Chapter I Introductory Provisions

Section 1. NAME. The name of the county shall continue to be Columbia

Section 2. NATURE. The county shall continue to be (1) an agency of the state and (2) a body politic and corporate.

Section 3. BOUNDARIES. The boundaries of the county shall be the boundaries now or hereafter prescribed for it by or pursuant to state law.

Section 4. COUNTY SEAT. The seat of government of the county shall con-tinue to be in the city of St. Helens.

Section 5. FORM OF GOVERN-MENT. The governmental structure of the county shall consist of

(1) a board of seven county commissioners, which shall be — (a) the principal policy-making agency of the county and (b) responsible for the administration of the affairs of the

county;
(2) the office of sheriff;
(3) the office of county administrator, who shall be the chief administrative officer of the county;
(4) whatever other administrative offices and whatever administrative departments, agencies, and positions are established or continued for the county by or pursuant to this charter;
(5) whatever advisory agencies are established or continued for the county by or pursuant to this charter; and
(6) whatever courts now or hereafter

(6) whatever courts now or hereafter have jurisdiction over matters of

unty concern by virtue of state law or

Chapter II Powers of the County

Section 6. GENERAL GRANT OF POWERS. Except as this charter provides to the contrary, the county shall have authority over matters of county concern to the fullest extent granted or allowed by the law of t United States and of Oregon, as fully as if each power comprised in that general authority were specifically granted in

Section 7. CONSTRUCTION OF POWERS. In this charter no mention of a particular power or enumeration of similar powers shall be construed to be exclusive or to restrict the authority that the county would have if the particular power were not mentioned or the similar powers not enumerated. The charter shall be liberally construed, to the end that, within the limits imposed by the charter and by the law of the United States and of Oregon, the county have all powers necessary or con-venient for the conduct of its affairs, meluding all powers that counties may sume under the statutes of the state and the provisions of the state constitution concerning county home rule. A power of the county shall be construed to be a continuing power unless the grant of the power indicates the con-

Section 8. VESTING OF POWERS. (1) Except as law governing the initiative and referendum provides to the contrary, the legislative power of the county is hereby vested in, and may be exercised only by, the board of county commissioners. county commissi (2) Except as this charter provides to

the contrary, all other powers of the county are hereby vested in the board and may be exercised by it or by per-sons acting under its authority.

Chapter III **Board of County Commission**

Section 9. TERRITORIAL REPRESENTATION. The board of county commissioners shall be mominated and elected to offices and by reas as follows:

areas as follows:

(1) One to Office No. 1 by the legal yoters of District No. 1, which shall consist of the following precincts as now or hereafter bounded: St. Helens 1, St. Helens 2, St. Helens 3, St. Helens 4, St. Helens 5, St. Helens 6, St. Helens 7, St. Helens 8, St. Helens 9.

(2) One to Office No. 2 by the legal yoters of District No. 2 which shall

roters of District No. 2, which shall consist of the following precincts as now or hereafter bounded: North Milton, aow or hereafter bounded: North Milton, South Milton, North McNulty, South McNulty, North Deer Island, South Deer Island, South Deer Island, South St. Helens, Columbia City, Yankton, North Warren.

(3) One to Office No. 3 by the legal voters of District No. 3, which shall consist of the following precincts as now or hereafter bounded: Scappoose 1, Scappoose 2, Scappoose 3, Scappoose 4, Sauvie Island, East Scappoose, West Scappoose, South Warren, Canyon.

(4) One to Office No. 4 by the legal

(4) One to Office No. 4 by the legal oters of District No. 4, which shall consist of the following precincts as now or hereafter bounded: Vernonia 1, Vernonia 2, Vernonia 3, Vernonia 4, Vernonia 5, North Mist, South Mist, oiary, Gobie, South Clatskanie, South Delena, Chapman. (5) One to Office No. 5 by the legal

voters of District No. 5, which shall consist of the following precincts as sow or hereafrer bounded: Clatskanie 1, Clatskanie 2, North Clatskanie, North lena, Quincy, Rainier 1, Rainier 2, West Rainier, East Rainier, Prescott,

and Marshland.
(6) One to Office No. 6 by the legal oters of the county at large.
(7) One to Office No 7 by the legal ers of the county at large.

