

6-26-91

MINUTES

ROADS ADVISORY COMMITTEE

May 22, 1991
7:00 p.m.

Joint meeting of the Roads Advisory Committee and Lane County Board of Commissioners held at Harris Hall, 125 E. 8th Avenue, Eugene, Oregon.

ROADS MEMBERS PRESENT: Jim Brown, Chair, Sky Chamard, Ernie Niemi, Laura Olson, Leo Stapleton, Ray Walter, Tom Poage

BOARD MEMBERS PRESENT: Jack Roberts, Chair, Ellie Dumdi, Steve Cornacchia, Marie Frazier, Jerry Rust

STAFF PRESENT: John Goodson, Ollie Snowden, Tom Stinchfield, Craig Starr, Carlos Van Elsberg, Jim Johnson, Bill Van Vactor, Vonnice Rainwater

Chair Jim Brown called the Roads Advisory Committee meeting to order at 7:20 p.m.

Chair Jack Roberts called the Board of Commissioners meeting to order at 7:20 p.m.

I. PUBLIC COMMENT

None.

II. APPROVAL OF MINUTES (RAC)

Roads Advisory Committee approved minutes of their April 24, 1991, meeting as written.

III. INTRODUCTIONS

Board members introduced themselves. RAC members introduced themselves.

IV. APPOINT REPRESENTATIVE TO ECONOMIC DEVELOPMENT SELECTION COMMITTEE

Roberts indicated that the Lane Manual provisions state that the County Administrator has the authority to make the appointments to this committee. Jim Johnson has talked to Tom Poage and plans to appoint Poage as RAC's representative on this committee.

Brown asked Poage if he anticipated any conflict of interest by being on this committee. Poage replied that there may be one or two projects but he will declare such if it happens.

V. DISCUSSION OF BOARD OF COMMISSIONERS EXPECTATIONS OF THE ROADS ADVISORY COMMITTEE

Rust asked if there was something specific that triggered this question. Olson stated that she wants assurance that RAC is doing what is good for the County. Rust commented that he doesn't always agree with the recommendations coming from RAC, but the recommendations are thoughtful and appreciated them. Dumdi stated that RAC gives a perspective from different parts of the County; has gotten good representation.

[Cornacchia present.]

Roberts stated that some decisions are made that are political; wants RAC to continue to give their recommendation from their viewpoint.

Rust mentioned that there appears to be some areas of concern from RAC's standpoint, i.e. Urban Transition, Economic Development, Endowment Fund.

Walter voiced his concerns regarding the political decisions made on two recent projects following staff and RAC recommendations. Chamard added that some political decisions have to be made; concerned that decisions made without getting public input. Chamard also expressed concern about possible funding for Downtown Eugene.

Roberts reiterated that because the Board makes decision that is different from the RAC recommendation doesn't mean that RAC isn't doing a good job.

VI. WHAT IS THE MISSION OR PURPOSE OF THE ROAD FUND? WHAT ARE THE PRIORITIES FOR USE OF ROAD FUNDS?

Brown stated that he represents the regional outlook of County, need to maintain existing County system and do good preventative maintenance. He expressed concern regarding priorities established and priorities given to rural roads; wants rural roads to get a fair shake.

Olson expressed concern with the potential of declining Federal Timber Receipts and the need to set priorities.

Niemi stated that he differs from Brown; looking at roads that have a service area. He asked when does the Board want the road system to be a stimulus for economic development. Good infrastructure will lead to economic growth. Need to maintain what we have; make changes to facilitate new industry. Dumdi stated that the establishment of the Economic Development Assistance Program is to help economic development.

Chamard reiterated that we need to maintain what we have; it may be in jeopardy.

Rust commented that it appears that the level of maintenance is an issue.

Walter commented that with the existence of the CIP, need to re-evaluate new projects with entire CIP rather than taking projects out of the hat and funding pet projects.

Niemi commented that the process doesn't have an underlining strategy. Goodson stated that the draft Financial Plan to be presented to the Board soon will address the process. He also expressed concern in determining how to evaluate projects, i.e. between economic development or safety.

Frazier asked if there's a Financial Plan in place yet, how much we're going to spend outside of the CIP and has a short and long-term plan been developed. Goodson replied that hopefully these will be addressed in the Department's Financial Plan to be presented shortly to the Board.

Chamard commented that if the need is to get timber to market, the Forest Service can initiate cooperative agreements with the county to establish roads to meet their needs. Roberts stated that the #1 priority should be to get the logs out.

Niemi stated that the timber to be harvested using West Boundary Road is only for 2-5 years. He asked if the County should spend that amount of money to improve the road for short term log hauling.

Cornacchia stated that he doesn't recall the Forest Service or BLM requiring a road be paved in order to get logs out. Based on concerns heard from RAC on Urban Transition and Economic Development, Cornacchia feels that 85% has been spent on existing County system over the last 5 years. He stated that he hasn't heard from RAC that the County isn't funding projects in the rural area; feels concern is overstated and exaggerated.

