

# MINUTES & 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.

August 12, 1992  
Following HACSA

REGULAR MEETING  
BOARD OF COUNTY COMMISSIONERS

Harris Hall  
Main Floor

Vice-Chair Jerry Rust presided with Steve Cornacchia, Marie Frazier and Jack Roberts present. Ellie Dumdi excused. Sharon Giles, Recording Secretary.

### 1. ADJUSTMENTS TO THE AGENDA

Three Emergency Business items were identified.

### 2. PUBLIC COMMENTS

Judith Van, 89205 Old Coburg Road, urged the Board to reconsider Ordinance PA 1020 as related to Old Coburg Road. She stated that the Plan represents mainly the interests of developers and that road residents are not being represented. She asked that any vote be delayed until all Commissioners could be present.

Deanna Fent, 89317 Old Coburg Road, expressed concern about the City's methods for evaluation of developing rural land within the Urban Growth Boundary.

Wilbur Ternyik, 921 Rhododendron, Mayor of Florence, spoke on behalf of the Florence City Council. He stated that the City Council is presently neutral on the pending room tax issue. His concerns involve the lack of information received by coastal motel owners, wanting the extra two percent generated by the coast to be returned to the coastal area, and the fact that this would give Florence the highest room tax rate on the coast.

Richard C. Yecny, 06088 Mercer Lake Road, representing an Economic Development Committee of the Florence Chamber of Commerce, commented that they had just recently completed a coastal room tax study of their own. He noted that there is already inequity in the room tax distribution and asked that the Board consider the unique aspects of western Lane County.

Ken Hobson, P.O. Box 340, City Manager of Florence, indicated that Florence wants to be part of discussions on the room tax issue.

Sheila Schaefer, 89239 Old Coburg Road, spoke regarding the Willakenzie Refinement Plan. She stated that Old Coburg Road residents have been lied to by the City and that the neighbors do not want widening, sidewalks and turn lanes.

Allen Lonstron, 85819 Barnwell Lane, commented that he is a hotel industry person and supports the All Events Center in Florence. He stated that he is in favor of the two percent increase in room tax and that it be dedicated to the promotion and development of visitors to the entire area of Lane County.

Jerry Ross, 2740 Onyx, stated that he represents the Regional Information System and was speaking in support of LaneNet, a proposal for a computer system linking all of Lane County together focusing on rural schools and libraries. He asked for 1) a letter of support for the proposal for a \$500,000 grant, and 2) \$1,000 towards a consultant working on the grant.

Estelle "Charlie" Wharton, Dexter Shores Motel and RV Park, stated that she is against Lane County being entrepreneurial as suggested by the Richardson Park proposal, as that should be left up to private industry. She commented that the Lowell Marina is an existing facility and is being ignored.

Bobby Green, Eugene City Council, spoke on behalf of the City of Eugene and is in support of the room tax proposal in concept. He expressed a desire to be kept abreast.

### 3. COMMISSIONERS' ANNOUNCEMENTS

To be held at 10:40 a.m.

### 4. COMMISSIONERS' BUSINESS

- a. ORDER 92-8-12-1/In the Matter of Raising Room Taxes by Two Percent and Directing County Counsel to Draft an Ordinance to Accomplish the Above.

Rust reviewed the agenda item with the Board. Roberts indicated that he supports this proposal in concept and thought direction should be given to County Counsel to prepare a draft Ordinance. He indicated that the needs of Florence and western Lane County should be addressed, perhaps by the use of a differential rate. Cornacchia noted that he is reluctant to support this issue at this time until it is further developed and that he needs to be convinced it is directed to countywide tourism and is supported countywide. He expressed concerns on how Eugene currently spends its room tax dollars, and why Eugene and Springfield would be allowed to pull their current room monies and apply that to their general fund,

while Lane County would be required to pay \$167,000 of its share to pay to the "provider". Frazier agreed that there is not enough substance to move forward with a decision at this time and requested more details on the effects on rural areas. Rust summarized that he would encourage members of the industry to develop responses to concerns raised today and agreed for the need to develop more specific plans for use of the new money. Cornacchia suggested asking the Tourism Council to report on what more needs to be done in creating a better marketing program and how to do it. He asked that legal analysis be done on the differential rate issue. Frazier stated she would like to see the small cities involved in this discussion and Rust asked her to take the lead in notifying them. Consensus was reached to ask the Eugene/Springfield Visitors and Convention Bureau, along with the Tourism Council, to provide additional information on expanded marketing; that County Counsel be asked to provide analysis on the differential issue; and that both metro and rural cities be contacted for further discussion. Rust asked for a report back within 30 days. (The potential Order was not acted upon.)

5. EXECUTIVE SESSION as per ORS 192.660

To be held later in the meeting.

