

**APPROVED:** \_\_\_\_\_

**MINUTES  
VEGETATION MANAGEMENT ADVISORY COMMITTEE  
May 12, 2010**

**MEMBERS PRESENT:** John Sundquist, James LaRue, Jan Nelson, Ross Penhallegon, Jan Wroncy and Lynn Bowers

**MEMBERS ABSENT:**

**STAFF PRESENT:** Marsha Miller, Arno Nelson, Orin Schumacher and Steve Smith

**BCC PRESENT:**

**GUESTS PRESENT:** David Rosenblatt

**PUBLIC PRESENT:**

John Sundquist called the meeting to order at 5:37 p.m.

**I. PUBLIC COMMENT**

None

**II. APPROVAL OF MINUTES**

Sundquist asked what recently designed pamphlet was referred to under Orin Schumacher’s comment (Section IV. Page 2 of 7). Schumacher responded that he said that Central Print produces the County’s pamphlets. Delete “recently designed a different pamphlet.”  
Motion: Penhallegon moved to approve the March 10, 2010 minutes as corrected.  
Bowers seconded. **Vote:** All in favor. Motion passed.

**III. GENERAL COMMENT**

J. Nelson inquired if the members had reviewed the draft “Citizen Guide Right of Way Vegetation Control” pamphlet provided at the last meeting.  
Sundquist said that the pamphlet would be developed during the IVM Policy Guideline process.  
Sundquist reopened the discussion from the last meeting to remove the “Vegetation Management Supplemental” form from the VMAC new member application.  
Penhallegon suggested that the application questions could be reviewed and reformatted to better reflect the current direction of the committee.  
Schumacher said that the committee could suggest removal of the form, he will check if the form was added by BCC direction, and now only the at-large positions need to apply.  
Motion: Bowers moved to remove the supplemental questionnaire form from the application.  
Wroncy seconded. **Vote:** Five in favor. One abstention. Motion passed.

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**IV. TEMPERATURE OF THE COMMUNITY**

ODOT and Lane County Interactions (*Additional Agenda Item*).

Sundquist said the Oregon Transportation Committee's (OTC) next meeting agenda includes an item concerning no spray costs that mentions Lane County.

Miller said that, according to the OTC agenda, it was unclear to her if the topic will be discussed.

J. Nelson said she agreed. She had called the OTC about this agenda item, but was unable to obtain clarification.

Miller said that she could not attend the next OTC meeting, but Lisa Arkin would be in attendance and is prepared to raise questions if the topic is discussed.

Schumacher said he attended the OTC meeting in Salem and commented on Hwy 36.

J. Nelson asked for a copy of the staff email sent to OTC regarding Hwy 36 maintenance.

Schumacher said that he would provide a copy of the email.

The members viewed the "No Spray" presentation that Luci Moore will give at the OTC meeting.

**A. IVM Expenses Review**

Schumacher said that since the County's cost accounting system is currently being replaced, it is not yet possible to provide accurate data for the current year but that he could query data for previous years. He could work with the County's Information Services staff to obtain current year information, if he knew what key items were needed by the members.

LaRue asked when the conversion will be completed, and that he didn't think it was necessary to query the current year's incomplete data.

Miller and A. Nelson said that the new system is operational, but data conversion is still ongoing.

Sundquist said that he would like to see guardrail machine costs for a no-spray program.

J. Nelson asked when the annual report is issued and if it was itemized.

Schumacher said that it is released in the winter, it is not itemized, and that the data was broken out for a ten year period.

Sundquist said that this item should be added to the Work Plan.

**B. Weed Mapping Review**

Sundquist asked if the weed mapping information was available online, and if it included native plants and site evaluations.

Schumacher showed the members where to find the information on the County's internal website, and added that the information is not available on the County's external website.

Sundquist asked if it could be added to the external website for public access.

Schumacher said that he would check on uploading the information for public view.

**C. Discuss BCC Special Projects**

Sundquist said that Commissioner Stewart suggested placing round drain rocks, loam, and grass to raise the bottom of deep ditches that are hard to mow in order to increase drainage.

A. Nelson agreed that deep ditches can be a problem, river levels must be considered, and added loam or grass could wash out and plug the ditch.

LaRue said that would require a complete reconstruction of the ditches.

A. Nelson added that the costs would be prohibitive.

Sundquist said that Douglas County has deep ditches, too.

J. Nelson said that there are very deep ditches on Doane Road from I-5 to Territorial Road.

Sundquist opened discussion on Fences in the Right of Way (ROW).

J. Nelson asked staff about the previous fence in the ROW discussion.

Schumacher replied that the public does not understand the County's ROW, so they continually find fences and other developments in the ROW, like up the McKenzie a couple of years ago.

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A. Nelson said the County addresses new fences in the ROW. He added that they do not usually address older, existing fences in the ROW unless necessary. Improvements in the ROW make it hard to perform the necessary maintenance.

Miller added that fences in the ROW are also complaint driven.

