

**MINUTES**  
**LANE COUNCIL OF GOVERNMENTS**  
**BOARD OF DIRECTORS**  
**Eugene School District 4J, District Education Center – Parr Room**  
**200 North Monroe, Eugene**

**April 23, 2009 - 6:00 P.M.**

**VOTING MEMBERS**

**Present**

Director Greg James (Willamalane), Chair	Councilor Lance Stoddard (Junction City)
Councilor Chris Pryor (Eugene), Vice-Chair	Councilor Darrell Carman (Veneta)
Mayor Judy Volta (Coburg)	Councilor Mike Fleck (Cottage Grove)
Mayor Bob Hooker (Creswell)	Director Jim Torrey (School District 4J)
Mayor Don Hampton (Oakridge)	Director Steve Recca (Fern Ridge Library District)
Mayor Phil Brubaker (Florence)	Director Sherry Duerst-Higgins (Lane ESD)
Mayor Warren Weathers (Lowell)	Board Member Tony McCown (LCC)
Commissioner Rich Cunningham (EWEB)	Board Member Bill McCoy (Lane Library District)
Commissioner Faye Stewart (Lane County)	

**Absent**

City of Springfield Representative	Emerald Peoples Utility District Representative
City of Dunes City Representative	Port of Siuslaw Representative
City of Westfir Representative	Siuslaw Fire District Representative
School District 68 (McKenzie) Representative	Western Lane Ambulance District Representative
School District 52 (Bethel) Representative	River Road Park & Rec. District Representative
School District 19 (Springfield) Representative	

**NON-VOTING MEMBER**

Board Member Mike Dubick (Lane Transit District)

**STATE ELECTED OFFICIALS**

None

**GUESTS**

Sheriff Russ Burger, John Clague, Tom Schwetz

**LCOG STAFF**

George Kloeppe, Jamon Kent, Kay Metzger, Ann Mortenson, Bob Swank, Byron Vanderpool

## **CALL TO ORDER**

### **1. WELCOME - ROLL CALL - INTRODUCTIONS**

Chairperson Greg James called the meeting of the Lane Council of Governments (LCOG) Board of Directors to order at 6:00 p.m. Board Secretary Ann Mortenson called the roll of members. Chairperson James noted there was a quorum present.

### **2. ADDITIONS TO THE AGENDA**

None

## **PUBLIC COMMENT**

### **3. COMMENTS FROM THE PUBLIC**

None

## **REPORTS**

### **4. REPORTS FROM THE CHAIR AND EXECUTIVE COMMITTEE**

Chairperson James referred to agenda support material entitled "Report of the Executive Committee". He also mentioned that the 360° performance evaluation of the Executive Director would occur soon and that Board members would be apprised of the results.

### **5. ADVISORY COUNCIL REPORTS**

Mr. Kloepfel referred to agenda support material entitled "Advisory Council Reports". There were no additional comments.

### **6. REPORT FROM THE EXECUTIVE DIRECTOR**

Mr. Kloepfel referred to agenda support material entitled "Comments from the Executive Director" and reviewed the items in it. He noted that Board members would need to decide about whether to hold a goal setting meeting in July. He mentioned the recent death of Financial Services Manager Marlene Siavitz and praised her 22 years of dedicated service to LCOG. He cited a thank you note that had been received from the Western Lane Emergency Operations Group. He noted the LCOG's Budget Committee has been appointed and is already working on next year's budget, which in its current form anticipates a 13.5 percent revenue reduction. He mentioned the recent, well-attended Project Homeless Connect event and noted that eight LCOG/S&DS staff members were involved. He spoke about the recent Teamwork in Tough Times conference that was co-sponsored by LCOG/S&DS and noted that the state may eliminate all funding for Adult Protective Services, which currently provides a cost-effective means of addressing financial abuse and neglect of care issues involving seniors. Kloepfel pointed out that LCOG's S&DS Adult Protective Services group handled 2,321 reports last year, that it was receiving an average of 16 calls a day, and that an average of 45 percent of

