

# MINUTES & NOTICE OF BOARD ACTION

BOOK 153 PAGE 0456

APPROVED

June 16, 1993



## 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.

May 4, 1993  
Following Board  
of Health

WORK SESSION  
BOARD OF COUNTY COMMISSIONERS

Commissioners'  
Conference Room

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

### 1. ADJUSTMENTS TO THE AGENDA

Item 6.c was pulled from the Agenda.

### 2. PUBLIC COMMENTS

R. F. (Dick) Kintzley, 92465 Marcola Road: Discussed Marcola Road. He said that during a meeting in Marcola, it was agreed to keep the road within the 60 foot right-of-way and he urged the Board not to go back on their word.

Richard (Jim) Hardy, 90966 Hill Road: Talked about accountability in the process of making decisions on Marcola Road. He urged the Board to continue to communicate and to keep their commitment to the community.

### 3. COMMISSIONERS' ANNOUNCEMENTS

Held later in the meeting.

### 4. EXECUTIVE SESSION as per ORS 192.660

None.

5. COUNTY ADMINISTRATION

## a. Announcements

None.

6. PUBLIC WORKS

## a. DISCUSSION AND ACTION/Selecting a Project Design for Improvement of Marcola Road from Camp Creek Road (M.P. 1.93) to approximately the Mohawk River (Stafford) Bridge (M.P. 5.86).

Ollie Snowden said the original concept was to conserve staff resources and adopt findings for the entire project from Camp Creek Road to Johnson Road. At a hearing over a year ago, the project had received general support from the public. There were some different comments at the March 17 hearing of this year. The Roads Advisory Committee reviewed the comments, reviewed the projects again and their recommendation was summarized in the agenda packet. The Roads Advisory Committee's recommendations, the Board's discussion and recommendations were as follows:

Proceed with phase I only at this point, from Camp Creek Road to the Mohawk River Bridge.

Build a 34-foot paved surface, including 11-foot travel lanes and six-foot shoulders. Staff concurs with that. The traveling surface is now about 24 feet and this would add about five more feet on each side as a paved shoulder.

Cornacchia and Rust concurred with this recommendation within the constraints that had been discussed and recommended narrowing shoulders as a first choice, and looking at the ditches as a second. There was a discussion on the safety and availability of shoulders and Roberts cautioned against creating a hazard if people feel they have the ability to pull off the road but it is not safe.

Adjust the side slope rates to fit within the existing right-of-way unless right-of-way from abutting property owners can be acquired voluntarily.

This was the primary difference between the RAC and the staff recommendation.

There was a discussion on the process that would be used in getting compliance from the property owners, and the discretionary decisions on the allocation of resources.

Roberts felt there was a potential problem in saying do a clear zone only if people are willing to sell. If it is appropriate from the

standpoint of public safety, it is not a question of whether they are voluntarily going to sell the property.

The majority of the Board recommended clear zone not be a consideration on Marcola Road, that staff design it within the right-of-way and only come back to the Board in very significant situations. Roberts dissented.

Improve the Sunderman Road intersection

Snowden said the intent was to bring that into a 90 degree intersection with Marcola Road. The Board concurred with this recommendation.

Improve the Mohawk River Bridge

The Board concurred with the recommended improvement to the Mohawk River Bridge

Consider condemnation to acquire additional right-of-way only in the vicinity of the Mohawk River bridge.

The Board concurred with the eminent domain issue for the bridge. There was a discussion on condemnation needs throughout the length of the project. Snowden said some property owners would willingly sell additional right-of-way if some drainage problems could be corrected.

Use a step-down design of 55 mph to 50 mph through the reversing curves near the Hansen residences to avoid excessive taking of their field.

Cornacchia and Rust recommended reducing the super and setting a 45 mph. There was a discussion on the safety problem being a design issue or the public's driving habits.

Roberts felt the County needed to take into consideration how people actually drive. He agreed that the Board needs to consider the impact the roads have on the adjoining property owners but emphasized that these roads do belong to the traveling public. He said this particular road has a lot of wide open spaces that encourage rapid speed and then curves that could be dangerous.

Snowden said Roberts' comments were consistent with the way the profession has been going 30 years, toward a concept of a more forgiving roadside where the penalty for an error is not necessarily severe injury.

Snowden said on the side slope rate, clear zone issue, staff's concern with the RAC's recommendation was that some locations will end up with six-foot shoulders but with a critical side slope; one that is steeper than 3 to 1. In much of phase 1, the approach could be to use as much right-of-way as possible for the side slope and

push the drainage back on the abutting property owner. The preference would be to eliminate the ditches, for the sake of consistency.

The majority of the Board recommended reducing the super and setting a 45 mph. Roberts dissented.

Snowden summarized his understanding of direction he had received from the Board.

34-foot top, 11-foot lanes, six-foot shoulders with the understanding that the Board's preference is to narrow shoulders to avoid critical side slopes. Roberts dissented saying he agreed with narrowing the shoulders to keep from having critical side slopes but his preference was to have more of a clear zone.

Snowden understood he had approval for condemnation for additional right-of-way in the vicinity of the bridge.

His understanding on the Hansen curves was to leave them the way they are and reduce super to a 45 mph design curve. Roberts dissented on that.

The Board concurred with the recommendation that Phase 2 be moved from 95-96 to 96-97.

Snowden said he would redo the findings based on the discussion and come back in approximately two weeks with a consent calendar item.

Cornacchia thanked Snowden for his patience.

- b. ORDER 93-5-4-1/In the Matter of Reappointing One Member to the Roads Advisory Committee.

