

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

09-4-1-8

IN THE MATTER OF ADOPTING THE MENTAL
HEALTH ADVISORY/LOCAL ALCOHOL AND DRUG
PLANNING COMMITTEE BYLAWS.

WHEREAS, the Community Mental Health Advisory Committee has been renamed the Mental Health Advisory/Local Alcohol and Drug Planning Committee; and

WHEREAS, the Lane County Administrative Procedures Manual requires committee bylaws be approved by the Board Of County Commissioners; and

WHEREAS, the bylaws for the former Community Mental Health Advisory Committee have been revised and approved by the Mental Health Advisory/Local Alcohol and Drug Planning Committee;

NOW THEREFORE IT IS HEREBY ORDERED that the Mental Health Advisory/Local Alcohol and Drug Planning Committee bylaws be approved.

Adopted this 1st day of April, 2009



Peter Sorenson, Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date: 3/25/09 Lane County

Handlan

OFFICE OF LEGAL COUNSEL

BYLAWS

MENTAL HEALTH ADVISORY/LOCAL ALCOHOL AND DRUG PLANNING COMMITTEE

ARTICLE I

This committee being duly and officially established by Lane County shall be known as the Mental Health Advisory/Local Alcohol and Drug Planning Committee.

ARTICLE II

Authority, Purpose, and Functions

Section 1 – Authority.

This committee shall serve under the authority of Oregon Revised Statutes 430.342 and 430.630(7). It shall be constituted in accordance with Oregon Administrative Rule 309-014-0020(3) and 309-016-0020(2) and 415-056-0005(10) and LM 3.506 and 3.524.

Section 2 – Purpose.

- A. To advise the Board of County Commissioners and Local Mental Health Authority (Director, Department of Health & Human Services) on community needs and priorities for mental health, developmental disabilities, alcohol, drug, problem gambling, and offender services and assist in their planning, review, and evaluation.
- B. To serve as a committee of the whole as the Local Alcohol and Drug Planning Committee (LADPC) and perform those functions prescribed in State Statutes, Oregon Administrative Rules and State Guidelines.

Section 3 – Functions.

- A. To review the biennial Mental Health and the Alcohol and Drug Implementation Plan (s) OAR 309-014-0025 (2)
- B. To assist in evaluation of proposals to provide services.
- C. To participate in the planning and evaluation process for community mental health, developmental disabilities, alcohol, drug services.
- D. To review and make recommendations on demonstration projects, certification applications and grant applications when appropriate to meet state and federal requirements.

ARTICLE III

Membership, Appointment, and Tenure

Section 1 – Membership.

The committee shall consist of thirteen members who are broadly representative of the community, with a balance of age, sex, ethnic, socioeconomic, geographic, professional, and consumer interests. Membership shall include advocates for children or adults with mental or emotional disturbances, with alcohol or drug abuse problems, with mental retardation or other developmental disabilities and one representative from the Consumer Council. It shall also include a number of minority members that reasonably reflects the proportion of the needs for alcoholism treatment and rehabilitation services of minorities in the communities.

Section 2 – Appointment, Re-appointment, and Filling of Vacancies.

- A. The Board of County Commissioners shall appoint thirteen members to this committee, each of whom shall serve for four years. The terms of approximately one-fourth of this group shall expire each year.
- B. The Board of County Commissioners may, at the discretion of the Board, serve as ex-officio members of this advisory committee.
- C. The advisory committee, with concurrence of the Board of County Commissioners, may from time to time, appoint an ex-officio member for a special purpose and limited time.

Section 3 – Tenure.

- A. Each member will be appointed for a four-year term.
- B. Appointments to fill vacancies in unexpired terms will be for the duration of that term. If the unexpired portion of the term is for six months or less, the appointment shall be for both the unexpired portion plus a full term (LM 3.506(2)(g)).
- C. No committee member shall serve more than two-consecutive full-terms, except as provided by Lane Manual 3.506.

ARTICLE IV

Meetings of the Committee

Section 1 – Regular Meeting

The committee shall establish the time and place for holding regular monthly meetings. These will, to the degree possible, be the same time, day, and place each month. The meeting in November will be the annual meeting for committee organizational business.

Section 2 – Special Meetings.

- A. Special meetings of the committee may be called by the chair, or in the absence of the chair, the vice-chair, or a majority of the committee.
- B. The person or persons calling the meeting shall fix the time and place for the meeting.

