

# MINUTES & NOTICE OF BOARD ACTION

BOOK 148 PAGE 0053

APPROVED 6-5-91



## 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 30, 1991  
9:00 a.m.

WORK SESSION  
BOARD OF COUNTY COMMISSIONERS

Commissioners'  
Conference Room

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

### 1. ADJUSTMENTS TO THE AGENDA

None.

### 2. PUBLIC COMMENTS

Jim Baker, 51013 McKenzie Highway, Finn Rock, commented that it was time for the County to take a leadership role in riparian management of the McKenzie River because it is an important asset to the whole County.

John Corliss, 2998 Washington Street, representing the Obsidians Incorporated, commented that he is concerned about the stream-side environment along the McKenzie River and urged the Board to protect this river for the future.

Paul Pettit, 48045 McKenzie Highway, Vida, commented that it was imperative to begin a process that halts the degradation along the McKenzie River.

Louise Bilheimer, 3473 Chaucer Way, campaign coordinator for the McKenzie River Initiative, thanked the Board for beginning this discussion on a formal level. She stated that much thought and consideration has gone into what is in the initiative and that the group is open to discussion about the initiative. She commented that the McKenzie River has great value to all of the residents of Lane County and its visitors and that this initiative looks at ways to manage future, expected growth in a reasonable manner. She stated that it would be a good step for the County to adopt the riparian ordinance and the vegetation management plan to create buffers along streamsides.

Ken Jackson, 1667 Fairmount, commented that he was a volunteer director for Oregon Trout; president of McKenzie Fly Fishers in Eugene; served on EWEBs network advisory group on the relicensing issue on the McKenzie; participated in the McKenzie fisheries restoration project and was on the language subcommittee for the McKenzie water quality initiative. He asked the Board to keep in mind that the needs of the many, not just the human population, outweigh the wants of the few.

Tom Mohr, 3843 Kevington, commented that he was on the McKenzie River Fish Restoration Committee, steering committee for the McKenzie River Initiative, past-president of the Emerald Empire Chapter of the Northwest Steelheaders Association and acting director for the South Willamette Region for the Association of Northwest Steelheaders. He commented that his association's mission statement is dedicated to the preservation and enhancement of salmon, trout and steelhead and at the state level, is currently supporting SB0055 to help improve in-stream water rights. He stated that the association is concerned about the riparian zone on fish bearing streams and that it supports the McKenzie River Initiative. He asked the Board to support this initiative.

Sally Weston, 2595 Highland Drive, representing the League of Women Voters, commented that this initiative is the best hope for increased management of the diverse uses of the McKenzie River and its watershed. She stated that the League is specifically interested in protecting the riparian zone for the wildlife and the water and urged that the Board support this issue.

### 3. COMMISSIONERS' ANNOUNCEMENTS

To be held at 10:40 a.m.

### 4. COMMISSIONERS' BUSINESS

#### a. DISCUSSION/Expansion of Northwest Natural Gas Pipeline

Lynn Hemingway, Senior Government Affairs Specialist, Northwest Pipeline Corporation, presented this item to the Board. He explained that Northwest Pipeline transports natural gas to firms who wish to purchase that gas. The proposed expansion of the pipeline is in response to the high price of gas from Canada. Barry Swartz, Right-of-Way Manager, commented that the draft environmental impact study should be available this summer and the final is scheduled for December 23, 1991, and that a detailed evaluation of this proposal should be completed by this summer.

#### b. DISCUSSION/Oregon Rivers Council Initiative

Rust commented that a fish biologist had reported at the symposium held last weekend that 80 percent of the original habitat has been lost along the McKenzie River. He commented that a basin-wide interagency push was needed to get the job of protection done on the

river and that Lane County government should be the focus of this interagency cooperation. He stated that this proposed ordinance was better than what is currently on the books at the County and it includes higher water quality, better fisheries, habitat restoration, better quality of recreation, rural and economic development, tourism and improved forest practices. He stated that there was a huge interest on behalf of the citizens for this ordinance and suggested that it would be a tremendous public service for the County to adopt it.

