

W.7.b.

VANVACTOR William A

From: lucyvinis@comcast.net
Sent: Thursday, April 19, 2007 11:06 AM
To: VANVACTOR William A
Subject: Earth Share of Oregon

Dear Mr. Van Vactor,

As you may remember, I represent Earth Share of Oregon in Lane County and have twice requested, in 2002 and 2003, the Board of Commissioners to consider a change in the Lane Manual (2.374) that would enable Earth Share to participate in the County's annual charitable fund drive among employees.

I would like to make this request again to the Board. I have met or conferred with all of the commissioners individually and believe I will have enough support. I know that there are many larger issues which rightfully demand your time and attention and that in the past you have not been supportive of making this change.

I'm hoping that you might have time to meet with me and Julie Daniel, Executive Director of Bring Recycling which is now an Earth Share member agency, before I make my formal request to the Board.

Julie has suggested three possible days next week: Monday between 1:30-3:00; Tuesday, between noon-4 pm; or Wednesday, between noon-5 pm. If none of these times fit your schedule, please suggest an alternative and I'll begin the scheduling process again.

Thank you so much for your consideration of this request.

Best wishes,
Lucy Vinis
Earth Share of Oregon
1805 W. 34th Avenue
Eugene, OR 97405
344-1302

MEMORANDUM

Date: April 24, 2002

To: Policy and Procedures Committee

From: Teresa J. Wilson, County Counsel

Subject: Charitable Contributions Payroll Deduction Program

Request: Earth Share of Oregon has requested that Lane County broaden the purposes of its charitable contributions payroll deduction program (hereinafter "Charitable Program") to permit employee donations to its member organizations.

Basic Policy Issue: Does the Board want to broaden the purposes for which it opens the nonpublic forum of the Charitable Program or is it satisfied with the purposes as stated in LM 2.374(1)?

Facts: Lane County's Charitable Program, originally adopted in 1990, is governed by Lane Manual 2.374 (copy attached). The Charity Eligibility Criteria require that an organization be registered with the IRS as a 501(c)(3) organization, meet the requirements of the Oregon Charitable Trust and Corporation Act, provide substantial services to Lane County residents, and provide services in one of six categories as defined by the Lane County Human Needs Assessment, dated 1994. These categories address a) employment and affordable housing, b) economic hardship in meeting basic needs, c) services to youth, d) abuse, family violence and crime, e) medical and dental, and f) substance abuse and mental health. The only significant change in the Program since its inception was a 1994 revision to the service categories; previously, there had been five categories based on a 1988 Lane County Human Services Planning Project. They were: basic needs, employment needs, health and mental health needs, family needs and substance-abuse related needs.

The four primary Purposes (LM 2.374(1)) have not changed since adoption. The Findings (subsection (2)) changed only by the 1994 addition describing the Needs Assessment.

An e-mail inquiry to a variety of local governments indicated that Columbia, Linn and Yamhill Counties operate either without a campaign or at least without any ordinance or rules governing a campaign. Deschutes County's campaign includes United Way and Earth Share, but the information I received did not address any ordinance or rule governance. Neither Clackamas nor Washington Counties responded. Multnomah County and the Cities of Portland and Eugene all have ordinances which include a large range of purposes; United Way and Earth Share both participate in these entities' campaigns.

Law: The basis of the Lane County provisions is the U.S. Supreme Court case, Cornelius v. NAACP Legal Defense and Education Fund, 473 U.S. 788 (1985). The case involved the Combined Federal Campaign, which was (and is) a charity drive aimed at federal employees conducted in the federal workplace during working hours. The Federal Campaign was set up by Executive Order in 1957 after a multiplicity of charitable appeals by entities had resulted in a significant disruption in the workplace. Initially, it was limited

in participation to voluntary health and welfare agencies. As of 1984, it was limited to voluntary charitable health and welfare agencies that provided or supported direct health and welfare services to individuals or their families, and specifically excluded agencies that sought to influence elections or public policy through political activity, advocacy, lobbying or litigation.¹

A number of legal defense funds sued the federal government over this exclusion, arguing a denial of First Amendment rights. The Supreme Court held that charitable solicitation of funds is a form of speech protected by the First Amendment. However, it also found that that the Federal Campaign was a nonpublic forum. As such, any limitations must satisfy a reasonableness standard. Reasonableness is assessed in light of the purpose of the forum, the surrounding circumstances and whether the restrictions are viewpoint-neutral. Here, the Court found that the Government had "the right to exercise control over access to the federal workplace in order to avoid interruptions to the performance of the duties of its employees." 473 U.S. at 806. The Court stated that "the President could reasonably conclude that a dollar directly spent on providing food or shelter to the needy is more beneficial than a dollar spent on litigation that might or might not result in aid to the needy. Moreover, avoiding the appearance of political favoritism was a valid justification for limiting speech in a nonpublic forum." 473 U.S. at 809. The Court concluded that the First Amendment does not forbid viewpoint-neutral exclusion of speakers, and remanded the case for review of whether or not the exclusion was impermissibly motivated by a desire to suppress a particular point of view.

The analysis in Cornelius was based on the approach to First Amendment issues outlined in Perry Education Association v. Perry Local Educators' Association, 460 U.S. 37 (1983). In Perry, the Court recognized three forums: (1) the traditional public forum, including such places historically devoted to assembly and debate; (2) the limited public forum or public forum by designation, meaning public properties opened by the government for use by the public for expressive activity; and (3) the nonpublic forum, identifying those public properties which are not by tradition or designation a forum for public communication. With the first two, restrictions on speech are subject to strict scrutiny; access to a nonpublic forum, however, may be limited to intended purposes as long as the regulation on speech is reasonable and not an effort to suppress expression because of opposition to the speaker's viewpoint.

The Cornelius decision was cited most recently in the 2001 Supreme Court decision Good News Club v. Milford Central School, 533 U.S. 98, a case involving access by a religious organization to after-hour use of school facilities. In the Good News Club case, the parties agreed that Milford had created a limited public forum. The Supreme Court found that the school district's restrictions were invalid, as they were not viewpoint-neutral, but, rather, were discriminatorily based on the religious nature of the desired use by the Club.

¹ The current Federal Campaign criteria require, among other things, that an eligible organization be a "human health and welfare organization providing services, benefits, or assistance to, or conducting activities affecting, human health and welfare." 5 C.F.R. 950.203(a)(1). An organization must still certify that it has no expenses connected with lobbying or attempts to influence voting or legislation at local, federal or state levels. 5 C.F.R. 950.202(c). Federations are eligible if their member organizations are all eligible and they meet certain other criteria.

Analysis: The basic law regarding access to the Charitable Program that was established in Cornelius has not changed. The County's current Campaign Program structure remains legal. The issue, then, is one of policy: does the Board want to broaden the purposes for which it opens the nonpublic forum of the Charitable Program or is it satisfied with the purposes as stated in LM 2.374(1)? The caution to be exercised is that any decision by the Board must be viewpoint-neutral, i.e., not based on whether Board members support or oppose viewpoints espoused by Earth Share or by its member organizations.

Implications: If the Board does wish to broaden the current Program structure, staff will need time to work through the details of how to implement the direction. We would welcome the opportunity to come back to the Policy and Procedures Committee with a recommendation on appropriate revisions to the Lane Manual.

Possible Criteria: If the Board does wish to broaden the structure, below is a list of a variety of criteria used by Multnomah County, and the cities of Portland and Eugene. (M=Multnomah; P=Portland; E=Eugene). It would be helpful to have guidance on which, if any, the Board would want to use.

Program criteria – limited to a maximum number of funds or federations. E(6); M(6)

Organization criteria:

1. 501(c)(3) - E; P; M
2. # of organizations a fund/federation distributes to – E(10); P(9); M(10)
3. Demonstrated local presence – E(spends 70% of its funds in Lane County)
4. Nondiscrimination policy – E; P; M
5. Compliance with the Charitable Trust and Corporation act and the Oregon Charitable Solicitation Act (includes no findings of violation with past 12 mo.) - E; M
6. Unpaid Board of Directors – E; P; M
7. Fund/federation incorporated not less than 1 yr. prior to application – E; P; M
8. Provides for direct designation/donor choice to employees – E; M
9. No more than 20% annual budget on administrative (including fund raising) costs – E; P(25%)
10. Not been decertified during past 12 mo., except when due to low levels of employee certification - E
11. Funds must be used for announced purposes – P
12. Umbrella organization must have express written permission of each charitable organization it represents to use the organization's name – P
13. "Conduct their fund-raising activities for the direct good or benefit of the public, located in the State of Oregon, the national community or the international community in the fields of health and human services, education, the environment, or the arts." – P
14. "Either provides services to local residents or works to improve the quality of life using an international, national, regional or local focus." – M
15. The fund/federation demonstrates it has filed ORS Form 990, its most recent audit and the CT-12 required by state law, and provides copies – M
16. If certified the prior year, the fund/federation has paid its required share of costs for published materials. – M
17. Administrative cost sharing for costs of annual Charity Drive - P; E
18. If an umbrella organization fails to receive donations from 25 employees or at least \$2,500 in an annual drive it is ineligible to participate in the next year. – P; E=donations of at least 5% of participating City employees

LANE MANUAL

2.374 Charitable Contributions Payroll Deductions Program.

(1) Purpose. The Lane County Charitable Contributions Payroll Deduction Program has four primary purposes:

(a) Encourage private support of basic need health and welfare programs that would otherwise require County funds.

(b) Lessen the County's burden of meeting basic health and welfare needs by providing a convenient, non-disruptive channel for County employees to contribute to agencies that directly serve those needs.

(c) Provide an avenue for steady private support for basic needs health and welfare programs. This is important because the County's volatile revenue base has resulted in a history of its being unable to deliver a consistent level of support for basic need services.

(d) Minimize time, expense and workplace disruption of County employee's participation in the campaign.

(2) Findings. The Board finds:

(a) There is a general consensus that basic needs health and welfare programs are worthwhile.

(b) A determination of basic health and welfare needs was made in a long-term study of the Lane County Human Services Delivery System during 1986, 1987 and 1988. The study's determination of basic needs was made well before, and independent of, any proposed change in the County's charitable contributions program.

(c) In 1994, a community-wide needs assessment was conducted, thus updating the earlier study. The results of this study was compiled by United Way of Lane County, in "Reaching Out - Lane County Human Needs Assessment," September, 1994.

(d) Because these determinations were developed locally, they are likely to reflect values shared by County employees. A campaign centered around the current needs is therefore likely to be more successful than one which includes programs which do not have this general level of community support.

(e) A charitable contributions program directed at basic needs health and welfare programs avoids even the appearance of County government favoritism and/or entanglement with particular viewpoints.

(3) Management. The Office of County Administration shall manage one annual campaign for employees to make an annual contribution or authorize payroll deductions for eligible charities. The County Administrator may either manage the program or contract for campaign services, charity eligibility determinations, disbursements and public accounting of the funds. The fee for the service shall be a percentage of funds contributed or deducted through the campaign.

(4) Charity Eligibility Criteria.

(a) Any charity meeting all the following criteria are eligible for participation in the County charitable contributions program.

(i) The predominant services provided falls into one or more of six categories as defined by the Lane County Human Needs Assessment, dated September, 1994:

(aa) Employment and affordable housing: employment, affordable housing, lack of access to job training.

(bb) Economic hardship in meeting basic needs: poverty, food, housing, clothing, utilities.

(cc) Services for youth: organized programs for children and teens, teen pregnancy, child care and after-school child care.

(dd) Abuse, family violence and crime: child abuse & neglect, spousal abuse, crime and personal safety, juvenile crime.

(ee) Medical and Dental: affordable medical and dental care.

(ff) Substance abuse and mental health: drug abuse and alcoholism, mental illness and emotional problems.

If questions arise as to the eligibility of a charity, these criteria arise from the Lane County Human Needs Assessment, dated September, 1994. That document may be used as a source of legislative history and as an aid in interpretation.

(ii) Agencies must be registered with the IRS and exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

(iii) Agencies must provide substantial services to Lane County residents.

(iv) Agencies must be in compliance with registration and filing requirements of Oregon's Charitable Trust and Corporations Act.

(b) Any charity denied participation may appeal that determination to the County Administrator, whose determination shall be final. *(Revised by Order No. 98-4-1-11, Effective 4.1.98; 95-11-28-1, 11.28.95)*

Policies and Procedures
Thursday, April 25, 2002
10:00 a.m.
CAO Conference Room

Present: Jim Gangle, Bobby Green, Sr., Melinda Kletzok, Arlene Marshall, Bill Van Vactor, Lucy Vinis, Teresa Wilson, Melissa Zimmer, Recording Secretary.

1. Discussion/Charitable Giving Campaign

Wilson explained that Earth Share made the request to the Board to be added to the charitable contributions program. She said at that point they had not researched what the legal status was of the contributions since 1994. She noted the Board gave her the assignment to see if the law had changed. Her conclusion was that the law hadn't changed. She said Lane County's program followed the decision of the United States Supreme Court 1985, Cornelius v. NAACP. She said since that point, the case was confirmed again and cited within approval within the past year by the U.S. Supreme Court.

Wilson said it is a policy question about what kind of access would be permitted to employees through the charitable contributions campaign. She said whatever access is permitted would be judged by a reasonableness standard as long as it is point neutral. She said the Board has to ask if they are satisfied with the outline of the charitable campaign or if they wish to broaden it. She noted it was a basic policy question. She explained when the Board originally set up the charitable campaign they made certain findings about the need for the health and welfare programs based on the needs assessment that was done in 1994. She said what the Board was trying to address was making sure that those health and welfare programs that were being supported by County taxpayer dollars, were given an additional boost through the employee contributions. She added they expressed the purpose of minimizing the amount of time and expense that would be involved in a charitable campaign. She said minimizing the disruption in the work place is a factor and Earth Share wasn't suggesting that be changed. She added this was a policy discussion.

