

# MINUTES & NOTICE OF BOARD ACTION

APPROVED May 1, 1996

## 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 9, 1996  
9:00 a.m.

WORK SESSION  
BOARD OF COUNTY COMMISSIONERS

Commissioners'  
Conference Room

Chair Bobby Green, Sr. presided with Ellie Dumdi, Jerry Rust and Cindy Weeldreyer present. Steve Comacchia excused. Sharon Giles, Recording Secretary.

### 1. ADJUSTMENTS TO THE AGENDA

None.

### 2. PUBLIC COMMENTS

Dave Clark, 541 Ivy, Florence, reported that there has been substantial debate in the Florence area regarding the Florence Justice Center. He indicated that Florence's mayor and members of the City Council are here today to get expressions of the Board's desires regarding moving the Justice Court and the Sheriff's Department into the new facility.

Pavel Goberman, 2111 Lincoln, remarked that he has opened a business called "Get Energized." He indicated that he was interested in obtaining information regarding Lane County employee sick hours, but had learned those statistics are not available. Goberman stressed that his goal is prevention and keeping people healthy.

Jim Gillette, 86340 Needham Road, stated that he has about 20 homeless families living on his property. He indicated that everyone has their own septic and the facility is very clean, but that it is breaking the law. Gillette reported that Compliance may start fining him \$1,000 per day. He remarked that the reason he is here is because homelessness is a serious problem and he is asking the Board to help start something to cure homelessness. Gillette stressed that facilities like his should be made legal since they are a good solution. He

commented that the Board may have homeless people from his property coming to a Board meeting after he has to serve 30-day eviction notices. Rust emphasized that Gillette's property is outside of the Urban Growth Boundary, is zoned F-2 and that the laws of the state of Oregon do not permit extensive homeless camping on these types of property. He added that he does not want Gillette to give the people on his land false hope that the County can do something about this. Gillette indicated that maybe it is time for the County to take a stand and not fine him.

### 3. COMMISSIONERS' ANNOUNCEMENTS

To be held at approximately 10:40 a.m.

Doug Harclerod, District Attorney, brought forward a recommendation that Lane County prepare a levy information fact sheet to explain the complex alternatives to the citizens of the county. He noted that the material must be factual and neutral and not favor any choice. Harclerod stated that the cost to prepare, print and mail the information to all voters will be approximately \$23,000, with the largest portion of that cost being for postage. He recommended that the Board direct the County Administrator to prepare, print and mail such a fact sheet for no more than \$23,000. Harclerod stated that School District 4-J has done this type of thing in the past. Responding to Rust, Bill Van Vactor, County Administrator, concurred with Harclerod's comments and thanked Steve Carmichael and Harclerod for bringing this suggestion forward. David Garnick, Senior Management Analyst, identified lapse from the previous Human Resources and Management Services Director position, which was being filled in the interim by David Suchart at a lower salary, as the potential funding mechanism for the \$23,000. Green and Dumdi agreed that such a fact sheet would help minimize confusion. There was unanimous agreement to direct Van Vactor to proceed with the fact sheet under his own budget authority.

### 4. COMMISSIONERS' BUSINESS

- a. ORDER 96-4-9-1/In the Matter of Approving and Ratifying a Collective Bargaining Agreement with Lane County Public Works Administrative, Professional and Technical Association.

Ruth Larson briefly reviewed this matter, noting that this is an extension of the existing agreement with no salary increase for one year.

MOTION: Approval of the Order. Rust MOVED, Weeldreyer SECONDED. VOTE: 4-0.

- b. DISCUSSION/County Owned 40 Acres in Florence and Kingwood St. Project.

Dumdi noted John Theilacker's information included in the packet (see material on

file). Theilacker summarized that Florence is currently updating its comprehensive plan and one task is a possible plan amendment to remove ESWD acreage, designations which were largely driven to support and protect Port of Siuslaw activities. He remarked that the planned Marine Industrial Park on the County's 40 acres is no longer feasible, noting that the Port has begun to diversify. Theilacker reported that the Port and Florence have worked together to evaluate a plan for this property and all other ESWD sites. He indicated that the 40-acre development envisioned for this particular property would be an extension of the Kingwood Street Industrial Park. Theilacker stated that formal public hearings to amend the Plan are underway, including rezoning from marine to limited industrial. He emphasized that the Port has been operating under the assumption that the property would be turned over to them when their development plans were formalized.

