

RESOLUTION NO. 3010

RESOLUTION AUTHORIZING AMENDMENT TO THE OREGON DISTRICT 4 COUNCIL OF GOVERNMENTS
ARTICLES OF AGREEMENT

WHEREAS, the City of Albany is a member of the Oregon District 4 Council of Governments and signatory to the Articles of Agreement forming that agency; and

WHEREAS, the Albany City Council has reviewed the amendments proposed by the Board of the Council of Governments at its meeting of November 15, 1990; and

WHEREAS, the Albany City Council finds that the proposed amendments are appropriate and beneficial.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council by this resolution ratifies the amendments proposed by the Council of Governments Board at its meeting of November 15, 1990.

DATED this 12th day of December 1990.



Mayor

ATTEST:



City Recorder



408 SW Monroe • Corvallis, Oregon 97333 • (503) 757-6851 • FAX (503) 757-7072

DATE: November 19, 1990
TO: COG Members
FROM: Ken Toombs, Chairman
RE: Proposed Revision to COG Articles of Agreement

You will find attached the COG's Articles of Agreement with proposed revisions to implement changes unanimously approved by the COG Board at their meeting of November 15, 1990. All member jurisdictions and agencies must independently vote to ratify changes to the Articles of Agreement, before the changes may take effect.

The major impetus for revising the COG Articles is to allow for more interaction among members on issues of regional significance and to increase opportunities for all members to be directly involved in COG policy establishment. Currently, most policy is set by the Executive Board which consists of only 6 of COG's 27 members.

The current Executive Board would no longer exist. Instead, an Executive Committee would meet on alternate months to the full Board to consider issues for presentation to the full Board.

Much of the work on policy and program development would originate within the COG committee structure. The committees initially would consist of finance, senior services, community and economic development, and transportation.

In addition, member staff in the areas of administration and planning would be more directly involved in the COG decision-making structure. Their involvement will be invaluable for their expertise and insight relative to what is needed within the region and how best to respond to that need.

You will find two charts attached. One presents the present structure of COG. The other depicts the new structure. It is important to note that under the proposed amendments to the Articles, members of the full board would serve on all major COG advisory committees. Thus, policy and program would not only come to all members for decision instead of going to the small Executive

Linn-Benton Sub-District

Benton County:

Adair Village, Corvallis, Monroe, Philomath

Linn County:

Albany, Brownsville, Halsey, Harrisburg, Lebanon, Lyons, Millersburg, Scio, Sweet Home, Tangent

Lincoln Sub-District

Lincoln County:

Confederated Tribes of Siletz, Depoe Bay, Lincoln City, Newport, Port of Newport, Port of Toledo, Siletz, Toledo, Waldport, Yachats

Board, but all members will have an opportunity to participate in policy and program development.

Below, you will find a description of the proposed Board and Committee structure:

1. **BOARD OF DIRECTORS (Full Board)**

The Board of Directors would consist of a representative from all member jurisdictions. They would meet every other month to address and act upon policy and program matters brought to them by COG standing committees. No major policy would be made for COG by any other COG entity.

2. **EXECUTIVE COMMITTEE**

The Executive Committee would meet on alternating months to the Board of Directors. The committee would have a limited role including, developing the full Board meeting agenda, making administrative decisions brought to them by staff, and carrying out personnel responsibilities delegated by the full Board.

3. **FINANCE COMMITTEE**

The Finance Committee would be responsible for development and consideration of budget matters, development of assessment proposals, development of service fee schedules, consideration of capitol expenditure and financing proposals. This committee would be structured so as to meet the requirements of State budget law for councils of governments.

4. **ADVISORY COMMITTEES**

a. Senior Services Advisory Council

The mission would remain the same as presently specified for the current Senior Services Advisory Council. All COG programs of assistance to seniors would be developed and presented to this committee. Annually, it would be responsible for development of an Area Plan for services as required by our federal designation as an Area Agency on Aging.

b. Community and Economic Development

This new committee would serve as the coordinating and collaboration point for economic planning and community development activities within the three county area. The chairs of the COG sponsored county economic development committees would be members of this committee. Annually it would be responsible for development of the agency's Overall Economic Development Plan as required by the

federal Economic Development Administration.

c. Transportation

The Transportation Advisory Committee would assume responsibility for several existing regional transportation task forces and committees. The committee's primary mission would be the development of advocacy positions for the State Six Year Highway planning process. The committee would also be responsible for facilitating other transportation related studies and programs.

5. **ASSOCIATED NETWORK GROUPS**

a. City and County and Special District Managers/ Administrators

Membership would include the chief administrative official from all members and their assistants. The function of the group would be primarily networking between jurisdictions. However, their comment on COG programs and activities would be encouraged by the Board. The Board may assign a specific task to this group.

