

MINUTES & NOTICE OF BOARD ACTION
BOOK 149 PAGE 2186
APPROVED 4-7-92
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.

March 11, 1992
Following HACSA

REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

Harris Hall
Main Floor

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

1. ADJUSTMENTS TO THE AGENDA

Item 4. b. pulled from the Agenda.

2. PUBLIC COMMENTS

Randy MacDonald, 777 Pearl Street, commented in support of item 4. a. reducing CFC pollution in Lane County. He distributed a letter from the Eugene City Council endorsing the motion. He stated that this CFC program would be self-supporting and that there was a serious need for action to address the ozone problem.

Wanda Ballentine commented in favor of the pilot project to reduce CFC pollution. She asked the Board to pass this resolution and do whatever possible to protect the ozone layer.

Anahita Sliwinski, 109 East Hillcrest, urged the Board to decide in favor of this CFC proposal presented by Commissioner Jerry Rust which would reduce CFC emissions in Lane County. She stated that this was a practical approach to the growing ozone depletion and all life will be affected by this depletion.

Floyd Prozanski, P. O. Box 11511, BRING Recycling Center, commented that BRING was asking for fair and just compensation for providing a needed service to the County. He asked that BRING receive \$31 per ton for recycled materials being diverted from the landfill and \$167 per ton diversion credit which commercial accounts are receiving.

Paul Engelking, P. O. Box 236, Lowell, commented that chloro-fluorocarbon depletion of ozone has become apparent over the last 15 years and approximately 30 percent of the earth's ozone cover will be destroyed by 2020. He stated that he favors this measure as it adds extra time to the problem of CFC cleanup and buys time to bring replacement materials on line. Rust asked Engelking about the major source of CFCs and Engelking stated that the main source was refrigeration, both mobile and fixed. It is now required that CFCs in automobile air conditioners be recycled. Roberts asked about the regional impact of CFCs on the ozone depletion and Engelking commented that there is significant mixing in the atmosphere.

Barbara Kelly, 407 Blair Boulevard, representing Save Our Ecosystem, commented that humans seem to be in the process of ending life on earth and that halting ozone depletion is an urgent need. She said "what are all of the things we can and must do. How strongly we act for the environment is a measure of our worth".

3. COMMISSIONERS' ANNOUNCEMENTS

To be held at 10:40 a.m.

4. COMMISSIONERS' BUSINESS

- a. ORDER 92-3-11-1/In the Matter of Initiating a Pilot Project to Reduce CFC Pollution in Lane County and to Assist in Recycling White Goods.

Rust reported that the Resource Recovery Advisory Committee has taken on this issue over the past year. Terry McDonald of St. Vincent de Paul and Malcolm McClaskey of Sessler Inc. presented a proposal to the Environmental Protection Association (EPA) to intercept the refrigerators as they come into the landfill and remove the CFC by suction and condense it, then recharge the refrigerators which will be for sale by St. Vincent de Paul. Lane County would provide the on-site facility at Glenwood. This proposal would prevent some CFCs from escaping into the atmosphere, reduce the amount of CFCs manufactured before 1995, make the reconditioned refrigerators more affordable and this decentralized model is the kind of model necessary to deal with this problem. Rust stated that the fee structure may need to be adjusted and should be discussed. He noted that Randy MacDonald had been very helpful in merging these efforts.

Cornacchia asked if CFCs could be destroyed or disposed of similar to toxic wastes. Engelking stated that CFC is a gas which is extremely mobile and most of it will eventually leak out. Rust commented that even though most of this gas will eventually escape, this proposal will lessen the manufacturing of more CFCs and is a method of buying time. McClaskey stated that the combination of Sessler Inc., St. Vincent de Paul and Lane County works to make this proposal economical. Mike Turner, Solid Waste Manager, stated that this contract would fund the staffing at St. Vincent de Paul and

administrative costs would be absorbed by the County. Frazier asked who will be tracking the results of the program. Turner responded that Lane County, St. Vincent de Paul and Sessler will all have a role in recording data though Lane County would probably do the final report.