Dumdi observed the closure of the IP Mill at Gardner, remarking that it is even more imperative that job generating activities are looked at. She noted that Cornacchia had raised the issue of the taxing districts and concerns around proceeds coming off of the land and going to the taxing districts. Dumdi suggested that any proceeds coming from the land be divided up among the taxing districts. Van Vactor noted that a partnership already exists through a previous Board Order and that the Board had requested that the Port and Florence come up with common plan. Rust remarked that he has no problem with the zone change, but would like this be a 3-party partnership, i.e., the County, Florence and the Port. He added that if there is "profit," then revenue could be split three ways, with the County's share going back to the taxing districts. Roger McCorkle, Florence Mayor, noted that the current zoning is very limiting and that marine industrial is still an allowable use within the limited industrial zoning. Responding to Green, McCorkle noted that it was unlikely any profits would result after infrastructure/development expenses are taken care of. He stated that the idea is not profit, but economic development. Van Vactor remarked that the partnership idea needs to go to County Counsel due to statutory considerations. He also pointed out that the post-Ballot Measure 5 era may not allow for a benefit to the school districts. Van Vactor noted that if tax foreclosure dollars are returned to the schools, then the state just gives them less. Ken Hobson observed that there are key questions related to organization and resources in terms of what each party brings to the table and how coordination is done on infrastructure questions, marketing of the property, etc. Bud Miles, Port of Siuslaw, explained that they have spent \$20,000, mostly for a study, two copies of which he distributed to the Board. He added that the Port has spent substantial time in planning and that they are excited about bringing jobs to western Lane County. Miles expressed concern regarding how logistics of a three-way partnership would work, affirming that they have been under the assumption that the deed for the land would be transferred to the Port after the plan was developed. McCorkle remarked that if there is a three-way partnership, it must entail the County's commitment to have staff in Florence to deal with the planning/implementation process.

Jeff Turk cautioned the Board that there are some things the County cannot do because it is foreclosed property. Dumdi stressed that she is firmly in favor of the zone change. Green observed that there does not seem to be anyone at the table who is resistant to the concept being proposed, but noted that it will require more clarification in terms of proceeds and partnership. There was consensus to direct the County Administrator and Turk to work with legal counsel and Hobson regarding further discussion based upon what would be the County's best interests in the whole process.

Rust mentioned that the cooperation between the Port and Florence is good. With regard to Kingwood Street, it was determined that discussion of this issue would take place pursuant to the Road Fund presentation on April 16/17.

c. DISCUSSION/Lane County Participation in the Florence Justice Center.

Rick Schulz, Management Analyst, introduced this item. Judge Cindy Cable, Florence Justice Court, indicated her desire to be in the new center, but indicated that if there is a long range plan for a greater Lane County presence in Florence, then it does not make sense to get rid of the Annex. McCorkle explained the Justice Center concept, noting that the main question for the County is dollars for participation. He indicated that when the project was bid, the County's portion was listed as an alternate so they could give the County the specific proposed figures. McCorkle stated that they would like to know what the County wants to do, observing that it is more cost effective to do the County's section now while the building is being constructed. He indicated that they are not concerned so much about financing at this point, but would just like to have a commitment either way.

Dumdi remarked that she doesn't think the County has the intention of a lower profile in the Florence area, but noted that the County's present building is in bad shape. She stressed that it just makes sense to work together. Van Vactor observed that the Justice Court at the Annex is the anchor tenant and that if the decision is made to move the Justice Court, then it will no longer be feasible to maintain the Annex for anybody, which would mean moving the health department, the state police and the Sheriff's office. He remarked that the County does have the option of leasing to the Forest Service. McCorkle reported that the hospital has offered that the Lane County Health Department could move into their building. Responding to Green, Schulz explained that the figure to buy in and have a quasi-ownership piece of the Justice Center is \$63,000, which would then necessitate a long-term agreement regarding expenses for maintenance, utilities, etc.; and that the projected \$100,000 cost includes the cost of moving phones, computers, etc. Cable indicated that there are some equipment issues and the additional costs for furnishings if it is deemed not to be feasible to move the existing equipment. She added that there are reserves for a new phone system. Rust asked if there are deed restrictions on the Annex site. Turk indicated that he doesn't believe there are any deed restrictions on the property. Hobson reported that the County's figure may be closer to \$71,000 due to the time elapsed. Van Vactor explained that there are three potential options to access space

in the new Justice Center: 1) lease the Annex to the Forest Service and use the dollars to pay rental payments; 2) sell the Annex and pay the lump sum up-front; or 3) certificates of participation also being considered for other capital issues at this time.