Cornacchia commented that he agreed with much of what Rust had said, but could not embrace this ordinance in its entirety. He stated that this ordinance goes beyond the "highest and best use" of the waters and becomes subjective. He commented that he agreed with the section regulating the use of pesticides and herbicides on the river, but commented that these could not go beyond the state and federal laws. He commented that he was concerned that boat docks were restricted in this ordinance and asked how boat docks impact the highest and best use of the river. He stated that he would not include the reference to vehicular bridges or the exclusion of boat landings. He commented that the riparian set backs are not as strict in this ordinance as they are in the County proposal. He would support the ordinance without the inclusion of these items regarding view shed and not protection of the McKenzie River.

Dumdi commented that Cornacchia had stated the issues well. She had a concern about the riparian vegetation as there are areas where nuisance vegetation has been removed and it may be appropriate to state that some other kind of vegetation may be used in its place.

Roberts commented that he is not interested in putting this ordinance on the ballot, though he may be interested in enacting an ordinance that is a modified version of this one. Cornacchia commented that this initiative will go forward unless the Board includes a prohibition of the Bear Creek Bridge in its ordinance. Roberts commented that a Board majority would not support putting this initiative on the ballot, but that if the Board feels that there is merit in what is being proposed the County could go forward and enact a modified ordinance for the public benefit.

The Board discussed the need for another Work Session on this ordinance and Rust suggested that each Commissioner make changes to the ordinance prior to this discussion. The Board discussed a joint meeting with the Eugene Water and Electric Board regarding coordinated management of the McKenzie River. Staff will compile the changes made by the Commissioners and bring them back to the Board for consensus within 30 days.

This meeting recessed at 10:32 a.m. to reconvene at 10:45 a.m.

- c. ORDER 91-4-30-1/In the Matter of Appointing Robert L. McManus Sheriff

Roberts commented that due to health reasons Sheriff Dave Burks had submitted his resignation effective today. Roberts stated that Burks had recommended that Robert McManus be appointed Sheriff and that the department supports this action.

MOTION: Approval of the appointment of Robert L. McManus as Sheriff. Dumdi MOVED, Frazier SECONDED. Cornacchia commented that the office and its management were in good hands with McManus. Dumdi stated that McManus would have big shoes to fill and that Burks had been an excellent Sheriff for 18 years. She stated that she looks forward to working with McManus and was sure that he would be up to the job. Rust agreed and added that he had appreciated the cooperation and communication skills that have been displayed by McManus. Roberts commented that perhaps the best example of the legacy left by Burks is that there is someone within the department ready to step in and fill his shoes. VOTE: 5-0. Roberts announced that there will be a swearing-in ceremony for McManus at 3:00 p.m. in Harris Hall.

5. EXECUTIVE SESSION as per ORS 192.660

To be held later.

8. YOUTH SERVICES

- a. DISCUSSION/A Program Status Report Regarding Community Alternatives to Commitment Hazards (CATCH) at the Department of Youth Services

This item taken at 10:30 a.m. time certain.

Steve Carmichael, Director of Youth Services, introduced the Community Alternatives to Commitment Hazards (CATCH) program to the Board. He stated that this program had been selected by the Ford Foundation as one of the top 75 in the nation. Rob Sullivan explained that this was a high intensity program for high risk juveniles with 24-hour supervision as an alternative to the state training school or out-of-home placement. He stated that the average cost per year at the state training schools is \$50,000 per youth while the CATCH program averages about \$2,400 per youth per year. Cornacchia asked how many youth come back to the system after they have completed this program. Carmichael commented that he could compile these numbers for the Board within two weeks. Sullivan stated that clients are seen daily in support groups, receive educational assistance, participate in community service, obtain vocational skills and life skills and participate in the outdoor stress challenge. Cornacchia commented that he would like to know how many youths have been selected for CATCH and how many have graduated.

