

MINUTES & NOTICE OF BOARD ACTION

BOOK 149 PAGE 2152

APPROVED 4-1-92

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.

February 19, 1992
9:00 a.m.

REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

Harris Hall
Main Floor

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

1. ADJUSTMENTS TO THE AGENDA

There will be Emergency Business later in the meeting.

2. PUBLIC COMMENTS

L. C. Buffington, 41843 Holden Creek Lane, Springfield, commented that he had sent in a petition with approximately 114 signatures from people opposed to the project on Holden Creek. He stated that most of the accidents at this intersection were caused by human error and that no turn lane was needed here. He suggested that Board members take the time to go out and look at the problem or have another meeting in Leaburg which could be attended by all those interested.

Sandra Frank, 41818 McKenzie Highway, Springfield, stated that her property will be affected most by the redesigning of this intersection. She commented that many trees will be cut and half of her best pasture will be taken. Most accidents at this intersection were caused by drunks or tailgaters according to Frank.

Larry Martin, 41821 Holden Creek Lane, Springfield, commented that the redesign will take many trees off his property and devalue it. He stated that a turn lane was not needed.

Don Frisbee, 89136 Bridge Street, Springfield, commented that he was concerned about access to his home during the bridge construction and would like to have more information on this project.

Floyd Prozanski, P. O. Box 11511, representing BRING Recycling, commented that the County had agreed to pay \$31 per ton for non-fibrous materials being recycled at Glenwood and was currently only paying \$17 per ton.

Alex Cuyler, 411 Perry Street, Springfield, commented that BRING was a recycler and not a garbage hauler. He asked that BRING's commercial accounts be included in the Lane County diversion program.

There will be a Board of Commissioners Work Session on this issue the second week of March.

Harold Chapman, 51 Chapman Drive, commented that the confluence of the Coast Fork and the Middle Fork of the Willamette Rivers was one of the "jewels" of Lane County. He asked the Board to look into the dumping near the BRING Recycling Center and the environmental problems which have been created near this site. He suggested that Public Works hire an environmental specialist to deal with wetlands issues. Frazier commented that she recalled that there had been an environmental specialist on the budget for last year. Roberts asked for a report from Public Works regarding dumping in this area.

3. COMMISSIONERS' ANNOUNCEMENTS

To be held at 10:40 a.m.

4. PUBLIC HEARING AND ORDER 92-2-19-1/In the Matter of Approving the Transfer of Vacant Lot on River Road (Tax Lot No. 17-04-14-14-03800) to the Housing Authority and Community Services Agency (HACSA)

Jim McCoy, of the Housing Authority and Community Services Agency (HACSA), presented this item to the Board. He stated that the County could act to speed up this transfer if the environmental assessment was clean. There will be a zone change requested for the site as called for in the Metro Plan; after the zone change, the County Administrator will have the authority to transfer the lot to HACSA. Dumdi opened the Public Hearing. There being no one present who wished to testify, Dumdi closed the Public Hearing. MOTION: Approval of the order. Roberts MOVED, Cornacchia SECONDED. VOTE: 4-0.

5. PUBLIC HEARING AND ORDER 92-2-19-2/In the Matter of Submitting Community Development Block Grant Applications for Jasper Mountain Center Improvements and Clear Lake Watershed Management Plan Funding

Peter Thurston, Community and Economic Development Coordinator, presented this item to the Board. Dumdi opened the Public Hearing. There being no one present who wished to testify, Dumdi closed the Public Hearing. MOTION: Approval of the order. Roberts MOVED, Frazier SECONDED. VOTE: 4-0.

This meeting recessed at 9:35 a.m. to reconvene at 9:36 a.m. following the HACSA meeting.

6. EXECUTIVE SESSION as per ORS 192.660

To be held later in the meeting.

Roberts excused from the meeting at 9:38 a.m.

7. COUNTY ADMINISTRATION

a. Announcements

None.

b. FIRST READING AND SETTING SECOND READING AND PUBLIC HEARING/Ordinance 2-92/In the Matter of Approving the Transfer of Land Described as Assessment and Taxation Map No. 17-03-30-34, Tax Lot 400, Located at 2nd and Lincoln in Eugene, From Lane County to St. Vincent de Paul Society of Eugene, Inc., for the Public Purpose of Low-Income Housing Development.

Dumdi read this ordinance into the record. MOTION: Approval of the First Reading and setting Second Reading and Public Hearing for March 4, 1992, at 1:30 p.m. in Harris Hall. Frazier MOVED, Cornacchia SECONDED. VOTE: 3-0.

c. ORDER 92-2-19-3/In the Matter of Approving Submission of Assessment and Taxation Budget to the Oregon Department of Revenue.