Dumdi remarked that the proposal makes a lot of sense and that the County would just be changing locations, not the visibility of the County. Responding to Weeldreyer, McCorkle indicated that he would not foresee that a zone change would be a problem. Hobson stated that there has been some discussion that if the Justice Court is moving in, there might be some advantage to increasing the square footage which could probably still be included within the \$100,000 figure. Responding to Weeldreyer, Van Vactor reported that Justice Court maintenance costs would have to be paid whether it was at the Annex or at the Justice Center. Green received concurrence to direct the County Administrator to work with the analysts regarding Annex considerations. Hobson noted that the option is to June 1 and the costs go up daily. Green confirmed for the Florence representatives that it sounds like the Board is "going to play." Van Vactor indicated that he would try to develop a Board Order outlining the County's position.

McCorkle also indicated that he would like the Board to consider Rust's resolution regarding supporting Florence's position with regard to the gaming center.

- d. Dumdi added another item to these discussions:

Dumdi asked the Board to authorize some time from Land Management over the next six months to work with Florence Public Works to look at long range plans regarding drainage near Idlewood, Sea Pines, Sand Pines, etc. She indicated that there are some issues around a lake on County property. Rust offered a modification that would entail having Land Management identify the key issues and assess the scope of the project first, then report back to the Board on the time that would be required after that. Van Vactor cautioned that Land Management is staffed and financed through fees and does not have staff to deal with special projects. He indicated that Ben Wilson has performed a quick overview and tends to believe it is more of an engineering issue than a planning issue. Dumdi remarked that there may be FEMA monies for construction projects, with Green noting that that would require a 50% match. Green concurred with the need for scoping.

This meeting recessed at 10:33 a.m. to reconvene at 10:49 a.m.

5. EXECUTIVE SESSION as per ORS 192.660

To be held later in the day.

6. COUNTY ADMINISTRATION

## a. Announcements

Van Vactor announced the appointment of David Suchart to permanent Human Resources and Management Services Director, noting that there were four fine finalists.

With regard to timing for Budget Committee meetings, Van Vactor reported that it seems there would be two, possibly three, commissioners absent for the budget public hearing scheduled for April 23. There was consensus that the hearing be moved to April 25. Rust reported that he would be gone all of that week.

Van Vactor reported that Dianne Burch, volunteer assistant to Dumdi, had met with he and Arlene Marshall regarding her proposals to try to organize a volunteer network. He indicated that he had raised the practical issue that this would have to be totally volunteer as there is no staff available. Weeldreyer stated that she, Dumdi, Marie Frazier, Stephanie Schulz and Jane Burgess would be meeting Thursday to discuss the issue and that perhaps RCIC would be a vehicle to be a starting place for this creation.

b. ORDER 96-4-9-2/In the Matter of Approving Submission of Assessment and Taxation Grant Budget to the Oregon Department of Revenue.

Rick Schulz introduced this item and briefly reviewed the agenda memorandum (see material on file). Gangle reported that they have tried to meet the state's compliance requirements, while recognizing the County's budget situation. He remarked that the most important feature is the computer system conversion. Gangle indicated that staff has had informal conversations with DOR and there seems to be general agreement with the plan. Fred Barker distributed handouts related to residential field appraisal work days per year by type, highlighting that the need for field appraisals reduced from 5,562 in 1980 to 435 projected for 1996. He suggested that an hour session at some point would be helpful to receive input from the Board. Van Vactor stressed that he feels Lane County has the best assessor and appraisal staff in the state of Oregon. Green indicated that he would work with the agenda committee to get some time for a work session.

MOTION: Approval of the Order. Dumdi MOVED, Rust SECONDED. VOTE: 4-0.

7. CONSENT CALENDAR

- A. Approval of Minutes: December 12, 1995, Work Session, 9:00 a.m.  
December 12, 1995, Work Session, 1:30 p.m.  
December 13, 1995, Regular Meeting, following HACSA

February 23, 1996, Emergency Meeting, 11:15 a.m.  
March 20, 1996, Regular Meeting, following HACSA  
March 20, 1996, Regular Meeting, 1:30 p.m.  
March 21, 1996, Regular Meeting, 9:00 a.m.

B. Assessment and Taxation

- 1) ORDER 96-4-9-3/In the Matter of Refunds to Parkgrove Apartments; Sisters of St. Joseph & John H. Brown, Appraiser; Thomas Emel & David E. Carmichael, Attorney; and Firwood Properties, Inc., Co., c/o Lee Pacific Properties, Inc. & David E. Carmichael, Attorney.

C. Health and Human Services

- 1) ORDER 96-4-9-4/In the Matter of Delegating Authority to the County Administrator to Sign Contracts in Children's and Adult Mental Health as Listed in Exhibit A; and Appropriating an Additional \$12,992.40 in Fund 86 in the Department of Health and Human Services.

