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## Chapter 2.08

### COUNTY COUNSEL

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#### 2.08.010 Definitions. As used in this chapter:

- A. "County counsel" means the attorney assigned to head the office of legal counsel of the county.
- B. "Department" means the office of legal counsel of the county.
- C. "Office" means the office of legal counsel of the county, which shall be a staff department of the office of the board of county commissioners. (Ord. 79-6-1 §1, 1979)

2.08.020 Appointment. The county counsel shall be appointed by the board and shall hold office at its pleasure. The county counsel shall be a member in good standing of the Oregon State Bar. (Ord. 79-6-1 §2(1), 1979)

2.08.030 Office organization and employment of personnel. The office shall be so organized and employ such personnel as in the judgment of the county counsel will most efficiently and economically carry out the functions of the office and discharge its responsibilities in the best interest of the people of the county, subject at all times and in all respects to the direction of the board, the county budget, and other provisions more specifically included in this chapter. (Ord. 79-6-1 §2(2), 1979)

2.08.040 Appointment and removal of personnel. Except as otherwise provided in this chapter, all office personnel shall be appointed and removed by the county counsel in accordance with the general procedures and policies of the county. (Ord. 79-6-1 §2(3), 1979)

2.08.050 Authority. The county counsel may perform any act authorized or time to time authorize and direct any employee of the office to perform any such act upon such terms as the county counsel may prescribe, subject to the requirements of law. Any such delegation of authority need not be in writing or otherwise formalized except where

required by law or order of the board. (Ord. 79-6-1 §2(4), 1979)

2.08.060 Functions. The function of the office of legal counsel is to serve as attorney for county government and shall include, but not be limited to, the following specific functions:

A. Defend county officers or employees in any action for damages based on an alleged wrongful act or omission in performance of official duty, except as otherwise directed by the board.

B. Prosecute and defend all actions, suits and proceedings to which the county is a party.

C. Upon request, advise county officers on legal questions of county concern that may arise.

D. Performance of the duties outlined in subsections A through C of this section shall at minimum include:

1. Attending all meetings of board as they may request;
2. Approving all formal ordinances, orders and actions of the board as to form (legal sufficiency);
3. Serving as advisory member of planning commission and attending meetings of that commission at the commission's request;
4. Serving as legal advisory to the board of property tax appeals. (Ord. 98-1-1 §1, 1998)
5. Representing the assessor (director, department of assessment and taxation) at administrative hearings and before the tax court;
6. Attending department head group meetings;
7. Drafting and assisting in drafting of county ordinances, orders, contracts, deeds and other formal documents;
8. Advising and, as necessary, appearing before the county infractions section;
9. Assisting in collection of delinquent accounts, including proceeding to judgment and execution;
10. Assisting in lease and acquisition of real property by purchase or condemnation;
11. Drafting ballot titles;
12. Serving as legal advisor to the fair board. (Ord. 79-6-1 §3, 1979)