

**BOARD OF COMMISSIONERS'
REGULAR MEETING**

July 27, 2011

1:30 p.m.

Harris Hall Main Floor

Commissioner Faye Stewart presided with Commissioners Jay Bozievich, Rob Handy, Sid Leiken and Pete Sorenson present. County Administrator Liane Richardson, County Counsel Stephen Vorhes and Recording Secretary Melissa Zimmer were also present.

1. **ADJUSTMENTS TO THE AGENDA**

Items 8b and 8c are pulled. Item 6, the Minutes of July 6, 2011 was also pulled.

2. **PUBLIC COMMENTS**

James Affa, Oakridge, was against the Board loaning Oakridge any money. He has been on the Budget Committee for the past two years. He indicated that Zimmerman's only excuse for the missing money made in a public session in front of an audience of over 250 angry people was he didn't know they had no money. Affa stated check register Zimmerman used shows he has money and the bank's register says he has none. Affa said Zimmerman didn't know the city had no money until the bank called to let them know they were bouncing checks. Affa stated that it is not stewardship. He indicated the city was reluctant to put Zimmerman on administrative leave. He thought the Board would be throwing good money after bad.

Stewart indicated there is a bank willing to loan the city of Oakridge the money in anticipation of the taxes they will receive. He explained that Lane County will not be loaning the money. He asked if Affa was against the support of a loan.

Affa stated the city of Oakridge is short \$500,000 and that is only from now until November when the taxes come in. He said the rest of the budget is unfunded. He added that they will be short more money.

Don Hadley, Oakridge, stated that he has lived in Oakridge for 15 years for the past 10 years the city of Oakridge has received \$11 million in grants. He doesn't see any money and doesn't know where it went. He said they have enough signatures to recall four city councilors and the mayor. He wanted Zimmerman to step down, but the council thinks it is okay. He noted that Zimmerman got a grant for a library for \$500,000. He asked Zimmerman where the money went. Hadley said things are confusing to him. He noted that the city of Oakridge hasn't had audits for three years.

Shaylor Scalf, spoke on the livability program. He noted that Springfield voted 4-2 to do away with livability program. He asked the Board to look at the money. He stated that they can't afford this program.

Bill Ledford, Coburg, indicated that Kent Howe, Land Management, might have committed a criminal act when he conspired with Craig Gibbons, Coburg's Financial Director, Don Schussler, Coburg City Administrator and Michael Mattick, Watermaster to provide false information to the Water Resource Department for the water right permit for the city of Coburg on January 29, 2009. He said that Kent Howe signed a blank land use compatibility statement with false information. He read excerpts from a letter. He indicated that he has provided testimony with exhibits that show false information was provided to the Water Resource Department. He indicated that it is the Board's responsibility as elected officials to notify the Water Resource Department that the information provided to them was false and the water right granted to Coburg must be rescinded until the proper procedures and protocols are followed by Land Management Division to issue a proper land use compatibility statement. He wanted these allegations investigated and indictments for all who may have committed a crime. He said that County Counsel has already demonstrated their prejudice in this matter.

Tom Wilson, Springfield, distributed information. He said that Sorenson came to an advisory council meeting last month and informed them the Board of Commissioners' meeting is a way to get things out in the public. He announced on August 16 there is going to be a documentary of Healing Homes. He wanted the Board to come to the film and discussion. He stated he was a member of National Alliance for Mental Illness of Lane County and on August 30 they are having a public forum at Lane County Mental Health on the proposed hospital.

John Ryon, Oakridge, stated he is against the loan for Oakridge. He didn't trust Gordon Zimmerman. He commented that things are already set up before they go into the council meetings and he didn't think it was right. He asked what was preventing the city from filing bankruptcy.

