

Chapter 2.04

BOARD OF COMMISSIONERS

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2.04.010 Short title. This chapter shall be referred to as the county general powers ordinance. (Ord. 82-6-5 §1, 1982)

2.04.020 Purpose. The purpose of this chapter is to provide general powers and authority for the board of commissioners of the county, to manage and control the general business of the county and to act on matters of county concern. It is declared that the powers set forth in this chapter shall be regarded as essential governmental functions of county concern. (Ord. 82-6-5 §2, 1982)

2.04.030 Interpretation of terms. (deleted Ord. 97-1-4, §6, 1997)

2.04.040 Authority and powers. The board of commissioners shall have the authority and powers to perform any and all acts necessary to conduct county business where the law does not otherwise expressly provide, including but not limited to the following:

- A. To acquire real or personal property by lease or purchase.
- B. To provide, establish, erect, maintain, repair, improve, demolish, purchase, sell, lease, administer, manage or regulate:
 - 1. Public buildings, courthouses, jails, and other facilities for the use of the county;
 - 2. County fair, athletic and exposition grounds and facilities;
 - 3. County parks and recreational grounds and facilities;
 - 4. Public bridges upon any public road or highway within the county;
 - 5. County roads, highways and rights-of-way including the establishment, alteration and vacation thereof;
 - 6. County water treatment, sewage disposal systems and facilities.
- C. To provide, appoint, hire, discipline, promote, regulate, terminate, administer or manage:
 - 1. Persons, firms, partnerships, corporations employed or contracted with for the purpose of performing services for the county;
 - 2. Employment conditions including facilities, salaries, vacations, sick leave, retirement and other benefits;
 - 3. Persons serving on county advisory boards and commissions.

D. To estimate revenue and to levy the rate necessary to collect the estimated revenue for county business.

E. To issue, grant, suspend, revoke, terminate or regulate licenses and permits for business and other purposes.

F. To collect, disburse, or refund taxes, fees, fines, costs and other assessments.

G. To provide financial and other material assistance to handicapped persons and rehabilitation facilities in the county as defined in ORS 344.710. (Ord. 97-1-1, 1997)

H. To perform any and all acts necessary to enforce the provisions of this chapter and applicable state laws.

I. To exercise the power of eminent domain and acquire property that is needed for any of the public purposes set forth in subsection B of this section or public improvements that the county is empowered to acquire or construct pursuant to county ordinance or state law. Any proceeding pursuant to this subsection shall comply with the provisions of ORS Chapter 35.

J. To authorize county employees, independent contractors or agents to enter upon private real property to examine, survey, and select such property for acquisition by the county. (Ord. 84-9-5 §2, 3, 1984; Ord. 82-6-5 §5, 1982)

K. To appropriate and expend county funds to advocate, oppose, and provide information on Federal and State legislation, regulations, and administrative rules that affect the county and to authorize county officers, employees, and agents to communicate on matters of concern to the county with members, officers, employees, and agents of the United States Senate, the United States House of Representatives, the Oregon Senate, the Oregon House of Representatives, and Federal and State agencies. (Ord. 97-1-1, 1997)

2.04.050 Nonpartisan Nature of Office of Commissioner. Beginning with filings for election to the office of Douglas County Commissioner for the primary election of 2008, all offices of Douglas County Commissioner shall thereafter be “nonpartisan” within the meaning of ORS Chapter 249 and other state elections laws. (2006 General Election)

2.04.060 Term Limits on Douglas County Board of Commissioner. Any member of the Douglas County Board Commissioners, who has been elected or appointed to office after the effective date of this initiative adopted by voter approval, shall be eligible to serve no more than 8 years consecutively on Douglas County's Board of Commissioners. The years served by any member elected or appointed to serve less than one half of a full term or to fill a vacancy (of less than one half term) in office shall not be included in the 8 consecutive year limitation set forth herein; but no member who has completed 8 consecutive years in office shall thereafter be eligible for election without first leaving the office of Board of Commissioner for one election cycle. Any member of the Board who is serving a term in office or who has been elected or appointed to serve a term on the Board of Commissioners in Douglas County on the effective date hereof shall be entitled to complete his or her term. This initiative shall be effective on the 1st day of the year following its adoption. All persons elected, appointed and currently serving as Commissioner of Douglas county shall complete the remainder of such term.

To promote varied representation, to broaden the opportunities for public service, and to make the electoral process fairer by reducing the power of incumbency, terms in Douglas county's Board of Commissioners elected offices are limited as follows:

- (1) No person shall be elected to the office of County Commissioner more than twice consecutively and shall be denied candidacy for appointment to the same prior to a furlough of one election cycle following their last term in office of any seat on the Board of Commissioners.
- (2) When a person is appointed or elected to fill a vacancy in office with not less than half of the term remaining, then such service shall be counted as one term for the purposes of this Section.
- (3) A person shall not appear on the ballot as a candidate for elected office or be appointed to fill a vacancy in office if serving a full term in such office would cause them to violate the limits in this Initiative upon its adoption by the people.
- (4) If a portion of this initiative is found to be unconstitutional then only that portion shall be stricken as to allow the will of the peoples vote be upheld. (2014 General Election, Measure 10-134)