Section 10. REAPPORTIONMENT.

(1) Whenever the population of one of the commissioner districts exceeds the population of another of the districts to an extent that denies any person the equal protection of the laws,

(a) the board of county commissioners, by the beginning of the next even-numbered year, shall modify the boundaries of two or more of the districts in such a manner that the population of the districts does not deny any person the equal protection of the laws; and

(b) if the board does not so modify the boundaries by that time, the head of the boundaries by that time, the head of the county department or the county officer responsible for administering elections in the county shall do so within the immediately ensuing 30 days.

(2) No modification of boundaries pursuant to this section shall affect the

tenure of office of, or disqualify, a ber of the board.

Section 11. ELECTION AND TERMS

(1) The terms of office of the two commissioners elected in 1972 shall continue through 1976. The offices shall represent the county at large and shall be numbered "6" and "7". The two commissioners shall publicly deter-mine by lot the number of each of the offices

(2) The term of office of the com-missioner elected in 1974 shall continue through 1976. The office shall repre-sent, and shall have the number of, the district in which the commissioner re-

(3) In 1976 and every fourth year thereafter a commissioner shall be elected to Office No. 6 for a four-year

(4) In 1976 a commissioner shall be elected to Office No. 7 for a two-year term. In 1978 and every fourth year thereafter a commissioner shall be elected to that office for a four-year

(5) In 1976 and biennially thereafter commissioners shall be elected to Offices No.'s 1, 2, 3, 4, and 5. (6) In 1975 the first four additional

commissioners for which this charter provides shall be elected as follows: (a) A candidate to represent on the board one of the commissioner districts not yet so represented, may be nominated by petition filed with the county clerk, notwithstanding Section 29 of this charter, not later than January 17, 1975. January 17, 1975.

(b) In each of the four districts a special election for electing a com-missioner shall be held March 7, 1975, from 8:00 a.m. until 8:00 p.m. The

(1) shall cause notice of the election and a sample ballot for the election to be published twice in a newspaper of general circulation in the county not earlier than 30 nor later than ten days (ii) shall arrange a polling place for

the election in each precinct in the (iii) shall, in accordance with ap-

plicable state election laws, arrange for the personnel necessary to conduct the (iv) shall provide the ballots neces-

sary for the election;
(v) shall, on all ballots for a partiticular district at the election, enter the name of each candidate nominated in accordance with this charter for election by the voters of the district:

(VI) shall, in accordance with a plicable state election laws, make all other arrangements and take all other steps necessary for conducting the election, for compiling its returns, and for proclaiming its results.

(c) The county shall bear the cost of the election, in accordance with applicable state election laws.

(d) The term of office of each candidate elected to an office at the election shall begin April 1, 1975, and continue through 1976.

Section 12. QUALIFICATIONS. County commissioners shall be legal voters under state law and residents of the areas their offices on the board

Section 13. QUORUM. The quorum necessary for action by the board of county commissioners shall be a majority of the members of the board, except that a lesser number may meet and compel the attendance of absent members in a manner prescribed by ordinance.

Section 14. CONCURRENCE RE-QUIRED. Action by the board of county commissioners may have legal effect only if affirmatively concurred in by a majority of the board members present when the action is taken

Section 15. ORDINANCES.

(1) The ordaining clause of a county ordinance shall read,
(a) in case of mere adoption by the board of county commissioners, "The Board of County Commissioners of Columbia County ordains as follows:" and

(b) in case of adoption or ratifica-tion by the voters of the county, "The People of Columbia County ordain as follows:"

(2) Except as subsection (3) of this section allows immediate adoption of emergency ordinances as as subsection (4) provides for reading ordinances by title only, every ordinance by the board shall, before being finally adopted, be read fully and distinctly in open meeting of the board on two days at least 13 days apart.

least 13 days apart.

(3) Except as subsection (4) of this section provides for reading ordinances by title only, an ordinance necessary to meet an emergency may, upon being read first in full and then by title, be adopted at a single meeting of the board by unanimous vote of all its members present. No ordinance imposing a tax may be adopted, however, at a single meeting of the board.