3. **COMMISSIONERS' RESPONSE TO PUBLIC COMMENTS AND/OR OTHER ISSUES AND REMONSTRANCE**

With regard to Ledford, Stewart indicated that staff hired an outside attorney. Ledford handed Stewart a list of allegations and concerns and Stewart took them very seriously. He gave the allegations to Legal Counsel and they worked with Land Management. He noted because of the allegations being alleged and because of the nature, they looked for an outside person to review all of the information. Stewart indicated that person had reviewed everything that had been submitted to them. He said their Legal Counsel has not participated in this matter. He asked if these were new allegations to have Lane County's Legal Counsel review and see if they need to go through another process. He said the recommendation that came back from the reviewing attorney, Mr. Leahy was that he could not find anything of criminal activity or warranted misconduct by Howe. He hasn't received any comments from the Board members to the fact they should address additional concerns. He added that some of the allegations were made from actions in 1998 and there is a statute of limitations. He indicated that he would be willing to work with Ledford on this. He wanted the public to know that they are taking this very seriously and if there is wrongdoing they will address it. He added the Attorney

General's office has addressed some of Ledford's concerns and came back with negative information. He added that it has also been reviewed by three different authorities.

Ledford indicated he had new information and he gave it to Leahy. He stated that Leahy's report didn't address the issues. He thought Leahy was a set up deal.

Vorhes said in the process of the investigation that was done by outside counsel, there was the opportunity for Lane County's planning staff to present additional information requested and his office helped and conveyed that to him. He said other than that his office has not been involved with the investigation.

Bozievich said there has been mention about big box hospitals and projects being put on hold. He said the Junction City State Mental Hospital is moving forward in the replacement of two other facilities that are getting ready to close and maintaining the current capacity of the system. He stated that it isn't an exclusion in dealing with small community based mental health systems, they are a dual system that works together. He noted some of the comments that have been made make it sound like they were only going to move forward with the hospital or community based mental health. He added that both systems have to be in place.

4. **EMERGENCY BUSINESS**

None.

5. **COMMISSIONERS BUSINESS**

a. REPORT/Charter Review Task Force.

Chuck Spies, Charter Review Task Force, discussed the task force report. (Copy in file).

Sorenson said the public review of this had been limited. He commented that he sees a public role for the Board to hear from the public about the ideas. He asked what the role of the committee should be.

Spies responded that they need to have public input before it goes to the voters. He didn't consider their work completed, but they didn't want to spend time on it if there was no consensus on the Board that these are things to examine further. He noted with the ones they recommended to be placed before the voters, many are housekeeping. He thought there should be more of a public education effort than public comment.

Sorenson asked about the rationale for not changing from five commissioners to three commissioners.

Spies discussed the pros and cons in the report. He said a lot had to do with public meetings law and some of the issues that had been raised. He said he was

from Marion County and they only had three commissioners and they had problems. He said the citizen proponents for a three member Board were looking at it from a political point of view and their submittal is in the report. They thought there would be more rural representation than urban representation because of the boundaries. He thought with five commissioners they could deal with constituent problems easier. He indicated that it was unanimous from the committee that they do not pursue going to three commissioners.

Sorenson asked if the Charter Committee would be willing to have a joint meeting with the Board on the work of the Charter Review Committee.

Spies stated that they were all willing to participate. He wanted to present the report in a work session environment before they have any public hearing.

Leiken, Handy and Bozievich agreed to have a work session before going to the public.

Stewart noted there were six items they didn't go through. He asked if the Charter Review Committee wanted the committee to go through the items and how much more time was needed.

Spies recommended taking one year. He added that it will take staff assistance to go through them. He thought it might also take public discussion. He thought the Board needed to make the determination of how important they are before they spend the money and time.

Stewart thought it would be better to include those items in the work session to make sure there is enough support and reason to continue and at that time address the continuation of the committee for additional work. He said they will schedule a work session to work through the issues.

b. REPORT/Siuslaw Watershed Council.