Wroncy said that some new houses were built very close to Horton Road, and the fences were built within three feet. The fences impact visibility. She knows of a newly-built fence in the ROW that went up in a day, and another property that has an electric fence in the ROW. She added that the mowing crew did a good job under the circumstances.

LaRue asked about the mowing crew's safety record and how many involved a vehicle.

Schumacher said he can recall one accident that involved a vehicle. He added that other incidents included cars being hit by flying rocks and other debris during mowing.

Wroncy recommended that the public be able to call the County for the ROW location, and that the public should be encouraged to move fences out of the ROW.

A. Nelson said that the County could only provide the ROW width, and that dealing with existing fences or improvements or fixed objects in the ROW is very difficult. He encouraged the members to support staff in ROW matters by discussing them with the commissioners as they often only hear the public's point of view.

Schumacher said that the mowing crews are experienced and are doing a good job following the 50/50 rule; which is, if it's more plants/flowers than grass they do not mow and visa versa. He doesn't set up special arrangements with the property owners.

J. Nelson said that her property title listed the ROW as twenty-five feet from the centerline, but that doesn't mean that's where the centerline is today. She said her fence is farther back from that line and asked if the County used it for their gravel pile storage area fence.

A. Nelson said that was the practice twenty to thirty years ago, but that now a property survey is usually done for such stockpile sites.

Wroncy suggested that property owners should be encouraged to have the ROW marked whenever they have a survey done.

#### D. Review Illegal Roadside Spraying PSA's

Sundquist said that this PSA is good and asked if there was a list of how many times it is played.

Penhallegon said that he heard it on the radio, and that it is played on various radio stations.

A. Nelson said that they are played on the radio at different times at the least expensive rates.

Wroncy asked if would be published in the newspaper.

Schumacher said it was only on the radio.

J. Nelson said that past practice had included publishing in the notice section of the newspaper.

Sundquist said he liked the PSA radio ad; however, newspaper publication would also be good.

Schumacher said he would check on adding the PSA text to the County's website.

Bowers asked how long will the PSA will be aired.

A. Nelson said that it was scheduled from April to June.

Wroncy reported illegal right of way spray activity on Clear Lake, Green Hill, Kokkler, and Awbrey Roads. Spraying in the right of way eliminates grass, encourages noxious weeds and can fill the ditches with sediment that can clog the culverts. She also reported seeing illegal spraying on Shore Lane and Bodenhamer Road. EPA personnel told her that complaints of such illegal spray activity should be reported.

LaRue said the problem is hard to solve. Farmers and property owners don't want the grass growing, and they don't want to let it grow until it becomes obnoxious. They will take steps to resolve the matter themselves; such as, mowing the ditches and right of ways.

Sundquist suggested a report on this issue from the Illegal Spray Subcommittee.

J. Nelson said that this topic will be discussed by the subcommittee and they need to determine the complaint and enforcement procedures.

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**E. Adopt-A-Weed Protocols and Training**

Sundquist said that the plans and protocols need to be developed this year to add the noxious weed pulling option to the Adopt-A-Road program, with implementation the following year.

Wroncy suggested contacting neighborhoods to form small groups that would like to participate in the program, as that might be a more successful than approaching individuals. She added that those interested groups would be better able to monitor their areas, that it's easier to spot the weeds after mowing, and suggested possibly contracting with the County for extra mowing.

A. Nelson replied that there are staffing issues, the tractors can only finish 15 miles per day (approx.), and the tractors can't be easily bounced around the 3,000 roadside miles (approx.).

Wroncy suggested the interested groups could hire contractors.

Sundquist said that the participants could obtain a facility permit and mow themselves.

A. Nelson said that hiring contractors would raise union issues, and that the use of power tools would be a problem according to a previous conversation with legal counsel.

J. Nelson asked about using the model of the no-spray application (NSA) program for owners that want to perform roadside maintenance.

Schumacher said the NSA states we won't spray not that we wouldn't maintain the right of ways.

A. Nelson said that historically there has only been limited interest in the program.

J. Nelson replied that she thought owners would be interested. She said that some of the owners do the maintenance themselves in Josephine County.

Wroncy said that ODOT has a no-spray program for property owners, in which they are held responsible for any accidents that may be caused by the vegetation, and that their no-spray program means no spraying or maintenance will be done.

Schumacher said that Lane County has a no-spray program which means only that no spraying will be done. He added that owners enrolled in the no-spray program must comply with code, inspections are needed to ensure compliance, and letters sent for non-complying properties.

**F. Discuss Update to Compliant Management Prescriptions**

Sundquist said that the 2006 year Management Prescriptions on the Lane County IVM website need revision, as they are non-compliant and non-functional with existing policies. He suggested removal of those non-functional prescriptions. He inquired if the Management Prescriptions have ever been updated since their adoption.

Schumacher said that he thought that they were still functional, as they mention mowing operations and how to manage technical matters. The current documents were adopted by the BCC and have not since been updated. Staff was informed by the BCC not to work on these documents; however, the committee members can work on the documents.

J. Nelson asked how the Management Prescriptions were adopted.

Sundquist said that they were added to and accepted with the End of the Year Report. He added that the Last Resort Policy does mention alternate control methods, but it does not mention developing Management Prescriptions.

