

MINUTES & NOTICE OF BOARD ACTION

BOOK 144 PAGE 1194

APPROVED 4-25-90

LANE COUNTY BOARD OF COMMISSIONERS



This document, upon approval in a public meeting by the Board of County Commissioners, serves as official minutes of such meetings as required under the Open Meetings Law, ORS 192.650.

Pursuant to notice made by mailing agendas to news media, a selected list of jurisdictions and individuals in Lane County, a meeting of the Board of County Commissioners was held.

Questions should be directed to The Board Office Specialist 3, ext. 4203.

April 10, 1990
8:30 a.m.

WORK SESSION
BOARD OF COUNTY COMMISSIONERS

Commissioners'
Conference Room

Chair Bill Rogers presided with Steve Cornacchia, Ellie Dumdi, Jack Roberts and Jerry Rust present. Judy Haldeman, Recording Secretary.

1. ADJUSTMENTS TO THE AGENDA

None.

2. PUBLIC COMMENT

Bruce Williams, 498 Kodiak Street, commented that he was the Chair of the Integrated Vegetation Management Committee and that the committee had voted 12-1 in favor of the plan. He complimented David Dunlap, Vegetation Management Coordinator, for doing a great job and stated that this approach will take patience.

Ron McMullen, 266 High Street, commented that he was the committee member that had voted against the plan and stated that he would like public review of the policy prior to the vote by the Commissioners.

Carole Bruhl, 708 West 4th Street, asked the Board to help the homeless and urged that the task force report not fall on a dusty shelf. She commented that public awareness needs to be raised on this issue.

Lawrence Bahn, 4525 Spring Boulevard, commented that he lives 1/4 mile south of the clearcut and urged the Board to take action on the moratorium.

Dennis Casady, P. O. Box 5028, commented that the threat of a moratorium has caused him to cut his trees on his property in the south hills.

Eric Frothingham, 2441 University, reported to the Board on Earth Day activities. He stated that he is proud of the program in Lane County and asked the Board to endorse Earth Day.

Jan Wroncy, P. O. Box 1101, asked that the public be included prior to acceptance of the Integrated Vegetation Management Plan. She also commented that the air quality in Eugene has been terrible for the past two weeks and that there had been more slash burning authorized today.

Scott Bartlett, 51 West 31st Street, asked the Board to support the proposed clinic in Springfield and suggested that it be called the "Springfield/McKenzieland Health Clinic".

3. COMMISSIONERS' ANNOUNCEMENTS

To be held at 10:40 a.m.

4. RESOLUTIONS

- a. ORDER 90-4-10-1/In the Matter of Recognition and Support of Earth Day, 1990, and Endorsement of Activities That Will Take Place April 11 to April 22, 1990 (Arbor Day through Earth Day)

Rust presented this item to the Board and distributed a schedule of events for Earth Day. He stated that there is a concern about the earth in many local issues such as deforestation, land use, recycling, herbicide use and air quality. He commented that the United States has cut 97 percent of its native forests.

MOTION: To adopt the resolution. Rust MOVED, Roberts SECONDED with the following amendments: To strike "and support" and to replace "endorsement of" with "related" in the title of the resolution; strike the first paragraph, the word "and" at the end of the second paragraph; strike the third and fourth paragraphs; replace "support" with "recognize" and replace "set aside" with "further recognized as appropriate" and "preservation" with "protection" in the final paragraph; and correct the footer to match the title as amended. Rogers SECONDED the motion to amend. Roberts commented that this would make the resolution a bare bones recognition of Earth Day. Rust commented that the resolution is symbolic and what really counts are the day-to-day activities in the personal lives of each of us and the vote on various items from air quality and recycling to deforestation. He stated that he could not support the motion as amended. Cornacchia commented that he does not agree with each and every issue on the Earth Day calendar and Dumdi commented that we are not in danger of losing species in our forests in this area. Rogers commented that "ancient forest" is an emotional catchword and that there is as much timber on O & C lands today as there was when the act was passed in the 1930's. VOTE on amendment: 4-1, Rust dissenting. VOTE on amended motion: 4-1, Rust dissenting.