Liz Vollmer-Buhl, Siuslaw Watershed Council, gave a report to the Board on the Siuslaw Watershed Council. (Copy in file).

c. DISCUSSION/Oakridge Request for Assistance.

Stewart stated that he received an e-mail from Gordon Zimmerman about Oakridge's situation and asking if there was anything Lane County could do to help them out. He and Richardson met with Zimmerman about ideas. Stewart indicated there were some banks that might be able to help in the situation. He noted there has been public concern about this

Zimmerman reported that the city of Oakridge is having cash flow problems. He indicated that normally on July 1 of every year they have enough cash to carry

them through until their property taxes are received but that is not the case this year. He stated they are seeking a tax anticipation note. He had received a proposal from Siuslaw Bank that would provide them with a short term note. He indicated that one of the stipulations they are requesting is a resolution from the Lane County Board of Commissioners for a full faith pledge of 2011/2012 tax receipts. He said if the Board can do that resolution then the Oakridge City Council will do the same. He asked the Board for a resolution to support the city.

Stewart reported that this item went before the Finance and Audit Committee.

Anette Spickard, Assessor, stated that she reviewed Zimmerman's letter that he received from the bank. She had a conversation with Bruce Webber of Siuslaw Bank to get clarification on what the requirements are they are seeking from the County. She noted the letter states they are looking for a resolution from the Board of Commissioners for a full faith pledge of the 2011/2012 tax receipts. The way she read this means the County is pledging their own property tax revenues to back the city's loan, and that is a policy choice. She advised the Board to request that the resolution be that the city council of Oakridge pledges their full faith property tax proceeds toward the repayment of the loan instead of Lane County's property tax proceeds. She noted that in speaking with the bank, they do not want Lane County government to be the collateral for the city's loan. She reported what the law allows is to help the city and Siuslaw Bank to bring the deal together. She indicated the County could act as the paying agent on bonds or borrowing. She explained a paying agent agreement would have the treasurer immediately be authorized to pay from that account at the bank. She noted the money would not go directly to the city; instead the County would handle the transaction of the repayment of the loan. She indicated that it is a common agreement with banks. She recalled that when she spoke with the bank, that was what they were interested in. She indicated that as soon as the property taxes are collected the city of Oakridge will get their loan payment.

Stewart asked what the tax collection is.

Spickard stated there are two levies they collect on for the city of Oakridge. She noted one is their permanent operating levy for general fund operations and the other is a bond to repay a bonded debt obligation passed by the voters. She said their permanent operating levy last year was certified to raise just under \$900,000. She reported they usually collect about 85 percent of the tax at the November 15 deadline. She noted that based on last year, they received around \$725,000 on their operating levy and that is above the loan they are looking for.

Leiken asked what the loan amount the city of Oakridge was seeking.

Zimmerman responded that it is \$500,000.

Leiken asked where they are on their audits.

Zimmerman stated they are behind on the audit and part of the stipulation of the loan is that they supply a certified copy of the resolution from the city of Oakridge and the audited financial statement as they are available. He indicated that they are committing to get that done by the end of this year. He said the six month loan gives them the chance to complete the audit and to put in place all of the cost cutting measures they are doing so their expenses are below their revenues. He thought they could make it for the rest of the year on the balance of the tax receipts. He indicated the question is how much can they save with their cost cutting efforts and how much of a cushion will they have in the next year. He hoped by the end of December they will have all the costs taken care of and identified.

Leiken thought if they were going to move forward on this, he wanted to see the structure and what is being put in place by Siuslaw as they move forward. He hoped Jamon Kent could help with a peer review.

Handy asked what went wrong, who is accountable and what the root of the problem is.

Zimmerman indicated that he can't answer until the account review. He stated there is no indication of any fraud or embezzlement.

Bozievich asked what happens if the city declares bankruptcy or if Lane County doesn't help with this loan going through.

Vorhes didn't think anything would change other than where they send the money.

Spickard indicated if there was a municipal bankruptcy, that was something that would have to be worked out on whether to levy their taxes or not and how it would work.