Van Vactor noted that he met with Lucy Vinis, Earth Share, and he recommended that there be no change. He said that County Administration manages the campaign and Lane County's campaign is more successful each year. He didn't want to see anything that could affect it. He said the status quo was a reason not to change things because it was working well. He said the purpose of the campaign was focused on basic need. He stated that Vinis said if the environmental federation was included that they would do the same thing as United Way. He asked how broad the campaign should be with taxpayer dollars. He noted by keeping it focused that they would avoid criticism of a political agenda

Vinis responded that Lane County spends a large amount of time addressing natural resource issues and it falls within the County's mission: to protect, conserve and make the best use of the natural resources. She didn't think it would displace other needs, it was something already being addressed as a county and another way of letting the employees address it with their own funds. She said Earth Share could piggyback onto the United Way campaign and the cost would be minimal. She thought Lane County would support this.

Wilson noted there was a list of about five or six federations that are involved with employee campaigns. She hadn't seen any locally other than the United Way and Earth Share. She noted that Earth Share does not fall within the purposes the Board had outlined. She stated that would require an amendment.

Gangle was concerned that other federations would want to come to Lane County.

Green had similar concerns about expanding to other companies. He stated that Wilson said that the Board should exercise a viewpoint of a neutral stance.

Green recommended advancing this to the Board subject to Weeldreyer's review of this agenda item with no recommendation. He asked Vinis to contact Arlene Marshall so it could be placed on the agenda. Green stated he would not be in support of this as his interest is in human services.

Gangle asked if there were other federations that Lane County might want to give to besides Earth Share. He said if this were to be broadened, it would have to come back to Policy and Procedures.

Van Vactor suggested this come back to the Board in June, after the budget.

2. Discussion/County Logo

Kletzok noted that Green suggested that a change be made to the new logo. She brought samples of the logos. She stated she would combine some of the logo samples and bring them back.

Wilson suggested deciding on which logo and then coming back with the Lane Manual language. She said the critical piece out of the Lane Manual is how long a transition period should be.

Kletzok recommended talking to departments to see how long it would take them to make the changes.

Wilson thought a year was too short. She suggested Kletzok go to the Management Team asking for ballpark budget figures that could be good information for the Board. She said the signage would be the most expensive issue. She stated if the Board wanted

this to be a dramatic change (and to emphasize it) then the process needed to be accelerated.

Green requested Kletzok bring back the logo they discussed to Policy and Procedures after getting input from the department managers. He wanted a public campaign about the logo so the public is aware of the change.

3. Review Draft/Advisory Committee Application Update

Marshall noted since the last meeting, they had subcommittee meetings and one of the questions was what "differently abeled" was.

Green asked Alicia Hays about it but she never indicated what it meant.

Marshall explained that Hays suggested a check-off box that requested the disability, and then with an asterisk put down what type and the asterisk explanation would say that this information is used to insure there is appropriate accommodations on certain advisory boards. Hays noted that this information is used to ensure that there are appropriate accommodations on advisory boards.

Wilson stated the box called for optional information and they are attempting to make sure they have representatives of a variety of diverse groups on the advisory committee. She noted it was a diversity selection question. She added they were changing the disability question to be an accommodation question instead of an adversity enhancement.

Gangle said if someone wanted to be on a committee, accommodations should be made for disability. He said it should be explained that Lane County wanted a broad representation to contribute to the diversity.

Green noted what was in the box was inconsistent. He recommended having a separate line on the application with a disclaimer, to ensure compliance with the ADA to make reasonable accommodations.

Gangle suggested adding (where it noted Lane County didn't discriminate) a line that would say Lane County would make reasonable accommodations.

Marshall suggested leaving everything on the form the way it was, taking out "differently abeled" but putting in that Lane County would make reasonable accommodations for disabilities. She added the law states that addresses and phone number could not be revealed so they are putting the other information on the back.

Green recommended doing question 4 in two parts, to list the community concerns related to this committee and how they contribute to the diversity of the community.

4. Other Business

Marshall explained that Sorenson suggested putting the Commissioners e-mail address on the website so they could take public comment. She noted it would be advertised as a public comment opportunity, not necessarily for action.

Wilson stated that Green could send a report back to the Board stating the Policies and Procedures committee recommended against accepting public comment by e-mail, that people need to appear in person or submit their concern in writing.

With regard to lands in public trust, Green wanted clarification on what they want the Board to discuss. He didn't know why this was forwarded to Policies and Procedures.

Marshall stated she would get the minutes to find out.

Green requested putting down a five-minute discussion of e-mails as public comment on the agenda for the Board to discuss.

Wilson said if the Board agreed to go with Earth Share, she requested asking the Board how broad it should be and that the recommendation come back to Policy and Procedures. She asked how many regulations would be needed.

Green requested that whatever decision the Board makes that it returns to Policy and Procedures for further discussion.

5. Adjourn

Adjourned at 11:00 a.m.

Melissa Zimmer
Recording Secretary



Earth Share
OF OREGON

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Portland, OR 97240
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www.earthshare-oregon.org

**Statement to the Lane County Board of Commissioners
February 19, 2002**

My name is Lucy Vinis and I represent Earth Share of Oregon. Formerly known as the Environmental Federation of Oregon, Earth Share of Oregon is a coalition of environmental organizations whose sole mission is to support the work of our members through annual workplace giving campaigns. We are not a policy organization nor an advocate for any specific environmental issue. We work alongside United Way in combined charitable campaigns in over 70 public and private offices in Oregon. In Eugene, Earth Share of Oregon has campaigns in 13 diverse workplaces including City offices, EWEB, EPUD, and the University of Oregon.

I am coming to you today to make a request in person that I have already submitted by letter: to include Earth Share of Oregon as a donation choice in the County's annual charitable contributions drive. I have brought copies of my letter and a folder with supporting materials about Earth Share. I would like to make a few quick points:

- 1) The County's current rule covering the charitable contributions program in the Lane Manual (Chapter 2.374) focuses on charitable programs that address health and human needs as described in United Way's 1994 Needs Assessment document. Through this letter, I hope to initiate a discussion to amend that rule.
- 2) I want reiterate that in this program we are talking about county employees having the choice of supporting well-established nonprofit environmental organizations with their own money. This is not a significant cost to the county nor a substantive policy question.
- 3) Choice is good. Charitable giving goes up when employees are offered choices. The City of Eugene campaign has grown from \$47,000 in 1994 when Earth Share first joined to \$112,000 last year. Income to United Way INCREASED when other funds were added to the city campaign. This has been true across the state, and indeed, across the country.
- 4) Earth Share of Oregon is the only federation of its kind in the state. It is the only way employees can learn about and support environmental work through payroll deduction.

- 5) The County can retain control over the size and scope of its annual drive by establishing objective administrative criteria for participation, as the City of Eugene and other workplaces have done before you. This is not a difficult change to make.

This is a request for a simple, straightforward administrative adjustment that will serve to strengthen many important local programs. This is a win-win situation – there is no down side.

I would like to talk to any or all of you about how best to proceed. Thank you for your consideration and your work on our behalf.

Lucy Vinis
Eugene Campaign Manager
Earth Share of Oregon
1805 W. 34th Avenue
Eugene, OR 97405
344-1302



Earth Share
OF OREGON

February 5, 2002

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www.earthshare-oregon.org

Lane County Board of Commissioners
125 E. 8th Avenue
Eugene, OR 97401

Dear Commissioners:

I am writing to introduce you to Earth Share of Oregon and to ask that Lane County offer its employees the opportunity to contribute via payroll deduction to the environmental organizations represented by the federation.

Formerly known as the Environmental Federation of Oregon, Earth Share of Oregon (ESOR) is a coalition of over 72 non-profit environmental organizations that are dedicated to preserving and enhancing our natural heritage, both locally and globally. Our member groups work on a broad range of activities related to the environment; from recycling to salmon health, renewable energy to water quality. Many work as partners with local businesses, schools and government agencies to enhance the quality of life and health of the citizens in our region.

We work alongside United Way in combined campaigns held in over 70 workplaces statewide. Locally, we have enthusiastic and growing campaigns in 13 workplaces including the City of Eugene, EWEB, Oregon Research Institute, Molecular Probes, and PSC Scanning.

By teaming up with Earth Share of Oregon, private and public employers are strengthening the community and improving our quality of life. Statistics show that employees appreciate having choices and respond with increased generosity. In a five-year study (1995 to 2000), average contributions to United Way increased by over 20% annually when Earth Share of Oregon was present as a giving option alongside United Way of the Columbia-Willamette in private workplace campaigns. The City of Eugene campaign, which was in a slow decline before the addition of Earth Share of Oregon and four other funds in 1994, has climbed upward from a low of 28% participation to 43% participation last year, its highest ever level of participation. Total funds raised have risen from just over \$47,000 in 1994, when ESOR joined the campaign, to over \$104,000 in 2000.

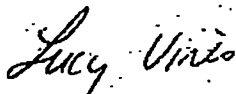
Earth Share of Oregon is the only federation dedicated to supporting our state's natural splendor through workplace giving. Since its creation in 1989 as the Environmental Federation of Oregon, the organization has raised more than \$5 million to support the work of our members. Last year, campaigns in Eugene raised \$67,000, of which 100% was reinvested in the community for projects to protect and sustain our natural resources. Employees have the option of giving a general donation to Earth Share, or designating their contribution to specific ESOR members (see the enclosed packet for more details).

Adding Earth Share of Oregon to the County's fall workplace giving campaign is easy to accomplish. Employees receive ESOR materials at the same time and in the same way they currently receive United Way materials. ESOR representatives coordinate campaign presentations and activities with United Way volunteers, and contributions are tallied by the Payroll Department with the addition of a single line in the spreadsheet. It will not require a significant increase in time or effort for the County to include Earth Share of Oregon, but it will yield tremendous results in support of important community programs.

I have enclosed a packet of supporting information about Earth Share for your review and look forward to the opportunity to meet with you in person to answer any questions you may have.

Thank you very much for your consideration.

Sincerely,



Lucy Vinis
Eugene Campaign Manager
Earth Share of Oregon
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344-1302
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Earth Share of Oregon

One Environment... One Simple Way To Care For It



Earth Share
OF OREGON

Frequently Asked Questions

Q: How did the Environmental Federation of Oregon begin and why is it now called Earth Share of Oregon?

A: In 1989, thirteen environmental groups in Oregon came together to form the Environmental Federation of Oregon. The goal was simple – increase the choices of workplace donors to include an environmental element. Eight months later, the Environmental Federation of Oregon broke national records with its success and support from Oregonians across the state.

In 2001, with thirty-two member groups, the Environmental Federation of Oregon decided to take another step forward in supporting the quality of life in Oregon by joining Earth Share and becoming Earth Share of Oregon.

Earth Share is the only coalition of national environmental non-profit organizations, and has successfully raised \$9 million each year for its groups in some of the largest workplaces in the United States. Because Earth Share of Oregon (ESOR) will now be able to access companies whose headquarters are located outside of Oregon, our ability to financially support member groups will continue to grow. ESOR can also take advantage of more extensive marketing resources, including a partnership with The Advertising Council and Weber Shandwick to further expand ESOR's reach into workplaces.

Q: What is unique about Earth Share of Oregon?

A: Earth Share of Oregon is the local affiliate of the national environmental non-profit organization. Earth Share of Oregon member groups work locally, regionally and globally on every type of environmental issue.

Earth Share provides another workplace giving option that solely supports the environmental issues that are so important for the health, wealth and general well being of our natural heritage.

Q: What has Earth Share of Oregon accomplished?

A: Since 1989, donations to Earth Share of Oregon have contributed more than 4.5 million to support programs of its member environmental organizations. Earth Share of Oregon was the third environmental federation formed in the country and continues to serve as an advisor and model for other federations across the United States.

Today, Earth Share of Oregon supports thirty-two local member groups and forty national/international member groups. Through our national affiliation, Earth Share of Oregon enjoys a successful partnership with the Advertising Council, which distributes Earth Share public service ads to newspapers, magazines, radio, and television stations throughout the country. Please visit our website www.earthshare-oregon.org to find out about our member groups' accomplishments.

Q: How is Earth Share of Oregon managed?

A: Earth Share of Oregon is managed by a local volunteer Board of Directors, composed of representatives from its member groups and the community at large. The Board meets regularly to set policies and review operations.

Earth Share of Oregon is a 501(c)(3) Public Benefit Corporation and operates with just five full time staff members, supported by community volunteers and loaned executives.

Q: What kinds of eligibility requirements are there for Earth Share of Oregon member groups?

A: Criteria was established so that donors and potential donors could be confident that Earth Share of Oregon represents only outstanding environmental non-profits that operate with the highest ethical and professional standards.

Earth Share applicant groups meet seventeen criteria before being considered for membership. In addition, each group must show annually their dedication to conservation or environmental activities. The group cannot advocate nor participate in any illegal actions. The criteria also requires adhering to the highest financial management standards, including providing an annual audit conducted by an independent certified public accountant.

Further, all groups must meet a large number of criteria established by the Federal Government for participation in the Combined Federal Campaign (CFC), including a 25% ceiling on overhead and having a 501(c)(3) non-profit status.

Earth Share functions as a "screening" agent, ensuring its donors that only those groups with environmental and conservation programs that meet the eligibility criteria will be participating in a company's campaign.

Q: As a potential donor to Earth Share of Oregon can I designate to a specific organization of my choice?

A: We encourage you to designate your contribution to organizations of your choice. Reading the literature and speaking with Earth Share member groups directly to ask for more detailed information will help you to make well-informed decisions about your environmental investment.

Q: Do member groups of Earth Share of Oregon receive United Way funding?

