

NOTICE OF BOARD ACTION



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.

September 26, 1990	REGULAR MEETING	Harris Hall
Following HACSA	BOARD OF COUNTY COMMISSIONERS	Main Floor

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

4. COMMISSIONERS' BUSINESS

a. PRESENTATION/U.S. Flag

This item was held at 9:45 a.m. time certain.

This meeting recessed at 9:56 a.m. to reconvene following HACSA at 10:07 a.m.

6. COUNTY ADMINISTRATION

b. ORDER 90-9-26-1/In the Matter of Giving a Conditional Commitment to the City of Florence for Future Room Tax Receipts

This item taken out of order for 10:00 a.m. time certain.

Margo Drivas, Assistant County Administrator, introduced this item to the Board. Rob Ward, Mayor of Florence, thanked the Board for the opportunity to appear on behalf of the City of Florence. He stated that a conditional commitment of the room tax dollars was the first step in the All Events Center project and that the second step was a commitment from the Siuslaw School District for the property. Ward added that the third step was a realistic operating and maintenance budget which includes staffing. He stated that he had made a promise to the voters of Florence not to tie this center to property tax dollars. Ward stated that he would be stepping down as mayor and would be asking the new mayor to appoint him as the chair of the steering committee so that he could continue working on this project.

Cornacchia commented that there would be a need for revenue from outside of Florence with an adequate marketing program to generate

that revenue. He stated that there would be a need for an appropriate operations and maintenance budget to maintain the facilities. He suggested a change in the agreement in paragraph c., stating that the payment to the City of Florence is contingent upon Board of Commissioners' approval of operations, maintenance and marketing budgets and plans. Cornacchia stated that there is "public trust" involved and the Board needs to know that this facility is sustainable.

Rust asked who would be responsible for the payments if the room tax money dries up. Drivas stated that Lane County would pledge its money to the City of Florence, Florence will issue the Certificates of Participation and may need to seek a revenue-backed general obligation bond to reduce the flow of cash from the County. Cornacchia cautioned that the revenues for the center are coming directly from petroleum products. Rogers commented that he wants the people of Florence solidly behind this project and that revenue bonds may insure that commitment. Wilson stated that the responsibility is put on the City of Florence to determine which financing method will be used.

Roberts commented that the amount of the room tax payment to the city cannot be determined until construction costs are finalized, as well as interest rates, etc. He stated that the commitment to Florence is being made subject to these contingencies so that this project can proceed. Paragraph a. will read: "That the payment to the City of Florence for capital construction be in the approximate amount of \$1.8 million to be paid together with interest over a period not to exceed 20 years". Cornacchia stated that the language in paragraph c. should read: "That the payment to the City of Florence be contingent upon Board of Commissioner approval of the initial operations, maintenance and marketing plans and budgets for the facility". Cornacchia stated that he would support the elimination of paragraph d.

MOTION: Approval of the Board Order with Exhibit A as amended. Dumdi MOVED, Roberts SECONDED. VOTE: 5-0.

2. PUBLIC COMMENT

Jay Jay, P. O. Box 22023, commented on homelessness and asked the Board to consider housing for single men. He suggested that there be revisions to the camping ordinance and stated that the police have better things to do than issue camping citations. He proposed that a structure be built for single men which will be paid for with state, County, federal and private monies with a small fee charged for its use. This structure would be staffed by volunteers.

This meeting recessed at 10:54 a.m. to reconvene at 11:05 a.m.

1. ADJUSTMENTS TO THE AGENDA

Drivas announced that the HACSA Board adopted an order this morning which will need to be adopted by the Board of County Commissioners as well. This order will appear as Emergency Business.

3. COMMISSIONERS' ANNOUNCEMENTS

None.

4. COMMISSIONERS' BUSINESS

a. PRESENTATION/U.S. Flag

This item was held earlier in the meeting at 9:45 a.m.

5. EXECUTIVE SESSION as per ORS 192.660

None.

