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MINUTES & NOTICE OF BOARD ACTION

APPROVED 9-5-90

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.

August 1, 1990
Following HACSA

REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

Harris Hall
Main Floor

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

1. ADJUSTMENTS TO THE AGENDA

Item 10. a. to follow item 3. and item 9. b. will be renumbered to 14. a.

2. PUBLIC COMMENT

Lawrence Bahn, 4525 Spring Boulevard, commented that guidelines are needed to prevent greed in the South Hills and asked that the Board not allow the boundary to be stripped. He commented that the trees on the boundary are a serious resource and there should be someone in control.

Bob Bodine, 04554 Blanco Street, Florence, commented that he did not want the All-Events Center to be a Hult Center West and commented on the "rent-a-fuzz" program for Weyerhaeuser.

3. COMMISSIONERS' ANNOUNCEMENTS

To be held later in the meeting.

10. DISTRICT ATTORNEY'S OFFICE

- a. ORDER 90-8-1-21/In the Matter of Establishing a New Classification Series and Corresponding Salary Ranges in the Office of the District Attorney

This item taken out of order.

Doug Harclerod, District Attorney, and Jim Walsh, Personnel Analyst, presented this item to the Board.

MOTION: Approval. Dumdi MOVED, Roberts SECONDED. VOTE: 5-0.

4. COMMISSIONERS' BUSINESS

- a. ORDER 90-8-1-1/In the Matter of Approving as to Form the Unpaved City Roads Agreement and Delegating Authority to the County Administrator to Execute Said Agreement with Eligible and Participating Cities

Cornacchia presented this item to the Board.

MOTION: Roberts MOVED, Dumdi SECONDED. Roberts stated that he hoped the Commissioner from Springfield would stay involved in this issue and commented that there was good work done by Cornacchia and the mayors of the cities to reach this agreement. VOTE: 3-2, Rogers and Rust dissenting.

5. EXECUTIVE SESSION as per ORS 192.660

None.

6. COUNTY ADMINISTRATION

- a. Announcements

Margo Drivas, Assistant County Administrator, announced that the Elected Officials' Compensation Board had made a request for written information regarding the nature of the job for each Commissioner.

Jack Lindstrom, Management Analyst, announced that two groups of visitors will be coming from St. Wendel, Germany, and that home stays were needed for each group. There will be a group of musicians here August 22-25 and an official delegation September 22-26. Rogers stated that he would be hosting 2 of the visitors in each group.

- b. ORDER 90-8-1-2/In the Matter of Giving a Conditional Commitment to the City of Florence for Future Room Tax Receipts

Drivas commented that after initial consultation with Bond Counsel it was determined that option 3 would be legal and is recommended by the County Administrator (see material on file). Rogers read a letter that the Board had received from Wilbur Ternyik, President of the Port of Siuslaw, stating that the Port of Siuslaw had agreed not to participate in the Florence All Events Center project. Craig McMicken, City Manager, concurred that the Port of Siuslaw did not wish to participate.

Dumdi commented that she was concerned that this seemed to be more a community facility than a convention center and as such, may not generate future room tax revenues. Cornacchia commented that this program was a change from the one presented to the Tourism Council and that it would be appropriate to have it re-analyzed by the

Tourism Council. Rust commented that it would be interesting to find out what percent of the use of the ice facility is local. He stated that Florence is trying to assure that the facility is successful, though he would agree that a tighter operations plan should be included. Roberts commented that he would have no objection to a reconsideration by the Tourism Council and that the issue is that there be sufficient use to justify the use of room tax receipts, though local support is an asset. Rogers stated that he did not see that the criteria in Attachment A was addressed and agreed that this should be referred to the Tourism Council for comments. Cornacchia commented that he agreed with option 3, but was concerned about the County being associated without the operating expenses being a certainty. He stated that he would like to see an order or ordinance from the Florence City Council regarding their operating subsidy. Cornacchia stated that he has no interest in the County owning this facility. Rogers commented that the Board criteria have not been addressed by the Florence City Council. The Board concurred that it could support option 3 with the conditions mentioned. This issue will return to the Board on September 26 for a report from the Tourism Council.

