS, RULES, REGULATIONS. All County legislation, orders, rules and regulations that are in force when this Charter takes effect remain in force after that time, insofar as consistent with this Charter, without change until amended or repealed.

25.3. CONTINUITY OF ACTIONS AND PROCEEDINGS. All rights, claims, causes of action, contracts, and legal and administrative proceedings of the County that exist when this Charter takes effect continue unimpaired by this Charter after it takes effect.

25.4. CONTINUITY OF ELECTED OFFICIALS. Elected County officials who are in office at the time this Charter takes effect may continue in office for the term to which each was elected.

25.5. CONTINUITY OF DEPARTMENTS. Insofar as is consistent with this Charter, the County departments existing at the inception of this Charter shall continue until reorganized, unified, abolished or new departments are established.

- A. In the event the County has created a County Administrator, Manager, Executive or other employee position(s) that contravenes this Charter's prohibition on a County Administrator/Manager form of government, such position(s) shall be eliminated upon the taking effect of this Charter.
- B. Within 45-days after this Charter takes effect, existing County staff shall be reallocated by the Board of Commissioners to ensure the Treasurer's office maintains sufficient staff and budget to carry out the new responsibilities of the office under this Charter.
- C. The Board may add another full-time staff member to its office, a county employee or temporary employee, as they deem appropriate,

insofar as is otherwise consistent with this Charter. If the additional employee is a county employee, the job posting notice must be for at least fourteen (14) days and open to non-employees as well as existing County employees.

25.6. ELECTION OF ADDITIONAL OFFICERS.

- A. An election shall be held on the third Tuesday of May following the adoption of this Charter to elect two (2) additional persons to the Board of Commissioners so that the total number of persons holding the Office of Commissioner is five (5). The two candidates elected to fill the Office of Commissioner will be elected at large, with each voter entitled to vote for two candidates of their choice, in a manner that is consistent with this Charter and state law. The commissioners elected at the election contemplated under this section will serve a term that ends on December 31, 2016. Following the election provided for under this section, the term of office for all persons elected to the Board of Commissioners shall be four-years as provided in Sections 3.4 and 11.4
- B. At the same election, a Human Resources Director will be elected from candidates who file for the position. The term of the initial office holder shall end December 31, 2016. All subsequent terms shall be four (4) years as provided in Section 11.4

25.7. RATIFICATION OF ORDINANCES REQUIRED. All ordinances adopted by the Board of Commissioners on or after the date the petition proposing this Charter is filed with the County clerk, and the date this Charter takes effect, must be ratified by the five-member Board of Commissioners within 180-days after the election described in Section 25.6.A has occurred. Any ordinance subject to this section that is not ratified by the Board of Commissioners as provided for in this section shall be repealed on the 181st day following the election described in Section 25.6.A.

25.8 Within 365 days of this Charter taking effect, Coos County Counsel shall complete a review of all existing ordinances and identify all ordinances that are repealed, superseded, or in conflict with this Charter. Ordinances shall be reviewed from most recent to oldest. Any ordinance determined to be repealed or superseded shall be marked with the date the ordinance was repealed or superseded.

25.9. The County Clerk shall attach the certified election results to this Charter as Exhibit A after the certified election results are finalized.