(4) Any reading required by subsection (2) or (3) of this section may be by title only:

section (2) or (3) of this section may be by title only: (a) if no board member present at the meeting requests that the ordinance be read in full; or (b) if a copy of the ordinance is provided each member and copies are available for public inspection at the

headquarters of the board at least one week before the first reading of the ordinance and if notice of this availability is given, immediately after it is effected, by

(i) written notice posted at the courthouse of the county and

(ii) publication in a newspaper of general circulation in the county.

(5) An ordinance adopted after being read by title only may have no legal effect if it differs substantially from its terms as they read prior to the reading, unless each section incorporating such a difference, as finally amended prior to being adopted by the board, is fully and distinctly read in open board meeting.

neeting.
(6) Upon the final vote by the board on an ordinance, the ayes and nays of the members of the board shall be

taken and recorded in the record of proceedings of the board.

(7) Upon the adoption of an ordinance by the board, the presiding officer and recording secretary of the board at the session at which the ordinance is adopted shall sign it and state the date of its adoption and the titles of their offices of positions.

offices of positions.

(8) An ordinance adopted in accordance with this section, if not an emergency ordinance, shall take effect 90 days after its adoption, unless it pre-scribes a later effective date or is referred to the voters of the county. An ordinance so referred shall take effect only upon being approved by a majority of the persons voting on the ordinance. An emergency ordinance may take effect immediately upon being adopted, but no ordinance imposing a tax other but no ordinance imposing a tax other than the annual ad valorem property tax may be an emergency ordinance.

Section 16. MEETINGS.

(1) The board of county com-missioners shall by general ordinance adopt rules governing its proceedings and shall conduct its meetings in ac-

cordance with the rules.

(2) The board shall meet regularly in the county at times and a place or places designated in the rules. (3) Meetings of the board shall be public to the extent required by state law.

(4) The president of the board may, and upon the request of three other members of the board shall, by giving notice to all members of the board in the county, call a special meeting of the board for a time between six and 48 hours after the notice is given. Special meetings of the board may also be held at any time by consent of all members of the board, provided advance notice of the meetings is given in accordance with the rules governing the board's

Section 17. RECORD OF PROCEED-

(1) The board of county commissioners shall cause a record of its proceedings to be kept. The record shall be available for public inspection at the courthouse during regular office hours.

(2) Upon the request of a member of the board that the individual votes on a superior of the state of

question before the board be recorded in the record, the votes shall be so re-corded. The final individual votes on all ordinances before the board shall be so

Section 18. BOARD PRESIDENT. (1) At its first meeting each year the board of county commissioners shall designate one of its members president

(2) The president
(a) shall preside over the meetings of the board. (b) may vote on all matters before

the board. (c) shall preserve order at board meetings.

(d) shall enforce the rules of the

(e) shall determine, on the basis of the rules, the order of board business (3) In the absence of the president from a board meeting, the board shall designate one of its members president

Chapter IV

Section 19. ADMINISTRATIVE RESPONSIBILITY. Responsibility for administration of the affairs of the county shall reside in

(1) the board of county com-

missioners,
(2) the sheriff, and
(3) the other county officers and the county employees, departments, and agencies that function by authority of the board.

Section 20. COUNTY ADMINISTRA-

(1) The office of county administrator is hereby established, for purposes of (a) carrying out the administrative responsibilities of the board and

responsibilities of the board and
(b) co-ordinating the functions of
the administrative officers, employees,
departments, and agencies of the
county.
(2) The county administrator shall be
an appointee of the board, for whatever
term of office is satisfactory to the

(3) The administrator shall, in accordance with directions from the (a) co-ordinate the functions of the

administrative officers, employees, departments, and agencies of (b) prepare and submit to the board annual budget estimates and whatever reports the board requests;
(c) have charge of all county purchasing, buildings, and property;
(d) verify all claims against the

county; and
(e) have whatever other functions
the board prescribes.
(4) The county administrator may

(a) exercise legislative power, (b) appropriate county funds, or (c) disburse county funds or dis-pose of county property except by authority of the board.

Section 21. ADMINISTRATIVE DEPARTMENTS.