A: United Way in Oregon does not encourage giving to environmental groups through their donor choice program. United Way is committed to supporting traditional health and human service agencies. Earth Share of Oregon offers a complementary balance to the donor options promoted by United Way.

Q: Will adding Earth Share of Oregon hurt our United Way campaign?

A: Adding Earth Share of Oregon as a complement to United Way will actually help United Way raise more money in most workplace campaigns. In a five-year study from 1995 to 2000, contributions to United Way increased by over 20% annually when Earth Share of Oregon ran alongside United Way of the Columbia-Willamette in private workplace campaigns. Earth Share of Oregon becomes a catalyst for United Way by encouraging campaign participation from a larger and more diverse group of employees.

Q: How are my donations allocated?

A: You may designate to one or more specific organizations which we call member groups. You may also give a general, or undesignated, gift to Earth Share of Oregon, which is shared as follows: 60% is divided equally among all local member groups, and 40% is divided among national/international member groups.

Q: What are the different ways that a donor can contribute?

A: If your employer has set up a payroll deduction plan, you may have a donation deducted from your paycheck which will then go to Earth Share of Oregon for distribution. You can also write a check directly to Earth Share of Oregon or designate that it go to a specific member group. Donors may also make a one-time contribution online through the Earth Share of Oregon Website (beginning fall of 2001). All donations are fully tax-deductible.

Q: What % of my donation goes directly to the environmental member groups?

A: Over 90% of the money donated goes directly to member groups and educational programming with the remaining amount going to Earth Share of Oregon to cover fundraising costs.

Q: When does Earth Share of Oregon have its annual workplace campaign?

A: Campaigns are held in the late summer or fall of each year and payroll departments begin deducting the gifts from a donor's paycheck beginning with the first payroll in January.

Some companies choose to host a separate campaign for Earth Share of Oregon in the spring, usually centered on Earth Day (April 22) each year. There are pros and cons to this timing and we encourage organizations to utilize Earth Share of Oregon staff in these discussions.

Q: Are there national groups like Earth Share anywhere else in the country?

A: Yes, there are several national federations:

- International Service Agencies (ISA), representing international development and relief charities;
- Community Health Charities (formerly known as the Combined Health Appeal of America), which represents medical research charities;
- Local United Ways, which represent local health and human service charities;
- America's Charities and the Independent Charities of America (ICA), which represent a wide variety of independent charities;
- National Black United Federation of Charities, which administers grants to organizations working for African-American causes.

Q: Why are workplace payroll deduction campaigns important?

A: Individual donations account for 90% of charitable giving in the US.

Workplace campaigns are effective: employee donations are 3 to 7 times larger than direct cash or check contributions. It's much easier to budget \$10.00 per month through a payroll deduction than a one-time donation of \$120.00.

In addition, the cost-to-raise-a-dollar associated with workplace campaigns is less than any other method. This makes it a more cost effective donation!

Workplace campaigns reach new audiences. Studies show that less than 5% of workplace donors are currently members of Earth Share agencies. This provides a unique opportunity to educate the public to support the environment.

Also, funds raised through workplace campaigns are not restricted. This means Earth Share member groups can utilize these funds where they are most needed.

Q: What makes a successful campaign?

A: The most successful campaigns start with a meeting at your organization that includes Earth Share of Oregon, United Way and other represented Funds and Federations. Essential elements of a good campaign are: payroll deduction, personal solicitation, distribution of Earth Share of Oregon materials, personalized pledge cards, and a campaign timetable. Additionally, the best campaigns allow for presentations, and Earth Share of Oregon is happy to fulfill any request.

Campaign leadership is also very important because employees are more attentive when the campaign has the support of top management. Finally, a campaign is usually successful if it offers fun, enthusiasm, and energy.

Q: Is payroll deduction difficult to set up?

A: No, it is simple! Deducting for a federation is easier than deducting for taxes, payroll savings, or pension plans. If a company already has these deductions, and nearly all do, it already has the ability to provide Earth Share of Oregon the same option. The deduction authorizations signed by the employees stay with your organization; Earth Share of Oregon only requests a list of donors and their designations for accounting and distribution purposes.

When your organization provides employee names and addresses, member groups can also send a thank you letter or letter of acknowledgment to the donors;

Q: What logistics are involved in implementing payroll deduction?

A: Employees are provided with a brochure and pledge card. There are many different ways to distribute these items, including employee meetings, delivered by canvassers in a one-on-one solicitation, employees' paychecks, mailed to their home, or placed in their in-boxes. Some organizations offer pledging by email or through voice mail.

An organization may choose to prepare its own brochures and pledge cards that will list Earth Share of Oregon and a brief descriptive statement of each member group. Earth Share of Oregon can also provide brochures and pledge cards - you choose!

In order to allocate funds properly, Earth Share of Oregon does need a list of designations and the amount contributed to each member group. To thank the donors and provide proper acknowledgment, donor names and addresses are also needed. Donors are given the option not to be acknowledged if they desire.



Earth Share
OF OREGON

Earth Share of Oregon

One Environment... One Simple Way to Care For It

Why Give?

- ESOR puts your dollars to work to solve the root causes of human health problems.
- Your ESOR dollars can stay *in Oregon*, by designating your dollars to specific local organizations that help preserve the acclaimed natural heritage and livability that make our quality of life exceptional. Your contribution can also be sent to national or international groups who provide resources for global issues.
- ESOR's member groups are located and active across the state – from the Pacific Ocean to the Willamette Mountains to the Klamath Basin – working to preserve the unique landscape that makes Oregon so special to its inhabitants. ESOR also includes several national agencies such as World Wildlife Fund, Rails-to-Trails Conservancy, and Conservation International whose work to preserve the environment and improve the quality of life spans the globe.
- A community's environmental quality and economic vitality are undeniably linked. Studies show that states that do the most to protect their natural resources also have the strongest economies and the best jobs for its citizens. At whatever level you decide to give, know that your contribution will provide a healthier and safer environment for all.

Your Contribution At Work

\$2/week:

- Pays for the planting of four seedlings in an urban natural area such as Johnson Creek or the Columbia Slough.
- Provides a scholarship to send a child in need to summer nature camp.
- Helps recruit and train 30 volunteers to plant and maintain trees.
- Provides four Oregon schools with a Wild Seed Fund grant, to help develop a wildlife habitat on school grounds.

\$10/week:

- Buys enough native plants for volunteers to restore riparian habitats along 2,000 feet of stream.
- Enables an agency to research and promptly respond to 100 requests for information on pesticide hazards and healthy alternatives.
- Pays for 2 scholarships for disadvantaged youths and/or adults to attend a course at the Siskiyou Field Institute for one week.

\$5/week:

- Funds the distribution of 100 water quality guides to schools and community groups.
- Buys valuable and needed Coho salmon monitoring equipment.
- Funds an educational report alerting consumers to the most wastefully packaged products on shelves.
- Sponsors a summer river trip for 40 youths.

\$15/week:

- Sends a classroom through Salmon Watch, an award-winning environmental education program focusing on watersheds, wild fish and stewardship.
- Allows 3 schools to participate in Stream Adventures, an educational field trip program available to elementary schools.
- Fully funds a field grant that will help students, & faculty complete research benefiting the conservation of plant and animal species (often endangered).
- Provides support and guides to over 500 hikers during FOCG's Annual Gorge Hiking Weekend.

Earth Share of Oregon

Participating Employers



Earth Share
OF OREGON

Private Employers:

Anthro Corporation
American Express Fin. Advisors
BOORA Architects
Bullivant Houser Bailey
Burley Design Cooperative / ☼
CH2M Hill Portland
David Evans & Associates
Davis Wright Tremaine
Dull Olson Weekes
Dunn, Carney, Allen, Higgins & Tongue
Electro Scientific Industries
Fletcher Farr Ayotte
Funk & Associates
High Desert Museum
IBM
Kaiser Permanente / ☼ *Blue Mountains*
Lane County Law Advocacy Center
Lane County Legal Aid
Lewis & Clark College
Louisiana Pacific
Marsh USA, Inc.
Metrix Corporation

Molecular Probes / ☼ *Eagle Cap*
Nike / ☼ *Wallowa Mountains*
Norm Thompson / *Blue Mountains*
NW Natural / *Blue Mountains*
Oregon Health Sciences University
ODS Health Plans / *Mt Hood*
OTAK
Oregon Research Institute
PacifiCorp
PG&E Gas Transmission NW. / ☼
Pacific University
Perkins Coie
Portland General Electric / ☼ *Wallowa Mts.*
PSC Scanning / ☼ *Eagle Cap*
Reed College
Seas
Stoel Rives
TACS
United Health Group
Wells Fargo
Wetlands Conservancy
ZGF Partnership / ☼ *Blue Mountains*

Public Employers:

Bend Metro Parks and Rec. District
Bend School District
City of Bend
City of Corvallis
City of Eugene
City of Lake Oswego
City of Portland
Clackamas County
Deschutes County
Emerald Peoples Utility District (EPUD)
Eugene Water & Electric Board (EWEB)
Housing Authority of Portland
Metro
Multnomah County / *Wallowa Mts.*

Combined Federal Campaigns:
Central Oregon
Columbia River/Willamette Valley
Douglas County
Inland Empire
Jackson County
Lane County
Multnomah Education Service District
Portland Public Schools
Port of Portland
State of Oregon
Tri-Met
Washington County / *Eagle Cap.*

☼ = Corporate Gift Given as a Match or Contribution

Giving Levels: Wallowa Mountains \$10K+ Mt. Hood \$2,500+
Blue Mountains \$5K+ Eagle Cap \$1K+

Earth Share of Oregon *At Work in Lane County*



Earth Share
OF OREGON

- **The National Wildlife Federation** awarded a \$5,200 grant from their Keep the Wild Alive TM *Species Recovery Fund* to the Willamette Resources and Educational Network (WREN). WREN will use this grant to restore habitat for the endangered Fender's blue butterfly and the threatened Kincaid's lupine in the West Eugene Wetlands project area. WREN will recruit help from students from the Rachel Carson Center of Churchill High School and the Oregon Youth Conservation Corps. in its restoration efforts.
- Staff members of **Northwest Coalition for Alternatives to Pesticides** coordinated the efforts of the Student Environmental Club at South Eugene High School on a natural landscaping project, designed to reduce pesticide use on school grounds, provide habitat, and serve as an outdoor classroom. Utilizing funds from the Environmental Protection Agency, NCAP also hosted a natural landscaping workshop for school and public agency groundskeepers in Lane County.
- With the help of 112 volunteers, **Oregon Trout's Salmon Watch Program** served 16 different schools educating 840 students and 21 teachers about salmon biology and stream ecology.
- In collaboration with the Eugene Water and Electric Board, the **Renewable Northwest Project** helped to offer green power to EWEB customers. Enough customers have bought the new wind power to offset over 47,000 tons of carbon dioxide.
- **Northwest Coalition for Alternatives to Pesticides** assisted local residents in challenging Union Pacific's pesticide spraying of railroad tracks in heavily populated areas. The Oregon Department of Agriculture investigated and fined the contractor \$2,910 for violations.
- Working with 118 volunteers for over 2,000 hours, **The Nature Conservancy of Oregon** removed invasive weed species and planted native grasses and wildflowers in the Willow Creek Preserve in west Eugene. More than 500 of those volunteer hours were completed by students from Churchill High School.
- **1,000 Friends of Oregon** opened a Lane County office in Eugene to work closely with local officials, volunteers, and representatives of other conservation organizations to address local growth management issues, including coordinated land use and transportation planning, open space acquisition, and preservation of farm and forest land throughout Lane County.
- **Pacific Rivers Council** has gathered 10 years of comprehensive data from its watershed restoration project at Knowles Creek near Florence; a critical habitat for salmon and trout. This project is a nationally recognized model for watershed restoration projects, confirming the value of working to "protect the best, restore the rest."



- A half-dozen schools and agencies in the Eugene area, including the Northwest Youth Corps and the Opportunity Center, are using a forest ecology curriculum developed by **Forest Service Employees for Environmental Ethics**. Requested by over 450 schools nationwide, this curriculum provides students with hands-on learning about forest ecology and preservation.
- Lane County citizens volunteering for **Oregon Natural Resource Council's** "Oregon Wild" campaign are promoting the protection of roadless areas in the Willamette National Forest, where the McKenzie River's clear water supports 150,000 Oregonians and prime habitat for Bull Trout and Chinook Salmon.
- The all-volunteer **Native Plant Society of Oregon** provided expertise and leadership for the restoration of Eugene sites including Spencer's Butte, Buford Park, Morse Ranch and Skinner Butte. Grants from NPSO to university students support scientific study of both the West Eugene and Amazon Park wetlands restoration efforts.





Earth Share
OF OREGON

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www.earthshare-oregon.org

May 1, 2007

Lane County Board of Commissioners
125 E. 8th Avenue
Eugene, OR 97401

Dear Commissioners:

Thank you for this opportunity to formally present my request that you authorize an amendment to the Lane Manual (2.374) that would permit Earth Share of Oregon to participate in the County's annual charitable fund drive. I am grateful to all of you for opening your doors to me to talk about this request. Despite the pressing issues before you, you have all been gracious, thoughtful and responsive to my many emails.

As you know, we requested this change twice before, in 2002 and 2003. Most of the materials you have received date from 2002. I wish to supplement those materials by drawing your attention to a few additional pieces of information.