D. Human Resources and Management Services

- 1) ORDER 96-4-9-5/In the Matter of Authorizing the Sale of Surplus County-Owned Real Property to: A) Bonnie J. Payne, Map #18-04-02-12-06403, Adjacent to 2820 W. 18th, Eugene; B) Garilyn Johnston, Map #17-02-35-34-03401, Adjacent to 7309 Daisy, Springfield).
- 2) ORDER 96-4-9-6/In the Matter of Authorizing the Sale of County-Owned Real Property to Allen Smart, Former Owner of Record, on a Land Sale Contract (Map #17-06-31-00-00900, 21531 Vaughn Road, Veneta).

E. Public Works

- 1) ORDER 96-4-9-7/In the Matter of Accepting a Deed of Land to be Used as a Public Road Easement and County Road for Lost Creek Road (19-01-33).
- 2) ORDER 96-4-9-8/In the Matter of Awarding a Contract to Interstate Manufacturing, Inc., in the Amount of \$269,100 for the Purchase of Six (6), New Solid Waste Transport Trailers, Contract No. FY 95/96 FS-09.

MOTION: Approval of the Consent Calendar. Weeldreyer MOVED, Dumdi SECONDED. VOTE: 4-0.

3. COMMISSIONERS' ANNOUNCEMENTS

Rust stated that he would like to revisit the Metropolitan Wastewater Management Commission appointment that was previously voted upon on April 2 and on which action was suspended on April 3. He reported that Chris Matson was appointed in 1984 for a three year term and there was never a reappointment. Rust recommended that the Board appoint Katherine Schacht and that her term begin immediately and end on June 30, 1999. Teresa Wilson, County Counsel, clarified that there was an Order in 1987 reappointing Matson, but nothing was found after that time. She indicated that he is considered a "holdover" and serves until a replacement is appointed. Wilson noted that the April 2 Order was put in abeyance and that that Order could be revised to have the appointment begin today. MOTION: To revise the April 2 Order and appoint Katherine Schacht to the MWMC with her term to begin immediately and end of June 30, 1999. Rust MOVED, Dumdi SECONDED. VOTE: 4-0.

Weeldreyer indicated that she had visited the Eugene City Council meeting last night to discuss Eugene's input into the Board's road fund discussion to be held next week. She stated she told them that they could send a letter expressing the Council's intent with a representative present at the meeting to discuss the high points of the letter.

Green reported that he had attended a candidate's forum in River Road last evening where the main issue had been sewers.

8. PUBLIC SAFETY

- a. ORDER 96-4-9-9/In the Matter of Authorizing the County Administrator and the Sheriff to Execute Property Lease and Financial Documents for the Purpose of Receiving State (S.B. 1145) Corrections Construction Funds for Jail and Community Corrections Center Facilities Additions.

Captain Ben Sunderland reviewed this item for the Board (see material on file). He apologized for not including a previous Board Order related to this item, indicating he had copies available if anyone wanted them. With regard to the population of offenders represented by this item, Sunderland reported that they are generally the result of probation violations or parole violations, with incarceration being for a year or less. He indicated that Lane County will begin assuming custody of these offenders beginning January 1, 1997. Sunderland explained that this element of the process provides for the County to receive construction funds for bed space and operating funds for these offenders. He stated that Lane County will be receiving \$393,000 less than projected, but that he does not believe it will substantially impact the project.

Teresa Wilson, County Counsel, stated that the issues described in her file note regarding the leases are not issues that should impact today's decision. She indicated

that the risks identified are simply opportunities to find a better way to solve the problem. Responding to Green, Sunderland indicated that the impact of any cost overruns will be addressed at a meeting he and Garrick are going to tomorrow.

Van Vactor thanked Public Safety/Corrections for assimilating this project into their demanding workload. He reminded the Board that the County will now have used all of the low cost alternatives for expansion of the jail and next time expansion is necessary, it will be much more expensive. Sunderland agreed, noting that this proposal has provided an opportunity to reduce long term operating costs in the future.

MOTION: Approval of the Order. Rust MOVED, Dumdi SECONDED. VOTE: 4-0.

**9. REVIEW ASSIGNMENTS**

- 1) Work with Florence and the Port of Siuslaw regarding the County's 40 acres and report back.
- 2) Review implications of moving the Justice Court into the new Florence Justice Center and report back within two to three weeks.
- 3) Land Management to report back regarding a scoping of flood issues concerning Idlewood/Florence.

**10. EMERGENCY BUSINESS**

None.

There being no further business, this meeting adjourned into Executive Session at 11:40 a.m.



Sharon Giles  
Recording Secretary