6. COUNTY ADMINISTRATION

a. Announcements

Drivas announced that the visitors from St. Wendel, Germany departed this morning. She stated that there were a number of County employees who served as host families for the German visitors: Commissioner Rogers, Jack Lindstrom, Jodi Goff, Jonathan Brandt, Elizabeth Harris, Eric Langford and Ronda Smith. She thanked support staff in County Administration for their help with the coffee on Tuesday and thanked Ed Stelfox for making the museum available on Monday for the reception. Drivas stated that Jack Lindstrom put in a great deal of time and effort in making this a successful trip for the German visitors and she extended her appreciation to him for a job well done. Rogers commented that appropriate letters of thanks will be sent to the hosts and others who played a part in making this a success.

c. ORDER 90-9-26-2/In the Matter of Appointing Members to the Community Corrections Advisory Committee

Larry Salmony, Coordinator of Justice Services, presented this item to the Board and recommended the appointments of Bill Dickson, Lauren Holland and Don Williams to the Community Corrections Advisory Committee.

MOTION: Approval of the appointment of Bill Dickson and Lauren Holland and the reappointment of Don Williams to the Community Corrections Advisory Committee. Cornacchia MOVED, Dumdi SECONDED.

VOTE: 5-0.

7. PUBLIC WORKS

- a. ORDER 90-9-26-3/In the Matter of Amending Chapter 15 of Lane Manual to Revise Provisions with Regard to Merchantable Trees (LM 15.550)

Ollie Snowden, County Engineer, presented this item to the Board and stated that these changes would make trees in the right-of-way available to the underlying fee owners rather than the abutting property owners.

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

- b. FIRST READING AND SETTING SECOND READING AND PUBLIC HEARING/Ordinance No. PA 979/In the Matter of Renaming the Bypassed Portion of Highway 126, Between Elmira and Noti, to Suttle Road (Second Reading and Public Hearing: October 24, 1990, 1:30 p.m., in Harris Hall Main Floor)

Rogers read the ordinance into the record.

MOTION: Approval of the First Reading and setting Second Reading and Public Hearing on October 24, 1990, at 1:30 p.m. in Harris Hall. Dumdi MOVED, Roberts SECONDED. VOTE: 5-0.

- c. ORDER 90-9-26-4/In the Matter of Appointing Two Members to the Lane County Planning Commission

Jacqlyn Mikalonis, Administrative Analyst, presented this item to the Board. She stated that Margie Frazier has withdrawn her application to the Lane County Planning Commission. Cornacchia nominated Steve Moe to fill the position. Roberts commented that he would like to repost the opening as there is only one female member on the Commission. Cornacchia stated that he would support Moe in the next round as well. Dumdi suggested that the Board reappoint Lon Topaz and then repost for the second position. Rust nominated Bob Doppelt. Rust stated that he could support Moe, but will support reposting. Cornacchia suggested that the best person be chosen regardless of gender and Roberts commented that it was a Board policy to try to balance the committees. Rogers stated that the posting will close two weeks from Friday.

MOTION: To reappoint Lon Topaz to the Lane County Planning Commission. Roberts MOVED, Dumdi SECONDED. VOTE: 4-1, Cornacchia dissenting.

- d. ORDER 90-9-26-5/In the Matter of Appointing One Member to the West Lane Planning Commission

Mikalonis presented this item to the Board.

MOTION: To appoint R. W. "Wes" Westphal to the West Lane Planning Commission. Rogers commented that his vote does not mean support for the West Lane Planning Commission. Dumdi MOVED, Roberts SECONDED.
VOTE: 5-0.

8. CONSENT CALENDAR

A. Approval of Minutes: None

B. County Administration

- 1) ORDER 90-9-26-6/In the Matter of Authorizing Receipt of Forest Service and Soil Conservation Service Funds for the McKenzie Hatchery Project; and Initiating Phase I Project Activities

C. County Counsel

- 1) ORDER 90-9-26-7/In the Matter of Awarding a Contract to Preston, Thorgrimson, Shidler, Gates & Ellis, for Bond Counsel Services, and Authorizing the County Administrator to Execute the Contract

D. District Attorney

- 1) ORDER 90-9-26-8/In the Matter of Approving Intergovernmental Agreement 00120 with the Adult and Family Services Division, State of Oregon, Department of Human Resources; Accepting the Revenue; and Delegating Authority to the County Administrator to Sign the Agreement.