cases resulted in a finding of “substantiated” abuse or neglect. He pointed out that LTD would soon be receiving a direct allocation of \$6.46 million from federal stimulus funds and that another \$2.4 million in ARRA funds for “transportation enhancements” would be allocated to the Eugene-Springfield metropolitan area through ODOT. On behalf of the MPO, the Metropolitan Policy Committee has allocated \$6,559,641 of ARRA resources to priority projects within the Eugene-Springfield-Coburg metropolitan area. He mentioned that May 4-10 is Public Service Recognition Week and urged Board members to encourage their organizations to find ways of saying “thank you” to their employees. Finally, he indicated that notes from the Board’s February 26 Planning Session are attached to his report.

### **BUSINESS ITEMS**

#### **7. CONSENT AGENDA**

Chairperson James stated that the Consent Agenda consisted of acceptance of the minutes of the February 26, 2009 Board meeting.

*Commissioner Don Hampton moved, seconded by Mayor Warren Weathers, to adopt the Consent Agenda. The motion was adopted unanimously, 17:0.*

#### **8. ITEMS REMOVED FROM CONSENT AGENDA**

None

#### **9. GOVERNMENT SERVICES**

##### **A. Intergovernmental Funding Assistance**

Byron Vanderpool referred to agenda support material entitled “Intergovernmental Funding Assistance” and reviewed the information in it. He noted that during the past year LCOG had assisted local jurisdictions in securing \$20.5 million in grant funding, not including federal stimulus funds. Mr. Vanderpool described several valuable tips for submitting and managing successful grant proposals.

#### **10. SENIOR AND DISABLED SERVICES**

##### **A. 2009-10 Area Plan on Aging & Disability Services**

Kay Metzger referred to agenda support material entitled “2009-10 Area Plan on Aging & Disability Services” and reviewed its contents with the Board. S&DS is required by federal and state policy to create and maintain a comprehensive and coordinated service delivery system. To document its work toward this goal, S&DS must develop an Area Plan on Aging and Disability Services. This is a multi-year document that must be updated annually. Ms. Metzger described the four-month process of advisory committee meetings and public hearings that has resulted in the proposed 2009-10 plan update, which is before the Board for adoption. She also explained the principles that were used to prioritize services and noted some of the difficult choices that were made, because of anticipated

funding reductions, such as the likely elimination of Oregon Project Independence. Ms. Metzger urged the Board to adopt the proposed plan update.

*Director Sherry Duerst-Higgins moved, seconded by Board Member Tony McCown, to adopt the “2009-10 Area Plan on Aging & Disability Services” and authorize its submission to the Oregon Department of Human Services. Councilor Chris Pryor noted that he works for an agency that receives funding under these programs, but it doesn’t affect his income, so he will be voting. Commissioner Rich Cunningham noted that he is the parent of a disabled child who receives assistance from these programs, but, since he himself receives no personal benefit, he will be voting, as well. The motion was adopted unanimously, 17:0.*

## **B. S&DS Legislative Talking Points**

Kay Metzger distributed business card-sized talking points describing S&DS’s priorities for the current legislative session to Board members for their use when speaking to Oregon legislators.

# **11. EXECUTIVE MANAGEMENT AND ADMINISTRATION**

## **A. Follow-up to Board Planning, proposed July Session**

Mr. Kloeppele told Board members the Executive Committee is looking for input on or answers to the following two questions: 1) What kind of presentation/discussion do members want to have at the scheduled June LCOG Board meeting on their chosen theme of public safety? 2) Does the Board want to schedule a follow-up planning session in July, given the rushed nature of the February planning session?

Mr. Kloeppele noted that the Board used to hold annual planning sessions in July. He also mentioned that the City of Cottage Grove has offered to host a July planning session, if the Board decides to schedule one and is willing to hold it on July 23. Mr. Kloeppele suggested that the format for such a planning session would likely involve starting earlier than 6:00 p.m. and include a light dinner before the discussion began.