Section 3 – Notice of Meetings.

- A. Notice of all meetings shall be given to all members and ex-officio members at least three days prior to such meetings
- B. Public notice will be given in sufficient time to comply with open meeting laws.

Section 4 – Conduct of Meeting.

- A. A quorum consists of the majority (7) of the designated members of the committee (13) regardless of any vacancies (LM 3.506(1)(c) . Official actions of the committee shall be taken only when a quorum is present.
- B. An act of a majority of the designated members shall be an act of the committee regardless of any vacancies.
- C. All meetings shall be conducted in accordance with Robert's Rules of Order.

Section 5 – Voting.

- A. Each member of the committee shall be entitled to one vote on all issues presented at regular and special meetings where the member is in attendance, except as provided in Article VIII.
- B. An ex-officio member has no vote.

ARTICLE V

Officers and Duties

Section 1.

The officers of the committee shall be a chair and a vice-chair to be elected by the voting membership at the annual meeting.

Section 2 – Term of Office.

Officers shall hold office for a period of one year beginning November 1 of each year.

Section 3 – Duties.

- A. The chair shall preside at all meetings; the chair is entitled to vote on all issues.
- B. The vice-chair shall perform all duties of the chair in that person's absence. The vice-chair is entitled to vote on all issues.

Section 4 – Recording Secretary.

The Director of Health & Human Services shall be responsible for staffing the Mental Health Advisory/Local Alcohol and Drug Planning Committee and maintaining minutes of all meetings and be custodian of all committee records.

Section 5 – Removal.

An officer may be removed from office, by vote of the committee, for misconduct or neglect of duty in office.

ARTICLE VI

Subcommittees

Section 1 – Standing Subcommittees.

- A. Mental Health – shall consist of seven (7) members of the committee. A County staff member representing mental health services shall provide staff services.
- B. Developmental Disabilities – DD Subcommittee – shall consist of three (3) members of the committee. A County staff member representing DD services shall provide staff services.
- C. Alcohol and Drug – Subcommittee shall consist of three (3) members of the committee. A County staff member representing alcohol and drug services shall provide staff services.

Section 2 – Pro tem Subcommittees of the Mental Health Advisory /Local Alcohol and Drug Planning Committee.

- A. Pro tem subcommittees of the Mental Health Advisory/Local Alcohol and Drug Planning Committee may be appointed, as needed, by the chair. Appointments will include specific charges and time duration.
- B. At least one voting member of the committee will be appointed to each pro tem subcommittee.
- C. Members may serve until work is completed.
- D. The chair may dissolve pro tem subcommittees or remove members with or without cause.

Section 3 – Subcommittee Officers.

Each subcommittee will have a chair appointed by the chair of the Mental Health Advisory/Local Alcohol and Drug Planning Committee.

Section 4 – Subcommittee Meetings.

Meetings of each subcommittee may be called by the chair of such subcommittee. Notice of such meeting shall be given to all subcommittee members at least three days prior to such meeting. A majority of the members of the subcommittee constitute the act of such subcommittee. Subcommittees will conduct business in compliance with public meeting laws.

Section 5 – Subcommittee Planning Groups and Subcommittee Specialty Groups.

Subcommittees may establish subcommittee planning groups and subcommittee specialty groups with broader community representation and/or provider representation for the purpose of sharing and gathering information and making recommendations to be utilized in the planning and evaluation process. These subcommittee groups are advisory only.

ARTICLE VII

Removal of Members

Section 1.

- A. A member who fails to attend three consecutive regular meetings without prior excuse from the chair may be asked by a majority to submit a resignation.
- B. The committee may recommend to the Board of County Commissioners the replacement of a member who fails to submit a resignation under conditions specified in Section 1A above.

ARTICLE VIII

Conflict of Interest

Section 1 – Conflict of Interest.

In accordance with ORS Chapter 244, no advisory committee member shall participate in a decision in which he or she has a private pecuniary interest. Affected members shall disqualify themselves from participation by written notification to the Board of County Commissioners as mandated by ORS 244.120.

ARTICLE IX

Amendments and Bylaws

Section 1.

These bylaws may be amended or repealed or new bylaws adopted by a majority vote of the designated members of the committee regardless of any vacancies at any regular or special meeting called for that purpose at which a quorum is present. Written notice of such proposed amendment and the nature thereof, shall have been given to the membership at least 21 days prior to the date of the meeting at which the amendments are to be considered.