Schumacher said that it is the plan developed to implement the Last Resort Policy, which provides suggestions on alternative methods to use and lists current research data.

J. Nelson agreed that the committee could revise the document and present it to the BCC.

Schumacher said he did not see a current need to change the plan. The Permitted Products List can be reviewed for new products, and a revision of that section would be needed if the spraying program is ever resumed.

A. Nelson suggested speaking to Commissioner Stewart for BCC direction.

J. Nelson suggested that either the committee or the subcommittee could revise the document.

Sundquist said that he has a draft with his suggested changes. The committee will continue to review this issue, and the document could be added to the end of year report in December.

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G. Discuss 1990 IVM Program Policy

Sundquist asked if the policy was available in electronic format.

Schumacher said that he is still trying to locate the electronic versions. He added that the IVM Program Policy Document was updated in 1999 to consolidate and update the 1990 IVM report. Additionally, other two important documents are the 2001 year edition of the IVM Program Standards and Guidelines Document, and the Roadside Vegetation Management and Last Resort Herbicide Use Policy Document.

Sundquist said that the stated Management Prescriptions are neither policy nor are they being implemented by the County. Revisions are needed to better explain the IVM policy to the public.

LaRue asked if the intent was to combine the documents.

Sundquist said he thinks that the IVM Program Policy Document needs to be updated to better explain the County's current position.

H. Website

Schumacher displayed the County's redesigned website, and showed members where the advisory committee links are located on the Public Works page.

Sundquist said that he liked the look of the County's updated website in general, and that he appreciated the historic information provided the public.

J. Nelson inquired if the committee still had an area for posting on the website, and that additional information could be added to the "Hot Topic" sidebar item.

Miller explained that the website is now designed to focus on purposes rather than departments.

**V. TECHNICAL COMMITTEE ADVISORY**

Sundquist opened the discussion on new member applications. He added that he thought both were good candidates.

J. Nelson said that she had unsuccessfully attempted to contact Melody Clarkson.

LaRue said that he had not been able to speak to either applicant.

Motion: J. Nelson moved to recommend David Rosenblatt to the BCC.

Wroncy seconded. **Vote:** Four in favor. One abstention. One excused absence. Motion passed.

**VI. COUNTY ADVISORY**

**VII. VEGETATION COORDINATOR & STAFF UPDATES**

Miller updated the members on the planned "swap" of Delta Highway for Territorial Highway with the State of Oregon. The County is very interested, but the "swap" is a long-term process. And it also depends on acquiring Federal funds for the necessary improvements, as the "swap" is a two-mile highway that is in good condition for 40 miles of a road needing improvements. ODOT has stated in writing that they will provide matching funds if the County gets Federal funding.

Sundquist and LaRue inquired if the ODOT will upgrade Territorial Highway before the "swap."

Miller said that it is not a high priority item for ODOT and they have no plans to upgrade the road. Federal funding is also important, as it is estimated that the upgrade cost is estimated at approximately forty million dollars.

J. Nelson asked if the County discussed doing maintenance of all State roads in the county.

A. Nelson said there was a discussion for the County to perform only vegetation maintenance.

*(Sundquist moved to extend the meeting for 5 minutes. All members agreed.)*

**APPROVED:** \_\_\_\_\_

Sundquist asked if ODOT had any plans for spraying Delta Highway if the “swap” occurs.

Miller added that said that the discussion is not that far along.

Sundquist asked who in the County has been promoting the “swap.”

A. Nelson said that Commissioner Stewart raised the idea.

Miller added that Public Works staff is very interested in this transaction.

Schumacher reported that the biggest item is trying to keep up with mowing needs with seven tractors running everyday.

J. Nelson asked if staff has received any complaints.

Schumacher said that he had only received one complaint this year, so far.

Wroncy suggested that if spraying for invasive species is done by the State that an agenda item is needed for further discussion.

**VIII. WORK PLAN UPDATE**

Postponed to next meeting.

**IX. FINAL COMMENTS**

Schumacher suggested fewer agenda items on the meeting schedule, as that would allow the members to better complete each item.

Sundquist said he understands, but he thinks is good to have all items listed that need work.

J. Nelson added that the committee has had good discussions on the listed items. The subcommittee could address some items in detail and bring them back to the larger group.

Bowers said that her past experience shows that no more than four big items successfully discussed. Prioritization is needed for a large number of items.

Sundquist inquired if there would be any conflict with the open meeting laws if four or five committee members met as a subcommittee to discuss VMAC agenda items.

J. Nelson said that the subcommittee only discusses the items, but that the subcommittee meeting may need to be advertised.

Schumacher said that if there are three or more representatives than the meeting needs to be declared.

Miller said that staff would check to see if notice on the County calendar is required.

**X. SUGGESTIONS FOR NEXT MEETING**

Motion: J. Nelson moved to adjourn.

Bowers seconded. **Vote:** All in favor. Motion passed.

Meeting adjourned at 7:45 p.m.

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**Steve Smith**  
Recording Secretary