E. Finance and Management Services

- 1) ORDER 90-9-26-9/In the Matter of Approving a Contract for Programming Support for a New Purchasing System, not to Exceed \$39,900 and Authorizing the County Administrator to Execute the Contract
- 2) ORDER 90-9-26-10/In the Matter of Selling Surplus County Real Property Map and Tax Lot Numbers:
- 1) 17-04-26-24-10600 Property Located Adjacent to or Near 2930 Elmira Road, Eugene
 - 2) 18-04-01-21-05600 Property Located Adjacent to or Near 1820 Grant Street, Eugene
 - 3) 17-04-23-33-01500 Property Located Adjacent to or Near 855 Highway 99N, Eugene
 - 4) 17-04-35-33-04800 Property Located Adjacent to or Near 1637 Bailey Hill Road, Eugene
 - 5) 18-03-06-21-11800 Property Located Adjacent to or Near 2026 Washington Street, Eugene
- 3) ORDER 90-9-26-11/In the Matter of Approving an Assignment and Novation of Land Sale Contract, and an Assumption and Release

Agreement as Related to County Land Installment Sale of Map 18-04-02-34-00400/00500, Vacant Land Located in SW Eugene on Hawkins Heights Road

F. Health and Human Services

- 1) ORDER 90-9-26-12/In the Matter of Approving a Proposal from the Lane Council of Librarians for Continuation of a Cooperative Library Computer Database and Delegating Authority to the County Administrator to Sign the Contract

G. Public Safety

- 1) ORDER 90-9-26-13/In the Matter of Approving an OLCC License Renewal for Vivienne Wright, dba: Holiday Farm Inc., Blue River
- 2) ORDER 90-9-26-14/In the Matter of Approving an OLCC License (Change Ownership) for Carol M. and Keith H. Keiper, dba: Cleawox Market, Florence
- 3) ORDER 90-9-26-15/In the Matter of Approving an OLCC License (Change Ownership) for Gerald D. Clocksin and Gary R. Gilmore, dba: Blue River Community Market, Blue River

H. Public Works

- 1) ORDER 90-9-26-16/In the Matter of Accepting a Deed of Land to be Used as a Public Road Easement in 18-05-16 (Chapman Heights Road)
- 2) ORDER 90-9-26-17/In the Matter of Accepting a Deed of Land to be Used as a Public Road Easement and County Road in 18-05-16, 17 (Central-Crow Road)
- 3) ORDER 90-9-26-18/In the Matter of Accepting a Deed of Land to be Used as a Public Road Easement and County Road in 17-10-27 (East Mapleton Road)
- 4) RESOLUTION AND FINAL ORDER 90-9-26-19/In the Matter of Vacating a Portion of County Road No. 398 (Letz Creek Road) Without a Public Hearing and Adopting Findings of Fact (20-05-19, 30 & 31)
- 5) RESOLUTION AND FINAL ORDER 90-9-26-20/In the Matter of Vacating the Lot Lines Common to Lots 11 through 15, Block 64, Second Amended Plat of Fern Ridge, as Platted and Recorded in Book 6, Page 28, of Lane County, Oregon Plat Records, Without a Public hearing, and Adopting Findings of Fact (16-05-35)
- 6) RESOLUTION AND ORDER 90-9-26-21/In the Matter of Appropriating an Additional \$108,000 in Revenues and Expenditures in the Parks

Division Capital Budget (Fund 16) to Account for Grants Related
to Various Projects at Winberry Park

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

9. COUNTY COUNSEL

- a. FIRST READING AND SETTING SECOND READING AND PUBLIC HEARING/Ordinance 9-90/In the Matter of Amending Chapter 9 of Lane Code to Add Provisions Providing a Restriction on Use of Solid Fuel Space Heating Devices (LC 9.120 - LC 9.160) and Incorporating Procedures and Penalties for Enforcement, Providing an Effective Date of January 1, 1991 for all Sections, Except LC 9.155, Which is to Take Effect on November 1, 1991, (LC 9.990(6)) (Second Reading and Public Hearing: October 24, 1990, 1:30 p.m., in Harris Hall Main Floor)

Rogers read the ordinance into the record.