Section 2.

All such amendments, after adoption by the committee, become effective upon approval by the Board of County Commissioners.

BYLAWS

MENTAL HEALTH ADVISORY | LOCAL ALCOHOL AND DRUG PLANNING COMMITTEE

Comment: Deleted "Committee"
Comment: inserted /LOCAL ALCOHOL AND DRUG PLANNING COMMITTEE

ARTICLE I

This committee being duly and officially established by Lane County shall be known as the Mental Health Advisory/Local Alcohol and Drug Planning Committee.

Comment: name change
Deleted: Community

ARTICLE II

Authority, Purpose, and Functions

Section 1 – Authority.

This committee shall serve under the authority of Oregon Revised Statutes 430.342 and 430.630(7). It shall be constituted in accordance with Oregon Administrative Rule 309-014-0020(3) and 309-016-0020(2) and 415-056-0005(10) and LM 3.506 and 3.524.

Comment: Inserted "7"
Comment: Inserted "0"14-"0"020
Comment: Inserted "3"
Comment: Inserted "0"16-"0"020
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Section 2 – Purpose.

- A. To advise the Board of County Commissioners and Local Mental Health Authority (Director, Department of Health & Human Services) on community needs and priorities for mental health, developmental disabilities, alcohol, drug, problem gambling, and offender services and assist in their planning, review, and evaluation.
- B. To serve as a committee of the whole as the Local Alcohol and Drug Planning Committee (LADPC) and perform those functions prescribed in State Statutes, Oregon Administrative Rules and State Guidelines.

Comment: Deleted "and" inserted "&"

Section 3 – Functions.

- A. To review the biennial Mental Health and the Alcohol and Drug Implementation Plan (s) OAR 309-14-020 (2) (4).
- B. To assist in evaluation of proposals to provide services.
- C. To participate in the planning and evaluation process for community mental health, developmental disabilities, alcohol, drug services.

Deleted: and offender

- D. To review and make recommendations on demonstration projects, certification applications and grant applications when appropriate to meet state and federal requirements.

ARTICLE III

Membership, Appointment, and Tenure

Section 1 – Membership.

The committee shall consist of ~~thirteen~~ members who are broadly representative of the community, with a balance of age, sex, ethnic, socioeconomic, geographic, professional, and consumer interests. Membership shall include advocates for children or adults ~~with mental or emotional disturbances, with alcohol or drug abuse problems, with mental retardation or other developmental disabilities~~ and one representative from the Consumer Council. It shall also include a number of minority members that reasonably reflects the proportion of the needs for alcoholism treatment and rehabilitation services of minorities in the communities.

Comment: Added thirteen

Comment: Deleted "for persons". Added "for children or adults"

Comment: Inserted "alcohol or"

Comment: Inserted "one representative from the Consumer Council,"

Comment: Deleted "and alcoholism and alcohol abuse problems."

Comment: Deleted "which" Inserted "that"

Deleted: twelve

Section 2 – Appointment, Re-appointment, and Filling of Vacancies.

- A. The Board of County Commissioners shall appoint ~~thirteen~~ members to this committee, each of whom shall serve for four years. The terms of approximately one-fourth of this group shall expire each year.
- B. The Board of County Commissioners may, at the discretion of the Board, serve as ex-officio members of this advisory committee.
- C. The advisory committee, with concurrence of the Board of County Commissioners, may from time to time, appoint an ex-officio member for a special purpose and limited time.

Section 3 – Tenure.

- A. Each member will be appointed for a four-year term.
- B. Appointments to fill vacancies in unexpired terms will be for the duration of that term. ~~If the unexpired portion of the term is for six months or less, the appointment shall be for both the unexpired portion plus a full term (LM 3.506(2)(g)).~~
- C. No committee member shall serve more than two-consecutive full-terms, except as provided by Lane Manual 3.506.

Comment: Changed to reflect LM requirements.

ARTICLE IV

Meetings of the Committee

Section 1 – Regular Meeting

The committee shall establish the time and place for holding regular monthly meetings. These will, to the degree possible, be the same time, day, and place each month. The meeting in November will be the annual meeting for committee organizational business.