7. PUBLIC WORKS

- a. ORDER 90-8-1-3/In the Matter of a Determination of Whether or Not to Consider the Appeal of a Hearings Official Approval of PA 1664-89 (Applicant & Appellant: Oregon State Police)

Thom Lanfear, Planner, presented this item to the Board and said that staff recommended that they not hear the appeal. Rogers asked if there were any ex parte contacts and Roberts stated that his brother works for the law firm representing the appellant, but that his brother is not representing the appellant. Roberts commented that this was an interesting landlord tenant dispute and may have County-wide significance. Rogers commented that this will wind up at the Land Use Board of Appeals (LUBA) anyway and that the Board should not hear it. Cornacchia commented that this was a site specific issue.

MOTION: To not hear the appeal. Dumdi MOVED, Rogers SECONDED.
VOTE: 4-1, Roberts dissenting.

8. CONSENT CALENDAR

- A. Approval of Minutes: None
- B. Finance and Management Services
- 1) ORDER 90-8-1-4/In the Matter of Increasing the Change Fund for the Lane County Department of Health & Human Services, Environmental Health

C. Health and Human Services

- 1) ORDER 90-8-1-5/In the Matter of Approving an Amendment in the Amount of \$29,925 to the 1989/90 Subcontract with Akeela House, Inc., for Operation of the Alcohol and Drug Treatment Center for Corrections Clients; and Delegating Authority to the County Administrator to Sign the Amendment
- 2) ORDER 90-8-1-6/In the Matter of Appointing/Reappointing to the Medical Staff of the Lane County Psychiatric Hospital (LCPH) for a Two-Year Period and at the Levels and Categories so Indicated Those Physicians Listed in Exhibit A Attached Hereto
- 3) ORDER 90-8-1-7/In the Matter of Entering into an Intergovernmental Agreement with the City of Eugene, Oregon, for \$23,325 to Provide Mental Health Crisis Response Services; Delegating Authority to the County Administrator to Sign the Agreement; Establishing a .5 FTE Mental Health Specialist Position Within the Department of Health and Human Services; Appropriating \$23,325 in Additional Personnel Expenditures in the Department of Health and Human Services

D. Public Safety

- 1) ORDER 90-8-1-8/In the Matter of Approving an OLCC License (Change Ownership) for Texaco Refining & Marketing, Inc., dba: Texaco Food Mart, Eugene
- 2) ORDER 90-8-1-9/In the Matter of Approving an OLCC License (Change Ownership) for Texaco Refining & Marketing Inc., dba: Texaco Food Mart, Eugene

D. Public Safety

- 3) ORDER 90-8-1-10/In the Matter of Authorizing Law Enforcement Agreement with Weyerhaeuser Company
- 4) ORDER 90-8-1-11/In the Matter of Authorizing Boating Safety/Law Enforcement Intergovernmental Agreement with Oregon State Marine Board

E. Public Works

- 1) ORDER 90-8-1-12/In the Matter of Awarding a Contract to Kip Construction Co., for Meadowview Road Bridges (Bridge No.16-5W-25C and Bridge No. 16-5W-25), Contract No. 90/91-02
- 2) ORDER 90-8-1-13/In the Matter of Accepting a Deed of Land to be Used as a Public Road Easement and County Road (Dale-Kuni Road) (19-03-12&13)

- 3) ORDER 90-8-1-14/In the Matter of Accepting a Deed of Land to be Used as a Public Road and as a County Road (North Loftus Road) (19-12-03)
- 4) ORDER 90-8-1-15/In the Matter of Accepting a Deed of Land to be used as a Public Road Easement and Not as a County Road (South Loftus Road) (19-12-03)
- 5) ORDER 90-8-1-16/In the Matter of Accepting a Deed of Land to be Used as a Public Road and Not as a County Road (Lois Lane) (17-06-27)
- 6) ORDER 90-8-1-17/In the Matter of Authorizing the County Administrator to Execute a Contract Amendment With Russ Fetrow Engineering, Inc., for Technical Services Foreclosure of Three County Landfills
- 7) ORDER 90-8-1-18/In the Matter of Remanding to the Hearings Official the Application for Approval of a Nonfarm Dwelling in an E-40 Zone District (PA 1684-89)
- 8) SUBDIVISION PLAT
 - a. First Addition to Rainbow Estates
City of Springfield
17-03-34