(1) For purposes of carrying out the policies of the county and administering its affairs, the following administrative departments are hereby established and shall, except as the county commissioners or this board of county commissioners or this charter prescribes to the contrary,

have the following functions:

(a) the department of law enforcement, which shall have the func-

tions of the constable and the sheriff under state law, except the functions of the sheriff regarding collection of

(b) the department of land-use con-trol, which shall have the functions of planning, zoning, subdivision control, and building regulation; (c) the department of records and assessments, which shall have the

functions of the county clerk under state law regarding elections, recor-ding, filing, and the courts, and the functions of the assessor under state

(d) the department of budget and finance, which shall have functions of budget preparation and control and the functions under state law of the sheriff regarding tax collection and of the

county treasurer; (e) the department of public works, which shall have functions regarding public thoroughfares, water quality and supply, sewerage, drainage, and parks;

(f) the department of public services, which shall have functions regarding health and the environment (2) On or before January 1, 1976, the board shall take whatever action is necessary to place in operation the departments established by this sec-

(3) Each administrative department of the county shall include whatever offices and positions the board establishes for the department, except that the department of law enforcement shall include the office of sheriff.

(4) The board may

(a) establish additional ad-

ministrative departments,

(b) combine any two or more administrative departments, except the department of law enforcement, into a single such department,
(c) separate departments so

(d) abolish any administrative department other than the department of law enforcement, and

(e) prescribe the functions of any such department, except that the functions of the sheriff under state law, other than those functions concerning tax-collection, shall remain in the department of law enforcement.

(5) A county function presceibed by state law but not allocated to any county officer or agency by this charter shall be allocated to whatever department of the county the board de-

Section 22. ADMINISTRATIVE OFFICERS AND EMPLOYEES.

(1) Except as this charter provides to the contrary, the functions of each administrative officer and employee of the county shall be whatever the board county commissioners prescribes.
(2) All administrative officers and employees of the county shall be ap-pointed by the board or pursuant to its authority, except the sheriff, who shall be elected in 1978 and every fourth year thereafter. Deputy sheriffs may be appointed only from a list of nominees submitted to the board by the sheriff.

Chapter V

Personnel
Section 23. QUALIFICATIONS.
(1) The sheriff shall be a legal voter, reside in the county, and have the com-petencies prescribed for sheriffs by the laws of the state.

(2) Appointive personnel in the service of the county shall have what-ever qualifications the board of county commissioners prescribes.

Section 24. COMPENSATION. The compensation of officers and em-ployees in the service of the county shall be fixed by the board of county commissioners, except that
(1) the initial rate of compensation

for board members under this charter shall be \$225 per month, and (2) no increase in the compensation of a board member may take effect prior to the first odd-numbered year

after the first general November election after the increase is authorized. Section 25. TERMS OF OFFICE. The

term of office of a county officer elected after the final effective date of this charter shall begin the first of the year immediately after the election and continue in accordance with this charter and with Article XV, Section 1, of the state constitutuion.

Section 26. VACANCIES — CAUSES.

An office shall be deemed vacant

(1) upon the incumbent's

(a) death,

(b) adjudicated incompetence,

(c) constitution of a crime involving

(c) conviction of a crime involving moral turpitude, unlawful destruction of public records, or other offense per-taining to the office,

(d) resignation, (e) recall from the office, or (f) ceasing to possess the qualifica-tions for the office;

(2) upon failure of the person elected or appointed to the office to qualify therefor within ten days after the time for that person's term of office to begin;

(3) with reference to an elective county officer, upon that officer's ab-sence from the county for 30 consecu-tive days without the consent of the board of county commissioners; or, (4) with reference to a county com-

missioner, upon that commissioner's bsence from board meetings for 60 consecutive days without the consent of

Section 27. VACANCIES — FILLING. (1) A vacancy in an elective office of the county shall, within 30 days after its occurrence, be filled by appointment by a majority of the board of county com-

(a) if the vacancy occurs more than 21 months after the election at which the office is last filled, the term of office of the appointee shall be the remainder of the term of office of the person who (b) if the vacancy occurs 21 months

or less after the election, the term of office shall run until the beginning of the next off-numbered year, and at the next general November election after the vacancy occurs, a person shall be elected to the office for a two-year

(2) During an officer's or employee's temporary disability or absence from the county, her or his office or position may be filled temporarily by an ap-pointee of the board or, in case of a sub-ordinate to the county administrator, of Chapter VI