6. PUBLIC WORKS

- a. FOURTH READING, DISCUSSION AND SETTING FIFTH READING AND PUBLIC HEARING/Ordinance No. PA 1020/In the Matter of Amending the Eugene/Springfield Metropolitan Area General Plan to Adopt the Willakenzie Refinement Plan, Adopt Related Amendments to the Metro Area General Plan Diagram, Adopt Related Amendments to Transplan, Adopt Related Amendments to the Public Facilities Plan; and Adopting a Savings and Severability Clause.

MOTION: Approval of the Fourth Reading and Setting Fifth Reading and Public Hearing, August 26, 1992, at 1:30 p.m. in Harris Hall. Roberts MOVED, Cornacchia SECONDED. In response to concerns from Cornacchia regarding Ayers Road, North Delta and Old Coburg Road, Roberts suggested that the Plan move forward with these conditions: 1) Old Coburg Road alignment - that it be noted that the Board reserves final determination until the Transplan is amended; (Cornacchia noted that he is against the Old Coburg Road project totally and Frazier concurred.) 2) North Delta - that the suggested language be added to reflect that, before sidewalk project initiation, the Board of Commissioners will review property owner assessments with respect to the Urban Transition policies; (The Board concurred.) and 3) Ayers Road - that language suggested by Jim Saul be added to reflect reserving design approval by Eugene and Lane County. . .specifically "This project shall remain in TransPlan. However, an evaluation of alternatives to widening Ayers Road shall be provided to the Board of Commissioners and Eugene City

Council prior to project initiation or completion of the 1992-95 update to Transplan, whichever occurs first." The Board concurred to add the following additional language to the end of the above statement: " Design approval by the Board of Commissioners and Eugene City Council shall be required prior to project initiation." The Board concurred to remove Old Coburg Road from the Plan. VOTE: 4-0.

This meeting recessed at 10:45 a.m. to reconvene at 10:58 a.m.

### 3. COMMISSIONERS' ANNOUNCEMENTS

Roberts reported that a special meeting of the Fair Board had been held this morning at 6:30 a.m., at which time there was a 3-2 vote to terminate Steve McCulloch immediately.

Cornacchia observed that the Economic Development Assistance Program Committee had met and reviewed three applications. He stated that the request for assistance from the City of Eugene for Olive Street failed as it was felt this fit better as a direct road fund request. He noted that an EPUD request for a spur at Jasper Park and the Olympic Street project request in Springfield were postponed to acquire more information.

### 6. PUBLIC WORKS

- b. SIXTH READING AND ADOPTION/Ordinance No. PA 1013/In the Matter of Amending the Eugene/Springfield Metropolitan General Plan to Adopt the Gateway Refinement Plan, Adopt Related Amendments to the Metro Area General Plan Diagram, Adopt Related Rezoning of Properties Within the Springfield Urban Growth Boundary, Adopt Related Amendments to TransPlan, Adopt Related Amendments to the Public Facilities Plan; and Adopting a Savings and Severability Clause.

Rust read this Ordinance into the record. Jacqlyn Mikalonis, Land Management, reviewed the Exhibits to be included in the Ordinance. She indicated that if the "Trigger" working group recommendations of last night were to be included as an exhibit, then adoption would be delayed; and that if the Board chose to adopt today, then the Ordinance would have to be amended later. She noted that legal counsel stated the changes were substantive enough to require a public hearing. Cornacchia disagreed. Steven Vorhes, County Counsel, commented that the Board would make the decision on whether this was a substantial change or not, noting that the public hearing requirements stem from the land use arena and are less clear cut than the charter. He remarked that this looks like a substantial change to him because of the detail. Mikalonis read the Exhibits into the record from the July 29 staff memo, noting that Exhibit A, part 2 was now amended to include the Trigger working group proposals. MOTION: Approval of Sixth Reading and Setting Seventh Reading and Adoption of Ordinance PA 1013, with all provided exhibits read into the record, on September 2, 1992. Cornacchia

MOVED, Roberts SECONDED. Roberts remarked that he thought Cornacchia was probably correct about the need for a public hearing, but felt it was safer to hold a public hearing. VOTE: 3-1, Rust dissenting.

- c. DISCUSSION AND ORDER 92-8-12-2/In the Matter of Amending the FY 1992-1993 Through FY 1996-1997 Capital Improvement Program to Include Expenditure of Funds in the Amount of \$50,000 for Maintenance and Rehabilitation of the Office Covered Bridge (Westfir).

MOTION: Approval of the Order. Cornacchia MOVED, Roberts SECONDED. VOTE: 4-0.

- d. DISCUSSION AND ORDER 92-8-12-3/In the Matter of Entering into an Agreement with the State of Oregon Department of Transportation Highway Division for Funding of Inspection and Maintenance on Publicly Owned Covered Bridges in Vehicular Service and Authorizing the County Administrator to Sign the Agreement.