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- A. A quorum consists of ~~the majority (7) of the designated members of the committee (13) regardless of any vacancies (LM 3.506(1)(c))~~. Official actions of the committee shall be taken only when a quorum is present.
- B. An act of a majority of the designated members shall be an act of the committee regardless of any vacancies.
- C. All meetings shall be conducted in accordance with Robert's Rules of Order.

Deleted: one half plus one of the current membership of the committee members present at any meeting

Section 5 – Voting.

- A. Each member of the committee shall be entitled to one vote on all issues presented at regular and special meetings where the member is in attendance, except as provided in Article VIII.
- B. An ex-officio member has no vote.

ARTICLE V

Officers and Duties

Section 1.

The officers of the committee shall be a chair and a vice-chair to be elected by the voting membership at the annual meeting.

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Officers shall hold office for a period of one year beginning November 1 of each year.

Comment: Inserted "November 1"

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- A. The chair shall preside at all meetings; the chair is entitled to vote on all issues.
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Comment: Inserted "&"
Deleted "and"

Deleted: Community

Comment: Inserted "/Local Alcohol and Drug Planning Committee "

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Comment: Deleted "Mentally & Emotionally Disturbed – MED Subcommittee"

Deleted: six

Deleted: 6

Comment: Deleted "MED"
Inserted "mental health" (lowercase "s")

C. ~~Alcohol and Drug~~ Subcommittee shall consist of three (3) members of the committee. A County staff member representing alcohol and drug services shall provide staff services.

Comment: Deleted "Alcohol, Drug, and Offender - ADO
Inserted "Alcohol and Drug"

Section 2 – Pro tem Subcommittees of the ~~Mental Health Advisory~~/Local Alcohol and Drug Planning Committee.

Comment: Discuss deleting "Community"

Deleted: Community

A. Pro tem subcommittees of the ~~Mental Health Advisory~~/Local Alcohol and Drug Planning Committee may be appointed, as needed, by the chair. Appointments will include specific charges and time duration.

Comment: Inserted "/Local Alcohol and Drug Planning Committee"

Deleted: Community M

B. At least one voting member of the committee will be appointed to each pro tem subcommittee.

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Deleted: Community

Comment: Inserted text

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Section 2.

All such amendments, after adoption by the committee, become effective upon approval by the Board of County Commissioners.

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY
STATE OF OREGON

IN THE MATTER OF SETTING A PUBLIC HEARING FOR)	
THE PROPOSED SURRENDER OF A PORTION OF OLD)	RESOLUTION AND
COBURG ROAD (CO. RD. NO. 180) TO THE CITY OF)	ORDER
EUGENE)	
)	09-4-1-9
)	

WHEREAS, Old Coburg Road (County Road No. 180) was originally established in 1856, and portions of it have already been surrendered to the City of Eugene; and

WHEREAS, the portion of Old Coburg Road (County Road No. 180) proposed for surrender was annexed to the City in 2009 by Eugene City Council Resolution No. 4965, Annexation No. A 08-7; and

WHEREAS, the City of Eugene, by its Resolution Number 4967 has requested that jurisdiction over the portion of County Road No. 180, as described in Exhibit "A" attached to and made a part hereof by this Resolution and Order, be transferred to the City of Eugene; and

WHEREAS, the surrender of this portion of road will help facilitate the city's planned extension of Chad Drive to North Game Farm Road, including a relocated and improved intersection with North Game Farm Road which will replace the existing intersection of Old Coburg Road with North Game Farm Road; and

WHEREAS, the City of Eugene is requesting this surrender without a Partnership Program Agreement; and

WHEREAS, ORS 373.270 provides for the transfer from county jurisdiction to city jurisdiction of county roads within the corporate limits of a city whenever the county governing body deems it necessary, expedient or for the best interest of the county to do so, and the governing body of the city deems it necessary or expedient and for the best interest of the city to acquire jurisdiction over the county roads or parts thereof to the same extent as it has over other public streets and alleys of the city; and

WHEREAS, the Public Works Director of Lane County has recommended a public hearing date be established to consider the offer of surrender to the City of Eugene the portion of said Old Coburg Road as described herein, and has provided a written report attached hereto and made a part hereof by this Order, and marked as Exhibit "B"; and

WHEREAS, Lane County and the City of Eugene deem it necessary and expedient and in the best interest of each governing body to proceed with the transfer of jurisdiction over the portion of the county road described in the attached Exhibit "A"; now, therefore, it is hereby

ORDERED, that a public hearing be set for April 29, 2009 at 1:30 p.m. at the Lane County Courthouse, 125 East 8th Avenue, Eugene, Oregon, to formally consider the surrender to the City of Eugene the portion of Old Coburg Road (County Road No. 180) as described in the attached Exhibit "A", and that legal notice of hearing be posted or published in accordance with ORS 373.270; and further, it is hereby

ORDERED, that the Director of the Lane County Department of Public Works prepare and provide a final report on the proposed surrender.

