

MINUTES & BOOK 145 PAGE 1425 APPROVED 10-3-90  
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 5, 1990  
Following HACSA

REGULAR MEETING  
BOARD OF COUNTY COMMISSIONERS

Harris Hall  
Main Floor

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

1. ADJUSTMENTS TO THE AGENDA

Jim Johnson, County Administrator, announced that there will be an Emergency Business item from Finance and Management on the Agenda. Johnson announced that Kent Mayer had withdrawn his application to the Resource Recovery Advisory Committee.

2. PUBLIC COMMENT

Peter Jensen, 340 North Grand Street, commented that conservation groups should be recognized on the workplace charitable giving policy.

Jay Jay, P. O. Box 22023, commented on homelessness and stated that vacant buildings could be used for sleeping.

Louise Tippens, P. O. Box 40333, Portland, representing the Environmental Federation of Oregon, recommended that the Board modify the proposed payroll deduction program and limit participants to those with 10 agencies or more represented. She stated that overall charitable giving increases when more choices are offered and suggested that the Board let employees decide.

Sherman Carter, 85121 Hicks Lane, commented that property taxes were too high.

Dennis Gilbert, 1875 Jefferson, commented that he was representing Lane County Engineering Technicians and that they felt the Lane County employees should have the greatest reasonably practical variety of choices in making payroll deduction contributions.

Hilde Cherry, 87 Rockridge, commented that she was appalled by the homelessness in Lane County. She also commented that employees should be able to give to whatever charity they chose.

Patrick Dodd, 2015 West 17th, commented that there was still a housing emergency in this community. He stated that since the Board cannot make a decision on the homeless, they should not be making a decision on how employees spend their charitable dollars.

David Herries, 2074 North 2nd, Springfield, commented that the camping fines were unfair.

Doug Schaller, 1075 Oak Street, Suite 1050, representing the Environmental Federation of Oregon, commented that the proposed payroll deduction policy discriminates against his agency.

Becky Riley, 1575 Mill Street, commented that important services are given to Lane County by the Environmental Federation of Oregon and she urged the Board to reconsider its decision on the payroll deduction program.

Doug McKay, 2300 Oakmont Way, President of United Way, stated that the proposed payroll deduction change protects United Way. He stated that he hoped that United Way could continue to serve Lane County.

Jan Goldberg, 3715 Donald, United Way volunteer, commented that she supported the payroll deduction amendment being considered today.

Richard A. Reed, 7265 Glacier Drive, Springfield, commented that he supports the payroll deduction amendment and United Way.

### 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

#### a. Finance and Audit Standing Committee

ORDER 90-9-5-1/In the Matter of Amending Chapter 2 of the Lane Manual to Add Charitable Contributions Payroll Deductions Program (LM 2.374) and Repeal LM 2.850(2)

Rogers read the proposed criteria: 1) services fall within one of five basic need categories or contributions thereof; 2) the agency must be fully deductible, commonly referred to as 501(C)(3); 3) the agency must provide substantial service to Lane County residents; and 4) the agency must comply with the Oregon Charitable Trust and

Corporations Act. Roberts commented that there had been some misunderstanding about what happened with regard to the charitable contributions at Lane County. This criteria complies with the Supreme Court ruling which states that there be some sort of factually neutral basis for determining participation. This policy focuses on the basic needs which the Board has identified and is a step in the right direction. Cornacchia commented that there are not sufficient resources to meet all of the needs of the public and that this policy limits the impact on the service delivery system. Rogers commented that the County insurance programs have not been expanded for each interested provider of insurance and that charitable contributions were a similar issue.

MOTION: Approval. Rogers MOVED, Roberts SECONDED. VOTE: 4-0.

b. Policy and Procedures Standing Committee

ORDER 90-9-5-2/In the Matter of Issuing a Directive for Land Management to Notify the Commissioner's Office of Annexations Affecting County-Owned Property

David Garnick, Management Analyst, presented this item to the Board.

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

6. COUNTY ADMINISTRATION

a. Announcements

None.