- 1) Earth Share of Oregon represents 68 environmental organizations, a majority of which are active in Oregon and in Lane County. Their work spans a broad array of activities having an impact on many aspects of our quality of life and relating directly to the County's own goals as stated in your Strategic Plan for 2001-2005: "To maintain a healthy environment with regard to air quality, water quality, waste management, land use and parks."
- 2) A couple of local beneficiaries of Earth Share's support are well-known to you: BRING Recycling, which joined Earth Share in 2004, and long-standing Earth Share member, The Nature Conservancy, are both looking forward to strengthening their ties with county employees. BRING works closely with the County government to promote waste reduction and recycling and to generate jobs in sustainable industries. The Nature Conservancy is now taking the lead in efforts to acquire land near Mt. Pisgah in support of the County's desire to maintain that area as a natural landscape.
- 3) We are living in times of increasingly urgent awareness of environmental hazards and consequences that have a direct impact on human health and safety. At the end of the day, we are talking about how County employees choose to donate their own funds. For most people, this is not an either/or scenario – either to

support health and human services or environmental work. Earth Share's value is in providing a bridge – sharing information and offering an opportunity for employees to learn more and support work that is important to them.

- 4) In 2004, Earth Share successfully engaged in combined campaigns with two additional public agencies – Benton County and Lane Council of Governments. Statewide we now have campaigns in 100 private business and public agencies, including all state and federal workplaces in Lane County as well as in the City of Eugene.
- 5) The county's charitable campaign is already set up in a way to allow multiple federations to participate. Adding Earth Share does not encumber or change that system. But it does add giving options not currently available – we are the only federation in Oregon devoted to supporting natural resource conservation and protection.
- 6) Combined campaigns prosper. Please find attached United Way's spreadsheet itemizing the steady growth of the combined campaign in the City of Eugene from 1999-2006. Addition of Earth Share to the County campaign would be, in the worst case, neutral in its impact on United Way; in the best, it will inspire additional donors to support a wider variety of community projects.
- 7) Earth Share is effective. For several years, our overhead has stayed at about 10%. Although Earth Share of Oregon has not been rated by Charity Navigator, the national Earth Share with which we are affiliated carries a four-star rating and our fiscal policies and practices are the same.

In sum, people care about the environment and enabling them to demonstrate that care through a convenient and cost-effective means is a good thing. I look forward to being part of this good work among county employees and hope you will support this request. Thank you again for your consideration.

Sincerely,



Lucy Vinis
Campaign Manager
Earth Share of Oregon
1805 W. 34th Avenue
Eugene, OR 97405
344-1302

T.S.a.

AGENDA COVER MEMO

AGENDA DATE: June 5, 2002

TO: LANE COUNTY BOARD OF COMMISSIONERS

DEPT.: LANE COUNTY OFFICE OF LEGAL COUNSEL

PRESENTED BY: Teresa J. Wilson, County Counsel



AGENDA ITEM TITLE: Discussion/Charitable Contributions Payroll Deduction Program

- I. **MOTION:** No action motion needed at this time. If the Board wishes to have the structure of the program broadened, I request that the Board direct staff to work with the Policy and Procedures Committee on appropriate revisions to the Lane Manual to implement that direction.
- II. **ISSUE OR PROBLEM:** On February 19, 2002, Earth Share of Oregon requested that Lane County broaden the purposes of its charitable contributions payroll deduction program (hereinafter "Charitable Program") to permit employee donations to its member organizations.
- III. **DISCUSSION:** The basic discussion of the background, analysis, options and implications is contained in the memorandum that was distributed to the Policy and Procedures Committee for its meeting on April 25, 2002. Minutes of that meeting are also attached. The Policy and Procedures Committee has forwarded this item to the Board without recommendation.
- IV. **IMPLEMENTATION/FOLLOW-UP:** If the Board does wish to broaden the current Program structure, staff would request that direction be given to work with the Policy and Procedures Committee to develop appropriate revisions to the Lane Manual and to return the matter to the Board for implementation.
- V. **ATTACHMENTS:**
 - April 24 Memo from Teresa Wilson to Policy and Procedures Committee with LM 2.374 attached
 - Minutes from April 25th Policy and Procedures Committee
 - Packet delivered by Earth Share to the Board on February 19, 2002.

**City of Eugene
Donor Designations to Funds and Federations - 2006
Campaign**

	1999	2000	2001	2002	2003	2004	2005	2006	2006% of Total	2006# of Desig.	2005 # of Desig.
Black United Fund of Oregon	\$3,859	\$4,121	\$4,454	\$4,154	\$3,112	\$4,271	\$5,036	\$3,092	2%	34	50
Childrens Trust Fund of Oregon			\$9,615	\$6,566	\$9,089	\$7,277	\$14,976	\$6,683	4%	64	107
Community Health Charities	\$6,225	\$10,547	\$10,091	\$8,068	\$9,489	\$8,486	\$10,211	\$10,594	7%	73	82
Earth Share of Oregon	\$10,431	\$11,037	\$10,461	\$9,316	\$11,975	\$13,542	\$16,848	\$14,648	9%	110	133
Equity Foundation	\$3,210	\$4,455	\$3,932	\$3,696	\$5,141	\$6,084	\$5,109	\$5,793	4%	52	57
Non-Fed Agencies	\$10,179	\$18,663	\$14,627	\$15,498	\$16,455	\$20,192	\$25,360	\$30,616	19%	81	98
United Way of Lane County	\$51,079	\$55,830	\$59,389	\$60,982	\$66,742	\$60,917	\$77,240	\$86,328	55%	339	391
Total	\$84,984	\$104,652	\$112,569	\$108,280	\$122,003	\$120,749	\$154,779	\$157,754	100%	753	918
	444 Donors										522 Donors

BOARD OF COMMISSIONERS' WORK SESSION

August 13, 2002

9:00 a.m.

Commissioners' Conference Room

APPROVED 2/5/03

Commissioner Bill Dwyer presided with Commissioners Bobby Green, Sr., Anna Morrison, Peter Sorenson and Cindy Weeldreyer present. County Administrator Bill Van Vactor, County Counsel Teresa Wilson and Recording Secretary Melissa Zimmer were also present.

1. ADJUSTMENTS TO THE AGENDA

There will be an Emergency Business item and a discussion on the Land Management Task Force.

2. PUBLIC COMMENTS

George Morris, 400 Country Club Road, Eugene, spoke on the train station renovation project. He said the project is controversial and he has serious concerns. He wanted to introduce specific requests for the Board's review and consideration. He believed there were alternatives to the approach that the City of Eugene was pursuing. He said there are County funds that are proposed to be used for the extension of Oak Street through the Electric Station parking lot. He said using an alternative route, looping down Willamette Street and causing the loop to come up Charnelton instead of the extension of Oak could mitigate the severe negative impacts on their property. He asked the Board to review that alternative.

Green reiterated that Lane County's efforts were to fund the project with dollars allocated, not to get into the design of the project.

Morris said there is no way to avoid severe impacts on their property. It was his understanding that when the project first came to the Board for consideration, it was presented as a non-controversial project and there was no reason for Lane County to look at the impacts to the design the City was presenting. He said the project had expanded since they first considered it. He said they were denied the opportunity to have a conversation with the City.

Sorenson asked what the impact would be to the loss of parking.

Morris responded in the long-term lease agreement, the restaurant is entitled to 116 parking spaces. He noted the impact would be 67 of 116 parking spaces eliminated just for the restaurant, with a total of 220 spaces being removed.

Sorenson suggested assigning David Suchart to work with the City of Eugene on the issue and then briefing the Board.

Morrison commented the project had taken a significant change from what they originally had seen. She said they funded the project with certain amounts in mind and it could impact the jail. She was in support of Suchart going forward with this.

Suchart said he could listen to what both sides are proposing. He said he would sit through the meetings and make sure that whatever comes to the Board's attention is a common understanding that both Genova and the City of Eugene agree with what the plan is. He said it was not his place to render an opinion, but to give an objective view.

Green didn't want the County to be dragged through a lawsuit.

Morris wanted the Board to have an understanding on what the impacts are as there was contrary information.

Dwyer supported the city achieving their goals. He shared the concerns about the impacts on County property by changing the route from the east to the west. He had no problem with Suchart studying it. He hoped that engineering would work with Suchart to review any of the plans the city has so they are in agreement. He said there was consensus among the Board on how there could be a win-win situation where the project goes forward and they minimize the impact on private landowners, assuring that the County's money is used effectively in cooperation with the city.

Van Vactor reiterated if Suchart needed any assistance, Public Works would help him.

Chris Henry, City of Eugene Public Works, thanked the Board for considering the community development road improvement assistance for improvements to the Jenkins Point interchange and the improvements to Glenwood Boulevard. He understood that the Roads Advisory Committee recommended approval for funding and appreciated the Board's consideration.

Tim Quade, 83246 Lorane, represented the Lane County Sheriff's Posse. He noted they cleared the land to take care of the arena parking at Buford Park. He said they have \$11,000 and 300 hours of labor in the project. He stated that a former city employee provided part of the labor. He wanted the County to help get a well in, at a cost of about \$10,000. He asked the County for a donation of \$9,800, going to Rich Fay, Parks, to administer.

Dwyer said if Rich Fay thinks this is necessary, then he has to come forward. He thought that this money might be in a park bond.

3. COMMISSIONERS' REMONSTRANCE

Sorenson thought it was good that the Eugene City Council adopted a living wage ordinance concept. He wanted to see the Board take up the same ordinance to pursue living wages.

In watching the Eugene City Council meeting, Dwyer commented that the City of Eugene stated that their auditor [the city's] did not work. In comparison, he said Lane County's auditor was doing a great job and the people are well served by her employment.

Weeldreyer commented she noticed a criticism on the Board that comes from individual members. She said there is a negative approach to positive ideas for the Board's support.

4. EXECUTIVE SESSION as per ORS 192.660

None.

5. COMMISSIONERS' BUSINESS

a. UPDATE/Facilities Capital Improvement Projects.

Suchart reported the Public Service Building was now in compliance with fire regulations for the first time in 25 years. He noted there were funds left and they are going to finish the restrooms on both floors. He said they would be up to six ADA compliant restrooms in the building with one on each

floor.

Suchart reported they are doing work on Harris Hall. He said they are going to redo the ceiling, the walls (that are fabric coated) and the carpeting. He said he would go into the contingency fund to do some of the work. He said he would get an estimate and bring back different alternatives to the Board.

With regard to the LCARA building, Suchart said they were starting the roof and dealing with the safety issues of the cattery and the counter.

6. COUNTY ADMINISTRATION

a. Announcements

None.

b. REPORT BACK/Charitable Contributions Campaign.

Jeff Towery, Management Analyst, noted the last time this issue was before the Board, they asked for employees to give feedback on change to the charitable contribution campaign. He said the report back summarizes the response from employees.

Sorenson commented that one of the things the Earth Share people said was they had research that showed that charitable contributions to all groups improved as a result of the promotion of the option to contribute to their group. He thought it would benefit the United Way campaign.

Towery said the history of Lane County's United Way campaigns in the recent past as well as the campaigns they manage for Lane County, has been a history of double-digit increases across the board. He said there are different campaigns taking place. He didn't think the City of Eugene's campaign went up when Earth Share was added when all of the other campaigns were going up at the same rate.

Green agreed with the text that the system isn't broken. He thought that Policies and Procedures examined whether or not the request was consistent with what Lane County's current system of methodology of giving was. He thought if someone wanted to give to Earth Share that they could do it on their own. He wanted to decline any changes.

MOTION: to move to decline to make any changes to the eligibility criteria that is Option 1.

Green MOVED, Dwyer SECONDED.

Sorenson favored a choice for Earth Share.

Weeldreyer asked what the actual vote was of the employees.

Dwyer responded there were 139 yes, 178 no or 56.2% of those who responded were no, 43.8% were yes. He said the response rate averaged 11% of the employees.

Towery noted the actual response was 21.7% of employees responding.

VOTE: 4-1 (Sorenson dissenting).

Weeldreyer supported the motion because the majority of the employees didn't want to change

charitable contributions options. She wanted the Board to leave this opportunity open for the future.

7. PUBLIC WORKS

a. ORDER 02-8-13-1/In the Matter of Approving a Change to the Metropolitan Policy Committee (MPC) Bylaws Allowing a Vote on Transportation Matters for the Oregon Department of Transportation (ODOT).

Tom Stinchfield, Public Works, noted the order supports the change to the MPC Bylaws that would allow ODOT to have a voting representative on the committee when transportation matters are considered. He stated that ODOT was in support of the change. He said they thought the federal guidelines for MPO areas required that ODOT be a voting member. He said it hadn't been part of the structure in the past although ODOT had been an ex-officio member at the table. He noted there were other requirements of TMA status and they will be formally reviewed at the three-year update of the plan. He thought this was the right time to make this change regarding MPC procedures and to indicate that ODOT is a contributing partner. He explained this item would be on the agenda this Thursday at MPC for approval. He noted the language attached was discussed at the July meeting. He said there was a consensus at MPC to approve this.

Green thought it was good to have ODOT on as many committees as possible, especially when it is a project involving Lane County. He thought this was going a long way in demonstrating to the OTC that Lane County is included as a voting member on the local MPC (who is an advisory body to all of the local government) in lieu of having a full ACT. He said the intent is that it relates to the state system and they should have a vote.

MOTION: to approve ORDER 02-8-13-1.

Green MOVED, Morrison SECONDED.

Dwyer stated that Lane County in good faith wants to be involved and on those matters that affect the state system and other systems, they were willing to have ODOT participate as a full-fledged voting member.

Sorenson said they should come to some conclusion that the other groups that had been excluded will continue to be excluded by this policy. He thought it should stay the way it is.

VOTE: 4-1 (Sorenson dissenting).

b. ORDER 02-8-13-2/In the Matter of Directing Staff to Make Code Changes Regarding the Regulation of Lane Code-defined Public Roads.

Don Maddox, Public Works, explained this was about local access roads as defined in Lane Code. He estimated there are approximately 119 miles of this category of road in Lane County. He noted these were roads that were dedicated to the public for use for access and accepted by the County. He said there was an additional equal amount of road miles (119 miles) within Lane County that do not meet the County definition and they weren't dealing with those other public roads.