Cornacchia suggested that this project be tried for one year with a requirement that the participants provide an evaluation as to the success of the project. Roberts agreed and added that he would like to have a written evaluation from RRAC ahead of time with a report from Waste Management on how this might work from a practical standpoint. Rust stated that RRAC liked the proposal but not the fee structure. Cornacchia added that it may be necessary to raise solid waste fees in the near future and Jim Johnson, County Administrator, stated that Turner could tune up the five-year financial plan. Roberts agreed and suggested that Lane County review fees on an annual basis to help minimize the impacts. Dumdi suggested that there be an up-front fee charged when refrigerators are purchased to help cover the cost of collection of CFCs. Rust commented that section 608 3(b)(3) of the Clean Air Act states that "effective July 1, 1992, it shall be unlawful for any person in the course of maintaining, servicing, repairing or disposing of an appliance, to knowingly by vent or otherwise knowingly release or dispose of any class 1 or class 2 substance used in refrigerant in such appliance." Rust stated that CFC pollution is a real problem and this proposal makes a real impact on the future production of CFCs between now and 1995. The Board consensus was that staff would do the necessary analysis and that there would be formal comment from the RRAC with a report back to the Board within 45 to 60 days.

4. COMMISSIONERS' BUSINESS

- b. RESOLUTION AND ORDER 92-3-11-2/In the Matter of the Board of County Commissioners of the County of Lane Authorizing the Issuance and Sale of its Refunding Pollution Control Revenue Bonds, (Weyerhaeuser Company Project) Series 1992 in the Principal Amount of \$11,600,000; Approving the Documentation in Connection with the Issuance of Said Bonds; Appointing a Trustee; and Providing for Other Matters Relating Thereto.

Pulled.

5. EXECUTIVE SESSION as per ORS 192.660

To be held after the 1:30 p.m. meeting.

6. COUNTY ADMINISTRATION

a. Announcements

None.

7. PUBLIC WORKS

a. REPORT BACK/BRING Recycling's Request for Additional Funding.

Ken Sandusky, Recycling Coordinator, presented this item to the Board. He commented that BRING feels entitled to more money under the terms of their full-line recycling contract since they are handling more materials, particularly materials from curbside sources. BRING would like to be eligible for credits which are available to waste haulers under the curbside recycling program. Staff recognized that there is some benefit to having BRING handle curbside recycling materials and that it enhances the overall recycling program. Staff recommended that BRING be paid \$1,000 per month until the end of the contract period; in subsequent contracts such duties would be clearly stated as a requirement. Staff would recommend that BRING not gain any eligibility under the curbside recycling program because what BRING does is entirely different from what commercial waste haulers do and it does not address their problems of being non-competitive in the commercial recycling arena.

MOTION: To accept the staff recommendation on the modification of the contract to provide an additional \$1,000 per month on an interim basis and that the question of the curbside credit system be referred to the Resource Recovery Advisory Committee to see if there is any reason to revisit the issue. Roberts MOVED, Cornacchia SECONDED for discussion. Cornacchia questioned a change in the contract outside of the bidding process. Sandusky stated that BRING would be considered a sole-source for brokering curbside materials and added that this was a compromise to get through this current contract period. Frazier commented that BRING knew going into the contract that it would be paid on a flat rate and that the acceptance of curbside materials was optional. Sandusky commented that circumstances have changed in the past two years; there is more volume, more recycling activity, but prices have dropped as a result of this increase. VOTE: 3-2, Cornacchia and Frazier dissenting.

This meeting recessed at 10:32 a.m. to reconvene at 10:47 a.m.

3. COMMISSIONERS' ANNOUNCEMENTS

Frazier announced that she would be meeting in Leaburg at the Community Center with Sam Dominy and Peg Jolin at 7:00 p.m. on Thursday.

Rust announced that he had received a comment from a County clerk regarding performing marriage ceremonies and he asked Johnson to come back to the Board next week with a discussion of this issue.

Rust announced that the Environmental Law Clinic was being held this week at the University of Oregon.

