

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF REVISING KLAMATH)
COUNTY CODE CHAPTER 106, SELF INSURANCE) ORDINANCE NO. 57.001A
_____) **FINAL DRAFT**

WHEREAS, a periodic review of the Klamath County Code (Code) indicates that some housekeeping amendments are necessary for operating changes that have occurred within the County; and

WHEREAS, it is in the best interest of Klamath County to amend the Code to make it consistent with current County operations; and

WHEREAS, Klamath County has not been actively self insured for some time now, therefore eliminating the need to have separate bank accounts as required by ORS Chapter 656.

NOW, THEREFORE the Board of County Commissioners ordains that the current Chapter 106, Self Insurance, of the Klamath County Code is hereby revised to read as follows:

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CHAPTER 106
SELF INSURANCE

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Ordinance No. 57.00A - 10/07/87
Ordinance No. 57.01A - 07/08/92
[Ordinance No. 57.001A -]

CHAPTER 106
SELF INSURANCE

106.001 Purpose. The purpose of this Chapter is to establish a Klamath County Self-Insurance Program to provide protection against losses to Klamath County in the most economical manner possible.

106.100 Establishment of Self-Insured Program. Klamath County shall have a self-insurance program to be operated under rules and regulations established by the Board of County Commissioners. The self-insurance program shall provide for insurance for County liability, property, worker's compensation, unemployment compensation and any other insurance otherwise required by the Board of County Commissioners either through self-insurance funding or through the purchase of commercial insurance.

106.200 Self-Insurance Fund. A self-insurance fund has been created effective October 7, 1987. Said fund shall be segregated into accounts for General Liability, Workers' Compensation, Unemployment Compensation, Property Insurance, and any other items deemed necessary by the Board of County Commissioners.

106.300 Expenditure of Funds. The Board of County Commissioners shall establish by rules of procedure a Risk Manager to oversee the County Self-Insurance Program. The Risk Manager shall, with the consent of the Board of County Commissioners, expend such monies from the self-insurance funds created herein as are necessary to manage the self-insurance program and pay claims that are experienced.

106.400 Accumulation of Funds. Assessments for the Self-Insurance Program shall be based upon anticipated expenditures and shall be assessed against County Departments to maintain the General Liability Account, the Workers' Compensation Account, the Unemployment Compensation Account and the Property Insurance Account. Appropriate dollar levels shall be assessed for each Account to maintain the integrity of the Program in accordance with actuarially sound financial analysis. Monies deposited and accumulated, including interest on such monies, in the Self-Insurance fund for each Account set out herein shall be dedicated to the purposes established herein and shall not be available for any purpose other than set out herein.

106.500 [Workers' Compensation Program.] ~~First Lien on Workers' Compensation Account.~~ ~~In accordance with Section 656.407 (3)(b) of the Oregon Revised Statutes, the Director of the~~

~~Department of Insurance and Finance shall have first lien and priority right to the full amount of the Workers' Compensation loss reserve account required to pay the present discounted value of all present and future claims under Chapter 656 of the Oregon Revised Statutes. [In the event the Board of County Commissioners determines it to be cost effective to maintain a self-insurance program for Workers' Compensation, Klamath County shall meet the requirements for self-insured employers as outlined in Chapter 656 of the Oregon Revised Statutes.]~~

~~**106.600 Emergency Declaration.** The enactment of this Ordinance is necessary to avoid any lack of coverage for Klamath County which might result in substantial financial harm. An emergency is therefore declared and this Ordinance shall become effective July 1, 1992.~~


106.7[6]00 Validity. If any subsection, section, sentence, clause, phrase or word of this Ordinance shall for any reason be held invalid or unconstitutional by a Court of competent jurisdiction, it shall not affect the validity of the remainder of this Ordinance, but shall be confined to the section, subsection, sentence, clause, phrase or word, to which it applies, it being the intent of the Board of County Commissioners that this Ordinance should stand with such deletions.

106.8[7]00 Supersedes Previous Ordinance and/or Amendments.
This Ordinance shall amend and supersede Ordinance No. 57.A[01A] and any and all amendments establishing a Self-Insurance Program within Klamath County.

DONE and DATED this 2nd day of October, 2012.

KLAMATH COUNTY BOARD OF COMMISSIONERS

Out of Office Today
Chair


Commissioner


Commissioner

APPROVED FOR LEGAL SUFFICIENCY:


Klamath County Counsel