Dwyer recalled the Board was interested in fire, life, safety, and who would determine adequacy. He said the Board asked for them to work with the fire districts so the issues are at the planning level and the fire districts are responsible for the conditions that are met.

MOTION: to approve ORDER 02-8-13-2.

Green MOVED Morrison SECONDED.

Celia Barry, Public Works, noted there was a secondary issue, to incorporate the facility permit process into the building permit for County maintained roads. She asked that the motion be made to also direct code amendments to take place.

VOTE: 4-1 (Morrison dissenting).

Morrison explained she voted against this because of the nature of some of the access roads in her area. She wanted to put them into the system.

c. ORDER 02-8-13-3/In the Matter of Awarding Community Development Grants Under the Community Development Road Improvement Assistance Program Not to Exceed \$1,331,140; and Authorizing the County Administrator to Execute Intergovernmental Agreements With the Successful Applicants to Ensure Construction of Specified Improvements and Transfer Funds.

Mike Russell, Public Works, explained they received 12 applications from 10 applicants. He noted the subcommittee met twice and reviewed one applicant and the Roads Advisory Subcommittee subsequently adopted their recommendations.

Russell stated the Bethel School District was recommended for funding as a path street improvement to a newly created street that will be called Blue Heron Drive to access the school facility off of Royal Avenue. He added it includes money to help the district pay for assessments associated with improvements on Royal.

Russell noted there were several overlay projects that were submitted and the subcommittee and Roads Advisory Committee thought that using this fund or simple overlays would deplete it and it didn't rise to the standard it should be used for. He added on subsequent applications he would state that overlays were not looked upon as favorable projects for the funds.

Russell said that with 4J School District, the extension of 14th Avenue in relation to a new school facility plan next to Patterson Elementary is to extend 14th Avenue from Taylor to Chambers.

Russell noted the City of Oakridge Second Street improvement is similar to the Rainbow Street improvement that the Board approved under this fund and the committee had supported.

With regard to the Laura Street improvements, Russell noted originally the proposal was for help in improving a city portion as well as a County portion of Laura Street. He said the subcommittee was not in favor and subsequently the City of Springfield came to the Roads Advisory Committee and they revised their request from \$805,000 to \$200,000 that the committee recommended for approval.

Russell explained the total amount the committee is recommending is \$1,331,140. That will leave a balance of \$814,460 for a supplemental round.

MOTION: to approve ORDER 02-8-13-3.

Green MOVED, Morrison SECONDED.

Dwyer said that next time they would have a one-sheet explanation on what the money should not be

used for.

With regard to the 4J project, Russell had corresponded with the superintendent and it appeared they weren't sure if the City required a full extension of 14th. He said based on the recommendation of Snowden, if they had the order having language about approving the use of funds for the full development of 14th Avenue the City required it. He said if they don't, only a portion of the grant would be used.

Russell said if the Board wanted to adopt the order with that stipulation, then they could address that in the intergovernmental agreement.

Weeldreyer requested this be a topic when they are visiting the small cities.

VOTE: 5-0.

d. DISCUSSION/Land Management Task Force

Ollie Snowden, Public Works, explained since the last meeting three weeks ago, he met with Kay Blackburn, Internal Auditor, and she developed a work program to gather data from other counties on how they are dealing with building and land management programs for benchmarks and performance measures. He said they would provide that data to the task force. He said it would affect any other project that Blackburn might be working on. He added that she would look internally at the budget revenue streams for any statutory limits on how they could use their permits fees.

Snowden stated the Board requested an announcement for people to apply for the task force. He said they were looking for two at-large people and they asked 1000 Friends of Eugene, Land Watch, the Homebuilders and the Realtor organizations to submit a list of candidate names. He said to date they have a list from Land Watch who had submitted three names; a letter from the Cottage Grove Board of Realtors who had submitted three names and six other applications. He asked the Board if they were interested in working with the six applications or to extend the timeline another week and half to generate interest for more applicants for the two at large positions.

Morrison supported extending the time for another week and a half and to re-advertise.

Snowden noted there was an opportunity to go a different direction. He said an option would be to turn the program over to the state. He said if the Board was in agreement to begin a recruitment process for the building official, then it gives them more time to get the task force started.

Sorenson commented that by extending the process they would have a broader pool of people to consider for the task force.

Snowden stated they would extend this for a week and a half.

8. YOUTH SERVICES

a. ORDER 02-8-13-4/In the Matter of Authorizing Youth Services to Accept a Grant From the Drug Courts Program Office (DCPO) for \$499,299 for Three Years for the Juvenile Drug Court Project and Authorize the County Administrator to Designate Youth Services' Staff, Linda Wagner, as the Authorizing Representative for the Purpose of this Grant.

Lisa Smith, Youth Services, reported that Lane County's Juvenile Department was the only one awarded

this grant in Oregon. She said with this grant they could only serve non-violent offenders. She said they would put in strict accounting and this is not mixed with the Breaking the Cycle accounts. She said this money allows serving about 155 kids per year as opposed to 75 currently served. She said it allows them to gather information to see if they could move to best practices. She noted there is a match that utilizes existing staff members. She said the money for the grant is for incentives, sanctions, treatments and urinalysis. She added there is no staff involved except for the match portion. She stated there was a cash grant required and they used the Serbu Endowment to provide the cash match. She added the Serbu family approved of this and would approve this again in the future.

MOTION: to approve ORDER 02-8-13-4.

Morrison MOVED, Green SECONDED.

VOTE: 5-0.

9. REVIEW ASSIGNMENTS

None.

10. COMMISSIONERS' ANNOUNCEMENTS

Morrison complimented the new Lorane Fire Station. She congratulated Junction City on a successful Scandinavian Festival.

Weeldreyer stated she attended the Cottage Grove Council meeting where the major topic was the Cottage Grove Speedway. She explained that the County had denied the legality of the Speedway as being no longer a conforming use. She said the concern is that Lane County is going to enforce its compliance against the Speedway and won't let them operate it. She couldn't represent what staff's recommendation was, due to John Cole's leaving. She said there needed to be more conversation at a staff level.

Green thanked Jamon Kent for all the work he did representing the Springfield School District.

11. CORRESPONDENCE TO THE BOARD

None.

12. EMERGENCY BUSINESS

Wilson explained one of the people they appointed for the Courthouse Plaza Access Committee was unavailable to serve on the committee. She noted another problem that had developed was that a person on the Public Safety Emergency Communication Committee had not responded to any of the phone calls inviting them to a meeting. She said the Sheriff's Office requested they appoint an additional member so there are three active participants to write the statement. She said that Catherine Egan was willing to serve on both committees and has the time available. She said her recommendation is to make the appointment as a substitute on the Courthouse Plaza Access Committee and as an additional appointment on the Public Safety Communications Committee.

ORDER 02-8-13-7 Amending Board Order 02-7-24-7 Regarding Appointing Committees to Draft an Explanatory Statement.

Green MOVED, Morrison SECONDED.

VOTE: 5-0.

There being no further business, Commissioner Dwyer recessed the meeting at 11:05 a.m.

Melissa Zimmer
Recording Secretary



MEMORANDUM

AGENDA DATE: August 14, 2002

TO: LANE COUNTY BOARD OF COMMISSIONERS

DEPARTMENT: LANE COUNTY ADMINISTRATOR'S OFFICE

PRESENTED BY: Jeff Towery, Management Analyst II *ST*

AGENDA ITEM TITLE: REPORT BACK – Charitable Contributions Campaign

I. MOTION

A motion for action is dependent on the Board's interest in making a change to the eligibility criteria for Lane County's charitable contributions campaign contained in Lane Manual 2.374.

II. ISSUE OR PROBLEM

Should the County amend the eligibility criteria for the charitable contributions campaign to allow the participation of Earth Share of Oregon?

III. DISCUSSION

A. Background

The Board heard a request from Earth Share of Oregon to be included in the County's charitable contributions campaign at its February 19, 2002 meeting. The Board sent the issue to the Policy and Procedures Committee, which reviewed the matter at its April 25, 2002 meeting. The committee reported back to the Board on June 5, 2002. After presentations and discussion, the Board asked for some feedback from County employees on the proposed change. County staff worked with Earth Share to draft a memo (Attachment A) that was subsequently circulated to all employees via e-mail on July 8, with responses due by July 13. A reminder was given on July 15. Employee responses are included as Attachments B and C.

B. Analysis

Before coming to a decision on whether to direct the staff to revise Lane Manual 2.374 (4), the Board should weigh the following issues: effectiveness of current program; alignment of program's purpose with the Board's adopted goals in the Strategic Plan; policy impact of expanding eligibility criteria to include services that do not go directly to citizens in need; ability of employees to donate to the charity of their choice.

The current structure and effectiveness of the Lane County charitable contributions program is working extremely well. In 2001, most campaigns experienced a drop in

participation. (United Way of Lane County declined by about 2%). However, Lane County's participation grew by over 20%, one of the highest rates of growth among employers across the county.

Our charitable contributions campaign is aligned with the Board's commitment to address health, safety, basic needs, and youth programs for our citizens as outlined in the adopted Strategic Plan (section B3). Based upon the high level of participation by employees, as well as the employee comments contained in Attachments B&C, there is strong sentiment that assisting fellow Lane County residents in need is a main priority for employees as well as the Board.

From a policy perspective, the Board should consider the impact of expanding the current categories outlined in Lane Manual 2.374. If the Board were to allow a category that did not provide direct services to citizens in need, then it has opened the door to additional requests from other organizations to be included. It can lead to an unwieldy program to administer, as well as making it difficult for the Board to deny an organization's request in the future. Maintaining the focus of the program on human services needs reaffirms the Board's commitment to these priorities.

The Board's decision will not affect the ability of employees to give to the charity of their choice. Employees are able to donate to Earth Share, or any other charity that does not currently fit in the charitable contributions campaign, at any time on their own. On the other hand, if Earth Share were part of the charitable contributions campaign, employees could choose to exclude Earth Share in the same way they can specify on the payroll deduction card other organizations that they do not want to support.

Employees have weighed in on this matter and the table below summarizes the responses:

	Yes	No	Total
I would like to have the option of supporting environmental work through Earth Share of Oregon in the annual charitable contributions campaign.	139	178	317
Percentage	43.8	56.2	100
Response Rate – based on 1,461 total employees	9.5	12.2	21.7

A number of employees elected to supplement their opinions with written comments. Those verbatim comments are included in Attachment B – Comments in Opposition and Attachment C – Comments in Support.

In short, the current system is not broken (in fact it works quite well), it is aligned with Board goals, and employees are able to contribute to Earth Share on their own if they so choose.

C. Alternatives/Options

1. Decline to make any changes to the eligibility criteria for the County's Charitable Contributions Campaign.

2. Direct staff to work with the Policy and Procedures Committee to develop appropriate revisions to the Lane Manual (Attachment D) and return the matter to the Board for implementation.

D. Implications

Making changes to the campaign will require coordination between the County, Earth Share and United Way, who manages our campaign.

E. Recommendations

Staff recommends Option 1.

IV. ATTACHMENTS

Attachment A – Survey Memo to Employees
Attachment B – Comments in Opposition
Attachment C – Comments in Support
Attachment D – Lane Manual Chapter 2.374

MEMORANDUM

DATE: Monday, July 8, 2002
TO: All Lane County Employees
FROM: Bill Van Vactor, County Administrator
SUBJECT: Possible Change in Charitable Contributions Program

INTRODUCTION

The County Board of Commissioners has received a request from Earth Share of Oregon to amend the policy governing the County's annual charitable contributions program. As it now reads, the policy in Lane Manual 2.374 requires the benefiting charities to provide basic needs health and welfare programs in one or more of the following categories:

- Employment and affordable housing
- Economic hardship in meeting basic needs
- Services for youth
- Abuse, family violence and crime
- Medical and dental
- Substance abuse and mental health

This criterion excludes Earth Share, which raises funds to support the environmental work of its member organizations, as well as any other organization that does not meet that standard.

In 1994, the City of Eugene amended a similar policy and opened its campaign to Earth Share and four other funds. Giving to United Way partner agencies as well as Earth Share has continued to grow in the combined campaign. The Executive Council of the City's AFSCME Chapter has supported this change.

ABOUT EARTH SHARE

Earth Share of Oregon (ESOR) is a coalition of 70 non-profit environmental organizations that are dedicated to preserving and enhancing our natural heritage, both locally and globally. Founded in 1989 as the Environmental Federation of Oregon, the organization's 32 statewide groups affiliated with the national organization last year, changing their name to Earth Share of Oregon and opening an avenue for Oregonians to donate through workplace giving to national organizations as well as state groups. ESOR is solely devoted to raising funds for its members; it is not a policy organization and does not take a position on any specific environmental issue.

ESOR's members include Eugene-based groups such as Pacific Rivers Council, Northwest Coalition for Alternatives to Pesticides, and Forest Service Employees for Environmental Ethics, as well as state groups with active local chapters in Eugene such as The Nature Conservancy, Oregon Trout, and Native Plant Society. A list of partner organizations based in Oregon is included below. More information is available at www.Earthshare-Oregon.org <<http://www.Earthshare-Oregon.org>>.

EARTH SHARE'S PERSPECTIVE

This is a request to offer County employees expanded choices in the community programs they can support with their own funds through payroll deduction. Extension of the County's charitable campaign to permit support of environmental work is consistent with County Government priorities which devote considerable staff time and budget funds to managing the natural resources of Lane County. Admission of Earth Share into the County's charitable campaign does not indicate approval of the work of any Earth Share member organization. It also does not represent a significant cost to the county, as Earth Share shares the cost of public campaigns with United Way and other participating organizations. ESOR contributed to the development of this memo and agrees to its content.