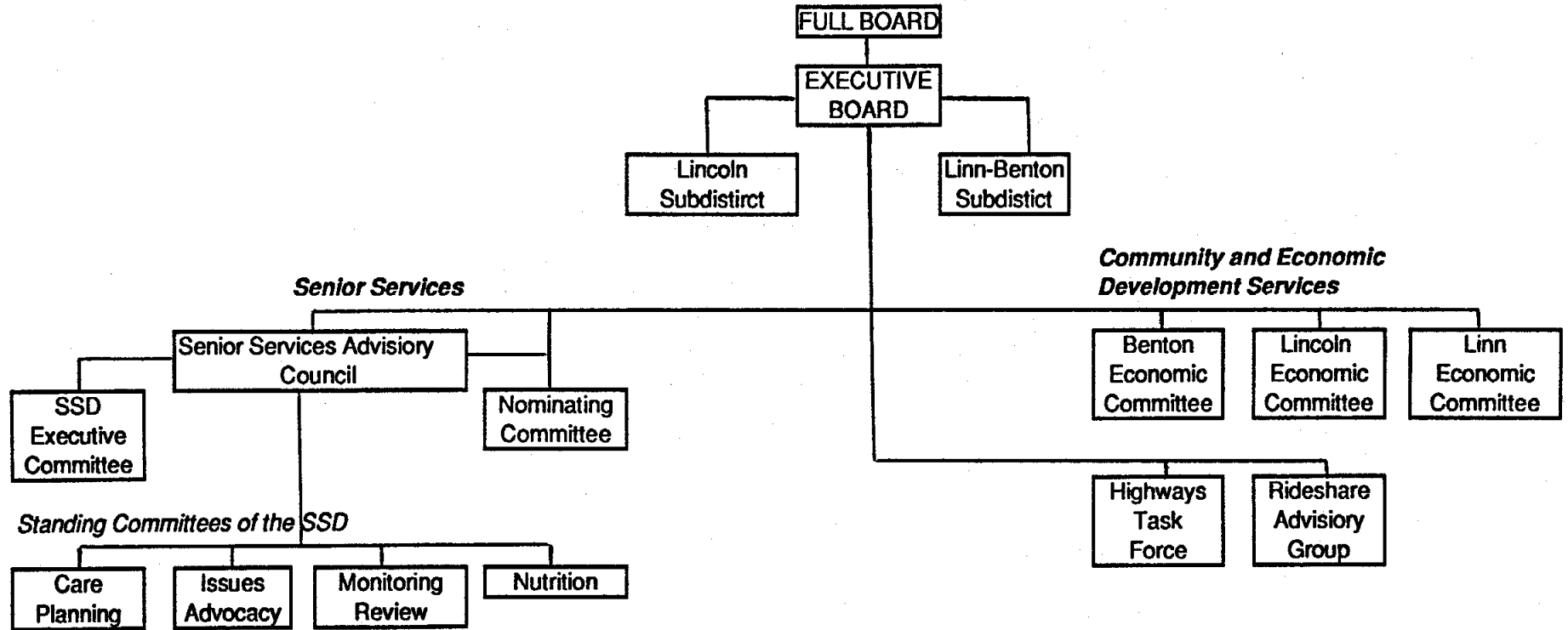
b. City and County Planning Staff

Membership would include planning directors from all member jurisdictions. The function of the group would be primarily networking between jurisdictions. However, their comment on COG programs and activities would be encouraged by the Board. The Board may assign a specific task to the group.

c. City, County and other Public or Private Sector Economic Development staff

Membership would include persons engaged in economic development activities on behalf of any member jurisdiction. The function of the group would be primarily networking between jurisdictions. However, their comment on COG programs and activities would be encouraged by the Board. The Board may assign a specific task to the group.

