MINUTES

WASHINGTON COUNTY BOARD OF COMMISSIONERS

FEBRUARY 18, 2003

CONVENDED:

10:06 a.m.

BOARD OF COMMISSIONERS:

Vice Chair Roy Rogers
Commissioner Dick Schouten
Commissioner John Leeper
Commissioner Andy Duyck

Chairman Tom Brian was absent on this date.

STAFF:

Charles D. Cameron, County Administrator
David Maertens, Senior Deputy County Administrator
Dan Olsen, County Counsel
Kathy Lehtola, Director, LUT
Brent Curtis, Planning Division Manager, LUT
Gregg Leion, Senior Planner, LUT
Larry Eisenberg, Facilities Manager, SS
Jerry Linder, Chief Legal Counsel, CWS
Patt Opdyke, CPO Coordinator
Jeff Friend, AudioVisual Specialist
Barbara Hejtmanek, Recording Secretary

PRESS:

Doug Browning, Hillsboro Argus
Laura Gunderson, The Oregonian

APPROVAL OF MINUTES:

January 28, 2003
February 4, 2003

1. CONSENT AGENDA
Vice Chair Rogers announced the following modifications to the Consent Agenda:

- There is a minor language change to item b., which is not substantive in nature.
- Item j. appoints Allen J. Kennedy as Hearings Officer to hear appeal of administrative rule violation from Community Ambulance.
- An off docket item from the County Administrative Office entitled "Grant Waiver/Authorize Execution of Contract Amendment/Consulting Services for Regional Power Governance Model Project (#23025W)" is added to the Consent Agenda.

It was moved to approve the Consent Agenda, as modified.

Motion - Duyck
2nd - Leeper
Vote - 4-0

CLEAN WATER SERVICES

1.a.
CWS RO 03-5
Acquire Easements to Provide Storm Sewer to Properties in Clean Water Services' Service District (Approved Under Consent Agenda)

1.b.
CWS MO 03-17
Approve Encroachment Agreement (Kensfield Estates, Lot 2) (CPO 7) (Approved Under Consent Agenda as Revised)

1.c.
CWS MO 03-18
Approve Quitclaim of a Portion of a Sanitary Sewer Easement (for Conor Commons LLC) (CPO 1) (Approved Under Consent Agenda)

1.d.
CWS MO 03-19
Approve Quitclaim of a Portion of a Sanitary Sewer Easement (for Pacific NW Properties) (CPO 2) (Approved Under Consent Agenda)

1.e.
CWS MO 03-20
Approve Quitclaim of a Portion of a Sanitary Sewer Easement (for Jeff and Peggy Pechan) (CPO 2) (Approved Under Consent Agenda)

LAND USE AND TRANSPORTATION

1.f.
MO 03-41
Approve Amendment for Engineering Services for Cornelius Pass Road/Highway 26 to Rock Creek Boulevard (CPO 7, 8) (Approved Under Consent Agenda)

1.g.
RO 03-23
Approve Establishment of County Roads in Thompson Heights Subdivision (CPO 1) (Approved Under Consent Agenda)

COMMUNITY DEVELOPMENT

1.h.
MO 03-42

Approve Community Development Block Grant Project Agreement (Approved Under Consent Agenda)

DISTRICT ATTORNEY

1.i.
MO 03-43

Authorize Acceptance of Grant Award from Department of Justice for Child Abuse Intervention (Approved Under Consent Agenda)

HEALTH AND HUMAN SERVICES

1.j.
MO 03-44

Appointment of Hearings Officer (Approved Under Consent Agenda; Appointment of Allen J. Kennedy)

SUPPORT SERVICES

1.k.
MO 03-45

Accept Bid/Award Contract for Vehicle Safety Equipment (Approved Under Consent Agenda)

1.l.
MO 03-46

Accept Bids/Award Contracts for Aggregate Rock (Approved Under Consent Agenda)