5. EXECUTIVE SESSION as per ORS 192.660

To be held later in the meeting.

6. COUNTY ADMINISTRATION

a. Announcements

None.

b. DISCUSSION/Financing of Homeless and Affordable Housing Plan

Jim Johnson, County Administrator, presented this item to the Board.

MOTION: To direct County Counsel to prepare an ordinance on the business license fee at \$100 per business at a total of \$600,000 approximately. Rust MOVED, Roberts SECONDED. Rust commented that the time for action is long past and that the Board needs to move now to get something in place for next winter. Dumdi stated that she cannot support the motion on the business license fee as some owners cannot bear this burden. Roberts commented that he did not want to add to the burden of small businesses, but that the Board needs to take action. He commented that everyone is on the same ship and that this community needs growth and development and needs to help those who cannot help themselves. Cornacchia stated that the Board has not bought all of the plan and he did not want to add more tax. He stated that he would like a commitment from the other elected officials, as this was not only a Lane County problem. Dumdi stated that she approved of an allocation from the child care center and she suggested that an incentive be given to builders to build low-cost housing. Rogers asked that his remarks from previous discussion be incorporated by reference. Rust stated that a flat fee for businesses is simple and that businesses will benefit indirectly. He stated that it is a hollow promise to wait for other agencies, especially when the Legislature is not in session. He stated that those who vote against this motion have a responsibility to put something else on the table. VOTE: 2-3, Cornacchia, Dumdi and Rogers dissenting. Motion fails.

MOTION: To direct that funds received from the child care center be transferred to homelessness. Dumdi MOVED. Motion dies for lack of second. Roberts commented that the trust fund has merit, but that it is premature at this time to make the allocation.

Johnson commented that the remodeling of the Family Shelter House is critical.

c. Request for Support for Lane Metro Youth Corps Grant Application

MOTION: To support request and sign the letter. Cornacchia MOVED, Dumdi SECONDED. VOTE: 5-0.

7. PUBLIC WORKS

a. REPORT AND WORK SESSION/Proposed Integrated Vegetation Management Program

David Dunlap, Vegetation Management Coordinator, presented this item to the Board. He acknowledged the work of the Vegetation Management Committee and gave some historical review of the County's vegetation program. He stated that the proposed program will rely on an inventory to the 100th mile to show features along the roadside and that no spray areas will be documented.

He stated that the next steps for this program are: 1) establishment of the vegetation management areas and the teams; 2) implementation of the Integrated Vegetation Management training for the crews; 3) purchase of more suitable chemical application equipment; 4) initiate roadside testing and evaluations that will include the use of chemical tools; and 5) establish a no-spray area permit program. He commented that he would expect these steps to take three to six months and the program should be visible to the public this fall or next spring. He stated that he planned to have public meetings with neighborhood organizations and farmers to explain the way that this program would be conducted. He stated that he would like to have direction from the Board regarding the posting policy, road shoulder design standards, non-County personnel doing work on the right-of-way and work off of the County right-of-way to allow better drainage.

Rust asked if Dunlap had a list of chemicals that he would propose. Dunlap stated that IVM is a dynamic approach and he would not want to constrain the program with a list developed at this early stage. He stated that the public will have access to the information at all times. Rust stated that he would like a list as soon as one is developed. He asked Dunlap to estimate how many road miles would be chemically treated and Dunlap commented that he might have a figure by fall. Cornacchia asked what the future of the committee would be and Dunlap stated that it would continue as a liaison between the department and the public. Cornacchia stated that he was impressed with the compromise that had led to this report and commented that the Board should have confidence in Dunlap and the committee. Roberts commented that this was a balanced approach and a reasonable compromise. He added that timely implementation will be important. Dumdi applauded the committee and Dunlap for this impressive report and added that she would like it to move faster. She stated that additional Public Hearings on this item were unnecessary. Rust commented that he hesitated to endorse this without a list of chemicals to be used and the number of road miles to be treated. He stated that the inventory was a good approach, but that he did not want a program that was driven by chemicals. Rogers commented that he would like to see Dunlap proceed with this report by fall of this year following recommendation 2.a.