Roberts congratulated Doug Harclerod and Bob McManus for being unopposed in the coming election and commented that this speaks to their excellent qualifications.

Cornacchia commented that he had written a letter to constituents regarding campground development and law enforcement.

Dumdi announced that she had received a letter of appreciation for the work done by the ditching crew in the Veneta area. Cornacchia commented that he had received two notes for work done on 28th Street for the same kind of appreciation of County staff.

Dumdi announced that she had received a telephone call from a member of the Florence American Legion requesting a reduction in the dumping fee that they were charged for clearing some property. Roberts commented that he was sympathetic, but he would have a problem creating an exception in this case. Cornacchia and Frazier wondered if this was legitimate Legion business. Dumdi will report back to the Board next week.

Dumdi announced that March 23 at 2:30 p.m. there will be a celebration recognizing 20 years of the Oregon Dunes National Recreation Area. She will be out of town and wondered if there would be another Board member that could represent the County at this event.

Dumdi announced that she and Roberts had had breakfast with Mayors Miller and Morrisette in Washington DC last week to discuss provision of services within the County. There will be another meeting on Saturday morning March 14 at Lyons to begin this discussion. There will be another meeting on April 6 at 7:00 p.m. in Harris Hall to continue the discussions.

Dumdi announced that EPUD dedicated their new methane gas generation plant on March 5 and had presented the County with a check for \$25,000.

7. PUBLIC WORKS

- b. ORDER 92-3-11-3/In the Matter of An Interpretation of the Lane County Rural Comprehensive Plan, Applicability of Ground Water Quantity and Quality to Limited Areas to Uses Allowed in Zoning Districts.

Roy Burns, Land Management Manager, presented this item to the Board and stated that the Board was being asked to interpret the Code. Cornacchia commented that it was fairly well known that there was a water shortage in the Spencer Creek area and government should take

steps to see that this water was shared appropriately. Burns stated that when the water quality limited areas were established in the Manual and staff applied that information to the different geographical areas of the County, all aspects of withdrawal of groundwater were not considered; only the large scale intensifications of use were considered. Roberts commented that he thought that this was a large scale construction project which would have an impact on surrounding properties and therefore, fits with the current Code. This disproportionate impact should trigger the same consideration that this would receive if it were a large project. Cornacchia noted that this was a reaffirmation that the Code takes into account impacts within an area and he is comfortable with the direction that Roberts was suggesting.

Hal Reed, 85139 Appletree Drive, stated that the Homeowners would be very comfortable with the analysis that Commissioners Robert and Cornacchia have made in this matter. Rust commented that the Rural Comprehensive Plan does contemplate that the County would regulate water use commensurate with availability and he would support Cornacchia and Roberts.

Gunnar Schlieder, 85344 Appletree Drive, registered professional geologist, presented information on the formation of aquifers and the function of wells (see material on file).

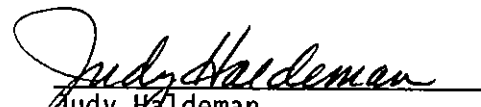
Cornacchia stated that he could be comfortable with all irrigation projects in RR5 zones requiring a heightened level of scrutiny as to the impact of the water permit. Dumdi noted that it was already stated in Lane Manual that there were certain areas that are water limited and this should be taken into consideration with regard to permits. Roberts suggested that irrigation projects be defined as those which are large in scale considering all of the circumstances and therefore, have an impact on the surrounding property owners. Cornacchia suggested that water storage projects be added also. The Board gave direction to staff to prepare findings and return to the Board in one week.

10. EMERGENCY BUSINESS

ORDER 92-3-11-17/In the Matter of Rescinding Contract #91/92-07 to Howmar Materials, Inc. for Rock Production Stockpile Sites and Offering the Award to Willamette Crushing Co. as Second Lowest Bidder

MOTION: Cornacchia MOVED, Roberts SECONDED. VOTE: 5-0.

There being no further business, this meeting adjourned at 12:01 p.m.


 Judy Haldeman
 Recording Secretary