**CURRENT DECISION-MAKING STRUCTURE
OREGON DISTRICT 4 COUNCIL OF GOVERNMENTS**



Groups OD4COG provides staff to as a service or by contract

Linn Co.
Special
Transportation

Linn-Benton
Aging
Network

City and
County
Managers

City and
County
Planners

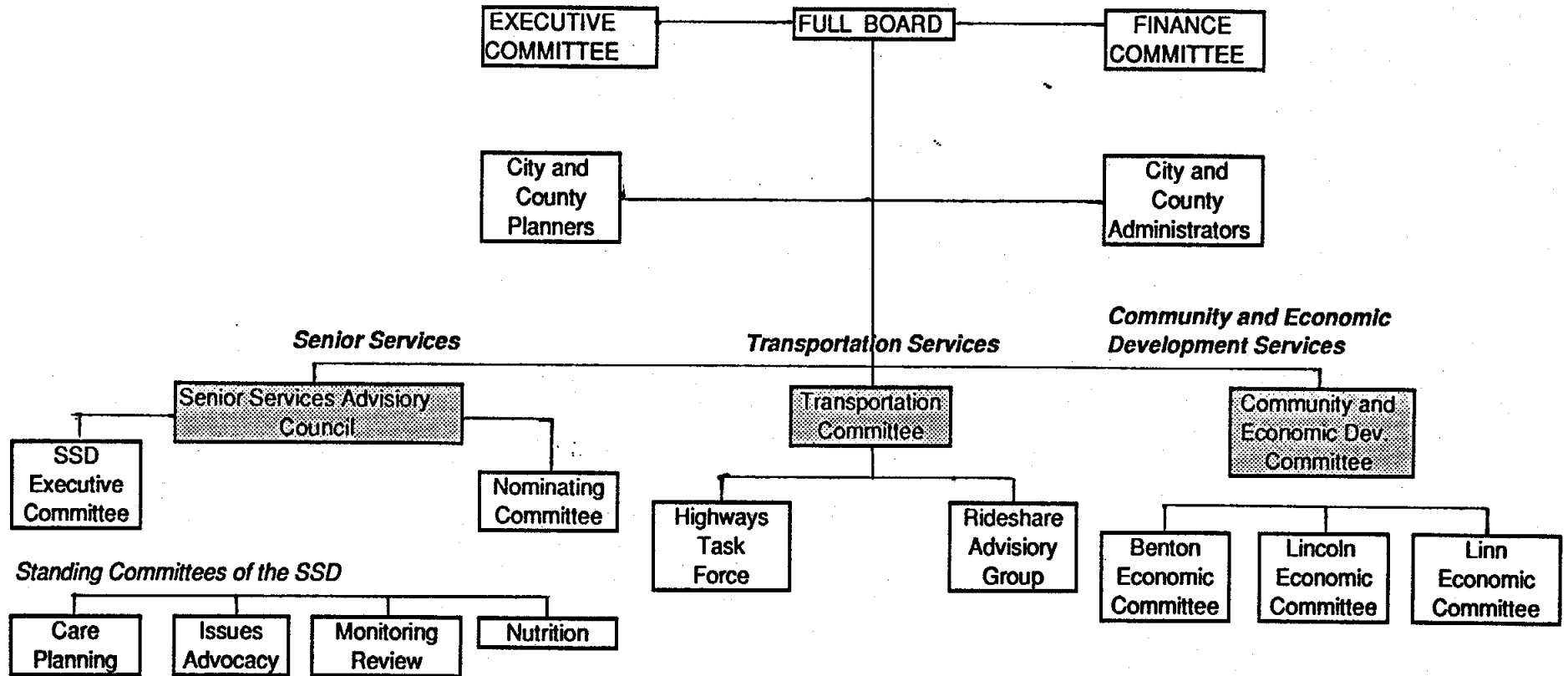
Cascades
West
Financial
Services

Cascades
West
Eco. Dev.
District

Southern
Willamettee
Research
Corridor

PROPOSED DECISION-MAKING STRUCTURE

OREGON DISTRICT 4 COUNCIL OF GOVERNMENTS



Groups ODACOG provides staff to as a service or by contract

Linn Co. Special Transportation

Linn-Benton Aging Network

Cascades West Financial Services

Cascades West Eco. Dev. District

Southern Willamettee Research Corridor

ARTICLES OF AGREEMENT

OREGON CASCADES WEST DISTRICT 4 COUNCIL OF GOVERNMENTS

Article I. Name

The name of this organization shall be: Oregon Cascades West District 4 Council of Governments (OCWOD4COG), hereinafter referred to as the Council.

Article II. Authorization

The authorization for the establishment of this organization is set forth in state enabling legislation (ORS 190.003 to 190.110) and by agreement among of its members.

Article III. Purposes

- (A) Investigate and present information on issues involving the region's physical and social condition;
- (B) Facilitate regional communication on issues of mutual interest;
- (C) Provide staff resources for multi-jurisdictional planning programs;
- (D) Provide staff for multi-jurisdictional program operation;
- (E) Offer staff resources to local governments to carry out programs or activities when such an arrangement would be beneficial; and,
- (F) Conduct, on behalf of member governments, federal and state programs of a single or multi-jurisdictional nature and/or impact.
1. ~~To provide a forum for identifying, discussing and solving areawide problems;~~
 2. ~~To coordinate planning and development activities among the various municipalities in Benton, Lincoln, and Linn Counties in such a manner as to maximize the benefits to be derived and to discourage duplication in planning and development programs, thereby promoting the most efficient use of each tax dollar;~~
 3. ~~To provide clearinghouse review of all projects requesting federal or state financial assistance; and~~
 4. ~~To perform other function that are deemed necessary for the physical, social and economic well being of the citizens of Benton, Lincoln and Linn Counties.~~

DRAFT -October 24, 1990

New or relocated wording looks like this.