This meeting recessed at 10:40 a.m. to reconvene at 10:50 a.m.

3. COMMISSIONERS' ANNOUNCEMENTS

Roberts discussed the possibility of putting a stop sign on Park Avenue and suggested that Public Works address the safety concern and report back to the Board. The Board concurred and asked for a report in two weeks.

Rust reported that the City of Eugene would support the County adopting its ordinance regarding tree cutting.

Cornacchia reported that the Willamette National Forest Advisory Board had completed 80 percent of the suggested volume of sales, but will hold off on all sales in the new areas listed.

Dumdi announced that she will meet with Senator Hatfield in Junction City on Thursday and Cornacchia suggested that she mention the issue of drift nets.

Rogers announced that the Board will meet with department directors on April 20 at 9:00 a.m. in the Commissioners Conference Room.

Rogers announced that the formal dedication of the new Central Lane Justice Court will be April 30 at 10:00 a.m.

9. COUNTY COUNSEL

- a. FIRST READING AND SETTING SECOND READING AND PUBLIC HEARING/Ordinance No. 4-90/In the Matter of Amending the Lane Code, Chapter 9, Environment and Health to Add a Provision Requiring Permits for Tree Cutting on Property Located Between the City Limits of Eugene and the Metro Growth Area General Plan Urban Growth Boundary, and Declaring an Emergency (Second Reading and Public Hearing: April 25, 1990, 1:30 p.m., Harris Hall, Main Floor)

This item taken out of order.

Rogers read the ordinance into the record.

Bill Van Vactor, County Counsel, stated that this ordinance is modeled after the City of Eugene ordinance and it falls on the city to administer. The Board discussed whether appeals should go to the City Tree Board or the County Hearings Official.

MOTION: To approve First Reading of ordinance with alternate language referring appeals to the County Hearings Official and to increase parcel size to one acre and setting Second Reading and Public Hearing for April 25, 1990, at 1:30 p.m. in Harris Hall. Rust MOVED, Cornacchia SECONDED. Rogers commented that he would like the burden of proof shifted to the City of Eugene, but he would not support the ordinance in any case.

MOTION: To amend the motion to change the burden of proof from the property owner to the City of Eugene. Rogers MOVED, Cornacchia SECONDED. **VOTE** on motion to amend: 5-0. **VOTE** on main motion as amended: 4-1, Rogers dissenting.

7. PUBLIC WORKS

- b. **DISCUSSION AND ORDER 90-4-10-2/In the Matter of Approving Maxwell Road Project Design**

Ollie Snowden, County Engineer, presented this item to the Board and stated that residents were generally opposed to the planter strip on Maxwell Road. He explained that realignment was being considered on East Rosewood.

This meeting recessed at 11:36 a.m. to reconvene at 1:30 p.m. for Executive Session and at 2:50 p.m. for Regular Session.

Rust excused.

Van Vactor distributed copies of the revised Ordinance 4-90 for the Board.

7. PUBLIC WORKS

- b. **DISCUSSION AND ORDER 90-4-10-2/In the Matter of Approving Maxwell Road Project Design**

Continued from the morning meeting.

Roberts asked if future development in this area will require a traffic light and if there would be cost advantages to putting the light in now. Snowden stated that the underground conduit could be put in now and that the area will continue to be monitored as to the need for a traffic light. The Board discussed traffic lights at the Grove Street intersection and at North Park. Cornacchia suggested that Dumdi and Roberts meet with Snowden regarding traffic lights.

MOTION: To adopt the section plan, excluding supplemental finding #1, including the realignment of East Rosewood and a traffic light at Grove Street and Maxwell. Roberts MOVED, Dumdi SECONDED. **VOTE:** 4-0. Public Works will return the end of June for a report to the Board regarding the traffic lights.

8. CONSENT CALENDAR

- A. **Approval of Minutes:** March 13, 1990, Work Session
8:30 a.m.
March 13, 1990, Work Session 1:30 p.m.
March 14, 1990, Regular Meeting
Following HACSA

March 27, 1990, Regular Meeting
Following HACSA
March 27, 1990, Regular Meeting
1:30 p.m.