MOTION: Reappoint Laura Olson to the Roads Advisory Committee. Roberts MOVED, Dumdi SECONDED. VOTE: 5-0.

- c. ORDER 93-4-28-14/In the Matter of Awarding a Contract to Clyde/West, Inc., in the amount of \$42,089 for the purchase of one (1), 3,800 gallon water tank/street flusher with trade-in, Contract FY 92/93 FS-10. (NBA & PM 4/28/93)

Pulled.

- d. FIRST READING AND SETTING SECOND READING AND PUBLIC HEARING/Ordinance No. 4-93/In the Matter of Amending Ordinance No. 14-90D, as Previously Amended, to Extend the Sunset Date of June 1, 1993, to December 1, 1994, and Declaring an Emergency (Tree Cutting Ordinance).



Number 836 (S.E. Walker Road), Within the City Limits, to the City of Westfir (Public Hearing: June 30, 1993, 1:30 p.m., Harris Hall Main Floor)

5) SUBDIVISION PLAT

- a. Regency Estates, Phase IV  
City of Eugene  
17-03-21

MOTION: Approval of the Consent Calendar. Roberts MOVED, Frazier SECONDED. VOTE: 5-0.

8. HEALTH AND HUMAN SERVICES

- a. ORDER ~~93-5-4-9~~/In the Matter of Amending Chapter 60 of Lane Manual to Revise Certain Health and Human Services Fees (LM 60.840) Effective July 1, 1993.

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

3. COMMISSIONERS' ANNOUNCEMENTS

Frazier said there had been a request for Economic Development Assistance dollars set aside in the Road Fund for the City of Cottage Grove's industrial park proposal. A Technical Assistance Grant was processed through regional strategies last year. Lane Manual allows processing of business specific projects at any time but ready-to-build projects may be processed only twice a year. That language is being changed but not in time for approval of this project and they were requesting a waiver to the Lane Manual provision to allow the processing of this.

MOTION: Grant waiver of Lane Manual Provision to allow processing of this request. RUST MOVED, Cornacchia SECONDED. VOTE: 5-0.

Frazier announced she had attended the Oakridge Tree Planting Festival

Dumdi presented a time sensitive issue. The BRING/St Vincent DePaul joint project through the Regional Strategies originally was to be a combined site, however that was not working and St Vincent DePaul has found a location in the Booth Kelly Springfield site. BRING has found a suitable site on Franklin. The request was a modification to the OEDD contract to allow them to have separate sites.

MOTION: Approval of an order to modify the OEDD Contract to allow separate sites for BRING and St Vincent DePaul. Rust MOVED, Frazier SECONDED. VOTE: 5-0.

Dumdi stated she had attended the National Rural Development Conference in Washington D.C. last week. She also attended the big march on Sunday, visited our delegation on the hill on several occasions, and some of the agencies including the Office of Management and Budget.

Rust said next week was National Tourism week, noting that approximately 4,000 in Lane County are employed in that industry. He announced another clean up of the Spencer's Butte trail and invited everyone for an hour's work followed by a pot luck.

#### 9. PUBLIC SAFETY

- 1) ORDER 93-5-4-10/In the Matter of Approving Expenditures of Public Safety Appropriated Funds for Out-Of-State Training of Firearms Instructors.

Captain John Clague, Public Safety, brought to the Board a request to send five firearm instructors to the law enforcement training center in Provo, Utah. The request was to elevate the expertise level of Public Safety's firearms instructors beyond the basics. He stated the request was based on careful evaluation and the Department's professional judgment. He stated that during a conversation with the Acting County Administrator he had said he would request the Board's review rather than to have to see about getting a refund.

It was determined the date of the request was prior to the spending constraint placed by the Board.

The Sheriff talked about increasing the level of efficiency of employees and training trainers. He said the department had a good record and asked the Board to support quality training for his employees.

Acting County Administrator, Bill Van Vactor, said there were three factors that had formed the basis of his denial: 1) The need to preserve every dollar the County has going into the next fiscal year. There is essentially no slack in the budget. 2) The number attending seemed excessive since typically one or two persons are sent and then train other department personnel. 3) Ms. Brookfield's memo noted that this is an advanced course and that the Department of Public Safety personnel does in fact receive training on the basics. He said after he learned a non-refundable deposit had been made, he recommended the Department send two persons, and have them come back and train others. That remained his recommendation.

Roberts supported that recommendation. He said the Board had charged the Acting County Administrator with spending controls. He expressed concern that when a very reasonable request came from the Acting County Administrator about whether the deposits were refundable, the response was to say that the Department would end run him and come to the Board. He felt that was inappropriate. He felt the Board should make it clear that it takes those spending controls seriously and that they also stand behind the Acting County Administrator in dealing with the budget as he has to do.

MOTION: Amend the motion to allow two to attend. Roberts MOVED, Rust SECONDED.

Dumdi said the fact that this was initiated prior to the first of the year carries some weight. Cornacchia agreed with that and voted against the motion to amend.

Frazier agreed with the issue of timing and supported the original motion.

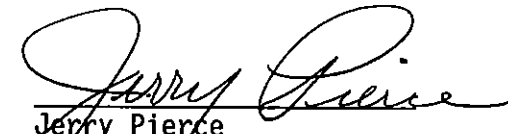
MOTION: Approval of order: Dumdi MOVED, Cornacchia SECONDED. VOTE: 4-1, Roberts dissenting.

10. EMERGENCY BUSINESS

None.

Frazier welcomed Stephanie Schultz, RCIC Facilitator

There being no further business, this meeting adjourned.

  
Jerry Pierce  
Recording Secretary