Director Jim Torrey suggested the planning session be put off until September. He felt the discussion would be more productive once the financial situations of local jurisdictions are finalized and after LCOG Board members have had an opportunity to consider their implications. Some members expressed support for this approach. Others supported holding a meeting in July, so Board members could check in with each other. Others raised concerns about attendance during July or the difficulties in again combining a Board meeting with a planning session in September.

Chairperson James summarized the discussion as follows: a) The LCOG Board could hold a meeting on July 23 in Cottage Grove, so members can check in with each other and discuss how to structure the September planning session. b) There will be a Board planning session in September at the LCOG offices. It will be on Thursday, September 24, start at about 5:00 p.m. with a light dinner, and then focus on planning discussions and decisions from about 6:00 – 8:00 p.m. c) Any further details can be handled by the

Executive Committee and LCOG staff. Board members expressed agreement with this summary.

## **B. FY 2008-09 Revised Budget**

Mr. Kloeppe referred to several agenda support materials entitled “Revised FY 2008-2009 Budget: Resolution 2009-01”, “Resolution 2009-1: Revising the FY 2008-2009 Budget”, and Lane Council of Governments Revised 2008-2009 Budget” and reviewed their contents with the Board. He noted that this would be the sole revision of the current fiscal year’s budget. He said most of the additional spending is connected to “borrowing and expense associated with the renovations to the Park Place Building” and described the other changes as modest. He pointed out that the substantial changes in projected income from the state and federal governments reflect a re-classification of those pass-through revenues that was requested by the Oregon Department of Human Services.

*Director Jim Torrey moved, seconded by Director Steve Recca, to accept the revised budget and adopt “Resolution 2009-1: Revising the FY 2008-2009 Budget”. Councilor Chris Pryor noted that the City of Eugene receives funding from LCOG, but this does not affect his income, so he will be voting. The motion was adopted unanimously, 17:0.*

## **C. Loan for Park Place Building Improvements**

Bob Swank referred to agenda support material entitled “Park Place Building Improvement Financing” and to “Resolution 2009-02” authorizing a City of Eugene guaranteed loan of \$550,000 from Wells Fargo Bank and reviewed their contents with the Board. Last September, he said, the Board authorized borrowing \$1.5 million to pay for the improvements to the Park Place Building. Part of that borrowing occurred through an increase in the size of LCOG’s initial mortgage with Umpqua Bank. Resolution 2009-02 describes in detail the terms of the rest of that borrowing from Wells Fargo Bank. The specific language of the resolution was developed by bond counsel and LCOG legal counsel.

*Director Steve Recca moved, seconded by Commissioner Rich Cunningham, to adopt “Resolution 2009-02: A Resolution Authorizing a Borrowing of Not More Than \$550,000 to Finance or Refinance Improvements to the LCOG Offices in the Park Place Building”. The motion was adopted unanimously, 17:0.*

### **MEMBER AGENCY CHECK-IN**

#### **12. A. Member Agency Check-In**

Mayor Don Hampton noted that representatives of the 2010 federal census are already contacting local governments and trying to set up Complete Count Committees, in an effort to ensure that the census is as accurate as possible. He said he told the person who contacted him that rural communities like Oakridge were undercounted last time, because the questionnaires were mailed to street addresses and local post offices would not “forward” them to peoples’ post office boxes. In Oakridge, fully 1,600 residents get their mail through post office boxes and their census questionnaires were all returned as

undeliverable. Mr. Hampton said the local census representative is aware of this problem and is working with her agency and the United States Postal Service to ensure it doesn't happen again. He noted that people have been hired to go out and verify street addresses in Oakridge and other rural communities and that LCOG is assisting in this effort. Mr. Vanderpool confirmed that LCOG managers would be meeting with census representatives soon.