MOTION: Approval of the Order. Cornacchia MOVED, Roberts SECONDED. VOTE: 4-0.

- e. FIRST READING AND SETTING SECOND READING AND PUBLIC HEARING/Ordinance No. 10-92/In the Matter of Amending Chapter 16 of Lane Code to Revise Riparian Vegetation Setback and Management Regulations. (Second Reading and Public Hearing: August 26, 1992, 1:30 p.m., Harris Hall Main Floor)

MOTION: Approval of the First Reading and Setting Second Reading and Public Hearing on September 2, 1992, at 1:30 p.m. in Harris Hall. Roberts MOVED, Cornacchia SECONDED. VOTE: 4-0.

## 7. CONSENT CALENDAR

Cornacchia requested that items 7.b.1, 7.b.2, 7.b.3, 7.f.3. and 7.f.4. be pulled from the Consent Calendar. Frazier requested that item 7.e.1. be pulled from the Consent Calendar.

A. Approval of Minutes: June 30, 1992, Regular Meeting, 9:00 a.m.

B. County Administration

- 1) ORDER 92-8-12-4/In the Matter of Appointing a Justice Pro Tempore for Florence Justice Court.

Pulled.

- 2) ORDER 92-8-12-5/In the Matter of Appointing a Justice Pro Tempore for Central Lane Justice Court.

Pulled.

- 3) ORDER 92-8-12-6/In the Matter of Appointing a Justice Pro Tempore for Oakridge Justice Court.

Pulled.

- 4) RESOLUTION AND ORDER 92-8-12-7/In the Matter of Appropriating \$49,859 in Additional Community Corrections Act Grant Funds to General Expense, Materials and Services, Within the General Fund.

C. Assessment and Taxation

- 1) ORDER 92-8-12-8/In the Matter of Refunds to Sacred Heart Hospital, Citicorp North America, Inc. and Cone Lumber Company.

D. Health and Human Services

- 1) RESOLUTION AND ORDER 92-8-12-9/In the Matter of Increasing the Subcontract Amount with Whitebird Clinic by \$34,233 for FY 92-93 and Delegating Authority to the County Administrator to Sign the Subcontract Amendment.

E. Public Safety

- 1) ORDER 92-8-12-10/In the Matter of Authorizing an Intergovernmental Agreement with the Oregon Emergency Management Division.

Pulled.

- 2) ORDER 92-8-12-11/In the Matter of Approving an OLCC Liquor License (Change Ownership) for Mary Jean & Joseph Paul Kragness, dba: Seaperch Camp Ground, 95480 Yachats Lane, Oregon.

- 3) ORDER 92-8-12-12/In the Matter of Approving an OLCC Liquor License (Change Ownership) for Frances I. & Myron R. Balmer dba: Lorane General Store, 80223 Territorial Rd., Lorane, Oregon.

F. Public Works

- 1) ORDER 92-8-12-13/In the Matter of Awarding a Contract to Eugene Sand and Gravel Inc., for Grading, Basing and Paving Milliron Road East - Highway 99 to Prairie Road (M.P. 0.04 to M.P. 0.38), Contract No. 92/93-07.

- 2) ORDER 92-8-12-14/In the Matter of Awarding a Contract to Cawood Communications for Promotion and Information Services and Authorizing the County Administrator to Sign the Contract.
- 3) ORDER 92-8-12-15/In the Matter of Approving an Inter-governmental Agreement Between Lane County and the City of Springfield for EDAP Improvements to International Way, and Authorizing the County Administrator to Sign the Agreement.  
Pulled.
- 4) ORDER 92-8-12-16/In the Matter of Approving an Inter-governmental Agreement Between Lane County and the City of Springfield for EDAP Improvements to the 28th-31st Streets Connector at Marcola Road, and Authorizing the County Administrator to Sign the Agreement.  
Pulled.
- 5) ORDER 92-8-12-17/In the Matter of Setting a Public Hearing for the Purpose of Hearing Objections to Assessments for Maxwell Road from Prairie Road to East Rosewood Avenue. (Public Hearing: September 16, 1992, 1:30 p.m., Harris Hall Main Floor)
- 6) ORDER 92-8-12-18/In the Matter of Releasing and Dedicating Parcel "B" in the First Addition to Delrose Addition, Book 50, Page 22, a Parcel of County Owned Real Estate, as a Public Road (17-03-24) (North 16th Street).
- 7) ORDER 92-8-12-19/In the Matter of Entering into an Inter-governmental Agreement with the City of Springfield for Design and Construction of Sports Center Roadway.
- 8) SUBDIVISION PLAT
  - a. Leanza Estates  
Dunes City  
19-12-14
  - b. Sweetwater Estates  
City of Eugene  
17-04-11
  - c. Devin Subdivision  
Dunes City  
19-12-27

## G. RIS

- 1) ORDER 92-8-12-20/In the Matter of Approving Renewal of Geographic Data System Intergovernmental Agreement with Lane Council of Government.

