

MINUTES & NOTICE OF BOARD ACTION

BOOK 144 PAGE 1905

APPROVED 6-13-90

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.

May 22, 1990
Following MWSD

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

There will be one item of Emergency Business.

2. PUBLIC COMMENTS

Anne Perrault, 2381 Jefferson, representing the Native Forest Council, commented that all information should be made available to the public.

Christopher Orsinger, 820 East 26th Street, representing the Environmental Federation of Oregon, commented that courts have ruled in favor of charitable donations and that employees prefer to have a choice of organizations.

Allan B. Branscomb, 1334 East 21st Avenue, commented on the removal of information at the desk and stated that there had been no complaints prior to the removal of the publication.

Mel Oberst, 22060 1/2 Emerald, commented that citizen involvement and free speech were important to him and suggested that the level of debate be elevated on the timber issue. He asked the Board to help heal the community and to affirm support for freedom of speech.

Peter Jensen, 340 North Grand Street, representing the Environmental Federation of Oregon, commented that he would like the Federation included in the list of charitable donations for Lane County.

3. COMMISSIONERS' ANNOUNCEMENTS

To be held at 10:40 a.m.

4. EXECUTIVE SESSION as per ORS 192.660

To be held later in the meeting.

5. COMMITTEE REPORTS

Finance and Audit Standing Committee

a. DISCUSSION/Use of Employee Payroll Deduction for Charitable Contributions

Margo Drivas, Assistant County Administrator, introduced this item to the Board. Cornacchia commented that he would prefer Option 1, which allows no employee access, as contributions belong in the private sector and County monitoring of solicitations adds to County expense. Dumdi commented that she would agree with Cornacchia that solicitations do not belong in the work place and that she would support Option 1. Roberts commented that he was reluctantly inclined to support Option 1. Rust commented that the cost would be minimal and that he would support Option 4. Rogers stated that he would agree that if the County were forced to open solicitations to all that the County should close for all and that he would support Option 1. He stated that no employee had requested that this organization be added and that this request was external only. Jim Johnson, County Administrator, commented that there could be an Option 1a which would allow employees access to a form where the contribution of their choice could be checked off. Rogers stated that this would still take time and that all should be eliminated. Johnson commented that he will have a Lane Manual provision in support of Option 1 prepared in 30 days for the Consent Calendar.

6. COUNTY ADMINISTRATION

a. Announcements

None.

b. DISCUSSION/LTD Use of Butterfly Parking Area

Mark Pangborn and Stefano Viggiano, Lane Transit District, presented this item to the Board. Pangborn stated that a committee had been set up in July of 1989 to find a new location for the transit station. He stated that the District is interested in finding a new location that can function as well as a downtown station can in order to position this community for the future. Viggiano stated that LTD carries approximately 2,000 people per day to the downtown area as a destination or to transfer to other buses. The current station is

three blocks long and does not seem to be located centrally downtown. The committee is soliciting comments about a new location and will choose a few of these locations for in-depth review with a public hearing process. The Butterfly is currently the top site due to its proximity to employment, its size and the fact that it is in the Urban Renewal District.

Rust commented that fumes and noise were a setback for LTD and Dumdi commented that loitering is also a problem. Viggiano stated that fumes and noise did not seem to be a problem with the stations that he had visited and that it was easier to control loitering inside a building. Rogers asked about parking for County employees that are currently parking in the Butterfly and Viggiano commented that there could be parking under the transit station, but that this issue would not be addressed at length until the final site was chosen. Cornacchia stated that he was not interested in having this facility across from the Courthouse due to traffic, parking and social problems. Dumdi commented that she needed more information and had some reservations about this facility. Roberts commented that parking needs must be addressed along with fumes and noise, but that having a transit station near the core is positive. Rogers commented that parking must be resolved and the security aspect must be addressed. Pangborn will return to the Board for further discussion if the committee chooses a County site for the transit station.

- c. DISCUSSION/Written Policy for Printed Material Available to the Public at the Harris Hall Information Desk and Elsewhere

Johnson commented that direction was needed on a policy for information at the entrance to Harris Hall. Rogers commented that he had removed material from the Information Desk and that he had compared "Timber" with "Forest Voice" and had found no inflammatory language in "Timber" though both were biased. He stated that he would prefer to have none of it on the counter. Cornacchia commented that faced with all or nothing that he would prefer nothing. Roberts commented that there was no policy at present and that he would support a ban on all but government publications until there are different Constitutional guidelines. Rust commented that ideas should rise and fall on their own merits and suggested that there be a "free speech nook". Dumdi suggested that there could be an area for free speech closer to Harris Hall. Bill Van Vactor, County Counsel, stated that this area has not served as a public forum historically and that he could have a Lane Manual provision limiting this area to government publications ready for the Board in 30 days.

- d. DISCUSSION/Process for County Administrator Performance Appraisal (no material)

Johnson commented that he had as much direction as he needs as a check point although he would like expectations clearly set out to measure his performance. Cornacchia commented that the expectations

were placed on the table during the last evaluation and commented that one evaluation a year was enough from his point of view. Dumdi stated that it was not necessary to have another evaluation of Johnson and Roberts agreed. Rust commented that he was waiting for standards and a proposal from Rogers. Rogers commented that he would have the performance appraisal removed from the June 26, 1990, calendar and that he would have his own session with Johnson.

This meeting recessed at 10:15 a.m. to reconvene at 10:25 a.m.