Keith Sheldon stated that she was developing a group curriculum around survivor skills and issues for male and female clients. She and Nate, a client, used a question and answer format to explain the CATCH program. Eric Elliott presented the outdoor component of the CATCH program to the Board and explained that this is not like Outward Bound. He commented that he viewed this outdoor program as an adventure wave consisting of a briefing, the event and the debriefing. The ability to transfer what was learned in the outdoor experience to everyday life is the real key to what is done in outdoor counseling. The most important things to come from this experience are self-awareness, self-esteem and self-concept.

## 6. COMMITTEE REPORTS

### Legislative Standing Committee

ORDER 91-4-30-2/In the Matter of Taking a Position on Legislative Bills Introduced During the 1991 Legislative Session

MOTION: To support the recommendation of the committee for 15 bills. Rust MOVED, Dumdi SECONDED. VOTE: 5-0.

MOTION: To support HB3405 with a priority 2. Cornacchia MOVED, Dumdi SECONDED. VOTE: 5-0. MOTION: To oppose HB2016 with a priority 2. Rust MOVED, Dumdi SECONDED. VOTE: 5-0.

MOTION: Approval of the staff recommendation on HB2248, HB2649, SB0713, HB2824, SB0692 and HB3377. Cornacchia MOVED, Dumdi SECONDED with the exception of SB0692. VOTE: 5-0.

MOTION: Approval of the staff recommendation on SB0692. Cornacchia MOVED, Dumdi SECONDED. Rust commented that the Forest Practices Act does not provide sufficient protection for the Urban Growth Boundaries and he stated that cities should regulate within these boundaries. Roberts commented that he agreed that it was generally true that the Forest Practices Act was not sufficient but commented that this bill is better than nothing as a minimum. VOTE: 4-1, Rust dissenting.

Dumdi announced that SB1080 which would allow a water district to also serve as a sanitary district is up for hearing on Thursday, May 2 at 6:00 p.m. She asked Peter Thurston, Community and Economic Development Coordinator, and Marcia Morgan, Intergovernmental Relations Coordinator, to attend. The Board agreed. Dumdi commented that the Association of Oregon Counties was asking for assistance with SB0035 and suggested that the Commissioners contact any Legislators and Senators in this regard.

## 3. COMMISSIONERS' ANNOUNCEMENTS

Rust announced that he and Dumdi will be conducting a meeting on the coastal lakes on May 23, 1991, in the Commissioners' Conference Room at 3:30 p.m.

Frazier announced that she would participating in the Community Sharing Bowl-a-Thon on May 18, 1991.

Dumdi announced that she would be out of town May 8-12 to represent the County at the WIR Conference in Maui.

7. COUNTY ADMINISTRATION

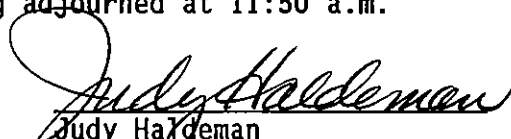
a. Announcements

9. EMERGENCY BUSINESS

RESOLUTION 91-4-30-3/In the Matter of Proclaiming the Month of May, 1991, to be American Wetlands Month in Lane County, Oregon

Roberts commented that this resolution is supported by the Eugene City Council. MOTION: Approval. Roberts MOVED, Rust SECONDED. Dumdi commented that the wetlands issue creates a severe and negative impact on the agricultural community and that she cannot support the resolution. Roberts commented that it was important that the County recognize the legitimate aspect of wetlands and work hard to provide maximum flexibility in terms of mitigation so that agricultural interests and others are not adversely impacted. Rust commented that this is a reasonable resolution on its face and Cornacchia commented that he supports the protection of wetlands where reasonable, but does not support the current definition of wetlands. VOTE: 3-2, Dumdi and Frazier dissenting.

There being no further business, this meeting adjourned at 11:50 a.m.

  
Judy Haldeman  
Recording Secretary