Inquiries regarding these proceedings may be directed to D. Michael Jackson, Lane County Surveyor, Public Service Building, 125 East 8th Avenue, Eugene, Oregon 97401, telephone (541) 682-4195.

DATED this 1st day of April, 2009.



Chair
LANE COUNTY BOARD OF COMMISSIONERS

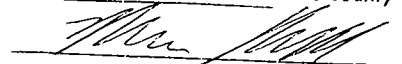
APPROVED AS TO FORM
Date 3-19-09 lane county

OFFICE OF LEGAL COUNSEL

EXHIBIT "A"

LEGAL DESCRIPTION

MILEAGE

OLD COBURG ROAD (COUNTY ROAD NUMBER 180)

0.37

All that portion of Old Coburg Road (County Road Number 180) from a westerly extension of the north right of way line of County Road Number 209, Northerly 0.37 miles, more or less, to a point 182.64 feet northerly from an easterly extension of the south line of Lot 20 of Hawthorne Estates P.U.D., as recorded on Reception Number 2004-058044 in the Lane County, Oregon Deed Records, all in the Southeast One Quarter (SE1/4) of Section 16, Township 17 South, Range 3 West of the Willamette Meridian in Lane County, Oregon.

The above description for Old Coburg Road is shown on Attachment "A" attached hereto and made a part hereof.

EXHIBIT "B"

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY
STATE OF OREGON

IN THE MATTER OF SETTING A PUBLIC HEARING FOR)	
THE PROPOSED SURRENDER OF A PORTION OF OLD)	DIRECTOR'S PRELIMINARY
COBURG ROAD (CO. RD. NO. 180) TO THE CITY OF)	REPORT
EUGENE)	
)	

The portion of Old Coburg Road (County Road No. 180) herein proposed for surrender was originally established in 1856. Portions of County Road 180 have already been surrendered to the City of Eugene. The portion of this road now being proposed for surrender was annexed to the City in 2009 by Eugene City Council Resolution No. 4965, Annexation No. A 08-7. The surrender of this portion of road will help facilitate the city's planned extension of Chad Drive to North Game Farm Road, including a relocated and improved intersection with North Game Farm Road which will replace the existing intersection of Old Coburg Road with North Game Farm Road.

The City of Eugene has enacted Resolution Number 4967 formally requesting that jurisdiction over the portion of the above mentioned county road, all within the city limits and described in Exhibit "A" of the attached Order, be transferred from Lane County to the City of Eugene. The City is requesting this surrender without a Partnership Program Agreement. Setting a date for the hearing will allow time for public posting or notice and is recommended as being appropriate.


The proposed surrender includes approximately 0.37 miles of Old Coburg Road.

ORS 373.270 provides for the transfer from county jurisdiction to city jurisdiction of county roads within the corporate limits of a city whenever the county governing body deems it necessary, expedient or for the best interest of the county to do so, and the governing body of the city deems it necessary or expedient and for the best interest of the city to acquire jurisdiction over the county roads or parts thereof to the same extent as it has over other public streets and alleys of the city.

Legal notice for the public hearing to consider the matter of the surrender of this portion of Old Coburg Road (County Road No. 180) is required by ORS 373.270.

The proposed surrender of this portion of road will allow the City to have full jurisdiction of this portion of road and to maintain, develop and improve it and the surrounding area to their own specifications, standards and timetables. It is therefore recommended that a public hearing date be established and that legal notice of hearing be posted or published for the proposal to surrender to the City of Eugene the portion of Old Coburg Road (County Road No. 180), as described in Exhibit "A."

DATED this 30th day of MARCH, 2009.



 ACTING Director
 Department of Public Works

ATTACHMENT "A"

**SURRENDER OF PORTION OF OLD COBURG ROAD (CO. RD. 180)
TO THE CITY OF EUGENE**
SE1/4 Section 16, T. 17 S. R. 3W., W.M.
LANE COUNTY
NO SCALE