Section 28. STATE LAW. Except as this charter or county legislation under this charter provides to the contrary, elections in the county shall be conducted in accordance with, and govern-ed by, the laws of the state concerning

Section 29. NOMINATIONS. To nominate a candidate for an elective county office, 20 legal voters of the area the office is to represent may sign and, at least 70 days before the election, file with the officer who has the functions of county clerk a petition nominating the candidate and requesting that the candidate's name appear on the ballot for the election. The officer shall cause the name so to appear. No such petition may nominate more than one candi date. No voter may sign more than one such petition pertaining to a single office at a single election. If the voter does so, the signature shall be dis-regarded on all but the first of such petitions so filed.

Section 30. NONPARTISANSHIP. Candidates for elective county offices may be nominated and elected only in a nonpartisan manner. No document for nominating or electing such a candidate may by word or other symbol indicate the candidate's affiliation with, or preference for, a political party.

section 31. TIE VOTES. In the event of a tie vote for candidates for an elective office, the successful candidate shall be determined by a public drawing of lots in a manner prescribed by the board of county commissioners.

Section 32. RECALL. An elective officer 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.

Section 33. COUNTY PRO-POSITIONS.

(1) Except as this charter or legislation enacted in accordance with it provides to the contrary, the manner of requiring, calling, publicizing, and con-ducting an election on a proposition concerning the county shall be the manner prescribed by the laws of the state for an election in the county on

such a proposition.
(2) Except as an ordinance of the county prescribes a lesser require-ment, an initiative or referendum peti-tion shall be sufficient for bringing a measure before county voters only if signed by five percent of the voters of the county or of the part of the county

that the petition concerns.
(3) Except levies of annual ad valorem property taxes, authorizations and levies by the board of county com-missioners of new or additional taxes may not have operative effect unless first submitted to the voters of the county in accordance with this section and approved by them.

Chapter VII Public Improvements

Section 34. PROCEDURE. Subject to the requirements of this chapter, the procedure for making, altering, vacating or abandoning a public improvement of the county shall be governed by ordinance or, to the extent not so governed, by applicable state

Section 35. FINANCING. (1) To the extent that the board of county commissioners finds that a public improvement of the county specially benefits property, the cost of the improvement shall be defrayed by special assessments levied on the pro-

(2) To the extent that the board finds that a public improvement of the county benefits the county generally, the cost of the improvement may be defrayed by revenue from other sources.

(3) An order for action regarding such an improvement shall indicate the extent to which the cost of the action thus ordered is to be defrayed by special assessments on property specially benefited by the action and the extent to which the cost is to be defrayed by revenue from other sources.

Section 36. REFERENDUM. Action by the board regarding a public im-provement of the county shall be subject to the referendum in the same manner as legislative ordinances of the

Section 37. REMONSTRANCES. Action by the board on a proposed public improvement to be financed in whole or in part by special assessments and not declared by all members of the board to be needed at once to meet an emergency shall be suspended for six months upon remonstrance thereto by the owners of two-thirds of the land to be specially assessed for the improve-ment, provided written notice of the remonstrance is delivered to the board within 15 days after the action is or-dered. After the suspension the board may proceed with the action.

Chapter VIII Miscellaneous Provisions

Section 38. CONTINUATION OF LEGISLATION. All legislation of the county consistent with this charter and in force on its final effective date shall remain in effect as of that date until amended or repealed.

Section 39. INCUMBENTS' TERMS OF OFFICE. County administrative officers elected in 1972 or 1974 may, except the sheriff, continue in the service of the county until the end of 1976, but after the final effective date of this charter their functions and compensation shall be whatever the board of county commissioners prescribes. The sheriff may continue in office until the end of 1978, with functions in accordance with Chapter IV of this charter

Section 40. REGIONAL GOVERN-MENT. The county may not be a member of a regional planning agency or organization of governments without prior approval of the voters of the

Section 41. EFFECTIVE DATES. This charter shall take effect January 1, 1975, insolar as necessary for the nomination and election of four additional commissioners during the first quarter of 1975. For all other purposes of the county the charter shall take effect April 1, 1975.