~~Wording proposed for deletion looks like this.~~

1 (B) — Duties
2

- 3 1. — ~~Initiate, conduct, or cause to be conducted planning studies;~~
4
5 2. — ~~Prepare and adopt areawide and regional comprehensive plans, programs, or~~
6 ~~policies;~~
7
8 3. — ~~Prepare, adopt and recommend policies and programs to alleviate problems or~~
9 ~~improve the effectiveness, efficiency, and responsiveness of local governments and~~
10 ~~other organizations in the area;~~
11
12 4. — ~~Prepare, on request, studies, plans, policies, resolutions, ordinances, and similar~~
13 ~~items, for local governments and other agencies for their consideration;~~
14
15 5. — ~~Provide technical assistance and advice, and review and evaluate studies, plans,~~
16 ~~policies, and ordinances, on request, for local governments and other agencies;~~
17
18 6. — ~~Collect and distribute economic and demographic data to local governments, other~~
19 ~~agencies, private businesses and the general public; and~~
20
21 7. — ~~Perform other services similar to the above which are consistent with the purposes~~
22 ~~of this agreement.~~
23

24 *The section on "Functions" has been moved to become Article VIII.*
25

26 (C) — Functions
27

- 28 1. — ~~Enter into agreements with the United States, the State of Oregon, public or~~
29 ~~private agencies, or corporations, and individuals for the purpose of obtaining~~
30 ~~funding or payment to carry out the objectives, programs and purposes of the~~
31 ~~Council;~~
32
33 2. — ~~Own or lease equipment and other property in its own name;~~
34
35 3. — ~~Adopt a budget indicating the receipts and expenditures of the Council and~~
36 ~~establish the amount of financial participation by each member government;~~
37
38

New or relocated wording looks like this.

~~Wording proposed for deletion looks like this.~~

- 1 4. ~~Seek and accept grants, gifts, loans, and donations in the name of the Council, a~~
2 ~~member government or member governments, or other public or quasi public~~
3 ~~agencies;~~
- 4
- 5 5. ~~Make, adopt, and amend Rules of Procedure and/or Bylaws consistent with this~~
6 ~~Agreement;~~
- 7
- 8 6. ~~Employ staff, retain consultants, or obtain the personal services of individuals or~~
9 ~~employees of other agencies;~~
- 10
- 11 7. ~~Establish advisory committees; and~~
- 12
- 13 8. ~~Take such other actions as are necessary to enable the Council to carry out these~~
14 ~~functions and duties which are consistent with this agreement and state law.~~
- 15

16 Article IV. Council Governing Board Body Membership

- 17
- 18 (A) 1. Each member unit of government shall be entitled to one principal representative
19 and an alternate selected by and from members of its elected governing board
20 body to serve on the Council governing board body, hereinafter referred to as
21 Board;
- 22
- 23 2. Each member unit of government shall be entitled to one alternate to Alternates
24 may represent the member unit of government in the absence of the principal
25 representative on the governing board body and any board or committee of the
26 Council;
- 27
- 28 3. If no elected official is available for a specific meeting, the representative or chief
29 elected official of the member government, may assign a staff of that government
30 to attend that meeting. Such appointed representative shall have all rights and
31 responsibilities of the regular representative for that meeting. The delegation shall
32 be made in writing for each meeting, and presented to the Chair of the meeting;
33 and,
- 34
- 35 4. Representatives and alternates shall hold office until their successors are
36 appointed.
- 37
- 38

DRAFT -October 24, 1990

New or relocated wording looks like this.

~~Wording proposed for deletion looks like this.~~

1 (B) The following units of local governments shall be eligible for membership in the Oregon
2 ~~District 4 Cascades West Council of Governments:~~

- 3
4 1. Any general purpose local government within Benton, Lincoln and Linn Counties;
5
6 2. Any special function entity (eg. port districts, public utility districts, etc.); and
7
8 3. Any public educational institution or district.
9

10 (C) An eligible unit of local government may become a member of the Council by:

- 11
12 1. Adopting a resolution endorsing the Articles of Agreement; and
13
14 2. ~~Budgeting and Paying their~~ its annual dues based on their population.
15

16 (D) An eligible special function entity may become a member by:

- 17
18 1. Adopting a resolution endorsing the Articles of Agreement;
19
20 ~~2. Receiving the positive recommendation of the Council Sub-district Committee(s)~~
21 ~~within which the entity carries out its functions;~~
22
23 3.2. Receiving an affirmative vote of a majority of the ~~Executive Board~~ accepting their
24 request for membership; and
25
26 4.3. ~~Budgeting and Paying their~~ its annual dues based on their population.
27

28 ~~(E) If a representative or alternate cannot meet the required qualification for his elective~~
29 ~~position, his/her position on the COG governing board shall be deemed vacant.~~
30

31 (E) Termination of Membership in the Council:

- 32
33 1. Membership in the Council may be terminated by written notice to the Board no
34 later than May 1, ~~at least 60 days prior to the beginning of the fiscal year in~~
35 ~~which termination is sought; and Membership shall be terminated upon non-~~
36 ~~payment of the member's annual assessment on or before January 31 of the~~
37 ~~appropriate year.~~
38

New or relocated wording looks like this.