Bozievich asked what services are currently being supplied to the residents.

Zimmerman responded they provide sewer, water, streets, fire and ambulance.

Bozievich asked what the current operating budget was prior to this crisis.

Zimmerman reported that the current budget is about \$7.5 million, with the general fund about \$2 million.

Bozievich commented that it would be terrible not to have police services. He hoped they get the report back soon from the auditor. He thought this situation was serious as it puts citizens at risk. He didn't want to approve this with the

Board as the full faith pledge. He wanted to see the city approve the full faith pledge. He was not prepared to have the Board act as collateral in this case.

Zimmerman indicated that was not what they were asking for.

Bozievich said it sounds like the request from the Board is to do a full faith pledge. He was prepared to go as the paying agent.

Zimmerman indicated that was what Weber from Siuslaw Bank was asking for.

Leiken noted that Siuslaw Bank was the one on the hook. He indicated the city of Oakridge was asking for a pledge from Lane County and having the full faith pledge from Oakridge is the key. He wanted to see the documents. He thought this will be up to the citizens of Oakridge on how they want to move into the future.

Stewart stated that if the city of Oakridge can't secure this, then he would be concerned with life safety services, water and sewer. As was indicated by his colleagues, he is aware of recall efforts to move forward with their displeasure with what is taking place. He feels there should be an accountability process. He wanted to make sure that the city of Oakridge is not in a worse position six months from now when it comes time to pay the loan back. He asked if Mike Barnhart, Finance, could be an oversight as they move forward in the city of Oakridge paying their bills. He thought there should be a process for the citizens for things not to get worse.

Richardson said if the Board wants to have oversight (or use any of their County resources) she asked Zimmerman to let them know and they can see what they can do. She indicated that she would work with staff to make that happen.

Handy said the people in the County want answers and if the accountants are coming in to review, he wanted to get a briefing as soon as possible. He stated that they need accountability.

Leiken commented that this is really in the hands of the citizens. His concern is as long as Lane County is involved in this process and supplying the letter, he thinks there should be some sort of oversight. He liked having Finance being involved. He wanted to know that whatever happens in the future, that Oakridge can feel like there is stability. He wanted to get a copy of the audit.

Stewart asked how much debt Oakridge had.

Zimmerman said they have \$3 million debt on a water project and they have \$500,000 debt in Public Works billing; two years remaining on a sewer bond payment and three years remaining on the fire station bond for \$63,000. He indicated the total was less than \$5 million.

Bozievich was supportive moving forward working with the city in trying to help them obtain their loan through Siuslaw Bank. He thought it was appropriate for them to retain some oversight and to offer assistance in trying to straighten out the financial situation because they don't want to be back in November with a new request. He said the only thing they are handling are the payments back to Siuslaw Bank. He thinks it is important that the city retain its Fire and Life Safety services. He commented the level of debt Oakridge has is not unusual for a city government. He was supportive of helping to facilitate this and lending staff time for some oversight. He wanted Zimmerman to report back as soon as he has news relative to the audit

Stewart said they will need this item to come back with the appropriate documentation necessary to set up the paying agent agreement. He also wanted to see the potential oversight they believe is possible by Lane County. He stated this situation needs to be taken care of as soon as possible no matter what the citizens of Oakridge choose to do with the political process. He wanted to bring this matter back in two weeks.

6. **CONSENT CALENDAR**

A. Approval of Minutes

July 6, 2011, Work Session/Goal Setting, 12:30 p.m.

July 13, 2011, Regular Meeting, 1:30 p.m.