7. PUBLIC WORKS

a. ORDER 90-9-5-3/In the Matter of Appointing Two Members to the Resource Recovery Advisory Committee

MOTION: Approval of the appointment of Mike Dubbs and Ed Sturtevant to the Resource Recovery Advisory Committee. Cornacchia MOVED, Roberts SECONDED. VOTE: 4-0.

b. FIRST READING AND SETTING SECOND READING AND PUBLIC HEARING/Ordinance No. PA 987/In the Matter of Amending the Rural Comprehensive Plan from "Agriculture" to "Marginal Land" and Rezoning from "E-60" to "ML" for Tax Lot 405, Map 17-02-24, and Adopting a Savings and Severability Clause (PA 1702-90; Richards) (Second Reading and Public Hearing: September 26, 1990, 1:30 p.m. in Harris Hall Main Floor)

Rogers read the ordinance into the record.

MOTION: To approve the First Reading and set the Second Reading and Public Hearing for September 26, 1990, at 1:30 p.m. in Harris Hall.

Dumdi MOVED, Roberts SECONDED. VOTE: 4-0.

- c. FIRST READING AND SETTING SECOND READING AND PUBLIC HEARING/Ordinance No. PA 988/In the Matter of Amending the Rural Comprehensive Plan from "Forest" to "Agriculture" and Rezoning from "F-1" to "E-40" for Tax Lot 301, Map 17-07-00, (Index), and Adopting a Savings and Severability Clause (PA 1983-90; Horrillo) (Second Reading and Public Hearing: September 26, 1990, 1:30 p.m. in Harris Hall Main Floor)

Rogers read the ordinance into the record.

MOTION: To approve the First Reading and set the Second Reading and Public Hearing for September 26, 1990, at 1:30 p.m. in Harris Hall. Dumdi MOVED, Roberts SECONDED. VOTE: 4-0.

8. CONSENT CALENDAR

Item 8. B. 1. was pulled from the Consent Calendar.

- A. Approval of Minutes: July 24, 1990, Work Session  
8:30 a.m.  
July 24, 1990, Work Session  
1:30 p.m.  
August 1, 1990, Regular Meeting  
Following HACSA  
August 1, 1990, Regular Meeting  
1:30 p.m.  
August 7, Work Session  
8:30 a.m.  
August 7, 1990, BCC/Department  
Managers, 3:00 p.m.  
August 15, 1990, Regular Meeting  
Following HACSA  
August 21, 1990, Work Session  
8:30 a.m.  
August 22, 1990, Regular Meeting  
Following HACSA

B. County Administration

- 1) ORDER 90-9-5-4/In the Matter of Amending the Classifications and Compensation of Human Resources Manager and Employee Relations Coordinator

Pulled.

C. County Counsel

- 1) ORDER 90-9-5-5/In the Matter of Amending Chapter 3 of Lane Manual to Revise Provisions with Regard to Notaries Public to Conform with State Law (LM 2.372)

## D. Assessment and Taxation

- 1) ORDER 90-9-5-6/In the Matter of a Refund to Willow Creek Racquet Club, LTD

## E. Public Safety

- 1) ORDER 90-9-5-7/In the Matter of Authorizing an OLCC License-- Change of Ownership for Roger and Trinna Dickerson, dba: Hillcrest Market, Cottage Grove
- 2) ORDER 90-9-5-8/In the Matter of Authorizing Law Enforcement Agreement with Forest Industries

## F. Public Works

- 1) ORDER 90-9-5-9/In the Matter of Awarding a Contract to Morris P. Kielty General Contractor, Inc., for Cottage Grove Shop Remodeling and Reconditioning Project, Contract No. 90/91-05
- 2) ORDER 90-9-5-10/In the Matter of Awarding a Contract to Jensen Drilling Co. for Monitoring Well Installation at Short Mountain Landfill
- 3) ORDER 90-9-5-11/In the Matter of Awarding a Contract to Kip Construction For Construction of the Oakridge Transfer Station
- 4) ORDER 90-9-5-12/In the Matter of Awarding a Contract to Wildish Corvallis Construction Co. for Grading, Basing, Curbs and Ramp - - Winberry Park Boat Ramp and Parking Lot -- Fall Creek Reservoir, Contract No. 90/91-04
- 5) ORDER 90-9-5-13/In the Matter of Awarding a Contract to Babb Const. Co., Inc. DBA Delta Construction Co. for Sweet Creek Road Slide Repair at M.P. 0.6 to M.P. 0.7, Contract No. 90/91-06
- 6) ORDER 90-9-5-14/In the Matter of Awarding a Contract to Gonzales Boring and Tunneling Co. for Government Road Replacement of 48-Inch Culvert at M.P. 4.2, Contract No. 90/91-07
- 7) ORDER 90-9-5-15/In the Matter of Awarding a Contract to BRING Recycling for Recycling Education Services
- 8) ORDER 90-9-5-16/In the Matter of Adopting Supplemental Developed and Committed Findings in Support of Ordinance No. PA 884 for: Plot 166, Exception #1
- 9) ORDER 90-9-5-17/In the Matter of Adopting Supplemental Developed and Committed Findings in Support of Ordinance No. PA 884 for: Plot 032, Exception #2; Plot 512