~~Wording proposed for deletion looks like this.~~

- 1 2. If the annual assessment of a member is not paid by January 31 of the fiscal year
2 for which it is due, the governing board may either terminate the membership of
3 that member or grant an extension to, but not beyond June 30 of the fiscal year
4 for which the assessment is due.
5

6 *Article V. below, was previously a part of Article III. The wording of the functions of the*
7 *Board has not changed, except to add paragraphs (D), (H), and (I).*
8

9 Article V. Functions of the Board

- 10
11 (A) Enter into agreements with the United States, the State of Oregon, public or private
12 agencies, foundations or corporations, and individuals for the purpose of obtaining
13 funding or payment to carry out the objectives, programs and purposes of the Council;
14
15 (B) Own or lease equipment and other property in its own name;
16
17 (C) Adopt a budget indicating the receipts and expenditures of the Council and establish the
18 amount of financial participation by each member government;
19
20 (D) Inform each member government no later than 2 weeks after a dues rate has been set by
21 the governing board, of the amount of dues it will be assessed for the following fiscal
22 year.
23
24 (E) Seek and accept grants, gifts, loans, and donations in the name of the Council, a member
25 government or member governments, or other public or quasi-public agencies;
26
27 (F) Make, adopt, and amend Rules of Procedure and/or Bylaws consistent with this
28 Agreement;
29
30 (G) Employ staff, retain consultants, and obtain the personal services of individuals or
31 employees of other agencies;
32
33 (H) Establish advisory committees;
34
35 (I) Adopt and authorize all advocacy positions of the Council; and,
36
37 (J) Take such other actions as are necessary to enable the Council to carry out those purpose
38 and functions ~~and duties~~ which are consistent with this agreement and state law.

New or relocated wording looks like this.

~~Wording proposed for deletion looks like this.~~

1 Article VI. Officers

2
3 (A) The officers of the Board shall consist of a Chair, ~~and Vice-Chair, and Treasurer~~ elected
4 from among ~~the its members general purpose local government representatives and by the~~
5 ~~duly appointed representatives on the Board, for one year terms starting on July 1.~~
6 ~~Officers may be re-elected for up to three consecutive terms.~~

7
8 (B) Duties:

9
10 1. Chair -- The Chair shall have general supervisory and direction powers of the
11 Council, shall preside at all Board ~~Council~~-meetings, shall appoint the members
12 and chairs of all committees except as otherwise provided herein, and shall be a
13 non-voting ex-officio member of all committees of the Council. The Chair is the
14 sole official spokesperson of the ~~governing body~~ Board on all matters of policy
15 and position, unless this responsibility is delegated in writing to another member
16 of the ~~governing Board body, or, a member of a board or committee~~ appointed by
17 the ~~governing Board, body or a member of the staff of the Council;~~

18
19 2. Vice-Chair -- In the absence of the Chair, the Vice-Chair shall execute all the
20 powers of the Chair; and,

21
22 3. Treasurer -- The Treasurer shall chair the Finance Committee.

23
24 (C) A vacancy in the office of Chairman of the Council shall be filled by the Vice-Chair for
25 the unexpired term. In such event, a new Vice-Chair shall be elected at the next regular
26 or special meeting of the Board ~~Council~~ and he shall serve the balance of the term of that
27 office.

28
29 (D) The Chair and Vice-Chair shall not be residents ~~from~~ of the same county.

30
31 Article VII. Election of Officers

32
33 (A) An election shall be held at each November meeting of the Board. In odd numbered
34 years, a new Chair and Vice Chair shall be elected. In even numbered years, a Treasurer
35 shall be elected. The initial election after adoption of this provision shall be for all three
36 offices; ~~annual organizational meeting shall be held by the Board no later than June 30th~~
37 ~~of each year during which officers for the coming year will be elected.~~

DRAFT -November 19, 1990

New or relocated wording looks like this.

~~Wording proposed for deletion looks like this.~~

1 (B) The Chair shall appoint a nominating committee to propose a slate of officers for the
2 coming year;

3
4 (C) Nominations may be made from the floor and Candidates receiving a simple majority vote
5 of those members present at the annual organizational meeting shall be declared elected;
6 and,

7
8 (D) A person may not succeed themselves in the offices of Chair and Vice Chair, except
9 following an appointment to the unexpired term of another person. After a lapse of a
10 year or more, a person may be elected to a previously held office.

