

June 23, 1993

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.

April 14, 1993
Following HACSA

REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

Harris Hall
Main Floor

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

1. **ADJUSTMENTS TO THE AGENDA**

It was announced that there will be two Emergency items later in the day.

2. **PUBLIC COMMENTS**

Jan Wroncy, P.O. Box 1101, Eugene, 97440 was concerned about pesticides with "secret ingredients" being used in Lane County. When she has asked members of Vegetation Management Advisory Committee about ingredients in pesticides, she has not received any answers. She is demanding that herbicide pesticides be stopped in the urban area of Lane County. Rust asked for a list of those pesticides she claims to have secret ingredients.

Bob Spencer, 41594 Madrone, Springfield, 97478 distributed pictures to the Board regarding construction on the McKenzie River on Deerhorn Road. The person constructing the building received a permit to build, but is not respecting riparian zones and setback requirements. Cornacchia stated that he would take the pictures to the Directors of Land Management and Public Works. He also stated that a process is currently being designed to correct the vagueness of County Ordinances.

Tom Brandt, 37056 Boiler Creek Road, Marcola referred to an agenda item on Consent Calendar for today regarding selling surplus County-owned property to Willamette Industries. Mr. Brandt stated that the County is selling property without knowing the real value of the trees and the land.

Clair Feighan, 332 N. 7th, Springfield spoke about the Peoples March in Springfield on April 25, 1993. She asked for endorsement of the march in Springfield from the Board.

In response to the request for endorsement, the Board agreed that it would not be in the County's best interest for the Board to support this march as a governing body, as such support may jeopardize working relations with the City of Springfield's governing body.

Leroy Pruitt, PO Box 126 Vida, OR, passed out a photograph to the Board on Bear Creek Bridge. He requested that the Board take another look at the Renny site on the south side of Bear Creek (slide problem and visibility).

3. COMMISSIONERS' ANNOUNCEMENTS

To be held later in the meeting.

4. COMMISSIONERS' BUSINESS

- a. ORAL REPORT BACK/Phase I Computer Architecture Work Group (CAW) Report.

Commissioner Frazier stated that a written report will be given to each Commissioner within a week explaining why they took the action that they did on the Summary of Recommendations. Frazier would like to know from the Board if they think it is necessary to send a letter requesting a downsizing plan from RIS. Roberts stated that the committee is in favor of downsizing and would like the cooperation of RIS in doing this. Cornacchia would like them to explain how they will do this in their work plans and goals.

The Board directed Frazier, as Chair of the Committee, to draft the letter for Cornacchia's signature.

- b. ORAL REPORT BACK/Room Tax Special Projects and Rural 10 Percent of Ordinance.

Commissioner Dumdi reported that they have not yet had a meeting of the full council due to the hiring process for the new RCIC position. They will have this meeting on May 6, 1993 to discuss these issues. She will come back to the board at a later date with a full report.

5. EXECUTIVE SESSION as per ORS 192.660

To be held in the afternoon session.

6. PUBLIC WORKS

- a. FIRST READING AND SETTING SECOND READING AND PUBLIC HEARING/Ordinance No. PA 1041/In the Matter of Amending the Eugene/Springfield Metropolitan Area General Plan to Enlarge the Urban Growth Boundary of the City of Springfield by Adding Tax Lots 800, 900, 901 and 902 of Map 17-02-19.4.1 and Tax Lot 500 of Map 14 Exception for the Property, and Adopting a Savings and Severability Clause.

MOTION: Approval. Roberts MOVED, Frazier SECONDED. VOTE: 5-0.

- b. FIRST READING AND SETTING SECOND READING AND PUBLIC HEARING/Ordinance No. PA 1042/In the Matter of Amending the Eugene/Springfield Metropolitan Area General Plan to Enlarge the Urban Growth Boundary of the City of Eugene by Adding a Portion of Tax Lot 3700, Map 18-03-16.3, Apply a New Land Use Designation and New Eugene Zoning District to the Property, Adopt a Goal 14 Exception for the Property, and Adopting a Savings and Severability Clause.