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

## B. County Administration

- 1) ORDER 92-8-12-4/In the Matter of Appointing a Justice Pro Tempore for Florence Justice Court.
- 2) ORDER 92-8-12-5/In the Matter of Appointing a Justice Pro Tempore for Central Lane Justice Court.
- 3) ORDER 92-8-12-6/In the Matter of Appointing a Justice Pro Tempore for Oakridge Justice Court.

These items were grouped together for discussion purposes. Cornacchia expressed a concern about the need to see more information on the people being appointed to Justice Pro Tempore positions. Jim Johnson, County Administrator, indicated that a process would be in place within 60 days whereby the Judges would put together the background and qualifications of the appointees.

MOTION: Approval of all three Orders. Cornacchia MOVED, Roberts MOVED. VOTE: 4-0.

## E. Public Safety

- 1) ORDER 92-8-12-10/In the Matter of Authorizing an Intergovernmental Agreement with the Oregon Emergency Management Division.

Frazier clarified the difference between this position and the Civil Manager previously targeted during budget cuts. MOTION: Approval of the Order. Frazier MOVED, Roberts SECONDED. VOTE: 4-0.

## F. Public Works

- 3) ORDER 92-8-12-15/In the Matter of Approving an Intergovernmental Agreement Between Lane County and the City of Springfield for EDAP Improvements to International Way, and Authorizing the County Administrator to Sign the Agreement.
- 4) ORDER 92-8-12-16/In the Matter of Approving an Intergovernmental Agreement Between Lane County and the City of Springfield for EDAP Improvements to the 28th-31st Streets Connector at Marcola Road, and Authorizing the County Administrator to Sign the Agreement.

These items were grouped together for discussion purposes. Cornacchia commented that these items had been revised to reflect that 30 percent of jobs created must be family-wage jobs. MOTION: Approval of both Orders. Cornacchia MOVED, Roberts SECONDED. VOTE: 4-0.

8. COUNTY COUNSEL

- a. DISCUSSION/Delegation of OLCC Licensing Review.

David Williams, County Counsel, reviewed this item with the Board. Consensus was reached that the Board delegates authority for OLCC license application determinations to the Sheriff, with the ability to appeal to the Board of Commissioners.

9. FINANCE AND MANAGEMENT SERVICES

- a. DISCUSSION AND ORDER 92-8-12-21/In the Matter of Authorizing Proceedings to Issue Limited Tax Revenue Bonds for the Courthouse HVAC Renovation Project in an Amount Not to Exceed \$3,354,000, Plus Costs of Issuance.

Jef Faw, Finance and Management Services Director, introduced this item. The Board discussed Limited Tax Revenue Bonds as opposed to Certificates of Participation. MOTION: Approval of the Order, proceeding with Certificates of Participation instead of Limited Tax Revenue Bonds. Roberts MOVED, Cornacchia SECONDED. Teresa Wilson, County Counsel, indicated a new Order would be presented. VOTE: 4-0.

11. HUMAN RESOURCES

- a. ORDER 92-8-12-23/In the Matter of Appointing One (1) Member to the Human Rights and Affirmative Action Advisory Committee.

This item taken out of order.

MOTION: Approval of the Order. Cornacchia MOVED, Frazier SECONDED. VOTE: 4-0.

12. EMERGENCY BUSINESS

ORDER 92-8-12-25/In the Matter of Amending Chapter 60 of Lane Manual to Remove Recording Partitions Fee and Adding Certain Marriage Fees to be Charged by the County Clerk (LM 60.812)

MOTION: Approval of the Order. Roberts MOVED, Cornacchia SECONDED. VOTE: 4-0.

10. PUBLIC WORKS (Continued)

- a. DISCUSSION AND ORDER 92-8-12-22/In the Matter of Developing Phase One of the Richardson Park Campground as Proposed in the Richardson Park Campground Proposal - July 1992.

Bob Keefer, Parks Manager, introduced this item and presented visual aids, including a map and slides, showing the "master plan" for the Richardson Park Campground and highlighted packet material related to financial costs. Frazier asked Keefer to discuss whether this proposal complements or competes with private campgrounds. Keefer stated he thought diversity was good and that it can all work together. Cornacchia indicated he was not convinced of success as non-lakeside camping is not popular. He said it is his opinion that it is the wrong time for this venture. Keefer noted that other similar campgrounds are getting good occupancy rates. The Board deferred further discussion of this item until the afternoon session.

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

  
Sharon Giles  
Recording Secretary