Mayor Hooker announced that the City of Creswell had received a \$50,000 Youth Legacy Grant and is using it to build an education pavilion in Garden Lake Park. The US Marine Corps has donated the services of an engineering group for a month to assist with the construction. Mr. Hooker invited everyone to come down during their 4<sup>th</sup> of July celebration for the pavilion dedication.

Board Member Mike Dubick confirmed that LTD had received \$6.4 million in federal stimulus funds. As a result, he said, LTD would only be reducing services by about 3%, instead of the anticipated 15%.

### **INFORMATION ITEMS**

#### **13. INFORMATION ITEMS**

##### **A. Third Quarter Financial Report**

Mr. Kloepfel referred to agenda support material entitled "Third Quarter Financial Report" and noted that LCOG is doing well and meeting its financial projections. Through nine months, revenues exceed expenses by about \$3.3 million.

##### **B. Deferred Compensation, RFP**

Mr. Kloepfel referred to agenda support material entitled "Deferred Compensation, RFP" and reviewed its contents with the Board. He noted that LCOG will retain the Oregon Savings Growth Plan (OSGP), but is replacing the VALIC deferred compensation plan with ICMA/RC, because of lower fees, better counseling services, and the elimination of a five-year withdrawal limitation on employees' fixed accounts.

##### **C. Economic Development Summit Proposal**

Mr. Kloepfel referred to agenda support material entitled "Economic Development Summit Proposal" and reviewed its contents with the Board. Eugene City Manager Jon Ruiz has proposed holding "a broadly participatory event...to provide structured input to the metro area decision makers on specific targets and actions that could be taken to create new jobs and increase average median income." Mr. Kloepfel said that LCOG has offered to help in whatever way possible.

### **DISCUSSION TOPIC: PUBLIC SAFETY**

#### **14. Sheriff Russ Burger and John Clague, PSCC**

Chairperson James and Mr. Kloeppe introduced Sheriff Russ Berger and John Clague, a retired Captain in the Lane County Sheriff's Department and long-time member of the Public Safety Coordinating Council (PSCC), to discuss the current status of public safety in Lane County.

Mr. Clague explained the origins of the PSCC. In 1995, the Oregon Legislature passed legislation requiring that people who are convicted of felonies and who receive sentences of one year or less must serve their sentences in local jails. The Legislature appropriated money to help pay for this incarceration and directed that communities set up PSCCs and adopt annual community corrections plans. PSCCs include representatives from cities, counties, the District Attorney, Sheriff, local Police Chiefs, Parole and Probation, the county Health Department and citizen representatives. In Lane County, the Commissioners have added positions to the PSCC beyond what is required by the state.

Mr. Clague said our PSCC believes the current state of the Lane County corrections system is deplorable. The PSCC grapples with two issues over and over: 1) the difficulty in getting real-time, current, valid data about the incarcerated population, because there are so many different, fragmented sources of data, and 2) the serious understaffing at the jail which limits the County's ability to ensure that offenders are imprisoned when convicted, supervised on release, and that the courts function properly. Mr. Clague noted that fixing funding for corrections will not solve all problems in the criminal justice system (adjudication, prosecution, and treatment), but it is the critical element that all others depend on. As bad as things are with public safety in Eugene and Springfield, he said, they are much worse in the unincorporated areas of the county.

Mr. Clague acknowledged that investing in prevention activities is also important. He said the PSCC members have often discussed how to create an effective balance between prevention and corrections, but that budget problems for both approaches end up overriding everything else. What is needed, he said, is a comprehensive, scientific analysis, but the PSCC has never been able to do this, because local jurisdictions are so keenly focused on budget issues that they aren't able to fund such an effort.

Mr. Clague offered four suggestions for improving the criminal justice system: 1) Provide an immediate increase in the number of funded custodial beds, both adult and juvenile, as well as supervision slots; 2) define what a balanced criminal justice system would look like; 3) find a way to integrate all the data systems; 4) increase public awareness of what the criminal justice system does, so they will be more willing to fund it.