MOTION: Approval. Roberts MOVED, Dumdi SECONDED. VOTE: 5-0.

- c. FIRST READING AND SETTING SECOND READING AND PUBLIC HEARING/Ordinance No. PA 1043/In the Matter of Amending the Eugene/Springfield Metropolitan Area General Plan to Change the Land Use Designation on a Portion of Tax Lot 100, Map 17-04-07, Rezone the Property, Adopt a Goal 3 Exception for the Property, and Adopting a Savings and Severability Clause.

MOTION: Approval. Frazier MOVED, Dumdi SECONDED. VOTE: 5-0.

- d. ORDER 93-4-14-1/In the Matter of Denying a Request to Amend the Rural Comprehensive Plan Diagram from "Residential Lands" to "Industrial Lands" and to Amend the Zoning Map from "Rural Residential" (RR-5) to "Light Industrial" (M-2) for Map No. 18-22-2.3, Tax Lot 2500.

MOTION: Approval. Roberts MOVED, Dumdi SECONDED. VOTE: 5-0.

- e. FOURTH READING AND ADOPTION/Ordinance No. PA 1032/In the Matter of Amending the Transportation Element of the Rural Comprehensive Plan to Include a New Bridge Across the McKenzie River at Milepost 31.5 of the McKenzie Highway Taking Exceptions to Statewide Planning Goals 4 and 5, Adopting a Severability Clause and Findings in Support of this Action (Bear Creek Bridge).

After discussion of this project the Board concurred on Alternative #2 for the type of bridge to be built: Steel, one pier bridge.

MOTION: Approval Alternative #2. Frazier MOVED, Dumdi SECONDED.
VOTE: 5-0.

Discussion on the Transportation Plan was rolled over into a fifth reading due to new findings. Harvey Hوجلund will prepare the supplemental findings and will send a notice to those on the official list that findings are available for their review. The response will be limited to written responses only rather than a public hearing. This item will be brought back to the Board on May 12, 1993.

MOTION: Approval for 5th reading on May 12, 1993. Rust MOVED, Dumdi SECONDED. VOTE: 5-0.

- f. RESOLUTION AND ORDER 93-4-14-2/In the Matter of Accepting a Grant of \$55,000 From the State Land Conservation and Development Department; Delegating Authority to the County Administrator to Execute an Agreement; and Appropriating an Additional \$55,000 in Revenues and Expenditures for the Land Management Division, Public Works Department.

Van Vactor is concerned that a large portion of funds received from this grant will go to L-COG for mapping and wants to know the reason why they are doing the mapping as opposed to Land Management Division (LMD) staff doing it themselves. Van Vactor also would like to know if this contract is for Lane County's benefit or more for LCDC benefit?

Roy Burns clarified that the grant award offer is monies that have been allocated from the current appropriations biennium. A certain number of counties are selected to offer grants to. Lane County originally made a request for \$140,000 but scaled back their grant request from \$140,000 to \$55,000. After review by LMD as to what could be accomplished with those monies, it was decided to use them for a map that would disclose the high value farm land areas that have been mandated by the state based on certain characteristics adopted by LCDC.

It was proposed that out of the \$55,000, \$15,000 to be used for County staff to facilitate the preparation of information and completion of coordination for that and \$40,000 be awarded to L-COG common mapping to produce the upgraded information. There was no mandate by the state to award the \$40,000 to LCOG.

If the grant is accepted the County will be able to map and locate all the high value in farm land in the County in that portion for which there is adequate funding from the state but with regard to small scale it would be just a limited pilot area around the Veneta-Elmira area. Burns has estimated that to do the small scale it would cost approximately \$600,000. LCOG's proposal to get the work

done would be to hire some additional people to produce the maps in a timely manner within 60-90 day turn around time. Cornacchia calculated that \$40,000 in 90 days is approximately \$13,000/month, so wondering if they will have 4 people working on this project? Cornacchia wanted to know where the people would be hired from. Cress Bates from LCOG explained that staff would consist of two LCOG staff members and two interns from U of O geography department. People would be paid at the Tech I level - \$10-12/hour.

