
CODIFIED ORDINANCES OF JACKSON COUNTY

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CHAPTER 216
County Administrator

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CROSS REFERENCES

- Actions against County officers and employees; defense - see ORS 30.285
 - Appointment of deputies and other County employees generally - see ORS 204.601
 - Chief Executive Officer to file statement of economic interest - see ORS 244.050
 - Interest in contracts - see ORS 279.990
 - Supervision of department directors - see ADM. 246.45
 - Authority re traffic control - see TRAF. 410.01 et seq.
 - Authority re parking - see TRAF. 440.02
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216.01 APPOINTMENT BY BOARD OF COUNTY COMMISSIONERS.

The Board of County Commissioners is hereby authorized to enter into an agreement, for such term as the Board may specify, for the engagement of a person, selected on the basis of his or her executive and administrative qualifications and his or her experience in and knowledge of generally accepted practices in municipal administration, to act as the County Administrator. The relationship between the County and the County Administrator shall be as set forth in this chapter and any contract between the County and the County Administrator.

(Ord. 81-1. Passed 1-7-81.)

216.02 REMOVAL FROM OFFICE.

(a) The County Administrator may be removed by a majority vote of the Board of County Commissioners. Upon such a majority vote, the Board shall adopt a preliminary resolution stating the reasons for his or her removal. The County Administrator may reply, in writing, and may request an opportunity to be heard at a meeting of the Board, which shall be held not earlier than twenty days nor later than thirty days after the filing of such request.

(b) After such hearing of the Board, if one is requested, and after full consideration, the Board may adopt a final resolution of removal. By the preliminary resolution, the Board may suspend the County Administrator from duty, but shall cause to be paid to him or her forthwith any salary and fringe benefit amounts due him or her as the result of the duly executed employment agreement in effect at the time of the preliminary resolution. No such payment shall be made if his or her removal is for any reason involving his or her moral turpitude or lack of integrity pursuant to the terms of the duly executed employment agreement.

(Ord. 83-25. Passed 12-28-83.)

216.03 GENERAL RESPONSIBILITIES.

The County Administrator shall be the Chief Administrative Officer, shall be responsible to the Board of County Commissioners for the administration and management of the County and shall have control and supervision of all administrative departments, divisions, offices and agencies subject to his or her jurisdiction, except as otherwise provided by the County Charter.

(Ord. 81-1. Passed 1-7-81.)

216.04 SPECIFIC DUTIES.

The duties of the County Administrator shall include the following:

- (a) To see that all terms and conditions imposed in favor of the County in any contract or franchise are faithfully kept and performed;
- (b) To keep the Board of County Commissioners informed, at all times, concerning the financial condition and needs of the County and other pertinent matters related to its administration;
- (c) To recommend to the Board such measures as he or she may consider necessary or expedient;
- (d) To prepare and recommend to the Board and the Budget Committee an annual budget;
- (e) To prepare and present to the Board a comprehensive annual report on the financial transactions and other activities of the County following the close of each fiscal year;
- (f) To make any study or investigation which, in his or her opinion, may be for the best interest of the County or which may be ordered by the Board;
- (g) To exercise full supervisory authority over the several administrative officers and departments under his or her jurisdiction, including appointment, discharge, adjustment of compensation and administration of discipline; and
- (h) The County Administrator is delegated authority to adopt procedures and guidelines to implement the federal Health Insurance Portability Accountability Act to the extent it applies to work performed by Jackson County departments which is covered by that law.
- (i) The County Administrator is delegated signing authority to authorize payroll for Jackson County employees.
- (j) To adopt and enforce policies related to the administration and management of the County.
- (k) To perform such other duties as may be required by the Board.

(Ord. 81-1. Passed 1-7-81; Ord. 83-25. Passed 12-28-83; Ord. 2003-9. Passed 4-23-03; E.Ord 2011-13. Passed 7-6-11; Ord. 2011-12. Passed 7-20-11; Ord. 2014-4. Passed 4-02-14.)

216.05 ATTENDANCE AT BOARD MEETINGS.

The County Administrator shall attend meetings of the Board of County Commissioners when requested to do so.

(Ord. 81-1. Passed 1-7-81.)

216.06 APPOINTMENT OF ADMINISTRATIVE OFFICERS.

The County Administrator has authority to appoint all administrative heads and department directors, including County Counsel, that are not under the authority of an elected official specifically mentioned in the Jackson County Charter, Chapter VI(2). All such appointments shall be for indefinite terms at the pleasure of the County Administrator.

The County Administrator may serve as the head of any administrative department when a vacancy exists or when the department head is absent or incapacitated.