Sheriff Russ Burger narrated a slide show about the status of the criminal justice system in Lane County. He described how the county's budget problems have impacted jail operations. Of the 507 existing beds, only 327 are available for use. The county is able to staff 127 of those beds and rents out 200 beds to Eugene, Springfield, and the US Marshals Office. Because of the limited number of beds available, Sheriff Burger said the department must release prisoners every day to ensure that the most dangerous offenders remain incarcerated. The average number of these capacity-based releases has increased from 10 per day last year to 13 per day this year. Many of those being released have been charged with felonies, including numerous people charged with Measure 11 crimes who by law are supposed to remain incarcerated until tried. Sheriff Burger provided data that showed Lane County has the lowest number of Sheriff's Deputies per 1,000 population of any county in the United States. He noted

that this impacts the department's ability to respond to calls for service from the public. Sheriff Burger said his department must prioritize its responses, which often means deputies can only respond to crimes in progress, not those that have occurred and need to be investigated. He noted that his department is mandated by law to provide search and rescue services, which it is only able to accomplish through the efforts of more than 200 volunteers. In addition, the Sheriff's department has emergency management responsibilities. Sheriff Burger pointed out that numerous efforts have been made over the years to raise additional funds for public safety through increases in property taxes, but all have failed. He is looking for suggestions on how to fund a greater level of public safety services.

Councilor Pryor said that local governments must be able to fund both prevention and enforcement services. He noted that county public safety services are in worse shape than other city services and said there needs to be a coordinated solution to this problem among all local jurisdictions. Director Torrey said inadequate public safety services have a direct impact on area schools and economic development.

Mayor Brubaker pointed out that Florence, which has worked hard to be able to have two officers on duty 24/7, is also impacted by the county's inadequate level of public safety services. If the Florence officers are asked to respond to a life-threatening call that Sheriff's Deputies are unable to handle, this would leave Florence without any police protection. He said, in the short term, the county needs to use some of its Secure Rural Schools (SRS) funds to "buy back" jail beds. Unfortunately, Mr. Brubaker noted, a majority of commissioners, including his commissioner, Bill Fleenor from Western Lane County, appear committed to using that money instead to retire county debt and prepare for the time when the SRS funds will disappear.

Mayor Judy Volta said her understanding is that the SRS funds were reinstated by the federal government to be used to restore service cuts the county had to make last year, in particular, cuts to public safety. Commissioner Faye Stewart noted that both Senator Ron Wyden and Congressman Peter DeFazio have told the county commissioners that SRS money is to be used for law enforcement, but three commissioners want to use these funds for other purposes.

Sheriff Burger said he would like to use some of the SRS funds to open one more housing unit at the jail, which would add 84 beds to the total available. This would make it possible, he said, to hold 70% of the Measure 11 offenders. Mayor Brubaker said opening these beds would cost only about \$3.2 million out of the \$13.5 million in available SRS funds. He noted that it would be harder to explain the need for a public safety money measure in the future, if the county is unwilling to spend available SRS funds on law enforcement now. Mayor Warren Weathers said it is fiscally irresponsible not to invest in public safety, because the costs of dealing with repeat offenders will be greater for local jurisdictions in the long run.

Mayor Volta reviewed some of the reasons behind the property tax problems all local jurisdictions face, but said that despite those systemic problems, there needs to be an increase in public safety funding in the very near term. Director Torrey noted that School District 4J and many other local jurisdictions will be making significant budget cuts in the coming months. He urged local leaders to focus on making long-term, sustainable cuts and not just look for short-term, immediate savings. Commissioner Stewart said there are no federal programs being considered that would provide the funds to save or restore Lane County services. He said local

residents need to talk this through and develop a Lane County solution to Lane County's problems. He urged LCOG Board members to take part in the upcoming budget process and communicate their views to their commissioners.

**OTHER BUSINESS**

**15. Adjournment**

The meeting adjourned at 8:03 p.m.

*(Recorded by Kurt Willcox)*