Vernonia Eagle THURSDAY, JULY 11, 1974 3

Group Visits H. Larson In **Forest Grove**

BIRKENFELD-Mr. and Mrs. Francis Larson accompanied by Mrs. Everett Johnston and Mrs. Francis Nordstrom were in Forest Grove on Tuesday of last week going over to see Howard Larson at the Jake Neimela home. They found him feeling

real good. Fishhawk Lake held their 4th of July Celebration. A large crowd gathered, all enjoyed the potluck lunch, games, and the beautiful fire works in the even-ing. All had a wonderful time. Word was received that Mrs.

John Winslow, former resident here several years ago passed away at Stayton, Ore. The funeral was Monday July 8 at the Webble Funeral home in Stay-Mrs. Howard Johnson spent all

last week in Portland with her ill brother Lee Lalli, at the Vets Hospital, he seemed to be improved. She came home Sat. morning. Mr. and Mrs. Lloyd Beach

were visiting in Astoria and Seaside on last Friday. Mr. and Mrs. Art Bellingham flew to Ukiah California on Tuesday of last week. They visited the Wilfred Parmans also visited Mr. and Mrs. Chas. Bowman at Fortuna. They had

an enjoyable time and a very nice flight.

Mr. and Mrs. Larry Bair of Vernonia made a short visit at the Howard Johnson home Sat.

evening.

Mrs. Lloyd beach accompanied by Mrs. Robert Mathews were in Clatskanie on Wed. of last week on business. Jim Bellingham visited the Douglas Bellingham family at

Recent visitors at the Lloyd Beach's were Mr. and Mrs. Chas. Bowman of Fortuna Calif. Mr. and Mrs. Bruce Larsen and children of Warren visited at the E.T. Johnson home Saturday

Seattle for a few days last week

Two Killed In Accident

evening.

BIRKENFELD + A tragedy struck the Ed Bergs and the Douglas Beckmans on the 4th of July late afternoon. The two cars hit head on. Miss Judy Berg passed away at the St. Johns Hospital that evening. Ed and the three boys are still hos-pitalized. Mr. Beckman was killed at the accident and was buried at Scappoose on Monday. The Berg's are all improving.

Catholic Church during the week July 14 through the 19 at 7 p.m.
All interested please attend.
The Allen Berg family, Roger
Berg family and their parents
the Russell Berg's of Fortuna,
California camped over the 4th
at the Nick Berg's.
Leston Nystrom and Everett

services will be held at the

Leston Nystrom and Everett

Johnston were in Clatskanie Monday of last week. Mr. and Mrs. Frank Brandt of Fishhawk Lake left last Friday for Long Beach, Washington to the Brandt Surfside Estates for several days. They will work on their lots, do some fishing and

clam digging.

Mr. and Mrs. Mike Cahill and
Kelly brought his father James
Cahill back home Friday evening after having been in the Vets hospital with pneumonia and also staying several days at the Mike Cahill home. He is feeling real good.

W. Garlocks **Return Home**

MIST-Mr. and Mrs. Willard Garlock came home Sunday from several days stay at River side Trailer Court at Seaside, the Fred Larson's of Vernonia also had their trailer house there. On the 4th they all picnicked at Cullaby Lake along with the Buddy and Bob Larson's, Jim Garlock's, George Martan's, and Don Larson's. In the afternoon Mr. and Mrs. Francis Larson joined them.

Mr. and Mrs. Thomas Herman of Astoria visited the D.D. Barrs on Sunday.

The Roy Kyser family took in the 4th at Clatskanie. Their daughter Connie from Portland came home to be with them. Mr. and Mrs. Lloyd Garlock

attended camp meeting in Port-land on Sunday. They were ac-companied by, Vern Wagner, Mrs. Alma Garlock and Loree Wallace. Mr. and Mrs. Norman Hansen were in Hillsboro last Friday.

Mr. and Mrs. Irvin Alerecht from Agatha Ontario, Canada, came Friday for a visit at the Shetler home. She is a first cousin of Mrs. Shetler. They left on Saturday morning.

4th of July visitors at the Shal-mon Libel home were Mr. and Mrs. D. Porter of Cowern, Ore. They were dinner guests and later the Libel's took them down to the game refugee where they saw a nice herd of elk.

Mr. and Mrs. Ken Simmons of Clatskanie visited at the Roy Kyser home last Thursday eve.