1.m.
RO 03-24

Declare the West Slope Fire an Emergency and Approve Contract for Fire Cleanup with Cooper Construction (Approved Under Consent Agenda)

SERVICE DISTRICT FOR LIGHTING NO. 1-A COUNTY SERVICE DISTRICT

1.n.
SDL RO 03-7

Form Assessment Area, Authorize Maximum Annual Assessment and Impose a First Year Assessment for Crystal Creek Park (CPO 1) (Approved Under Consent Agenda)

2. ORAL COMMUNICATION (2 MINUTE OPPORTUNITY)

Donald Fontenot, 2230 SE Oak, Portland, Oregon, identified himself as Outreach Director for the Tillamook Rainforest Coalition and distributed this group's Economic and Water Reports to the Board. He recalled coming before the Board eight months ago to discuss the Scoggins combo timber sale as well as the relationship between the
implementation of the Forest Management Plan by the Oregon Department of Forestry and the practice of individual timber sales. Mr. Fontenot reported that that particular timber sale has since been delayed due to spotted owl concerns. He mentioned that the Tillamook Rainforest Coalition has been working with the Oregon Department of Forestry to try to modify that sale in order to protect clean water in Washington County. Mr. Fontenot said that since he last appeared before the Board, a coalition of businesses, fishing groups, and individuals have formed the Tillamook Rainforest Coalition. He stated this group's goal as seeking a balanced approach to the management of the Tillamook and Clatsop State Forests in order to achieve some economic and environmental health for those 500,000 acres. Mr. Fontenot acknowledged that there are some groups which want to significantly increase logging in the Tillamook and Clatsop State Forests and recognized that others want to turn it into a State Park. He clarified that the Tillamook Rainforest Coalition has decided to go with a 50/50 reserve base plan. Mr. Fontenot explained that the Coalition would like to see-based upon historic levels-a logging increase and also a phasing-in of reserve areas. He related that the Coalition supports the Forest Management Plan as it exists now through the Oregon Department of Forestry. However, Mr. Fontenot expressed concerns about the implementation and specifically about how it relates to clean water issues and recreational issues. He said that the Tillamook Rain Forest Coalition has commissioned an economic report by Phil Ruder from Pacific University and Tom Power from the University of Montana in order to see what a 50 percent reserve plan (phased in over 20 years) would do to the economic health of the counties and how that relates to the schools. Mr. Fontenot encouraged the Board to review this report and welcomed any feedback. He added that the Coalition also had a water report done, which outlines all the different communities in the Tillamook and Clatsop State Forests that get their drinking water from State lands. Mr. Fontenot spoke of research into how management activities on those lands affect clean drinking water. He commented that the report contrasts the way the Oregon Department of Forestry sets up its buffers and the way in which Scappoose and Forest Grove are managing their watersheds. Mr. Fontenot urged the Board to get involved in State land issues.

Commissioner Schouten's understanding was that there are about 50,000 acres of the Tillamook Forest in Washington County.

Donald Fontenot verified that this is correct. He said that out of the 518,000 acres of the Tillamook and Clatsop State Forests, roughly 50,000 acres are in Washington County-including the Middle Fork, the Little North Fork, the Trask River, and the entire Tualatin Basin.

Commissioner Leeper assumed this group is working with the other counties which have a significantly larger part of the forest.

Mr. Fontenot responded that the Coalition has come to Washington County first but will then proceed to Clatsop and Tillamook Counties. He related that he went to the Forest Trust Lands Advisory Committee Meeting on Friday and shared this information. Mr. Fontenot hoped to meet with those County Commissioners individually.

Vice Chair Rogers appreciated Mr. Fontenot's attendance today.