COUNTY ADMINISTRATION'S PERSPECTIVE

When most campaigns went down in 2001 (United Way of Lane County declined by about 2%), Lane County's grew by over 20%, one of the highest rates of growth in the county. Our campaign is working very well and no compelling reason to make a change has been presented. There is the potential to lose focus. Right now, we require the benefiting charity to provide basic need services. This matches our overall government service objective and therefore the campaign matches our mission resulting in more focused program. We encourage our employees to visit various charities on company time to learn where they may want to send their contributions. Is that a good use of taxpayer money when an agency's service is significantly removed from our core mission? There is also the increased possibility of public criticism. Environmental interest groups are often quite controversial, and citizens may become concerned that we are politicizing what should be a non-controversial activity the whole community supports.

SUMMARY

Before approving or rejecting the requested change, the Board of Commissioners would like to hear from County employees. Please share your opinion on the matter by responding to the statement below. You can respond via e-mail by selecting the yes or no button at the top of this message by Tuesday, July 16, 2002 (you will receive a prompt that will allow you to include comments if you have them). Your response will be automatically sent to Zoe Gilstrap. Thank you for taking the time to respond to the Board's request for information.

	Yes	No
I would like to have the option of supporting environmental work through Earth Share of Oregon in the annual charitable contributions campaign.		
Comments		

Note to Supervisors: Please make sure any employees that do not have access to e-mail receive this memo. They can call in their responses to Zoe at ext. 3690 or send her a signed copy of the above form via courier.

Earth Share of Oregon Local Member Groups

The information on this list is from the ESOR website. It identifies the 32 Local Member Groups who work mostly in the Northwest.

1000 FRIENDS OF OREGON - Portland, OR. Founded in 1975 by Governor Tom McCall and Henry Richmond to protect places and communities that make Oregon a state we're proud to call home.

AUDUBON SOCIETY OF PORTLAND - Portland, OR. Audubon Society of Portland promotes enjoyment, understanding and protection of native birds, wildlife and habitats. We focus on our local community and the Pacific Northwest.

CENTRAL OREGON ENVIRONMENTAL CENTER - Bend, OR. Educational and community outreach organization which fosters the conservation and appreciation of Central Oregon's natural heritage, and promotes ecologically sustainable ways of living.

CORVALLIS ENVIRONMENTAL CENTER - Corvallis, OR. The CEC fosters awareness and respect for the environment through educational programs, advocacy and community-based projects that protect and restore native ecosystems.

FOREST SERVICE EMPLOYEES FOR ENVIRONMENTAL ETHICS - Eugene, OR. Seeks the preservation of ecological values and biological diversity in our national forests through education and advocacy for reforms of U.S. Forest Service management practices.

FRIENDS OF THE COLUMBIA GORGE - Portland, OR. Friends of the Columbia Gorge protects the Columbia Gorge by building partnerships to prevent urban sprawl, preserve natural areas, and promote recreation and new parks.

FRIENDS OF OPAL CREEK - Mill City, OR. Provides quality environmental education programs in the heart of the 35,000 acre old-growth forest in the Opal Creek Wilderness and Scenic Recreation Area.

FRIENDS OF TREES - Portland, OR. Promotes community partnerships to plant, care for and preserve urban trees to strengthen neighborhoods, improve the environment and enhance the quality of urban life.

GREENBELT LAND TRUST, INC. - Corvallis, OR. The Greenbelt Land Trust is dedicated to the preservation of significant open space in Benton County and the Mid-Willamette Valley.

HELLS CANYON PRESERVATION COUNCIL - La Grande, OR. HCPC ensures, through direct advocacy, policy reform and community involvement, the conservation and maintenance of the Hells Canyon Ecosystem in all of its natural splendor.

NATIONAL WILDLIFE FEDERATION - Hillsboro, OR. National Wildlife Federation was founded in 1936 by common-sense conservationists who enjoy our forests, grasslands, rivers and the wild fish and wildlife they support.

NATIVE PLANT SOCIETY OF OREGON - Eugene, OR. NPSO promotes Oregon's diverse native plants, associated animals, and ecosystems through educational lectures, public service projects, publications, and hikes.

THE NATURE CONSERVANCY OF OREGON - Portland, OR. The Nature Conservancy buys and protects habitat of Oregon's native wildlife and plants. Maintains 50 nature preserves in Oregon from the desert to the coast.

NORTHWEST COALITION FOR ALTERNATIVES TO PESTICIDES - Eugene, OR. Works to protect people and the environment by advancing healthy solutions to pest problems.

NORTHWEST EARTH INSTITUTE - Portland, OR. Trains and motivates individuals to protect the earth through innovative programs offered in workplaces, schools, faith centers, homes and Oregon communities.

OREGON CHAPTER SIERRA CLUB - Portland, OR. The Oregon Chapter Sierra Club fights to preserve wilderness and protect environmental quality through a powerful combination of education, scientific research, publishing and litigation.

OREGON ENVIRONMENTAL COUNCIL - Portland, OR. OEC works to restore and protect Oregon's clean air and water, now and for future generations, via socially just and economically sound environmental policies.

OREGON NATURAL DESERT ASSOCIATION - Bend, OR. ONDA works to protect the wildlands and rivers of Oregon's spectacular high desert while striving to end industrial abuse of our public lands.

OREGON NATURAL RESOURCES COUNCIL FUND - Portland, OR. Aggressively protects and restores Oregon's wild lands, wildlife and waters as an enduring legacy. Our focus includes ancient forests, wilderness, salmon habitat and clean water.

OREGON TROUT - Portland, OR. Organized to protect and restore native wild fish and their ecosystems through policy advocacy, scientific research, demonstration projects in specific watersheds, and environmental education programs.

OSPIRG FOUNDATION - Portland, OR. Wins protections for Oregon's water, air and land through investigative research, policy development, media, advocacy and grassroots organizing.

PACIFIC RIVERS COUNCIL - Eugene, OR. Passionately protects and restores Oregon's streams and the species that inhabit them through advocacy, public education, and on-the-ground stream restoration projects.

RECYCLING ADVOCATES - Portland, OR. Recycling Advocates' mission is to benefit human health and welfare by creating a sustainable future through local efforts to reduce, reuse and recycle our earth's resources.

RENEWABLE NORTHWEST PROJECT - Portland, OR. Works to implement renewable energy projects (wind, solar, geothermal) and policies to combat air pollution and global warming emissions produced from electricity generation in Oregon.

RIVER NETWORK - Portland, OR. Supports community-based groups by helping them organize to protect and restore rivers and watersheds; also acquires river lands critical for fish, wildlife and recreation.

SISKIYOU REGIONAL EDUCATION PROJECT - Cave Junction, OR. For future generations of all species, the Siskiyou Project is dedicated to permanently protecting the globally outstanding Klamath-Siskiyou wildlands from logging, mining and habitat destruction.

SOLAR ENERGY ASSOCIATION OF OREGON - Portland, OR. The Solar Energy Association of Oregon is dedicated to increasing the direct use of solar and other renewable resources, along with energy efficiency initiatives.

THE TRUST FOR PUBLIC LAND - Portland, OR. Conserves lands for people to improve the quality of life in our communities and to protect our natural and historic resources for future generations.

TUALATIN RIVERKEEPERS - Sherwood, OR. The Tualatin Riverkeepers works to restore and protect Oregon's Tualatin River system. The Riverkeepers promote watershed stewardship through public education, public access and citizen involvement.

WATERWATCH OF OREGON - Portland, OR. WaterWatch works to protect and restore Oregon's rivers and streams for the benefit of fish, wildlife, recreation and other public uses.

THE WETLANDS CONSERVANCY - Tualatin, OR. The Wetlands Conservancy land trust and stewardship programs work to preserve, protect and restore Oregon wetlands and urban stream habitat through wetland acquisition, education, and stewardship.

WILLAMETTE RIVERKEEPER - Portland, OR. Using education and advocacy, Willamette Riverkeeper works to protect fish and wildlife, and make Willamette Basin rivers once again safe for fishing and swimming.

Christine Moody

Executive Assistant, Management Services

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GO DUCKS!!!

Lane County Charitable Campaign Comments in Opposition

- No, I do not think that supporting such entities as Earth First is a prudent thing to support. Why should we support an entity that pays its supporters to picket and make impossible obstacles to overcome to get a project out, and completed. These kinds of political entities, government employees should not support, or be given the opportunity to support them through a payroll deduction plan!!
- I have reviewed the request to add Earth Share of Oregon to the contribution list and I **STRONGLY OPPOSE** the addition. While Earth Share states that they are not political they support groups that are very political. For example the Sierra Club of Oregon who receives money from Earth Share is currently very active in trying to defeat Senator Gordon Smith. As a county that received a great deal of funds from the sale of timber in our National & BLM forest it appalls me that you would even consider adding Earth Share to our charitable contribution list. The groups that Earth Share supports have done everything in their power to close our forests from logging, mining and multi use of the forests. For example, their campaign to close roads in the forest, to create large blocks of wilderness areas and to block managed logging of the Tillamook burn. Efforts of these groups have done nothing to support one or more of the basic needs as it reads in the Lane Manual 2.374. To support the addition of Earth Share to the Charitable Contribution Program flies in the face of the employees and residence of Lane County and it is nothing but a shell for the environmentally political groups to access funds for their political agendas. If you open contributions up to this group I will ask that you open contributions up to the Blue Ribbon Coalition and Americans for Responsible Recreation which support multi use access to our public lands for all to enjoy.
- In my somewhat unsolicited opinion, supporting the "Earth" charities amounts to sponsorship of religion and should be forbidden. These groups "worship" the Earth. The Earth is their God and is indistinguishable from the devotion offered to any supreme being in any other religion.
- My answer is No. Keep charities going to people based services. Environmental issues are too political.
- Charitable contribution definition as it now stands is directly helping people. The organizations supported by Earth Share are political, not charitable. I believe this would be a direct conflict with the State's political ethics policy against "political endorsement" by County employees on County time. Most of the funds would be used for campaigns or litigation on a wide variety of liberal agendas, many which I personally directly oppose.
- I give to environmental organizations outside of work. I think we should continue our giving to United Way. Some folks may split their donations, thus United Way giving would suffer.
- Some of the included organizations may reflect views similar to my environmental perspective. However, I do not believe that enough of these groups are in sync with Oregonians to support with our money and thereby limit contributions to: Lane Manual 2.374 requires the benefiting charities to provide basic needs health and welfare programs in one or more of the following categories: Employment and affordable housing, Economic hardship in meeting basic needs, Services for youth, Abuse, family violence and crime, Medical and dental, Substance abuse and mental health.
- No we should not support this. There are too many objections with the diversity of the groups supported by United Way as it is, please no more excuses for not helping people in need in our community.

Lane County Charitable Campaign Comments in Opposition

- I would not choose to support other than people orientated organizations so would not contribute through payroll deduction, which I have found to be very convenient. I would make individual contributions to organizations of my choosing outside the system, but perhaps not as consistently.
- I feel that organizations that Lane County Employees support should stay with the criteria outlined in the Lane Manual. Since we serve the public I feel that we should not support the public through our charities as well as public funding.
- Although I share environmental viewpoints with many of Earthshare's partner organizations, I am concerned that some of them are so narrow minded and single issue focused that they fail to understand the importance of our heritage as Oregonians. I do not support the proposed change in the Charitable Contributions Program, primarily because I don't believe that the views of a majority of our citizens are represented by some of these organizations.
- I STRONGLY OPPOSE SUCH A MOVE! I have absolutely no interest in having these organizations on payroll deduction. When will this insanity end? Let the employee who wishes to donate to them find another route. People think they are doing something good for the environment when actually some of their donated money ends up supporting people who are paid to protest while we are trying to work. Why, would we want to support organizations that cost the tax payers more and more money? When it comes to public works projects, we cannot stop at using common sense in applying construction techniques to minimize the impacts of construction on the environment. We have road blocks everywhere we turn. These organizations are largely responsible for the roadblocks that cause delay after delay of construction projects that could improve our infrastructure. The cost associated with all of these manufactured problems has got to be staggering. Some of these organizations work to stop projects like the West Eugene Parkway an important transportation corridor for the west side of town. This is against what people have voted for. I think it would be a poor choice for Lane County to be a mirror image of the City of Eugene. So for what ever it is worth. Probably a lone voice in the wind. I say no!
- I have chosen NO as my response to this question. I am a contributor to United Way through work. Charity means to me, helping people less fortunate; people whose needs cannot be met by their own efforts. I do not debate the need for all of us to practice good stewardship of our surroundings, but I do not see this as a charity. The mission of Earthshare seems to me vague. Several of the organizations set up to purportedly "help" the environment have done anything but that. (I.E. the hatchery, native salmon debate, and some questionable opinions on forest practices.) Thank You for the opportunity to voice my opinion.
- Should this be approved I will never give to any charitable program within Lane County again.
- I am absolutely opposed to support for those organizations. Even soliciting funds from County Employee's for those groups appears to me to be a conflict of interest. This has to rank in the very lowest category of ill conceived suggestions, possibly good fire starter if the heat of the 31% raise wears off?
- NO. It looks like my message got sent but no chance for comment. My comment is plain and simple: no environmentalists involved in anything we do! If this is approved I'll

Lane County Charitable Campaign Comments in Opposition

contribute to United Way on my own supporting those in need - these people are not in need, they want power to do the wrong thing.