Roberts stated that maintenance of current County road system is #1; relationship between Road Fund and County economy is a high priority. We're in a transition phase with changing economy; employee base will be changing. Will need to look at the payback.

VII. ROAD STANDARDS AND LIABILITY ISSUES

a. Discretionary Immunity

Van Vactor referred to ORS 30.265(3)(c) which provides that governments and their officers are immune from liability for the following: Any claim based upon the performance of or the failure to exercise or perform a discretionary function or duty, whether or not the discretion is abused. The key thing is if it is truly a discretionary decision and it's done wrong there still is immunity from liability. What we're talking about is policy discretion. The CIP process is the allocation of resources and if the Board makes a decision, for example, that you have enough money either to do an improvement to a road or improve guardrails along another stretch of road but you didn't have enough money to do both, then if there's an accident on the road that wasn't improved, it was a policy decision not to improve that road and the County would be immune from liability.

Van Vactor stated that the process we have, which is the Capital Improvement Program, goes through a public hearing with the Roads Advisory Committee and then the Board of Commissioners. This is a

great tool for us because it demonstrates the allocation of resources and the policy level of decisions. Because of this, Van Vactor indicated he encouraged the Parks Manager to develop an improvement program for Parks that the Board would approve, so that if somebody gets injured on something that hasn't gotten up high enough in priority, we can argue discretionary immunity.

Brown inquired about Government Road where the decision was made to reduce the standards, and asked Van Vactor if this fits his definition. Van Vactor replied, Yes, based upon a limitation of resources. The resources can either be funding or they can be personnel. Another factor that can be considered is the impact on the environment. The environmental impact may be so great that we build to a lesser standard. Van Vactor commented that that was a good point and added that those choices, if documented, would fall into discretionary immunity if it was made a policy. Van Vactor said that public acceptance could also be the basis for a discretionary immunity defense.

b. Road Design Standards

Snowden explained how design standards are applied to a project. He distributed a list of how road design standards are derived and from what documents. He stated that engineering staff uses four principal documents: AASHTO, State Design Manual, Uniform Traffic Control Manual. He stated that the design manuals give us room to deviate from recommended minimum standards. Board may want to give authority to the Department Director to deviate from design standards or the County could develop its own standards. Van Vactor stated he plans to bring an Ordinance to the Board with regard to clearly defining level of authority at Department level and when to bring decision to the Board or adopt our own design standards. Design speed and shoulder width are the two biggest issues that cause the concerns voiced by residents on road improvement projects.

c. Traffic Control Standards

Snowden stated that prior to May 1989 there wasn't a clear striping standard used by Lane County. Needed to be consistent in striping practices. Established minimum width standards which eliminated striping on about 20-30 roads. Regarding Cox Butte Road, the road is very narrow and if fog lines were installed, would have to sign it as a one-lane road. With a center line would force trucks to edge of road causing damage to the edge. Dumdi indicated that some nights it is very foggy on this road and with the ditches on the side makes it very dangerous. The delineators are installed too far apart. If fog lines are installed on Cox Butte, then we're deviating from the standards established and would need to change standards in order to be consistent. Cornacchia stated that he would be interested in knowing the accident data on this road; would like to address actual situations. Rust suggested bringing these situations to the Board on a case-by-case basis. Dumdi asked that staff report back when accident data is obtained to continue discussion. Roberts requested staff to gather accident data for Cox Butte Road and identify how

many other roads would be affected if the minimum standards for striping are changed.

d. Pavement Management System

Stinchfield distributed chart giving comparison of ODOT goal for road condition and how Lane County rates its pavement conditions. Options are: set goal for road condition in fair-or-better condition or set goal for average pavement condition score.

[Niemi excused.]

Stinchfield indicated that the County has 200 miles of gravel roads -- should they remain graveled or paved. Rust indicated a need to categorize these miles of roads and dollar amounts to bring them to an acceptable level. Dumdi suggested working with school districts to encourage them to put CB's in their buses so that the school bus drivers can communicate with log trucks on the road.

VIII. CITIZEN PARTICIPATION PROCESS

Goodson stated that this item is based on negative comments received at some recent public hearings and asked for suggestions to improve communications with the public and/or citizen participation. Dumdi suggested publicizing public assistance on road projects by installing signs on the roads, i.e. this project/equipment funded with timber dollars. She also suggested installing signs with logo at the County lines. Rust stated he thought it was topic-worthy of more discussion, but felt it should be delayed to another time as the hour was late.

IX. OTHER BUSINESS

- A. Road Tour - Goodson asked if the Board is interested in scheduling a joint road tour with the RAC. Brown suggested looking at where problems exist. Walter suggested renting a bus so everyone can ride in one vehicle. Cornacchia indicated he was interested in looking at projects not in the CIP, i.e. look at projects on Development List.
- B. Certificates of Appreciation - Dumdi distributed Certificates to Poage, Walter and Stapleton, who weren't at last month's meeting.

Meeting adjourned at 9:20 p.m.

Donnie Rainwater
Recording Secretary