3. BOARDS AND COMMISSIONS

3.a.
Announce Vacancies on Boards and Commissions

Vice Chair Rogers announced vacancies on the following Boards and Commissions:

- Aging & Veterans’ Services Advisory Council -- 1 current vacancy; 9 terms to expire 6/30/03
- Commission on Children & Families -- 1 term to expire 3/31/03
- Developmental Disabilities Council -- 2 current vacancies; 3 terms to expire 3/31/03
- Solid Waste Advisory Committee -- 1 current vacancy; 1 term to expire 3/20/03

Vice Chair Rogers invited interested persons to call the County Administrative Office for more information about these and other Boards and Commissions.

4. PUBLIC HEARING - COUNTY ADMINISTRATIVE OFFICE

4.a.

RO 03-22

Supplemental Budget No. 2 for Fiscal Year 2002-03

Vice Chairman Rogers recognized that a public hearing is required when the budget is changed. He explained that it is a fairly routine matter to adjust the budget as things come up throughout the year.

Charles Cameron affirmed that the Oregon Budget Law requires that a public jurisdiction is required to amend the budget in effect when a significant, unforeseen budget requirement arises. He acknowledged that this is the second time in the current fiscal year (which started last June) that staff is requesting the budget to be amended. Mr. Cameron regarded today's adjustment as fairly straight-forward. He mentioned that it has long been planned to receive an additional judge position in Washington County. Mr. Cameron noted that while there is no such ideal space in the Court House, serviceable space has been located for the new judgeship and could be achieved through a remodel. He recommended transferring $380,000 from General Fund Contingency to the Capital Projects Fund in order to construct the remodeled space in the Justice Services Building.

The public hearing was opened.

No public testimony was offered.

The public hearing was closed.

It was moved to approve the Resolution and Order adopting the supplemental budget.

Motion - Schouten
2nd - Duyck
Vote - 4-0
Declare Support for the Jackson School Road Interchange Area Management Plan

Vice Chair Rogers recalled that this matter was discussed approximately two weeks ago. He asked representatives of the Oregon Department of Transportation (ODOT) to come forward and provide a briefing relative to the proposed interchange. Vice Chair Rogers introduced Kay Van Sickel, Region 1 Administrator with ODOT.

Commissioner Duyck announced that the agenda item before the Board today is the approval of the Area Management Plan. He stated that the Board decided that the plan is inextricably linked to the design, which is why the Board wishes ODOT to speak to the design element today.

Kay Van Sickel was accompanied by Dwayne Hofsteder and indicated that he would be the best one to address any specific traffic issues. She told the Board that ODOT has now completed the Interchange Area Management Plan and added that Washington County is the first to receive this for comments. Ms. Van Sickel stated that Jackson School Road is proposed for an interchange as part of the OTIA program. She reported that ODOT has gone through environmental assessment and is at the point of selection of preferred design option through a series of public meetings. Ms. Van Sickel commented that ODOT has looked at 5-7 alternative designs for this interchange and has narrowed this down to the one which has received the most citizen support: a diamond interchange at Jackson School Road. She related that a 45 mph speed has been selected for the interchange itself because this is desired by the property owners in the area. Ms. Van Sickel said that concerns expressed in the public meetings have related to the access along Jackson School Road—both north and south—as well as the speed along Jackson School Road and at the interchange itself. She informed the Board that ODOT has agreed to go back and look at lessening the distance from the interchange area out to the end of access control, if this is the desire of citizens and the Board. Ms. Van Sickel noted that this was originally 1,320 feet—both north and south of the interchange. She commented that south of the interchange, ODOT has expressed a willingness to move the access back to approximately 1,100 feet from the interchange location in response to the controversy. Ms. Van Sickel remarked that the issue of speed limits along Jackson School Road will be resolved by Washington County. She brought up the issue of the desire for traffic signals at the interchange access itself. Ms. Van Sickel presented ODOT’s position that stop signs are the best option at the present time for the interchange location; however, she added that ODOT will monitor the interchange as traffic volumes increase. She stated that if it is found to be warranted, ODOT would be willing to add traffic signals at a later date. Ms. Van Sickel concluded that Option 5 (the diamond interchange) is the design option that seems to have the most support from property owners. She announced that another public meeting will be held on February 26, 2003 in the Public Services Building, at which time all options will be discussed.