This item postponed until later in the meeting.

d. ORDER 92-2-19-4/In the Matter of Proclaiming April 5-11, 1992, as National County Government Week and Providing Lane County Citizens with Information about County Government Functions and Programs.

Peter Thurston, Community and Economic Development Coordinator, presented this item to the Board. He stated that there would be an hour or two of staff time required to update the newsletter which was done last year. Copies of the video will be available at \$5 each on request. The real costs and benefits of this proposal could come by implementing some of the recommendations from the National Association of Counties (see material on file). Dumdi commented that she liked the idea of an expanded newsletter to get the County message out to the community, though she was concerned about the cost, given the present budget situation. She felt it would be appropriate to charge the recovery cost on the tape rather than \$5. MOTION: Approval of the order. Cornacchia MOVED, Frazier SECONDED. VOTE: 3-0.

This meeting recessed at 9:52 a.m. to reconvene at 9:57 a.m. in the Commissioners' Conference Room.

8. PUBLIC WORKS

- a. CONTINUED DISCUSSION, RESOLUTION AND ORDER 92-2-12-5/In the Matter of Acquiring Certain Properties Along Holden Creek Lane for Road Purposes.

Ollie Snowden, County Engineer, presented this item to the Board. He identified three issues for discussion: 1) the state project; 2) the County project on Holden Creek Lane and 3) the 11 week closure of Bridge Street. Frazier commented that she had spoken with the state about the design of the intersection and that they are not interested in redesigning the project. She commented that, as far as she was concerned, there could be some compromise on this design. She stated that the McKenzie Highway Association had felt that this intersection was a concern; Lane County and the State of Oregon had agreed. She stated that she would like to meet with the McKenzie Highway Association to discuss a different proposal. Cornacchia stated that he would support Frazier, as he would like to see less impact on the people nearby. Frazier stated that she would set up a meeting as soon as possible while looking at all opportunities and resources.

Snowden commented that Holden Creek Lane would be moved to the north to avoid tightening the right turn onto the Bridge Street Bridge. He remarked that alternative 1 was the base level improvement for this bridge and it did not include a right-turn lane.

Roberts entered the meeting at 10:44 a.m.

Frazier stated that she was trying to balance the needs of the public with the private property owners and that she would favor the modified proposal to have 25 foot centers rather than 30 foot centers with a right-turn lane on Holden Creek Lane. MOTION: To approve a modified proposal on Holden Creek Lane which will take a maximum 15 feet of right-of-way, to put the intersection of Holden Creek Lane and Highway 126 on hold until Frazier can meet with the state, residents and staff as well as relief to the Buffingtons driveway. Frazier MOVED, Cornacchia SECONDED. Don Maddox, Real Property Manager, commented that he would submit a revised order which would only include those properties on Holden Creek Lane. VOTE: 3-0, Roberts abstained.

Snowden discussed the length of closure on the Bridge Street Bridge. He stated that the fire district had taken exception to the amount of time that the bridge would be closed. There are some potential wetlands problems and removal/fill problems that may require a 120-day permit from the Corps of Engineers which would further delay the project. Snowden will meet with the fire district and report back to the Board.

10. FINANCE AND MANAGEMENT SERVICES

- a. ORDER 92-2-19-10/In the Matter of Authorization to Proceed with Preliminary Design of Fourth Floor, Public Service Building and Use of Fund 35 Resources for Architectural Services.

Jef Faw, Director of Finance and Management Services, presented this item to the Board. The recommended "Option E" would require the District Attorney and a portion of his operation to relocate for up to nine months in temporary quarters in the basement of the Courthouse (see material on file). He stated that another option to be considered was the addition of a fourth floor on the Public Service Building at a cost of \$1.7 million. He asked the Board to consider allowing a preliminary design to be done for this remodeling project.

Roberts commented that he could not support expansion without a stable revenue source for the County. Cornacchia commented that he thought that the Board should have a serious discussion about the County's relationship with L-COG and a discussion about what this County is and what it will be doing in the future. He stated that he did not see a need to increase the office space at this time, though he would support having the design done on the addition. Dumdi commented that this addition could not be justified right now and agreed that there was a need to discuss the County's comprehensive needs for the future. Jim Johnson, County Administrator, commented that he would recommend that the Board not go ahead with the preliminary design on the addition. The American Disabilities Act requires compliance in some areas of the building regarding handicapped access which presents a more immediate need for architectural services. Frazier agreed that a comprehensive look at the entire system would be valuable and asked when that discussion could take place. Johnson suggested that there be a Tuesday Work Session fairly soon on this issue.