- My comment: If this change were to take place, I would stop contributing through the payroll deduction charitable contribution program; I would just send personal checks to specific agencies.
- I believe that we should stick with the current policy. There are far too many families and single parents that need help. When we are at a point of very few people (or none) that are struggling like the one's we see on the news every night, then move on to a non-human project. I am sure you will hear many passionate and very good arguments for the change but I believe that there are too many charities to focus on now. By that I mean that we need to completely eradicate the current problems we have now before we start something new and then spread our funds even thinner. Let's make a serious effort on a smaller amount of charities. I don't pretend to know which we should or should not choose, but it's just like paying off credit cards. You pay the minimum on a few and put larger sums on one card in order to rapidly reduce the debt. The interest on a credit card is very similar to the administrative costs for charities in that there are costs involved in both. That should be enough rambling redundancies for one e-mail! Thanks.
- NO, I do not support adding Earth Share of Oregon to the Charitable Contributions Program. This does not provide basic needed health and welfare as the program we have been supporting. I will withdraw all of my contributions to United Way if they are included. This is the wrong group to support.
- My comments were that I don't think environmental protection is a charity, but rather another non-profit activity. Therefore, I don't think it should be added under the guise of a charity, but as a non-profit, which would open up the door for other non-profits to be listed as options that are also not recognized as charities. Sounds sketchy to me. Thanks!
- I would wonder how to limit groups or agencies if we begin to allow more onto the list. Would anyone with tax-exempt status be approved? How to keep such a list updated becomes a pertinent question, and I suspect the frequency with which payroll staff has to change the employee selections for charitable giving would increase exponentially. Nothing stops an employee from contributing from home to any charity or cause that one might find appealing, so limiting the number of options available in the charitable giving program does not prevent our supporting one not on the list.
- Although I am wholly supportive of some environmental causes, I don't see that these should be part of a charitable contributions campaign - it should be reserved for service organizations that provide for basic human needs. I agree that there is a potential to lose focus if this change is made. Thanks for the opportunity to comment.
- This is a politically sensitive area, many of these organizations claim to be non-profit and I see nothing charitable in their activity. I think they are politically motivated so I vote a resounding NO. And I do not think Lane County should posture itself by displaying a political lean one direction or the other.
- I am opposed to adding ESOR as an option in our Charitable Contributions Program. While some of the organizations listed as associates of ESOR have goals that I would support, others do not and there does not seem to be any way to distinguish between such organizations. My concern would be that some employees may not make the distinction

Lane County Charitable Campaign Comments in Opposition

between ESOR and its associated organizations, and, as a result, unwittingly contribute to organizations that they don't actually want to support.

- A number of the listed groups supported by Earth Share of Oregon I believe support policies and activities contrary to the best interests of the people and government of Lane County. We should remain focused in our giving as stated in the Administration's Perspective.
- Although ESOR may serve a valuable purpose in our community, I agree with the concerns expressed by County Administration. This is not a reflection on whether I feel that ESOR is deserving or not deserving of financial contributions from county employees. In fact, I would encourage any employee who would like to contribute to this organization, to do so by writing out a check and mailing it directly to ESOR. This is how I choose to make contributions to non-profit organizations, especially those that are excluded from our county charitable donation payroll deduction program. **I do not feel that it is the responsibility of my employer to make my charitable contributions easier for me.** It is up to me to make informed decisions as to which organizations are worthy of my donations, and then to follow through on my convictions with a financial contribution.
- I agree with the County Administrator's perspective; I believe this will detract from the charitable giving campaign, i.e., giving to needed people. I believe this is not the proper avenue for this organization to solicit funds. If they are allowed in, what is to stop any political group or organization from then getting included?
- Considering that some of the "basic need" charities such as Food for Lane County and Meals on Wheels are struggling to get funds--organizations that directly benefit Lane County residents who are in significant need, it seems counterproductive to offer the opportunity to Lane County employees--who are not giving at the same rate they have the past--the opportunity to further dilute the spending power of our charitable contributions. Second, why is the county even considering giving county employees the opportunity on company time to visit some of these environmental organizations--that can be done on personal time. Finally, a reference to one of the wealthiest "charities" in this county--the Duck Athletic Fund as the closing salutation to this memo is offensive. Yes, through United Way you can designate the Duck Athletic Fund to be the recipient of your "charitable" donation.
- If this is added I will no longer make contributions to the charitable campaign program. This is a result of looking at the list and seeing some good organizations, however, there are many more that are not. Supporting them would be like biting the hand that feeds you.

Lane County Charitable Campaign Comments in Support

- Assuming we can choose as to whether we contribute to a specific fund.
- Although I wouldn't change my designated recipient, I think offering choices is a good idea and would allow people to make their own decision from a wider list of options.
- I think the county's current policy/philosophy about charitable contributions is good, but I think adding the ability to donate to environmental organizations will make it better. There's no point in working to ensure that basic needs are met if the earth, and our immediate environment, are destroyed. Sure, this may be controversial and could even become politicized, but it's important enough a goal to take the risk. Thanks for giving us the opportunity to express a choice.
- I would like to have the option of having more charitable contributions. Part of the reason I live in Eugene is because of its available natural resources and how they are managed. This does matter to me and they are worthy causes. Thanks.
- Would like to vote a strong yes.
- I think we should provide the opportunity for our employees as people, not just government staff, to participate in this funding coalition. What I would not want to see, since it is outside of our primary mission as a local government, is the same opportunity for people to investigate the organizations within Earth Share on "county time" as we do with agencies that help us in our mission. We have United Way come to our department meetings; for Earth Share it may be more appropriate to have a brown-bag session or two that people can choose to attend during their lunch hour or after work time.
- I'd like the option of being able to contribute to both - the environment and the people.
- I believe the health and safety of the environment is part of the continuum of a health, safe and prospering county community. Further, many types of giving currently allowed by Lane's policies can also be controversial - for example the recent national United Way scandal, the Boy Scouts/restrictions of gay/lesbians, needle exchange, etc. Many services currently supported by United Way could be considered controversial by some, while a number of the long standing, mainstream environmental/wildlife agencies funded by EarthShare have enjoyed long standing mainstream support.
- We had Earth Share in Lake Oswego and it was very popular--offered those of us who don't see options we like in United Way.
- I would very much like to support environmental programs by contributing through work. Please implement this innovation. Those who choose not to contribute can continue with the charities of their choice as they did previously. Thank you again.
- My reply is yes, do you know if or why the Mackenzie River Foundation is included?
- Yes I would like to have the opportunity to contribute to Earth Share. Thank you.
- **YES** I would like to have the option of supporting environmental work through Earth Share of Oregon in the annual charitable contributions campaign. Thanks very much.

Lane County Charitable Campaign Comments in Support

- If there is no significant cost to make the change then by all means additional options should be provided. Also note that there are organizations currently under the United Way umbrella which also can be viewed as "controversial" so this should not be a criteria on deciding whether or not to provide additional options. Again, providing employees with as many choices as possible is a good thing.
- I support many of the environmental groups listed and would like to be able to do it through the county charitable giving program. This is an opportunity for deserving environmental groups to increase their memberships and funding sources. I will also continue to give to United Way as I'm sure most Lane County employees will. Thank you.
- I hope the County adopts this change. The organizations that belong to Earth Share of Oregon are professional and respected community partners. I've been to many of their lectures and community service events. I will donate to Earth Share of Oregon whereas I have never donated and will not donate to United Way. I appreciate the County making this available to me.

2.374

Lane Manual

2.374

~~disposition by the County on termination of the notary's employment with Lane County.
(Revised by Order No. 95-11-28-1, Effective 11.28.95)~~

2.374 Charitable Contributions Payroll Deductions Program.

(1) Purpose. The Lane County Charitable Contributions Payroll Deduction Program has four primary purposes:

(a) Encourage private support of basic need health and welfare programs that would otherwise require County funds.

(b) Lessen the County's burden of meeting basic health and welfare needs by providing a convenient, non-disruptive channel for County employees to contribute to agencies that directly serve those needs.

(c) Provide an avenue for steady private support for basic needs health and welfare programs. This is important because the County's volatile revenue base has resulted in a history of its being unable to deliver a consistent level of support for basic need services.

(d) Minimize time, expense and workplace disruption of County employee's participation in the campaign.

(2) Findings. The Board finds:

(a) There is a general consensus that basic needs health and welfare programs are worthwhile.

(b) A determination of basic health and welfare needs was made in a long-term study of the Lane County Human Services Delivery System during 1986, 1987 and 1988. The study's determination of basic needs was made well before, and independent of, any proposed change in the County's charitable contributions program.

(c) In 1994, a community-wide needs assessment was conducted, thus updating the earlier study. The results of this study was compiled by United Way of Lane County, in "Reaching Out - Lane County Human Needs Assessment," September, 1994.

(d) Because these determinations were developed locally, they are likely to reflect values shared by County employees. A campaign centered around the current needs is therefore likely to be more successful than one which includes programs which do not have this general level of community support.

(e) A charitable contributions program directed at basic needs health and welfare programs avoids even the appearance of County government favoritism and/or entanglement with particular viewpoints.

(3) Management. The Office of County Administration shall manage one annual campaign for employees to make an annual contribution or authorize payroll deductions for eligible charities. The County Administrator may either manage the program or contract for campaign services, charity eligibility determinations, disbursements and public accounting of the funds. The fee for the service shall be a percentage of funds contributed or deducted through the campaign.

(4) Charity Eligibility Criteria.

(a) Any charity meeting all the following criteria are eligible for participation in the County charitable contributions program.

(i) The predominant services provided falls into one or more of six categories as defined by the Lane County Human Needs Assessment, dated September, 1994:

(aa) Employment and affordable housing: employment, affordable housing, lack of access to job training.

(bb) Economic hardship in meeting basic needs: poverty, food, housing, clothing, utilities.

(cc) Services for youth: organized programs for children and teens, teen pregnancy, child care and after-school child care.

(dd) Abuse, family violence and crime: child abuse & neglect, spousal abuse, crime and personal safety, juvenile crime.

(ee) Medical and Dental: affordable medical and dental care.

(ff) Substance abuse and mental health: drug abuse and alcoholism, mental illness and emotional problems.

If questions arise as to the eligibility of a charity, these criteria arise from the Lane County Human Needs Assessment, dated September, 1994. That document may be used as a source of legislative history and as an aid in interpretation.

(ii) Agencies must be registered with the IRS and exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

(iii) Agencies must provide substantial services to Lane County residents.

(iv) Agencies must be in compliance with registration and filing requirements of Oregon's Charitable Trust and Corporations Act.

(b) Any charity denied participation may appeal that determination to the County Administrator, whose determination shall be final. *(Revised by Order No. 98-4-1-11, Effective 4.1.98; 95-11-28-1, 11.28.95)*

2.376 Travel Expense Reimbursement Policy.

The Expense Reimbursement Policy is designed to allow for the reimbursement of expenses incurred by employees when traveling on official business for the County. It shall be the County's policy that no County Employee shall sustain personal monetary loss as a result of performing official County duties. The County Administrator is delegated the authority and responsibility to develop and maintain Administrative Procedures necessary to implement this policy. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

2.378 Lane County Employee Assistance Program.

(1) Lane County, as an employer, is primarily concerned with an individual's job performance. However, the County recognizes that job performance can be affected by circumstances outside the work environment such as financial instability, drug or alcohol abuse and emotional and family problems. In order to serve all the needs of our employees and the citizens of the County, an Employee Assistance Program is provided to acquaint employees with appropriate community agencies to help them overcome their problems and restore them to full job efficiency.

(2) Strictest confidence shall be maintained between the Employee Assistance Program and the employee. No employee shall, by admitting that a problem exists, endanger his or her job. Such admission and the steps taken to correct deteriorating job performance shall be looked upon as evidence that the employee is concerned with improving his or her performance and with continuing employment with the County.

(3) This program is designed to:

- (a) Identify problems at their earliest stages,
- (b) Motivate the employee to seek help,
- (c) Direct him or her towards the best assistance available, and
- (d) Correct the problem before it necessitates the loss of the employee.

(4) The Employee Assistance Program shall be under the direction of the Management Services Director who shall administer the program on behalf of the Board. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

BOARD OF COMMISSIONERS' WORK SESSION

June 4, 2002

9:00 a.m.

Commissioners' Conference Room

APPROVED 7/24/02

Commissioner Bill Dwyer presided with Commissioners Bobby Green, Sr., Anna Morrison, Peter Sorenson and Cindy Weeldreyer present. County Administrator Bill Van Vactor, County Counsel Teresa Wilson and Recording Secretary Melissa Zimmer were also present.

1. ADJUSTMENTS TO THE AGENDA

Dwyer stated the AT & T Cable issue would be added.

2. PUBLIC COMMENTS

Andy Stahl, 82787 Marlow Road, Eugene, was speaking on behalf of Earth Share, seeking the Board's approval to allow Lane County employees to make charitable contributions voluntarily to environmental organizations. He added it would be the same as what the employees do for United Way. He passed out a written statement. (Copy in file). He said for the individual donor, the payroll deduction is an efficient means of making a charitable contribution to an organization. He said Earth Share access to Lane County would not affect United Way's charitable contributions.

Lucy Vines, Earth Share, 1805 W. 34th, said changing the current County policy to subject neutral administrative criteria is a question of choice and fairness. She said the current restriction of the County's campaign for basic human needs unfairly and unreasonably dictates to County employees where their donations should be directed. She added it singles out Earth Share of Oregon, as the sole fund raising organization for environmental work. She said including Earth Share sends a signal of openness and creates a positive public relations opportunity for county government. She hoped the Board would consider the request.

Frank Vignola, 2468 Parkins Lane, Eugene, represented one of the member organizations of Earth Share, the Solar Energy Association of Oregon. He stated Earth Share had been contributing funds to their organization.

3. COMMISSIONERS' REMONSTRANCE

None.

4. EXECUTIVE SESSION as per ORS 192.660

Took place before the meeting.

5. COMMITTEE REPORTS**a. REPORT BACK/Discussion on Charitable Contributions Payroll Deduction.**

Green reported the Policies and Procedures Committee went through the pros and cons about the requested shift in policy. He said the committee decided to forward it to the Board with no recommendation. He reported that Wilson suggested that Lane County should have a neutral stance toward whatever recommendation is made to the Board.

Dwyer asked if there had been any problem with other entities as a result of the policy.