Vice Chair Rogers summarized that the Board is being asked today to declare support for the Jackson School Road Interchange Area Management Plan—not the final design.
He told the audience that the Board received an extensive briefing on this matter during today's Worksession.

Commissioner Schouten asked for a summary of the concept as distinct from the actual design work. He also requested elaboration of warrants (the term used to describe whether or not there is enough traffic to warrant a traffic light) and wanted to know if ODOT takes into account the rural vehicles in the area.

Kay Van Sickel responded that the Interchange Area Management Plan was developed as a way for the Oregon Department of Transportation to maximize its ability to protect an interchange once it is built so that it functions for its full life. She pointed out that the Plan looks at several ways of doing that. Ms. Van Sickel reported that ODOT has worked with the communities around this interchange already. She reviewed that ODOT was originally looking at 1,320 feet on each side of the interchange as a way to achieve access control.

Dwayne Hofsteder, David Evans & Associates, Portland, Oregon, addressed Commissioner Schouten's question regarding traffic signal warrants. He said that these warrants may be found in the Manual on Uniform Traffic Control Devices and are based, primarily, upon traffic volumes. Mr. Hofsteder added that there is also a warrant for safety such that normally, one of the volume warrants is met before meeting the crash record warrant. He stated that in this particular instance, the warrant would be met in approximately 2015 or 2018 for the westbound ramp, which would be the best time (operationally) to install a signal. Mr. Hofsteder divulged that the actual calculation was 2018 but the capacity data showed a level of service problem occurring in 2015. He concluded that a signal probably would need to be installed in 2015, assuming that the traffic builds as projected. Mr. Hofsteder assured the Board that ODOT has agreed to monitor that situation to ensure that a signal is installed when the right time comes.

Commissioner Schouten asked if the safety warrant takes into account the slow moving pieces of farm equipment.

Mr. Hofsteder indicated that this is part of it. He added that it is also based on the traffic volumes. Mr. Hofsteder clarified that 70 percent of the normal volume warrants is applied in this case because of the rural nature of the area. He explained that the 70 percent figure takes into account higher speeds in the rural area as well as the different mix of vehicles.

Kay Van Sickel commented that ODOT is also providing wider shoulders so that the farm vehicles have a place to drive away from the volume of traffic.

Commissioner Duyck recalled that the Board two weeks ago continued this item and asked ODOT to meet with the neighbors again in an effort to resolve some final issues. He observed that ODOT did that very willingly. Commissioner Duyck very much appreciated that and wished to publicly thank ODOT for the extra effort.
It was moved to adopt the Resolution and Order supporting the Jackson School Road Interchange Area Management Plan.

Motion - Duyck
2nd - Schouten
Vote - 4-0

5. ORAL COMMUNICATION (10 MINUTE OPPORTUNITY)

None.

6. BOARD ANNOUNCEMENTS

Vice Chair Rogers observed a small group of young men in the audience and elicited from the gentleman with them that these were members of a Boy Scout Troop. The Scouts declined the Vice Chair's offer to come forward and be televised.

Commissioner Schouten recognized that the Mayor of Hillsboro (Tom Hughes) was in the audience during most of today's Board Meeting. He acknowledged that the Mayor also teaches at Aloha High School. Commissioner Schouten joked that he hoped his older daughter, Erika, is doing her homework now.

The Mayor laughed and responded that coming to the Board Meeting was quite a way to spend his own day off.

Vice Chair Rogers told the Scouts that they could look back someday and remember that they were there at the beginning of planning for the Jackson School Road Interchange.

7. ADJOURNMENT:

10:30 a.m.

Motion - Leeper
2nd - Duyck
Vote - 4-0

MINUTES APPROVED THIS 4th DAY March 2003

__________________________
RECORDING SECRETARY

__________________________
CHAIRMAN