11. HEALTH AND HUMAN SERVICES

- a. RESOLUTION AND ORDER 92-2-19-11/In the Matter of Accepting an Intergovernmental Agreement with the State of Oregon Children's Services Division in the Amount Not to Exceed \$119,639; Increasing Appropriations for Revenues and Expenditures in the Amount of \$15,554; Establishing an Additional 1.0 FTE Public Health Nurse Position in the Department of Health and Human Services; and Delegating Authority to the County Administrator to Sign the Intergovernmental Agreement.

Rob Rockstroh, Director of Health and Human Services, presented this item to the Board. He stated that this agreement would provide coordinated service to abused and neglected children. MOTION: Approval of the order. Roberts MOVED, Cornacchia SECONDED. VOTE: 4-0.

12. HUMAN RESOURCES

- a. ORDER 92-2-19-12/In the Matter of Reappointing One (1) Member to the Human Rights and Affirmative Action Advisory Committee.

Cheryl McCawley, Personnel Analyst, presented this item to the Board. MOTION: Approval of Donna Taylor to the Human Rights and Affirmative Action Advisory Committee. Roberts MOVED, Cornacchia SECONDED. VOTE: 4-0.

- b. ORDER 92-2-19-13/In the Matter of Eliminating the 1.0 FTE Position of Employee Assistance Coordinator and Awarding a Contract to Direction for Employee Assistance in an Amount not to Exceed \$52,000 to Provide Employee Assistance Services to Lane County and Delegating Authority to the County Administrator to Sign a Contract.

George Russell, Human Resources Director, presented this item to the Board. MOTION: Approval of the order. Cornacchia MOVED, Roberts SECONDED. VOTE: 4-0.

This meeting recessed at 12:00 p.m. to reconvene at 1:30 p.m.

7. COUNTY ADMINISTRATION

- c. ORDER 92-2-19-3/In the Matter of Approving Submission of Assessment and Taxation Budget to the Oregon Department of Revenue.

This item held over from the morning meeting.

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

13. EMERGENCY BUSINESS

ORDER 92-2-19-14/In the Matter of Authorizing the Department of Assessment and Taxation to Issue Tax Refunds Without an Individual Request

Bill Van Vactor, County Counsel, presented this item to the Board. MOTION: Approval of the order. Cornacchia MOVED, Roberts SECONDED. VOTE: 4-0.

Van Vactor stated that he and Roy Burns, Land Management Manager, had been attending the meetings of the Heceta Water District. He commented that there was a Public Hearing scheduled for this evening regarding rate increases and he believed that some of the rate increases were for purposes of a buyout on Clear Lake. He recommended that he provide comment to the Water District that this action was premature since a watershed management plan had not been adopted. MOTION: To direct Van Vactor and Burns to prepare and give testimony to the Heceta Water District at the Public Hearing this evening. Cornacchia MOVED, Roberts SECONDED. VOTE: 4-0.

3. COMMISSIONERS' ANNOUNCEMENTS

Dumdi announced that she had received a memorandum from Ollie Snowden regarding the Oregon Department of Transportation Covered Bridge funding program. She stated that there is money available to continue the program and Snowden would like to know if the Board would like to continue the existing policy of pursuing maintenance and restoration money for the in-service bridges and inspection funds for the out-of-service bridges. The Board agreed that the existing policy should continue.

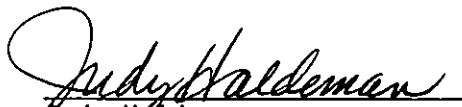
Cornacchia announced that the Association of Oregon Counties Public Lands Committee met last week to set priorities for legislative action, both state and federal. The number one priority was payments in lieu of taxes, number two was forest management, number three was water use in Eastern Oregon and number four was acquisition of lands for public use. Cornacchia stated that he had advocated for a severance tax for the premature cutting of timber, an item which was of concern to Commissioner Rust. Roberts commented that he would like to see a broader timber management policy on public and private land which allows us to make the transition away from old growth to rely on the second growth on private timber land; the gap could be bridged by continuing to cut on the private lands.

Cornacchia announced that the number one priority for the Association of Oregon Counties Land Use is secondary lands, the number two priority is the Curry County case or the acknowledgement of the rural lands goal and the third priority is water use.

Dumdi announced that the Association of Oregon Counties spring meeting will be held in Sun River on May 28 and 29.

Cornacchia reported on the Judge Fry case in Portland and a possible NEPA violation by the Bureau of Land Management (BLM). The relief requested by the environmentalists was an injunction against the BLM issuance of contracts in spotted owl habitat 2.1 miles from any known nesting pair. The BLM reported that 95 percent of their sale program falls within the injunction.

There being no further business, this meeting adjourned at 2:35 p.m. for Executive Session.


Judy Haldeman
Recording Secretary