B. Children and Families

- 1) ORDER 11-7-27-1/In the Matter of Delegating Authority to the County Administrator to Execute Contract LAN1113 Oregon Commission on Children and Families 2011-2013 County Intergovernmental Agreement in the Amount of \$2,815,078, and Approving the Lane County Commission on Children and Families 2011-2013 Budget Allocation.
- 2) ORDER 11-7-27-2/In the Matter of Delegating Authority to the County Administrator to Execute Contract LAN1113-MAC Oregon Commission on Children and Families 2011-2013 County Healthy Start – Medicaid Administrative Activities Intergovernmental Agreement and Appropriate Funds Not to Exceed the Amount of \$110,000 to Healthy Start Program.

C. District Attorney

- 1) ORDER 11-7-27-3/In the Matter of Accepting An Intergovernmental Agreement and Delegating Signature Authority to the County Administrator for the District Attorney's Office Juvenile Dependency Process.

D. Management Services

- 1) ORDER 11-7-27-4/In the Matter of Approving an Agreement with LCOG for Some Assistance to the Redistricting Task Force and Board.

E. Public Works

- 1) ORDER 11-7-27-5/ORDER/In the Matter of Awarding Requirements Contracts to Northwest Cascade DBA Honey Bucket and Waste Connections DBA Buck's Sanitary Services to Provide Portable Toilet Rentals and Service and Delegating Authority to the County Administrator to Sign the Contracts.

MOTION: to approve the balance of the Consent Calendar.

Leiken MOVED, Bozievich SECONDED

VOTE: 5-0.

7. **HUMAN RESOURCES**

a. REPORT BACK/County Counsel Recruitment.

Madilyn Zike, Human Resources, recalled the Board asked her to work on the job announcement for the County Counsel position and to circulate it electronically. She was provided feedback and incorporated that in the new version that was sent out. She wanted to know if the Board was comfortable with this moving forward.

Stewart stated there was consensus to move forward.

Zike asked what the Board wanted to do moving forward with an RFI/RFP process for the County Counsel's process. She recalled there was discussion around it. She wanted to get more direction in moving forward.

Stewart indicated there was a contact made to him personally by an outside Legal Counsel firm. He indicated that Dan Olsen was the former Washington County County Counsel and he retired. He noted Olsen's new line of work is assessment of County Counsels, more focused around smaller counties. He said Olsen was interested in the potential position. Stewart indicated that Olsen would be in the position to step in under contract and be the managing attorney to help manage work flow and to do the assessment. He commented that Legal Counsel is really busy.

Zike reported the job replacement will take eight to ten weeks and they could do it in parallel once they get the RFI. She indicated that if they want to do a comprehensive recruitment, it will take about eight to ten weeks.

Handy commented that when they are spending public money it is always good to have a wide and diverse and experienced field of candidates as possible. He wanted to make it clear to have a fire wall between whoever would be involved with the RFI, that they would not be a candidate for the ultimate position of County Counsel.

Richardson said the Board had indicated to move forward with the County Counsel position but at the same time there were several members who expressed that they were not sure if some or all of the services that are now being provided by County Counsel can't be provided by a private firm for the same amount or less. She reported they currently have the position of County Counsel open and two other attorney positions open in County Counsel. She said the Board would have to have an RFI for people to propose to provide service. She indicated the problem is that they are not sure it was tasked to Zike and if it was tasked to her, she can't provide the information that is needed in an RFI. She thought the Board might want to put in an acting County Counsel. She indicated they could run a County Counsel recruitment and an RFI process parallel to one another. She asked what direction they want to give County Counsel in the meantime.

Stewart was concerned about the work load in the County Counsel's office. He indicated that they have day to day work with Legal Counsel that comes up. He believes they need a Legal Counsel and they need attorneys on staff. He didn't think going to an outside Legal Counsel would save them money. He also wanted to know the level of work taking place. He indicated there has been the need in the past to have assistance on certain cases for outside counsel. He said the decision should be made quickly when they need assistance. He thought when they hire someone with expertise in a certain area; money could be saved instead of spending money on research. He wanted to know if the department should be restructured. He supported having the analysis and recommendation done. He also wanted to have someone from outside of the organization make the recommendation. He thought it could take three months before they could hire someone in Legal Counsel. He said if it is going to take ten weeks to have an RFI process to bring someone in, then he thought it was a waste of time.