(Ord. 81-1. Passed 1-7-81; Ord. 2010-5. Passed 6-9-10.)

216.07 ABSENCE OR DISABILITY.

The County Administrator may designate an administrative officer of the County to exercise and perform his or her powers and duties during his or her temporary absence or disability. Such designation shall be made in writing and filed with the Board of County Commissioners.

(Ord. 81-1. Passed 1-7-81.)

216.08 VACANCY IN OFFICE; ACTING COUNTY ADMINISTRATOR.

The Board of County Commissioners shall appoint a capable person as the Acting County Administrator during a vacancy in the office of County Administrator. Such appointment shall be on a temporary basis until a County Administrator is appointed and has assumed his or her duties. Such person, while he or she is the Acting County Administrator, shall have all powers and duties conferred by this chapter on the County Administrator.

(Ord. 81-1. Passed 1-7-81.)

216.09 AUTHORITY REGARDING PERSONNEL PROGRAM.

The County Administrator shall establish a personnel program which provides for the employment of appropriate personnel to effectively meet the needs of the County under the policy of the County, and shall carry on such recruitment programs as are necessary to seek out and secure the most qualified individuals to fill positions at all levels of County service. In so doing, the County Administrator is hereby authorized to execute all appropriate personnel actions, including hiring, appointments, terminations, wage changes, authorization of payroll etc., not superseded by other sections of this chapter.

(Ord. 83-25. Passed 12-28-83; E Ord 2011-13, Pass 7-06-11; Ord. 2011-12, Passed 7-20-11.)

216.10 DELEGATION OF AUTHORITY; RECORDS.

(a) The County Administrator may delegate, in writing, to a department director, the authority to promote, suspend, transfer or take any other established personnel action for an employee in the particular department. This authority may not be redelegated by the department director and the delegation shall not change any provision of the County Charter.

(b) The County Administrator shall cause to be maintained an adequate record of his or her official acts and the employment record of every employee.

(c) A department director shall promptly submit data on a proposed appointment, status change or separation pertaining to an employee at such time, in such form and with such supporting information as the Board of County Commissioners prescribes or as the County Administrator deems necessary.

(Ord. 81-1. Passed 1-7-81.)

216.11 BUDGETARY CONTROL; APPROPRIATIONS.

(a) Generally - The County Administrator shall exercise budgetary control over each office, department and agency and shall work with those elected officials who, by the County Charter, are separate from the Board of County Commissioners, to cause separate accounts to be kept for the items of appropriation, as necessary. Unless the County Administrator is satisfied that there is a sufficient unencumbered balance and available funds in an account, no appropriation shall be valid and no liability shall be incurred or expenditure made on or from such account.

(b) Revising Appropriations - Approved allotments shall be reviewed by the County Administrator during the fiscal year, and if, in so doing, he or she ascertains that the total available income for the year is less than total appropriations, the County Administrator may reconsider and revise the appropriations so as to prevent the making of expenditures in excess of income.

(c) Reduction in Appropriations - Upon a determination that actual revenue receipts will not equal the original estimates upon which appropriations were based, the County Administrator shall make such reductions in appropriations as, in his or her judgment, will prevent the occurrence of a deficit.

(d) Transfer of Appropriations - The County Administrator may transfer any unencumbered appropriation or balance, or portion thereof, from any office, department, agency or division to another, and may transfer from within any office, department, agency or division any unencumbered appropriation, so long as the amount transferred within one fund in any one fiscal year does not exceed ten percent of the applicable fund total. No transfer of any appropriation shall be made which is prohibited by statute or ordinance or which is committed by existing contracts.

(Ord. 81-1. Passed 1-7-81; Adopting Ordinance. Passed 12-10-85; P. Ord. 95-49. Passed 10-11-95.)

216.12 EXAMINATION OF PROPOSED EXPENDITURES.

The County Administrator shall examine all purchase orders, payrolls and other items of proposed expenditures. Any proposed expenditure not specifically authorized by an appropriation or by the intent of the budget may be disapproved by the County Administrator, and no payment of any item so disapproved shall be made by any officer of the County.

(Ord. 81-1. Passed 1-7-81.)

216.13 AUTHORIZATION OF DISBURSEMENTS.

The County Administrator is hereby authorized to represent the Board of County Commissioners in the authorization of the disbursement of County funds.

(Ord. 81-1. Passed 1-7-81.)

216.14 REASSIGNMENT OF DUTIES.

The County Administrator may rearrange or reassign the work and duties of the divisions of the departments of the County that are not under the direction of an elected official, in such manner as, in his or her judgment, will promote efficiency and economy in the departments.