MOTION: Approval of First Reading and setting Second Reading and Public Hearing October 24, 1990, at 1:30 p.m. in Harris Hall. Rust MOVED, Roberts SECONDED. Cornacchia stated that he would vote to hold the Public Hearing, but that does not indicate his support for each and every item in the proposed ordinance. He stated that it was his understanding that this action by the Board would be taken in concert with action by the two cities and he would hope that the two cities would act prior to the County to assure that this action is taken metrowide. He stated that he is not convinced that the visible emissions test is the appropriate test; and that he would support exemptions for 1988 DEQ certified and 1990 EPA certified wood stoves and all pellet stoves. He stated that he would not support the sunset in five years mentioned in the Minutes of LRAPA August 14, 1990, regarding the sole source of heat exemption. Cornacchia stated that he is not ready to abandon a search for a way in which to remove dirty used stoves from the community. Rogers suggested that there be an alternative to 9.140(1) to delete the sunset clause so that both versions could be available at the Second Reading.

MOTION: To include the alternative language in the previous motion. Rust MOVED, Roberts SECONDED. Cornacchia asked if there could be an alternative on DEQ and EPA certified stoves and pellet stoves. This will be included in the motion as well. Teresa Wilson, Assistant County Counsel, suggested that the exemptions be placed in the definition of solid fuel, space heating device at the end of page 9-9a. Rogers suggested that the language be placed as a separate exemption. Wilson stated that it was a choice of the Board where this would be placed. She will bring this back to the Board this afternoon with the alternative language included. The motion was tabled.

10. FINANCE AND MANAGEMENT SERVICES

- a. ORDER 90-0-26-22/In the Matter of Authorizing Proceeding to Upgrade the Heating, Ventilating and Air Conditioning in the Courthouse in the Next Year Using General Fund Reserves

Jef Faw, Director of Finance and Management Services, presented this item to the Board. He commented that the best repair option would be to complete this project in one phase and commented that it would cost \$1.5 million in interest expense to finance the repair. Cornacchia asked if this could be done without the approval of the Lane County Budget Committee and Drivas commented that it would go through the Budget Committee. Rust asked what would happen if the repairs were not done. Faw stated that this repair is far beyond "nice to have". Steve Hoffman, Systems West Engineers, Inc., stated that the present system was 30 years old and falling apart. He stated that some replacement was needed currently and that all of it would ultimately need replacing.

Rogers commented that there would be some cost avoidance with the new system and Faw stated that there would, though he was not able to evaluate how much could be avoided. Roberts suggested that this go to the Budget Committee first and suggested that a better overall financial analysis be prepared regarding splitting the expenditure between two fiscal years. He stated that the spending limit needed to be reviewed and expressed concern about spending \$3 million out of the reserve though he favored the principal of using the reserves. Rust suggested that the Budget Committee get a tour of the facility prior to discussion of the project.

Cornacchia commented that the department heads had been left out of the discussion and asked how many employees would have to be laid off to pay for this repair. Dumdi asked if the County could sell anything to help with this expense. Rogers commented that it was appropriate to go to the Budget Committee and stated that he supports spreading the project over a number of years. He stated that the HVAC system has a direct bearing on the provision of services and that it was a severe problem which required fixing. Roberts commented that the County will be facing layoffs anyway; this could require layoffs six months sooner, but he stated that it was an appropriate expenditure. The consensus of the Board was to pass this item to the Budget Committee for discussion.

11. YOUTH SERVICES

- a. DISCUSSION/Using Electronic Monitoring Devices to Supervise Community Placement of Juvenile Probationers

MOTION: Approval. Cornacchia MOVED, Roberts SECONDED. Steve Carmichael, Director of Youth Services, stated that he would report to the Board on the status of the electronic monitoring devices in

six months. No vote was taken on this item; there was consensus by the Board to proceed.

12. EMERGENCY BUSINESS

ORDER 90-9-26-23/In the Matter of Approving an Agreement with the City of Eugene, the City of Springfield and the Lane County Housing Authority and Community Services Agency (HACSA) to Establish a Housing Policy Board and to Address the Community Issues of Homelessness and the Need for Increasing the Local Supply of Permanent, Affordable Housing for Lower Income Households

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

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


Judy Haldeman
Recording Secretary