Bozievich wanted to propose a revision to Lane Manual and have the office of Legal Counsel report directly to the County Administrator and not to the Board. He thought their management of personnel as a committee has led to some of the issues they are currently dealing with. He added the only time he sees a conflict of interest in having County Counsel report to the County Administrator is in negotiation contract with the County Administrator and at that time the Board could choose to contract with outside Legal Counsel.

Sorenson thought if they were going to make a change of this magnitude, that it will take a long time to do. He said in the meantime people are retiring and positions are not being filled and they have work not getting done. He wanted to get people in place to do the work.

Stewart said as a Board member he has the obligation to make sure they are doing the work appropriately and they are doing the best they can with citizen dollars. He has concerns whether or not County Counsel has worked out.

Sorenson was in favor of having further discussions on how to make it better, cheaper, fast and more efficiently. His options were to continue what they are doing, hire a Legal Counsel to parcel out the work to individual private practice lawyer and to put out a RFI for a law firm to hand all the legal work. He said he would be willing to evaluate a change in Lane Code and Lane Manual on who Legal Counsel reports to. He didn't think there was anything wrong with exploring the options. From his point of view they have to fill the vacant positions and if not, they need to be clear on what the consequences might be.

Leiken asked if they were going to bring in an acting Legal Counsel in place and to fill the full time position. He was interested from the beginning in contracting Legal Counsel out. He said if the numbers prove wrong, then he would be okay with having Legal Counsel. He recalled at the last meeting there was interest on bringing in an outside person as Acting Legal Counsel while they begin the process of hiring a Legal Counsel in place for a permanent position.

Richardson was not present at the last meeting but she watched the agenda item. She saw a majority of head nods about bringing in an outside person to examine the workload while they begin the process of hiring a permanent Legal Counsel. She indicated there could be an expedited process if there is a majority who want to do that.

Bozievich thought the direction was to bring in an Acting County Counsel. He was concerned about work load issues and the concern of someone running a process who is a candidate. He wanted to bring someone in who is acting with experience and time to guide them on the RFI or RFP process and to get recommendations. He indicated that whoever they bring in as acting would not be eligible for the permanent position.

Handy wanted the job posting posted to look at the RFI. He also agreed on the person developing the position will not be an active candidate for the position.

Stewart agreed to have a separate person not applying for the position that would free up time for work and to focus on the application process. He is supportive of having a Legal Counsel position and staff with it.

Richardson recommended a one week process where Zike can contact interested people and Dan Olsen and have it open for anyone else to submit an application and the Board can review them in one week. She said the Board could make a decision based on paperwork or recommendations. She said on August 17 the Board could decide what they want to do with the position. She added they could

work out the possible options for the long term. Her concern was if they want to talk about a different structure to the office, they don't want to bring in three new people under the current process and then have it change to something else. She didn't think it was fair to the new people coming in. She thought the acting person could do an evaluation and help with the recommendations.

Bozievich thought they need to look at the Lane Manual. He noted the checks and balances are provided through the court system through the elected District Attorney and Sheriff. He said having a lot of direct reports to the Board is stating they don't trust the County Administrator who works at the will of the Board. He thought the Legal Counsel and Auditor position should be put back into the administrator's office. He thought it would be a cost savings to the County. He said he could bring the language to change the Lane Manual. He thought the question for the Board is if they trust their County Administrator or if they need someone hired outside reporting directly to the Board for Legal Counsel and auditing or not. He wanted that to be included in an agenda item for next week. He commented that he didn't know if all elected officials were the best personnel managers. He recommended placing the question on the agenda next week if possible on whether to have the Auditor Position and County Counsel report to the County Administrator or not.