- 10) ORDER 90-9-5-18/In the Matter of Adopting Supplemental Developed and Committed Findings in Support of Ordinance No. PA 884 for: Plot 263, Exception #1 Plot 280, Exception #1; Plot 362, Exception #2; Plot 415, Exception #1
- 11) ORDER 90-9-5-19/In the Matter of Adopting Supplemental Developed and Committed Findings in Support of Ordinance No. PA 884 for: Plot 440, Exception #1
- 12) ORDER 90-9-5-20/In the Matter of Adopting Supplemental Developed and Committed Findings in Support of Ordinance No. PA 884 for: Plot 200, Exception #2
- 13) RESOLUTION AND ORDER 90-9-5-21/In the Matter of Acquiring Certain Properties Along Maxwell Road for Road Purposes
- 14) SUBDIVISION PLAT
  - a. BOUGHAL  
City of Florence  
18-12-27
  - b. REPLAT OF DAYNA PARK  
City of Eugene  
17-03-17
  - c. REGENCY WEST  
City of Eugene  
17-03-21
  - d. OCEAN DUNES ESTATES, FIRST ADDITION, P.U.D.  
City of Florence  
18-12-23
  - e. HAWK'S POINT  
Lane County  
18-03-31 & 28

G. YOUTH SERVICES

- 1) ORDER 90-9-5-22/In the Matter of Amending Great Start, Juvenile Services and Student Retention Initiative Plans

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

9. COUNTY COUNSEL

- a. FIRST READING AND SETTING SECOND READING AND PUBLIC HEARING/Ordinance No. 11-90/In the Matter of Amending Chapter 3 of Lane Code to Repeal Requirement for Licenses for Retail Sale of Firearms (Second Reading

and Public Hearing: September 26, 1990, 1:30 p.m. in Harris Hall Main Floor)

MOTION: Approval of First Reading and setting Second Reading and Public Hearing for September 26, 1990, at 1:30 p.m. in Harris Hall. Cornacchia MOVED, Dumdi SECONDED. VOTE: 4-0.

#### 10. HEALTH AND HUMAN SERVICES

- a. ORDER 90-9-5-23/In the Matter of Applying for a Grant for Substance Abuse Services for Women with Young Children, Supporting a Request to 4-J to Lease the Opportunity Shelter Building to Lane County and Delegating Authority to the County Administrator to Sign the Grant Application

Rob Rockstroh, Director of Health and Human Services, presented this item to the Board. Rogers asked why Rockstroh intended to apply to the Housing Policy Board for a grant for remodeling/renovation. Rockstroh commented that this was specialized or transitional housing for women and primary housing for children and would qualify in that regard. Rogers asked if this was a higher priority than other items in the budget that are currently being funded and Rockstroh responded that it could be. Rogers asked if this program would be returning money to the General Fund and Rockstroh stated that this program would reduce and mitigate significantly the federal and state dollars and though it may not return money to the General Fund, it will save society a fortune over time.

Cornacchia commented that he was concerned that foreclosed properties seem to have been thrown into the housing pot without prior discussion with the Board. He stated that he liked what was being proposed by Rockstroh and stated that kids are the true needy. Roberts commented that he did not object to swaps of resources with the City of Eugene after discussion with the Board. He stated that he is not inclined to use the resources through the Housing Policy Board for this project. He stated that he would be willing to consider this proposal if the grant is awarded and if there are operational monies provided. Cornacchia asked if the grant money goes on indefinitely and Rockstroh stated that this grant is as strong as it can be with federal base money.