(Ord. 81-1. Passed 1-7-81.)

216.15 PURCHASING OF INSURANCE POLICIES AND OTHER APPROVED SERVICES.

The County Administrator may designate such agents or brokers as are necessary to purchase insurance policies and other services approved for purchase by the Board of County Commissioners.

(Ord. 83-25. Passed 12-28-83.)

216.16 CLAIMS AGAINST COUNTY.

The County Administrator shall be responsible for the administration of claims filed against the County. Claims in excess of fifty thousand dollar (\$50,000) settlement amounts require approval by the Board of County Commissioners. The County Administrator or his or her designee may settle claims of thirty thousand dollars (\$30,000) or less. Claims for thirty thousand dollars (\$30,000) to fifty thousand dollars (\$50,000) may be settled by the County Administrator and County Counsel or by the County Administrator and one member of the Board.

(Adopting Ordinance. Passed 12-10-85; Ord. 93-18. Passed 6-16-93; Ord. 2008-4. Passed 4-9-08.)

216.17 AUTHORITY TO TRANSFER TITLES TO COUNTY VEHICLES.

The County Administrator or his or her delegate is hereby authorized to transfer titles to County owned motor vehicles, pursuant to standard County procedures for such transfers.

(Order 140-82. Passed 4-7-82.)

216.18 OWNERSHIP OF ASSETS OF AGENCIES RECEIVING COUNTY GRANT FUNDS.

(a) Funds granted or provided by the County, once disbursed to the recipient, do not represent any further interest or contingent ownership in assets which may be acquired by the recipient, unless such an interest is required as a condition of receipt of the specific funds by the County from another agency or source.

(b) At the request of a recipient agency or the director of a County department administering such County grant, and within budgetary authority otherwise available, the County Administrator may approve the rental or lease of assets of the County, whether previously owned or specifically acquired for the recipient agency.

(Order 258-81. Passed 9-23-81.)

216.19 (Order 381-81. Passed 12-9-81; REPEALED by E. Ord. 98-4. Passed 1-21-98.)

216.20 ACQUISITION OF REAL PROPERTY.

The County Administrator is hereby authorized to execute agreements for the acquisition real property (including of rights of way) when the individual value of an acquisition does not exceed \$100,000. The County Administrator may delegate, in writing, this authority for acquisition.

(Adopting Ordinance. Passed 12-10-85; Ord. 2019-1. Passed 2-6-19.)

216.21 TAX REFUNDS.

(a) Delegation of Refund Authority - Subject to the conditions and limitations prescribed in subsection (b) hereof, the County Administrator or his or her designate may authorize the Finance Director to refund to a taxpayer taxes levied and collected in cases where the County Administrator or his or her designate finds that ORS 311.806(1) requires that such refund be made.

(b) Limitations - The County Administrator may exercise the delegated authority only upon application, order or request conforming with ORS 311.806(2). In no event shall the County Administrator authorize any such refund in violation of ORS 311.808. Nothing herein is intended to delegate the functions of the Board of County Commissioners under ORS 311.815 or 311.821.

(c) Appeals - Before taking any action to deny all or part of a proposed refund under ORS 311.806(1) (b), (c) or (d), the County Administrator shall refer the matter to the Board for a decision if the applicant taxpayer objects to the proposed denial of a refund, or the amount thereof, and requests a hearing. If the taxpayer does not object, within ten days after notification, the County Administrator shall proceed as proposed and his or her action shall be final and unappealable, except as otherwise prescribed by law.

(Ord. 85-6. Passed 7-17-85.)

216.22 (Ord. 91-4. Passed 1-2-91; REPEALED by Ord 2003-3. Passed 1-8-03.)

216.23 NO EMINENT DOMAIN FOR PURELY PRIVATE BENEFIT

Jackson County shall not use the power of eminent domain for the sole benefit of private entities. Jackson County's use of the power of eminent domain shall continue to be limited by Article I, Section 18 of the Oregon Constitution.

(Ord. 05-13. Passed 9-14-05.)

216.24 OPPOSITION TO STATE AND FEDERAL LAWS WHICH INFRINGE UPON SECOND AMENDMENT RIGHTS

Jackson County does not support the enactment of any State or Federal laws, regulations, or other restrictions which violate or infringe on the rights of the people to bear arms as guaranteed by the Second Amendment to the Constitution of the United States and Article 1, Section 27, of the Oregon Constitution.

(Ord. 2021-3. Passed 6-23-21.)

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