Stewart, Leiken and Bozievich supported putting the issue of who reports to the County Administrator to the Agenda Team.

Stewart said there was support to post for a one week opening for the Acting County Counsel.

8. **COUNTY ADMINISTRATION**

a. **Announcements**

Richardson brought up the discussion with all of the unions about changing to a new health care plan that wouldn't cost the County so much money. She reported they had agreements from Admin Pro and 626 to move to a new health care plan in January. She added that all non-represented employees including management and supervisors will also be moving to one of two new plans in January. She indicated the Prosecuting Attorneys have now agreed to move to the new plans in January. She added that Assessor Spickard, the Sheriff and the District Attorney indicated they will be moving to one of the new health care plans. Richardson stated that she will also be moving to one of the new plans. She added that three of the commissioners have also said they will be moving to the new plan and the other two are getting more information from Human Resources.

Stewart stated next week they are attempting to go paperless with the agendas.

Richardson reported that several city partners have moved to going with paperless agendas. She asked the Board if they were interested in going paperless. She

asked staff to work out a timeline so the packets are as clear as some at the city websites. She said they are working on a timeline and as soon as they can get everyone working from the beginning, they will start to go paperless. She indicated there will be a written packet for anyone who wants it.

- b. REPORT BACK/Lane Livability Consortium SMART Communities Project. (PULLED)
- c. REPORT/Policies and Procedures Committee. (PULLED)

9. **COUNTY COUNSEL**

a. **Announcements**

None.

10. **COMMISSIONERS' ANNOUNCEMENTS**

Bozievich asked if there are three commissioners who want to see an item in the next couple meetings about the Siuslaw National Forest Notice of Intent to Prepare an Environmental Impact Study to designate routes in the Oregon Dunes National Recreation Area. He said there was notice issued recently and they are collecting comments until September 1. He indicated concerns being raised by the users are the limited amount of comment time made available on the scoping process. He noted the current proposal seemed to be weighted heavily toward closing trails on the north end of the dunes that impacts Lane County disproportionately to the rest of the recreation area. He added some of the beach access is being closed off. He noted the industry is an economic driver for the city of Florence and the Board should be issuing comments. He indicated if the Board doesn't, then he will comment as an individual.

Stewart received a letter from Mr. Shepherd, Director of the BLM asking for their comments on Secretary Salazar's plan for enacting legislation designating more wildernesses. He asked Alex Cuyler, Intergovernmental Relations Manager, to come back on August 17 to discuss comments that could be submitted to the BLM and the Oregon Dunes.

Handy was agreeable to both requests if they could work in a chance for a public hearing or public comment.

Stewart didn't think they had time to schedule a public hearing, but if citizens wanted to testify, they could come before the Board at public comment.

Handy said the idea would be to integrate the hearing period with their discussion and deliberations. He stated recently where the Agenda Team places public comment, it is hard for the public to track. He said they should have public comment be with the deliberations.

Sorenson wanted to get the letter on the website noting when they can comment and the issue.

Bozievich explained that it is the Forest Service or USDA's process. He stated that they are going through a federal process of a notice of intent to complete an environmental impact statement and a scoping letter associated with the project. He said the project is designating routes in the Oregon Dunes. He commented that designating means closing access.

Leiken noted that ultimately the public will have to go before the Forest Service and their process. He said if people wanted to testify in Lane County, he would be in support, but he felt there would be more strength if they testified before the Forest Service.

Bozievich stated he received a letter from the BLM notifying them of a possible road closure off of Wolf Creek Road. He indicated that it was at the request of Roseburg Resources. He indicated that they have been experiencing vandalism.

11. **EXECUTIVE SESSION as per ORS 192.660**

Per ORS 192.660(2)(d) for the purpose of Labor Negotiations.

13. **OTHER BUSINESS**

None.

There being no further business, Commissioner Stewart recessed the meeting into Executive Session at 4:50 p.m.

Melissa Zimmer
Recording Secretary