7. PUBLIC WORKS

- b. DISCUSSION AND ORDER 90-5-22-2/In the Matter of Adopting the Public Works Five-Year Capital Improvement Program

This item taken out of order.

MOTION: Approval. Cornacchia MOVED, Roberts SECONDED. VOTE: 3-1, Rust dissenting and Rogers abstaining.

- a. ORDER 90-5-22-1/In the Matter of Approving a List of Public Improvement Projects for the Lane County FY 90-91 Budget

MOTION: Approval. Cornacchia MOVED, Roberts SECONDED. Dumdi asked to have Nelson Mountain Road Bridge acquisition of right-of-way added to the list. VOTE: 4-0, Rogers abstaining.

8. CONSENT CALENDAR

- A. Approval of Minutes: May 1, 1990, Work Session, 8:30 a.m.
May 2, 1990, Regular Meeting Following
Board of Health
- B. County Administration
- 1) ORDER 90-5-22-3/In the Matter of Appointing Citizen Members to the Metropolitan Wastewater Service District Budget Committee
- C. Public Safety
- 1) ORDER 90-5-22-4/In the Matter of Approving Various Liquor License Renewals for Various Individuals
- D. Public Works
- 1) ORDER 90-5-22-5/In the Matter of Awarding a Contract to Delta Sand & Gravel Company and Babb Construction Inc., dba Delta Construction Company for Grading, Paving and Structure - Lorane Highway, Bailey Hill, Spencer Creek Road Intersection, Contract No. 89/90-23

- 2) RESOLUTION AND FINAL ORDER 90-5-22-6/In the Matter of Vacating the Lot Lines Common to Lots 1 & 2, Lots 2 & 3, and Lots 3 & 4, in Block 32, Second Amended Plat of Fern Ridge, Book 6, Page 28, Without a Public Hearing, and Adopting Findings of Fact (17-05-02)
- 3) ORDER 90-5-22-7/In the Matter of Amending a Professional Services Contract with Sweet-Edwards/ENCOM, Inc. to Cover Emergency Services Required to Remedy Problems Discovered during the Underground Storage Tank Evaluation Project and Authorizing the County Administrator to Execute the Contract Amendment

Item 8. B. 1. was pulled from the Consent Calendar and voted on in Metropolitan Wastewater Service District meeting on this date.

MOTION: Approval of the balance of the Consent Calendar. Cornacchia MOVED, Dumdi SECONDED. VOTE: 5-0.

9. COUNTY COUNSEL

- a. FIRST READING AND SETTING SECOND READING AND PUBLIC HEARING/Ordinance No. 5-90/In the Matter of Amending Chapter 6 of Lane Code to Add Reference to LC 6.610 in LC 6.995(1) Which was Inadvertently Omitted by Ordinance No. 4-89 and Which had been Added by Ordinance No. 10-88 (Second Reading: June 6, 1990, 1:30 p.m., Harris Hall Main Floor)

MOTION: Approval of First Reading and setting Second Reading and Public Hearing for June 6, 1990, 1:30 p.m. in Harris Hall. Roberts MOVED, Dumdi SECONDED. VOTE: 5-0.

- b. REPORT BACK/ORDER 90-5-16-17/In the Matter of Adopting Findings and Remanding the Appeal of the Lane County Hearings Official Approval of a Conditional Use Permit to Allow the Construction of an RV Park Within an RR-5 District (PA 719-89)

Stephen Vorhes, Assistant County Counsel, presented this item to the Board. Vorhes presented proposed language changes for paragraph V.C.1. under the sub-assignment of error which read "except as affected by the testimony and evidence provided at the remand hearing on the water supply, length of stay and condition clarification issues as directed below, the Hearings Official conclusion that the proposed use will not have a significant adverse impact on adjacent agricultural uses is affirmed". Cornacchia stated that he was satisfied with these changes.

MOTION: To approve order with the proposed changes. Cornacchia MOVED, Dumdi SECONDED. VOTE: 4-0, Roberts abstaining.

10. HEALTH AND HUMAN SERVICES

- a. ORDER 90-5-22-8/In the Matter of Appointing Three Members to the Mental Health Advisory Committee

MOTION: Appointment of Peggy Stedman, James Deverell and Patricia Thomassen to the Mental Health Advisory Committee. Cornacchia MOVED, Roberts SECONDED. VOTE: 5-0.

11. EMERGENCY BUSINESS

- a. ORDER 90-5-22-9/In the Matter of Approving the Submittal of a Grant Request to the State of Oregon for a Substance Abuse Education Program and Authorizing the County Administrator to Execute the Grant Application

MOTION: Approval. Cornacchia MOVED, Dumdi SECONDED. VOTE: 4-0, Rogers abstaining.

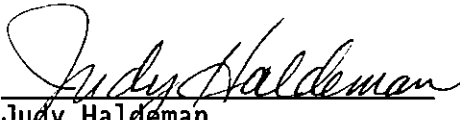
3. COMMISSIONERS' ANNOUNCEMENTS

Cornacchia announced that he had received a letter from David Pedersen & Associates regarding wetlands creation and the Lane Code. He asked if an immediate determination could be made. Van Vactor commented that this could be on the Agenda for next week.

Rust announced that the Fair Board would like another week to study the audit and stated that he had suggested that Steve McCulloch, Fair Board Manager, meet with Johnson to see what County resources were available to help deal with the audit findings.

Rogers announced that he will give a report on the WIR conference next week.

There being no further business, this meeting adjourned at 10:51 a.m. for Executive Session.


 Judy Haldeman
 Recording Secretary