Dumdi commented that this concept is good and that intervention is an excellent option. She commented that her recommendation was to "just do it." Roberts discussed the voucher program which is \$40,000 short for this winter. Rockstroh stated that the County was counting on that money coming from the City of Eugene. Cornacchia asked for a ballpark figure on bringing the Opportunity Shelter up to code and Rockstroh stated that the last estimate was approximately \$50,000 for the code changes only. Chris Todis, Executive Director of the Housing Authority and Community Services Agency (HACSA), will be looking at the facility to determine the amount that will be needed

to meet the needs of the code and the program. Rockstroh commented that he was looking for conceptual approval to go forward, though there is a lot of homework that needs to be done; further discussion with providers, estimates from HACSA, etc. He stated that he fully intends to come back every few weeks with an update for the Board.

Rogers stated that he could not disagree with the need for the program or the service, but the people who need treatment may not come to this program. He stated that the County needs to start looking at priorities before adding another program. Cornacchia stated that he could give conceptual support to this program based on the representation from staff to find the dollars where possible.

MOTION: Approval of the grant application. Roberts MOVED, Dumdi SECONDED. VOTE: 3-1, Rogers dissenting.

- b. ORDER 90-9-5-24/In the Matter of Establishing a 0.5 FTE Mental Health Associate in the Department of Health and Human Services

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

- c. ORDER 90-9-5-25/In the Matter of Increasing a 0.5 FTE Mental Health Associate to 1.0 FTE and Appropriating \$15,315 in Additional Revenues and Expenses in the Department of Health and Human Services

MOTION: Approval. Cornacchia MOVED, Dumdi SECONDED. Dumdi asked how this addition will be funded and Rockstroh stated that it is self-paying from fines. VOTE: 4-0.

#### 11. EMERGENCY BUSINESS

This item continued from Tuesday, September 4.

ORDER 90-9-5-26/In the Matter of Proceeding on Deferred Maintenance Projects

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

#### 3. COMMISSIONERS' ANNOUNCEMENTS

Cornacchia commented that the Rodakowski Boat Landing is a hit and that the Fish and Wildlife Department had done a remarkable job on the construction. He commented that there was a speed problem on the road and asked the Board to consider exploring speed bumps on this road. The Board concurred with the request.

Dumdi commented that there are a number of large, vacant, former supermarkets available and suggested that the Board consider one of them as an access center. The Board concurred with the suggestion and asked Dumdi to look into the feasibility of this proposal.

Rogers announced that he and the Board had received a letter from Roy Burns, Planning Director, regarding policy direction on notice of rezone actions for Developed and Committed parcels (see material on file). The majority of the Board concurred with the direction proposed in the letter from Burns.

Cornacchia announced that a senior volunteer at the Information Desk has offered to give the County an American flag if it can be flown at the Courthouse. The Board referred this to Arlene Marshall, Management Services Supervisor.

Rogers remarked that he had done some investigation of the Wayne Morse Free Speech Area and had been unable to determine the exact space designated for this purpose. He suggested that the present permit not be renewed. Cornacchia commented that he was unsure of the requirements of the permit and that he also had questions about the limits of the area. He stated that access is difficult in some areas of the plaza as a result of the current permit and that he had not heard one positive comment on this issue from constituents. Roberts stated that the location is not dedicated on the Board Order. He stated that he would never have supported this if he had been on the Board when it was adopted. He commented that a policy is needed and that a commitment should be made to determine what is appropriate. Dumdi stated that she is willing to review this policy and that she is uncomfortable that people are being inconvenienced while trying to conduct business at the Courthouse. Rogers appointed Dumdi and Roberts as an ad hoc committee to research this issue and report to the Board in one month.

MOTION: To ask the County Administrator not to renew the permit after it expires. Rogers MOVED. This motion died for lack of a second. Cornacchia asked the County Administrator to present a suggested direction with regard to the permits to the Board next week. The Board concurred.

There being no further business, this meeting adjourned at 11:19 a.m. to Executive Session.

  
Judy Haldeman  
Recording Secretary