B. County Administration

- 1) ORDER 90-4-10-3/In the Matter of Transferring \$198,500 from the General Fund Appropriated Reserve; \$35,000 from the Corrections Operations Fund Appropriated Reserve; and \$33,000 from the Police Services Fund Appropriated Reserve to the Department of Public Safety for Increased Costs Associated with the Lane County Peace Officers' Association Contract Agreement

C. Assessment and Taxation

- 1) ORDER 90-4-10-4/In the Matter of Refunds to Various Taxpayers
- 2) ORDER 90-4-10-5/In the Matter of Refunds to Various Taxpayers
- 3) ORDER 90-4-10-6/In the Matter of Amending Board Order No. 89-7-12-6 to Refund Property Taxes to Lane Tower Partnership

D. Public Safety

- 1) ORDER 90-4-10-7/In the Matter of Approving an OLCC License for Pier Point Investors; dba: The Red Snapper Restaurant, Florence

E. Public Works

- 1) ORDER 90-4-10-8/In the Matter of Awarding a Contract to L. R. Brabham, Inc., for a Traffic Signal - 30th Avenue at Eldon Schafer Drive, Contract No. 89/90-18
- 2) ORDER 90-4-10-9/In the Matter of Appointing the Investment Manager of the Oregon State Excess Fund as Attorney-in-Fact for Lane County in a Limited Capacity
- 3) ORDER 90-4-10-10/In the Matter of Accepting a Deed of Land to be Used as a Public Road Easement and as a County Road (Laura Street) (17-03-22)
- 4) ORDER 90-4-10-11/In the Matter of Releasing as a Reserve Strip, Dedicating and Accepting Parcel D in the Plat of Willow Creek Estates, Book 47, Page 13, a Parcel of County-Owned Real Estate, as Part of County Road Number 1850 (18-04-05)

F. HEALTH AND HUMAN SERVICES

- 1) ORDER 90-4-10-12/In the Matter of Continuing to Provide Family Mediation Services for Custody and Visitation and Delegating

Authority to the County Administrator to Sign Contracts for the Family Mediation Program

- 2) ORDER 90-4-10-13/In the Matter of Accepting Amendment #14 to the 1989-91 Intergovernmental Agreement #20-001 with the State Mental Health Division; Delegating Authority to the County Administrator to Sign the Letter of Acceptance and Subsequent Subcontract Amendments; Appropriating an Additional \$40,518 in Service Programs for Mentally Ill, Developmentally Disabled and Alcohol and Drug Abuse in the Department of Health and Human Services

MOTION: Approval of the Consent Calendar. Dumdi MOVED, Roberts SECONDED.
VOTE: 4-0.

10. HEALTH AND HUMAN SERVICES

The following items taken together.

- a. DISCUSSION AND ORDER 90-4-10-14/In the Matter of Establishing a Public Health Clinic in Springfield; Delegating Authority to the County Administrator to Sign a Facility Lease Contract with the City of Springfield
- b. DISCUSSION AND ORDER 90-4-10-15/In the Matter of Authorizing Health and Human Services to Issue Requests for Proposal to Provide Primary Health Care Services in Springfield; Delegating Authority to the County Administrator to Sign a Contract with the Successful Bidder
- c. DISCUSSION AND ORDER 90-4-10-16/In the Matter of Establishing a Classification, Setting the Salary Range and Establishing 2.0 FTE Public Health Nursing Supervisor Positions in the Department of Health and Human Services


Ken Champion, Administrative Services Manager, presented these items to the Board and stated that there is space in the Springfield City Hall for this clinic. Rogers commented that he was surprised about the lease provision as he was under the impression that Springfield would provide the space at no cost. Roberts agreed that he was under that impression also. Jeannette Bobst, Public Health Manager, stated that there is room to negotiate this issue.

MOTION: To adopt this package in its entirety if the City of Springfield makes the space available at no cost. Roberts MOVED, Dumdi SECONDED. Cornacchia clarified that it could be for three years rent free with a reopener. VOTE: 4-0.

10. EMERGENCY BUSINESS

None.

There being no further business, this meeting adjourned at 3:30 p.m.


Judy Haldeman
Recording Secretary