Legal Counsel stated that there really is no choice in the matter for Lane County. This grant is mandated by the state and cannot be used for anything other than the high value farm lands. This is "Hobson's Choice". The money can be rejected, but the mandate does not go away. If the County does not accept the grant money of \$55,000 this amount might have to come from the general fund. Cornacchia does not want to give \$40,000 of the money to L-COG to do the mapping. He would consider giving \$20,000 to LCOG or else have County staff people do it.

Rust proposed to accept the grant and to get three quotes, one from LCOG, asking if this would meet LCDC's requirements in accepting the grant? Legal Counsel stated that the mapping conditions are that the state wants it done by July. Rust feels that the deadline could be changed around.

Roberts stated that LCDC is requiring the County to do this. He feels that the \$55,000 grant is not in any where near sufficient to get the job that they are requiring done, but would rather have the \$55,000 than not have it. LCOG was asked for a bid, they did not come asking for money. Roberts does not feel that anyone is out waiting in the wings who would be able to do this job in the time that is needed or at a competitive price and feels that going out for a bid would be a fruitless effort. Roberts does not think that this amount to LCOG is excessive. He also feels that this is probably the best way to use the money.

Dumdi stated that it is frustrating to have the state mandate how the County will spend its money and do business. She can understand how frustrated the people are who live in the rural areas. She does not feel that there is any deterioration in the County's farm land and does not think that LCDC is paying attention to the Northwest part of Lane County. She will vote for the motion reluctantly.

Frazier concurs with Roberts that this needs to be done. She will support the motion.

Cornacchia does not agree with the notion that "all governments are doing it this way". He will not vote for the motion because of this. He feels that if questions were raised about more costs, how high they are with a refusal to pay, that government would

eventually have to lower the costs. He is frustrated that the County is caught in the middle and have to accept this.

Roberts concurred with Cornacchia that questions need to be asked and feedback requested on why it costs so much to get things done.

VOTE: 5-0.

3. COMMISSIONER'S ANNOUNCEMENTS

Dumdi asked the Board to consider the Oregon Rivers Museum Project and their need for financial assistance to do their feasibility studies for a project that will benefit the entire area. Dumdi asked the Board to consider pledging \$30,000 from the video lottery funds outside of the RFP process. Dumdi has a Board Order prepared if the Board agrees to approve this.

Legal Counsel alerted the Board that they may want to put a contingency in the Board Order due to the possibility of a judicial decision being made that proceeds from the video lottery funds may have to be repaid. Terry Wilson stated that there is very little information at this time about what the state is going to do regarding the video lottery funds.

Cornacchia stated that since this is a challenge grant to ORM he would be in favor of this type of grant. Roberts stated that these are legitimate funds to give to ORM and if down the road the money has to be repaid then this will be dealt with then.

Dumdi read the Order into the record. Cornacchia stated that no checks should be written until they are ready to go with their contract. Rust concurred with Cornacchia. Cornacchia stated that Dumdi should bring the Order back this afternoon with revised language.

Dumdi commented that the organizers of the Country Fair have made a request to use Zumwalt Park for camping during the fair. Bob Keefer has requested a proposal from the City of Veneta. Dumdi will report back when the proposal from Veneta comes in. The community is concerned with the amount of people attending the fair. Ticket sales will be monitored and the attendance will be capped at 16,000 for Friday, 18,000 for Saturday and 16,000 for Sunday. Wristbands will be required for those staying overnight. Cornacchia commented that Bob Keefer should inform the Board regarding this request to use Zumwalt Park; the number of campsites, the amount that will be charged, clean up, and the County's cost. Dumdi will have Bob Keefer write a memo to the Board.

