

TITLE 4

BOARDS, COMMISSIONS, AND COMMITTEES

CHAPTER 461

OREGON ASSOCIATION OF COUNTY ENGINEERS AND SURVEYORS

TABLE OF CONTENTS

<i>Section</i>	<i>Title</i>
461.001	Title
461.005	Background and Purpose
461.100	Creation of the Oregon Association of County Engineers and Surveyors
461.150	Powers, Duties, and Functions of the Oregon Association of County Engineers and Surveyors
461.200	Notice of Creation and Distribution

Statutory References and Other Authorities

Legislative History of Chapter 461

461.001 Title

This Chapter, LCC 461.001 to 461.999, shall be known and may be cited as the “Linn County Oregon Association of County Engineers and Surveyors Code” or simply as the “Oregon Association of County Engineers and Surveyors Code.”

[Adopted 2016-173 §1 eff 9/27/2016]

461.005 Background and Purpose

(A) The Oregon Association of County Engineers and Surveyors (OACES) has existed as an informal association and affiliate of the Association of Oregon Counties (AOC), a governmental entity created in 1906 by intergovernmental agreement of Oregon’s counties.

(B) The purpose of OACES is to:

(1) promote public works activities, including the construction and maintenance of

roads and appurtenances to recognized engineering standards in the counties;

(2) promote the professional application of land surveying;

(3) promote the ethical practices of the professions; and,

(4) by the exchange of ideas, give all counties in Oregon the advantages of these professions in all phases of county services.

(C) AOC manages the assets of OACES and assists OACES in carrying out and fulfilling their mission.

(D) OACES has accumulated financial assets such that it is desirable for OACES to have its own legal identity, and yet continue to have AOC manage their assets and assist with carrying out and fulfilling their mission.

[Adopted 2016-173 §1 eff 9/27/2016]

461.100 Creation of the Oregon Association of County Engineers and Surveyors

(A) It is the intent of the Linn County Board of Commissioners to create a governmental entity by intergovernmental agreement (Appendix 1) known as the Oregon Association of County Engineers and Surveyors (hereafter “OACES”).

(B) The effective date of the OACES intergovernmental agreement is July 1, 2016.

(C) OACES is to:

(1) promote public works activities, including the construction and maintenance of roads and appurtenances to recognized engineering standards in the counties;

(2) promote the professional application of land surveying;

(3) promote the ethical practices of the professions; and,

(4) by the exchange of ideas, give all counties in Oregon the advantages of these professions in all phases of county services.

[Adopted 2016-173 §1 eff 9/27/2016]

461.150 Powers, Duties, and Functions of the Oregon Association of County Engineers and Surveyors

The powers, duties, and functions of OACES are to facilitate and conduct meetings and conferences related to county public works and surveyor activities, including promoting best practices in county public works, the professional application of land surveying, and the ethical practices of those professions.

[Adopted 2016-173 §1 eff 9/27/2016]

461.200 Notice of Creation and Distribution

(A) A copy of the ordinance enacting this Oregon Association of County Engineers and Surveyors Code shall be sent to OACES and the Association of Oregon Counties (AOC), a governmental entity created in 1906 by intergovernmental agreement of Oregon’s counties.

(B) The intergovernmental agreement creating OACES (Appendix 1) has been executed by Linn County by Resolution and Order No. 2016-157.

(C) Not later than 30 days after the effective date of the intergovernmental agreement creating OACES, AOC shall file with the Secretary of State a copy of this ordinance and the intergovernmental agreement, together with a statement containing the name of OACES, the parties to the agreement, the purpose of the agreement and the effective date of the agreement.

[Adopted 2016-173 §1 eff 9/27/2016]

Statutory References and Other Authorities:

ORS 190; ORS 203

Legislative History of Chapter 461:

Adopted 2016-173 §1 eff 9/27/16

Amendments to 2016-173:

#1 none

**Appendix 1 - Intergovernmental Agreement Creating the Oregon Association of County
Engineers and Surveyors**



**Intergovernmental Agreement
Creating the
Oregon Association of County Engineers and Surveyors**

Section 1. Creation, purpose, voting membership, and governing body

(1) Upon execution of this agreement by at least 10 counties, there is hereby created an intergovernmental entity entitled the Oregon Association of County Engineers and Surveyors (hereafter “OACES”).

(2) The purpose of OACES is to promote public works activities, including the construction and maintenance of roads and appurtenances to recognized engineering standards in the counties; to promote the professional application of land surveying; to promote the ethical practices of the professions; and, by the exchange of ideas, give all counties in Oregon the advantages of these professions in all phases of county services.

(3) There are two divisions of OACES, the Public Works Division and the Surveyors Division. There shall be two voting members of OACES for each county that is a party to this agreement, one from each division. The voting member of the Public Works Division shall be the County Public Works Director, Engineer, Roadmaster, or designee. The voting member of the Surveyors Division shall be the County Surveyor or designee.

(4) The governing body of OACES shall consist of a Board of Directors of officers from among the membership, elected to those positions annually by the membership.

Section 2. Expenses, fees, accounting, personnel, term, and termination of party

(1) OACES shall be funded by annual dues paid by its members, and other financial resources obtained by OACES.

(2) The apportionment of dues shall be determined by the OACES membership, and all OACES revenue shall be accounted for by accounting and support services provided to OACES by intergovernmental agreement with the Association of Oregon Counties (AOC).

(3) OACES shall not have personnel.

(4) OACES shall not hold title to real property, but may acquire, own, and transfer personal property as necessary to carry out the purposes of OACES.

(5) The duration of this agreement is perpetual.

(6) Any party to this agreement may terminate their participation in this agreement upon 30 days' notice to OACES and AOC. Any liabilities accrued prior to termination are shared equally with all parties.

Section 3. Bonds, installment purchases, bylaws, and taxes

(1) OACES shall not issue revenue bonds or enter into financing agreements.

(2) OACES shall not enter into agreements with vendors, trustees or escrow agents for the installment purchase or lease of real or personal property.

(3) OACES may adopt bylaws necessary to carry out its powers and duties under this agreement, including, but not limited, to, additional categories of non-voting members.

(4) OACES shall not levy taxes or issue general obligation bonds.

Section 4. Debts, liabilities, obligations, and termination

(1) The debts, liabilities and obligations of OACES shall be, jointly and severally, the debts, liabilities and obligations of the parties to this agreement that created OACES.

(2) No party to this agreement has assumed responsibility for any specific debts, liabilities or obligations of OACES.

(3) Any moneys collected by or credited to OACES shall not accrue to the benefit of private persons. Upon dissolution of OACES, title to all assets of OACES shall vest in the parties to this agreement as follows:

(a) Assets shall be divided equally among the parties to this agreement; and

(b) Outstanding indebtedness or other liabilities of OACES shall be divided equally among the parties to this agreement.

(4)(a) OACES may be terminated at any time by a vote of three-quarters of the parties to this agreement.

(b) OACES shall be automatically terminated if there remain less than 10 parties to this agreement.

Section 5. Execution in counterparts

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

[Signatures for Baker, Benton, Clackamas, Clatsop, Columbia, Coos, Crook, Curry, Deschutes, Douglas, Gilliam, Grant, Harney, Hood River, Jackson, Jefferson, Josephine, Klamath, Lake, Lane, Lincoln, Linn, Malheur, Marion, Morrow, Multnomah, Polk, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco, Washington, Wheeler, and Yamhill counties.]