11
12 ~~(D) In the event both the Chair and Vice Chair are unable to serve and both offices are~~
13 ~~simultaneously vacant, the Executive Board shall conduct a mail ballot to be held to fill~~
14 ~~both offices. The Executive Board shall propose one or more nominations for each~~
15 ~~office. The person receiving a majority of votes shall be elected. For the election to be~~
16 ~~valid, votes shall be received from at least a majority of the current members of the~~
17 ~~Council. Members shall be sent ballots by certified mail and shall have 15 days to return~~
18 ~~the ballots.~~

19
20 ~~(E) In the event the Vice Chair is no longer able or qualified to serve, the Executive Board~~
21 ~~shall propose one or more nominations for Vice Chair. The Executive Board shall~~
22 ~~conduct a mail ballot to be held to fill the office of Vice Chair. The person receiving a~~
23 ~~majority of votes shall be elected. For the election to be valid, votes shall be received~~
24 ~~from at least a majority of the current members of the Council. Members shall be sent~~
25 ~~ballots by certified mail and shall have 15 days to return the ballots.~~

26
27 Article VIII. Organizational Procedures

28
29 (A) The Council Board shall meet every other month ~~at least once a year, in June.~~ A
30 calendar of meetings for the year shall be distributed in January of each year. ~~At least~~
31 ~~two (2) weeks notice shall be given to the membership for a regular meeting.~~ Regular
32 meetings shall be held on a rotating basis in Benton, Lincoln, and Linn Counties;

33
34 (B) Additional Special meetings may be called by the Chair ~~with the concurrence of two (2)~~
35 ~~additional members, or by a majority of the full membership of the Council or by three~~
36 members of the Board. At least seven (7) calendar ~~five (5) days'~~ notice shall be given
37 to the membership for special meetings;

New or relocated wording looks like this.

~~Wording proposed for deletion looks like this.~~

- 1 (C) Each representative, ~~or~~ alternate or appointed representative ~~in his absence, his alternate,~~
2 shall be entitled to one vote on matters before the Board ~~Council~~;
- 3
- 4 (D) Except as otherwise provided in these Articles of Agreement, a simple majority of the
5 ~~members representatives~~ present and voting shall be sufficient to decide a question before
6 the Board ~~Council~~;
- 7
- 8 (E) A quorum shall consist of a simple majority of the members ~~representatives~~ of the Board;
- 9
- 10 (F) Unless otherwise specified, Roberts Rules of Order Revised shall govern the proceedings
11 of the meetings of the Board ~~Council~~; and,
- 12
- 13 (G) If a representative requests a written ballot vote on any issue before the Board, such
14 request shall be granted.
- 15

16 *The previous paragraph (G) has been moved to Article XI Executive Committee*

17
18 ~~(G) In the event the Executive Board wishes to poll the membership on a specific issue, it~~
19 ~~may hold a mail ballot for this purpose. Members shall be sent ballots by certified mail~~
20 ~~and shall have 15 days to return the ballots.~~

21
22 *Article IX has been added below. This article replaces the previous Article VIII.*

23
24 Article IX. Standing Committees

- 25
- 26 (A) In order to carry out work of the Board, standing committees may be created by the
27 Board. The purpose and scope of activity of each committee shall be outlined by and
28 adopted by the Board. All standing committees are established to facilitate the work of
29 the Board and are advisory to the Board. No committee may take any action independent
30 of the authority granted in writing to the committee by the Board;
- 31
- 32 (B) Unless otherwise provided herein, each standing committee shall consist of three members
33 of the Board who shall be from three different counties, and such other members as
34 deemed appropriate by the Board. All committee members shall be approved by the
35 Board and serve at the pleasure of the Board;
- 36
- 37 (C) The Chair of the Board shall appoint all standing committee chairs, who shall serve at the
38 pleasure of the Chair of the Board;

New or relocated wording looks like this.

~~Wording proposed for deletion looks like this.~~

1 (D) Each standing committee may develop its own by-laws. The by-laws and any
2 amendments thereto must be approved by the Board. In the event by-laws are not
3 approved, committees shall follow standard Robert's Rules of Order; and,
4

5 (E) When deemed appropriate, the Board may dissolve a standing committee.
6

7 Article VIII. Committees
8

9 ~~(A) In order to carry out work of the Council, committees may be created by a majority vote
10 of the membership. The purpose and scope of activity of each committee shall be
11 outlined in writing.~~
12

13 ~~(B) The Chair may appoint committee chairs and members, unless the bylaws of the
14 committee specify otherwise.~~
15

16 ~~(C) The Chair of each committee will provide written and/or oral reports of their activities
17 to the Board Council Chair.~~
18

19 Article X IX. Special Committees and Task Forces Committees and Subdistricts
20

21 ~~(A) Committees~~
22

23 The Executive Board may from time to time authorize and appoint the membership of special
24 or-standing committees or task forces. Committees and task forces shall exist at the pleasure of
25 the Executive Board and will may establish a mission, rules, and/or bylaws for action to be
26 approved by the Board Executive Director.
27

28 ~~(B) Subdistricts~~
29

30 ~~Two subdistricts shall be established. One will service Lincoln County. The other will
31 service Linn and Benton Counties. The subdistricts exist to provide a forum for
32 information exchange to and between members' governments. Issues may be referred to
33 subdistricts by the Executive Board for recommendation prior to Executive Board action.
34 These Articles of Agreement may specify certain matters to automatically be referred to
35 subdistricts for recommendation to the Executive Board, or final disposition.~~
36
37

New or relocated wording looks like this.