Dumdi stated that Ed Stelfox has a clockface from the original tower from the old County Courthouse which needs display space - it is about 6 feet tall. She asked the Board if they would be interested in displaying it somewhere in the courthouse. The Board suggested that some volunteers (not County staff) get a proposal together regarding all the information;

C. Human Resources and Management Services

- 1) ORDER 93-4-14-6/In the Matter of Authorizing Selling Surplus County-Owned Real Property to Willamette Industries Located on Boiler Creek Road (Off of Parsons Creek Road) in the Marcola Area - Map/Tax Lot #16-02-02-00-0600.

Pulled.

D. Public Works

- 1) ORDER 93-4-14-7/In the Matter of Approving a Project Design for Rehabilitation of Bridge Street Bridge. (NBA & PM 8/20/92, 10/2/91, 10/22/91, 11/6/91, 4/8/92, 12/15/92, 3/17/93 & 3/30/93)
- 2) ORDER 93-4-14-8/In the Matter of Accepting Grants from the Oregon State Marine Board and the Oregon Department of Fish and Wildlife for Installation of a Vault Toilet and Other Site Improvements at Rodakowski Landing and Delegating Authority to the Acting County Administrator to Sign the Agreements.
- 3) ORDER 93-4-14-9/In the Matter of Accepting a Federal Land And Water Conservation Fund Grant for Installation of a Disabled Accessible Restroom Addition at Winberry Park and Delegating Authority to the Acting County Administrator to Sign the State and Local Agreements.

Rust asked for item 7.C.1. to be pulled off the Consent Calendar for discussion.

MOTION: Approval of the remainder of the consent calendar. Roberts MOVED, Frazier SECONDED. VOTE: 5-0.

C. Human Resources and Management Services

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Rust commented that to get best value on timber 10 quotes are needed. He would like to reject this and recommend getting 10 quotes, sell the timber, then sell the bare land. Rust is certain that more money can be obtained from this land than has been recommended in this agenda item. Cornacchia supports the sale of the land to Willamette industries, but is very interested in getting the full value of the land. There is a need to reconsider what the value is. Roberts concurred that the County should try to get the maximum value of the land.

The Board requested that Van Vactor report back at a date and time certain in two weeks.

8. HUMAN RESOURCES AND MANAGEMENT SERVICES

- a. REPORT BACK/DISCUSSION, ACTION AND ORDER 93-4-14-10/In the Matter of Award of Bid CP 92/93 for Requirements Purchase of Printing Services.

MOTION: Approval. Rust MOVED, Dumdi SECONDED. Roberts said he will not vote for this order due to the mandatory agreement - how will this be enforced? The same way business was done before will be continued, with an outside monopoly as opposed to in-house. He would prefer to have no agreement, so that employees can go out on their own or else have a non-exclusive contract. He does not want to do an exclusive contract.

Rust said this is not a traditional monopoly, as other print shops had been asked to bid on the proposal. Central outbid the competition. Due to the volume they were able to underbid. He would like to take the course that gives the most opportunity for success. He feels that allowing everyone to choose for themselves will be more costly.

Roberts voiced the question of whether or not a better price or better service will be obtained if people go elsewhere rather than having an exclusive contract?. He feels the system needs to be changed from that previously in place. He wants to have a contract with Central, but not exclusive, let people know that they are preferred, but that they are able to go somewhere else if they want to. He would like to experiment with a consumer choice model.

Frazier announced she will support motion. She does not feel the contract is much different than many other contracts the County has. If everyone shops on their own, the costs for staff time might be significant due to not knowing enough about printing and having to do research.

Cornacchia concurs with Roberts that this system is the same as before, just in a different location. He likes the idea of doing it differently, if it does not work budgetarily, then something different could be tried. He will vote against the motion.

VOTE: 2-3, Roberts, Dumdi, Cornacchia dissenting.

There being no further business this meeting adjourned at 12:15 p.m.

Beth McAllister
Beth McAllister
Recording Secretary