F. Youth Services

- 1) ORDER 90-8-1-19/In the Matter of Accepting Juvenile Services Funds, Awarding Subcontracts, and Delegating Authority to the County Administrator to Execute Contracts
- 2) ORDER 90-8-1-20/In the Matter of Implementing the Lane County Great Start Plan, Awarding Subcontracts, and Delegating Authority to the County Administrator to Execute Contracts

Rust asked to have item 8. D. 3. pulled from the Consent Calendar for discussion. MOTION: Approval of the balance of the Consent Calendar. Roberts MOVED, Dumdi SECONDED. VOTE: 5-0.

D. Public Safety

- 3) ORDER 90-8-1-10/In the Matter of Authorizing Law Enforcement Agreement with Weyerhaeuser Company

Rust asked if this contract with Weyerhaeuser makes the County absolutely whole. Drivas stated that she would consult with the Public Safety Department during the break and report back to the Board.

This meeting recessed at 10:41 a.m. to reconvene at 10:50 a.m.

3. COMMISSIONERS' ANNOUNCEMENTS

Roberts asked for an update on the Personnel Manager vacancy in the Human Resources Department. Drivas stated that there had been two recruitments and that there had been no suitable applicants from either recruitment. She stated that she is working on an Agenda item regarding the restructuring of responsibility in the Human Resources Department prior to doing another recruitment.

Dumdi announced that the Department of Environmental Quality and the Environmental Quality Commission have prepared proposals for managing the issue of Clear Lake and Dumdi said that there will be some request for staff support from Lane County. The report will be ready on September 21 and there will be a public hearing in Florence on September 22. The Board concurred with the request by Dumdi for staff support on Clear Lake.

Rogers announced that the Board had received a memorandum from the Public Works Department which reported that the uncovered truck seen on the freeway belonged to a private hauler and not the Solid Waste Department.

Rogers announced that Lane County had received a grant for \$95,000 from the Oregon Traffic Safety Commission and that the decision had been unanimous. He gave credit for this grant to the team from Lane County who presented this to the Commission and worked on the video: Jim Johnson, Bob McManus, Del Hackett, Doug Harclerod, Kent Mortimore, David Garnick, Ann Simas, Jenny Carmichael, Barbara Stoeffler, Robert Lewis, Ken Warren and Barry Burlison. He stated that Larry Hill, Carl Hosticka and Larry Campbell all testified to great effect and that there were letters sent from Cedric Hayden and Bill Dwyer in support of Lane County.

8. D. Public Safety

3) ORDER 90-8-1-10/In the Matter of Authorizing Law Enforcement Agreement with Weyerhaeuser Company

Bob McManus and Pat Dawley from the Sheriff's Department presented this item to the Board. McManus reported that the County is fully compensated for the agreement with Weyerhaeuser and Dawley explained that salary, fringe benefits, indirect costs and equipment costs were all included. McManus explained that government costs are offset when an officer is dedicated to forest lands.

MOTION: Approval. Rust MOVED, Dumdi SECONDED. VOTE: 5-0.

9. COUNTY COUNSEL

a. ORDER 90-7-25-16/In the Matter of Amending Chapter 2 of the Lane Manual Concerning Distribution of Written Information from the Harris Hall Information Counter and the Free Speech Rack (LM 2.860 and 2.870), and Directing Implementation by the County Administrator

MOTION: Approval. Cornacchia MOVED, Dumdi SECONDED. VOTE: 3-2, Roberts and Rogers dissenting.

10. DISTRICT ATTORNEY'S OFFICE

- a. ORDER 90-8-1-21/In the Matter of Establishing a New Classification Series and Corresponding Salary Ranges in the Office of the District Attorney

This item held earlier in the meeting.

11. EMERGENCY BUSINESS

None.

There being no further business, this meeting adjourned at 11:12 a.m.



Judy Haldeman
Recording Secretary