~~Wording proposed for deletion looks like this.~~

1 Article XI. Executive Committee Board

2
3 (A) ~~A member~~ An Executive Committee Board is hereby established composed of the three
4 officers of the Council;

5
6 1. ~~One county commissioner from each county government.~~

7
8 2. ~~One representative from a city government within each county to be elected at the~~
9 ~~June meeting following the election of officers, from city representatives of each~~
10 ~~county. The Chair of each Subdistrict shall appoint a nominating committee to~~
11 ~~present a nomination for city representative from each county. Nominations can~~
12 ~~be made from the floor.~~

13
14 3. ~~Vacancies shall be filled by a vote of the city representatives present, from the~~
15 ~~county with the vacancy, at the next regular or special Subdistrict meeting.~~

16
17 (B) The purpose of the Executive Committee Board shall be to act on administrative matters
18 on behalf of the Board between meetings of the Board. ~~carry on the day to day operation~~
19 ~~of the Council and to act for the Council upon matters which have been recommended~~
20 ~~to them by the committees or subdistricts. Day to day Council operations~~ Administrative
21 matters shall include, but not be limited to review and/or approval of: bills, approval of
22 contracts, agreements, and grants, lobbying plans presented by Council Committees,
23 development of Board agendas, and similar matters of a non-policy making nature;

24
25 (C) Regular Executive Committee Board meetings shall be held every other month in the
26 months a regular Board meeting is not to be held ~~once a month~~. A schedule of meetings
27 for the ~~ensuing year~~ may be adopted at the first meeting of the Executive Committee
28 Board in a calendar year ~~following an election of members to the Executive Board~~.
29 Special meetings may be called as deemed necessary by the Chairman or by any member
30 of the Committee Board;

31
32 (D) A quorum shall consist of two (2) ~~four (4)~~ members; and,

33
34 *The paragraph below was a part of Article VII Organizational Procedures*

DRAFT -November 19, 1990

New or relocated wording looks like this.

~~Wording proposed for deletion looks like this.~~

- 1 (E) In the event the Executive Committee wishes to poll the membership on a specific issue,
2 it may hold a mail poll for this purpose. Members shall be sent ballots by certified mail
3 and shall have 15 days to return the ballots.
4

5 Article XII. Finance
6

- 7 (A) Revenues of the Council shall be from member contributions, grants, gifts, donations, fees
8 or other payments received for purposes consistent with its Council functions;
9

- 10 (B) Expenditures shall be to accomplish the purposes of the Council.~~including the work and~~
11 ~~supplies necessary therefore and may include payments to member governments in~~
12 ~~reimbursement for staff services provided by request of the Council;~~
13

- 14 (C) The fiscal year of the Council shall begin July 1 and end June 30 of each the following
15 year;
16

- 17 (D) A Finance Committee consisting of the officers of the Board and chairs of standing
18 committees shall be responsible for financial matters of the Council, including:
19

- 20 1. Review of expenses on behalf of the Board;
21
22 2. Recommending a dues rate for the following fiscal year to the Board at the
23 January meeting;
24
25 3. Preparing a draft budget for the Council in a manner consistent with state law;
26 and,
27
28 4. Developing policies concerning financial and contracting procedures.
29

- 30 ~~(D) No later than February 28 of each year, the Executive Board shall propose a draft budget~~
31 ~~prepared by the Executive Director for the Board including the rate of dues for the~~
32 ~~following fiscal year. No later than January 31 of each year the Executive Board will~~
33 ~~propose a rate of dues for the following fiscal year.~~
34

- 35 ~~(E) Member agencies shall include an appropriation request in their budgets for an amount~~
36 ~~equal to the request of the Board. On or before June 30, each agency shall advise the~~
37 ~~Board of their action regarding the requested contribution. Remittance of the contribution~~
38 ~~from the member agency to the Council shall be made as soon as is practical, but in no~~

New or relocated wording looks like this.