Wilson stated the policy level question was if the Board was comfortable with the charitable campaign as it is. She stated the Board identified four basic purposes for a campaign: to encourage private support, lessen the County's burden of meeting basic health and welfare needs, provide an avenue for steady private support and minimize time and expense for County employee participation. She added charity eligibility was set up.

Dwyer asked how much Earth Share charged for administration.

Vines responded they take about 9%. She noted the rest goes to their member organizations, 32 core and 43 national members. She added that the funds could not be used for litigation.

Wilson noted with the present criteria that Earth Share did not meet the legal framework. She said the real issue was access to employee's personal contributions. She said it was a limited public forum and under the law the Board had the ability to regulate that as long as they do it in a manner that is not viewpoint discriminatory. She added the regulations were set up to comply with the Cornelius decision from the U.S. Supreme Court. She noted setting up contributions for human services needs was and is a legitimate policy choice. She added it was a legitimate policy choice to broaden the public forum and if the Board wanted to go ahead with it, she advised this go back to Policy and Procedures for review.

Sorenson said it was good to give employees greater choice, resulting in more money being given to the United Way and to Earth Share. He thought the Board should make the change.

Van Vactor noted that Lane County contracts with United Way to perform the service but it is the Lane County Charitable Contribution Campaign. He was reluctant to change the program because it had worked well. He said it matches the mission of Lane County government. He stated broadening it to environmental issues made it more political. He asked the Board if they wanted to let employees investigate the different environmental agencies on taxpayer time for the charitable campaign. He preferred to keep the campaign focused on human service issues.

Weeldreyer stated there had not been any indication that by adding this organization there would be a drop in charitable giving to United Way and other places. She noted that Vines and Earth Share had been in front of the United Way board and the United Way Board had not expressed any concerns about having any jurisdictions adding Earth Share to their charitable giving policies. She said Lane County's employees were diverse and caring. She recommended having the unions ask their membership if this was something they wanted Lane County to do. She said if a vast majority wanted it, then the Board could decide whether to make the charitable giving program more complex than it currently is.

Dwyer said a letter would be given to the bargaining units and non-represented employees asking if they would be interested in adding another category of giving to include these type of neutral subjects. He wanted an answer back within 60 days.

6. PUBLIC WORKS

- a. REPORT BACK/Proposed Design Modifications for the Marcola Road (Parsons Creek to Wendling) Capital Improvement Project - Reduce Construction Conflicts with Existing Marcola Water District Pipelines (NBA & PM 3/13/02).

Sonny Chickering, Public Works, explained this was a road project proposed for construction in 2004. He noted this project includes constructing curb, gutter and sidewalks on the north side of Marcola Road through the community of Marcola. He said as a result of their project, there are impacts to various utilities that lie within the roadway.

Chickering noted the original design would impact more than 1,400 lineal feet of district waterlines and it would have to be replaced in order to secure its continued use and benefit to the community. He said it places a financial burden on the district that is beyond their financial means, with the cost about \$80,000. He noted that Weeldreyer asked them to meet with representatives of the district. He said they had discussions to limit the total number and frequency of impacts to the district. Chickering suggested eliminating the roadway super elevation. He said the original design included some super elevation through downtown Marcola. He added it is a low speed area and the super elevation is not necessary. They suggested a normal crown with a high point in the center. He said it raises the inside of the road up, causing more clearance above the water line. He said they were suggesting a new gutter design that extends the full width of the bike lane. He noted there was a cost savings of \$50,000. He asked the Board to give direction to move ahead with the changes of the design.

Tim Handley, Rainbow Water District, 1515 N. 42nd Street, Marcola, noted the water district serves 500 families in the dense community area of Marcola. He said the facilities in conflict are water mains that were constructed in the 60's and 70's. He said their work showed capacity that was adequate for any projected growth in Marcola. He estimated the equipment was good for another 20 to 40 years. He explained their difficulty was funding. He didn't agree with the cost savings for them, as their costs would be \$40,000 to \$50,000. He said that was a difficult expense for a small district. He noted the water district's budget is \$75,000 to \$80,000 per year and \$50,000 was a large amount to handle. He asked the Board if they could receive some funding assistance for the project.

Dwyer suggested moving Option 1, working with the district to get some relief, with the understanding that if no relief is forthcoming that the Rainbow Water District would be responsible for the amount.

Handley supported Option 1 and asked the Board to do the same.

MOTION: to approve Option 1.

Weeldreyer MOVED, Green SECONDED.

VOTE: 5-0.

- b. PUBLIC HEARING AND ORDER 02-6-4-1/In the Matter of Approving a New County Road Connection to 30th Avenue Providing Access to the Oregon Military Department Facility (NBA & PM 5/8/02).

Chickering stated this was in connection with the Oregon Military Department's application for a new National Guard Armed Forces center. He noted on February 12, 2002 the planning director issued a site review approval in compliance with a ruling in Lane County Circuit Court. He said there were three conditions in the site approval that related to road issues. He stated that number seven requires the applicant to obtain an approval from the Board to obtain access to 30th Avenue that is a limited access thoroughway. He stated on February 15, the engineering division received a letter from the Oregon Military Department requesting the department move forward with whatever steps were necessary to obtain the connection to 30th Avenue.

Chickering said they were scheduled to come to the Board to discuss this item on May 8 but on May 7 during the Work Session, the Board directed them to reschedule the item for a public hearing.

Vorhes explained the appeal from the hearings official decision was pending in front of the Board when the Oregon Military Department filed a mandamus action at Circuit Court. He said the Circuit Court examined the questions raised by the neighbors about whether the approval of the site review permit would violate the comprehensive plan. He noted the Circuit Court decided it would not and ordered Lane County to issue the site review permit. He added the question of access was an issue in the land use proceeding, but as part of that proceeding, the condition of approval was placed on the permit.

Commissioner Dwyer opened up the Public Hearing.

Dwyer stated he received letters and e-mails on the issue. He read a letter into the record from the Russell Creek Neighbors Association, dated May 31.

Jim Weaver, Seavey Loop, Eugene, stated he was a Veteran of World War II. He said he had the highest regard for the National Guard. He resented the National Guard being used to break the urban growth boundary. He said rushing through this road program before the appeals case had been resolved should not happen. He asked the Board to set up an independent investigation of corruption as to why this project is being rushed through before all of the court appeals had been issued.

Jim Bustle, 33456 Bloomberg Rd., stated he and his wife have adjacent property to the proposed site. He objects to any type of access road until all the legal proceedings had been completed.

Marsha Egberg, 33501 Berkov Lane, stated she is an adjoining property landowner. She had not received any notices that this meeting was to take place. She spoke with Mike Russell and her neighbors and that was how she found out about the meeting. She noted by approving this today, it would destroy four acres of her property. She asked the Board to not approve the road at any time.

Leandra Bell Matson, 33476 Bloomberg, said she is on the Steering Committee for the Russell Creek Neighbors. She noted that Craig Shelby is the president but could not attend. She read his letter into the record.

Daniel Johnston, 33494 Bloomberg Road, stated his property adjoined lot 600. He was not notified about any hearings. He asked the Board to consider other options.

Carlos Barrera, 2852 Willamette, was concerned about the threats to the urban growth boundary. He agreed this was an issue with special interests trying to break the urban growth boundary so they can take advantage of the large tracts of land they own around Lane Community College. He said he moved to his property for a better quality of life and wanted to preserve it. He said consideration should be given to maintaining the quality of life for the people who live in the community.

Cathleen Epstein, 33482 Bloomberg Road, said her property adjoins Lot 600. She noted there were 17 conditions pending for approval. She asked that the Board wait until the appeal is completed and then move forward.

Howard Epstein, 33492 Bloomberg Road, stated he didn't know why they were hurrying this process.

Norm Maxwell, 79550 Fire Road said the armory needs to be replaced but the proposed armory site is not the right place.

Nick Urhausen, 2858 Warren St., said there are three objections with the armory: destroying wetlands, traffic problems and the aesthetics of an armory. He thought that the armory could use LCC's sewage system and that would eliminate the need of seven or eight acres to be developed. He said that might free up enough land to have an off ramp from I-5. He didn't see anything wrong with the armory being placed there.

Rob Castleberry, 86701 Franklin, explained the previous owner had development plans for the site and was told that access off of 30th Avenue was not a possibility. He questioned whether this was a driveway, or a connector that would carry thousands of cars. He didn't think the public was given clear notice of what the County is committing to.

There being no one further signed up to speak, Commissioner Dwyer closed the Public Hearing.

Dwyer stated when he was in the legislature it was his bill at the request of the County, to allow for the siting of an armory in proximity to a community college. He said they needed the armory. He said there was another site they had in mind that didn't encompass wetlands. He said they had the public hearing because they wanted to hear how the people were impacted. He said there is something wrong with a process that allows them to move forward before the legal issues have been resolved. He added there are certain requirements that need to be resolved. He saw no public duty to move forward. He wanted the appeals process to work and if it shows that the County is entitled to do what it plans to do, then they would discuss that later.

Sorenson asked what the rationale was for putting a road through the facility and bisecting it, causing equipment and people to move back and forth across a public road.

Chickering responded over the past few years there had been discussions with the Oregon Military Department and ODOT. He said through the discussions, the "S:" alignment had been proposed as a potential solution for traffic problems along McVey Highway and the ramps along I-5. He noted that ODOT was interested in getting the intersection of McVey Highway moved away from the interchange in accordance with their proximity rules. He said today's discussion was only for an access for the armory, not the "S" road. He added they were not approving the realignment of McVey Highway. He

believed though the "S" road would be a viable alternative that would assist the situation.

Chickering said this was a complex issue. He was concerned about specific road impacts. He said he has a valid application from the applicant to process a board packet on whether to allow the connection. He didn't see a reason to hold it up.

Sorenson suggested postponing any action until they have a decision from the courts on the matters that the neighbors raised to challenge this.

Green noted that Attachment 2 from the Oregon Military Department discusses the transportation access in the center and maintenance shop. He noted they had been granted approval for a site review permit allowing construction. He said it gave three conditions for the approval. He was interested in how the court appeal is directly tied to what the Board's decision is.

Vorhes stated the specifics of the connector are ongoing. He said the issue before the Board is access to 30th Avenue. Also, it had come to the Board because of a request by the Oregon Military Department driven by the land use decision that considered transportation and access to the property. He said they decided that the way access was presented, it should go to 30th Avenue to avoid other problems. He said the letter listed the conditions as a way of showing the Board they were doing it because of the land use approval. He added the appeal may or may not affect it. He said the appeal did not issue any stays. Lane County followed the direction of the Circuit Court order and issued the land use approval.

Weeldreyer asked what would happen if the military department was not successful and is not able to build on that site if the County approved this incrementally as the Bloomberg connector road project to realign McVey.

Vorhes said they wouldn't start building until they have the approvals they need. He said if they were to build the road before the rest of the facility gets approved, the road is built and plays into the rest of the connector.

MOTION: to move to defer a decision on this matter at this time.

Sorenson MOVED, Dwyer SECONDED.

Sorenson said they need a better idea about transportation goals and a determination that the land use and environmental issues are resolved. He wanted to defer the decision.

Green would not support the motion. He didn't think that by deferring the matter it would get them any closer to making a decision some time in the future. He said staff needed to be given guidance. He was concerned about the future problems at Bloomberg.

Dwyer supported the motion. He stated they hadn't decided a design for the Bloomberg connector. He thought the process was flawed.

Weeldreyer stated this owner and the two prior owners had tried to develop the property but had not received approval for access on 30th Avenue because of limited access. She said the public agencies must follow the same rules private property owners follow. She

said it seems that the federal government can get what it wants. She had been frustrated with this project from the beginning. She had ongoing concerns about traffic safety for the residents in the Russell Creek basin and for the people who attend the college and have to work at the college every day. She said having the county address the traffic issues for the LCC basin is imperative. She did not want to move ahead today because it is a principle policy issue that Lane County treats everyone fairly and equitably. She thought it would be in everyone's best interest that they not take action.

Morrison did not support the motion. She was concerned about staff and direction given.

VOTE: 3-2 (Green, Morrison dissenting).

Weeldreyer stated this came down to an equity issue that they denied the previous private property owner access to 30th. She thought they had to make sure first that the armory project would move forward.

Dwyer said they need to let the process work and if the appeal is upheld and they could site the armory, they then need to deal with the issue of access and a design that is safe for people who have to use the highway.

Chickering asked if it would be in the Board's interest to have them proceed with the beginning process on the Bloomberg connector.

Dwyer agreed that was the way to do it.

Weeldreyer wanted the safety issues to stay out in front. Also, if linking it to the armory project keeps that in front, she wanted it to go that way.

Sorenson said the livability and vitality of life in that area is threatened by transportation facilities and other facilities that locate near the urban growth boundaries. He wanted to address the legitimate transportation problems that exist with the community college, with I-5 and the local neighborhood access issues. He thought that could bring the Board to a solution.

7. **COMMISSIONERS' ANNOUNCEMENTS**

None.

8. **CORRESPONDENCE TO THE BOARD**

None.

9. **COMMISSIONERS' BUSINESS**

11. **OTHER BUSINESS**

ORDER 02-5-29-1/In the Matter of Consenting to a Change in Control of TCI Cablevision of Oregon, Inc. (DBA as AT & T Broadband from AT & T-Comcast).

MOTION: to approve ORDER 02-5-29-1.

Sorenson MOVED, Weeldreyer SECONDED.

Milo Mecham, LCOG, explained the order approves the change of control, setting forth conditions. He said what was discussed (but was not in the order) was initiating the franchise review. He said that would be discussed at the next MPC meeting.

VOTE: 5-0.

There being no further business, Commissioner Dwyer recessed the meeting into Executive Session at 12:10 p.m.

Melissa Zimmer
Recording Secretary