~~Wording proposed for deletion looks like this.~~

1 ~~(F) The Council is authorized to function as its own fiscal agent, and to establish the~~
2 ~~necessary financial, purchasing, personnel, and other policies necessary to perform as~~
3 ~~fiscal agent.~~
4

5 ~~(G) Each year the Executive Director shall develop a budget for the operation of the Council.~~
6 ~~The budget shall provide a financial plan for the accomplishments of programs adopted~~
7 ~~by the Council, including estimates of revenues and expenditures. The budget shall be~~
8 ~~adopted by the Executive Board at their May meeting and presented to the Board Council~~
9 ~~at the annual June meeting.~~

10
11 (E) Each year, Council financial records shall be audited in accordance with state law,
12 appropriate federal program guidelines, and generally accepted auditing standards; and,
13

14 (F) A separate fund shall be established for both the Senior Services and "Meals on Wheels"
15 Programs. The Board ~~with the Council to~~ shall maintain such funds separate and apart
16 from the general fund of the Council.
17

18 1. Revenues from grants, gifts, donations, or other payments earmarked for Senior
19 Services or "Meals on Wheels" shall be placed in ~~this~~ separate funds, with such
20 funds to be utilized solely for the operation of the Senior Services or "Meals on
21 Wheels" programs or its successor programs;
22

23 2. In the event that the Council of Governments discontinues the provision of this
24 service, funds within ~~this~~ these accounts shall pass to the successor agency(s)
25 serving all or part of Linn, Benton and Lincoln Counties. In the event there is no
26 successor agency, the funds will be transferred in three equal amounts to the
27 United Ways of Linn, Benton and Lincoln Counties. In the event a United Way
28 program does not exist in one or more of the three counties, the funds for those
29 counties will be transferred to the respective county government(s) to be spent on
30 a worthwhile social service program;
31

32 3. No amendment of this section of Article XI-XII nor any change in the use of this
33 separate fund shall be approved, except upon the approval ~~by~~ of at least two-thirds
34 of the Board ~~Council~~ representatives present at an official meeting of the entire
35 Board ~~Council~~; or by mail vote in the affirmative of two-thirds of all ~~members~~
36 representatives to ~~of the Board Council~~; and,
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38

New or relocated wording looks like this.

~~Wording proposed for deletion looks like this.~~

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4. Except as specifically modified herein, all provisions of Article XI-XII concerning finance, shall be applicable to this separate fund.

~~(G) A separate endowment fund shall be established for "Senior and Disabled Services Programs" by the Board Council and shall be maintained separate and apart from the general fund of the Council.~~

~~1. Revenues from grants, gifts, donations, or other payments earmarked for "Senior and Disabled Services Programs" shall be placed in the separate fund, with such funds to be utilized solely for the operation of Senior and Disabled Services programs or its successor program.~~

~~2. In the event that the Council of Governments discontinues the provision of this service, funds within this account shall pass to the successor agency serving all or part of Linn, Benton and Lincoln Counties. In the event there is no successor agency, the funds will be transferred in three equal amounts to the United Ways of Linn, Benton, and Lincoln Counties. In the event a United Way program does not exist in one or more of the three counties, the funds will be transferred to the respective county government(s) to be spent on a worthwhile social service program.~~

~~3. No amendment of this section of Article XI nor any change in the use of this separate fund shall be approved, except upon the approval by at least two-thirds of the Board Council representatives present at an official meeting of the entire Board Council; or by mail vote in the affirmative of two-thirds of all members of the Board Council.~~

~~4. Except as specifically modified herein, Article XI concerning finance, shall be applicable to this separate fund.~~

DRAFT -November 19, 1990

New or relocated wording looks like this.

~~Wording proposed for deletion looks like this.~~

1 Article XIII. Staff
2

3 The Board Council may appoint an Executive Director who shall administer the business
4 of the Council. Under the guidelines of the approved budget, the Executive Director shall
5 employ such professional, technical and clerical staff as needed to carry out the work of
6 the Council. The Executive Director shall sign ~~on behalf of the Board~~ contracts,
7 agreements and other official documents within guidelines established by the Board. ~~that~~
8 ~~have been authorized for signature by the Board. The Executive Director or his designee~~
9 ~~shall represent the Board Chair and the Council's policies and positions at appropriate~~
10 ~~meetings and to the media.~~
11

12 Article XIV. Amendments
13

14 Amendments to the Articles of Agreement may be made at any meeting of the Board
15 Council ~~providing the following procedure has been followed.~~ A copy of the proposed
16 amendment ~~together with the article to be amended and the reasons for the amendment~~
17 shall be presented to the Chair not less than ~~45~~ 60 days prior to the meeting at which the
18 amendment is proposed to be adopted. The Chair shall provide a copy of the proposal
19 to each representative at least thirty (30) calendar days prior to the meeting. An
20 amendment to the Articles of Agreement must be approved ~~agreement will require~~
21 approval by a vote equal to one vote greater than a two thirds simple majority of the
22 representatives ~~and ratification by each member agency present and voting at a meeting~~
23 of the Council, and, then subsequently ratified by two thirds plus one of the member
24 agencies.
25

26 IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in the
27 names of the respective member agencies by resolution adopted by the governing bodies, signed
28 by the Chief Executive, as appropriate, duly attested to by the respective clerk, recorder or
29 secretary with the corporate seals of said member governments being duly attached thereto.
30

31
32 As amended June 26, 1974; November 24-25, 1975; February 18, 1977; February 20, 1981;
33 March 10, 1984; June 27, 1986; June 25, 1987, June 30, 1988.