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**MINUTES
VEGETATION MANAGEMENT ADVISORY COMMITTEE
July 8, 2009**

MEMBERS PRESENT: James LaRue, Jan Nelson, John Sundquist, and Kai Williams

MEMBERS ABSENT: Ross Penhallegon

STAFF PRESENT: Howard Schussler, Arno Nelson, Orin Schumacher, Steve Smith

BCC PRESENT:

GUESTS PRESENT:

PUBLIC PRESENT:

Kai Williams called the meeting to order at 5:40 p.m.

I. PUBLIC COMMENT

NONE

II. APPROVAL OF MINUTES

Motion: LaRue moved to approve both the March 11 and May 13, 2009 minutes.

Sundquist noted correction needed for a typographical error on page 11 of March 11 minutes.

Williams seconded the motion with correction. **Vote:** All in favor. Motion Passed.

III. GENERAL COMMENT

Schumacher provided an update on the BCC action at the 17th of June 2009 meeting in regards to VMAC. The BCC discussed the appointment of members to the committee and that adjustments to the Lane Manual will be made to reduce the committee from nine to seven members. There will be two at-large members chosen by the committee with BCC approval and five commissioner-appointed members. The appointed members serve a term equal to the appointing commissioner but not to exceed four years. Examples: If a commissioner's term expires in two years then the appointed member's term also expires. If the commissioner has eight years until term expiration, the appointed member's term would expire in four years unless reappointed.

Sundquist asked about the reappointment process.

Schumacher said that issue was not discussed. Currently a member can serve two consecutive terms and he didn't think that would change. The members could possibly serve two consecutive four year terms with reappointment. He will check with County Counsel.

Since VMAC had existing members the BCC each will appoint a member and the two "at large" members: John Sundquist by Commissioner Stewart, Jan Nelson by Commissioner Sorenson, James LaRue by Commissioner Fleenor, with Kai Williams and Ross Penhallegon appointed "at large" members for one year and three years respectively. Commissioners Handy and Dwyer have 90 days to make their appointments for the two remaining vacancies.

LaRue asked if this structure will be applied to all County committees.

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Schumacher responded that size may vary but the appointment process will be the same.

Sundquist asked if the BCC changes and the Good Governance ordinance would impact how VMAC is run.

Schumacher said that the changes made by the BCC affect their process not VMAC operations.

Schussler added that the BCC is now going to have less participation in the VMAC meetings. In the past we'd have BCC members at VMAC or RAC (Road Advisory Committee) or different Parks advisory committees, but now it's their intention to have their appointees report to them.

Schumacher referred to the approved "Good Governance Practices 2009 Order No. 09-1-5-1" that had been previously discussed by the committee. He said that Item I.b. reads, "The chairs of internal and external Lane County Committees shall determine the order of committee business (set the agenda) under the bylaws of each body, with the assistance of County staff," and that Item I.b.i. reads, in part, "This includes but is not limited to the following committees . . ." and that the contained list includes the Vegetation Management Advisory Committee. In his opinion that would maintain how the committee sets its own agenda.

Williams suggested that since the committee does not have a quorum today that Item XI, "The Election of VMAC Officers" be postponed. The members agreed with the suggestion.

IV. TEMPERATURE OF COMMUNITY

Williams recapped the committee's previous decision to structure the meetings with several parts; that consist of, Temperature of the Community, Technical Advisory, County Input, and Summary/Conclusion. Examples of County Input are Agenda Items VIII and IX. An example of a Technical Advisory topic is Agenda Item VII, "Illegal Roadside Spraying" or any other new method of weed management control. Temperature of the Community is what is going on and how the public feels about an issue.

Schumacher added that the purpose of that decision was to limit certain topics and organize the meeting discussions. Temperature of the Community is for the VMAC members to report on what the public thinks about the County's policies and programs and any other interactions with the public. The Technical Advisory refers to what tools or methods could be used for projects; such as, the adoption of Knotweed for the noxious weed campaign. And County Input is where the County seeks information and/or opinions from VMAC and the public.

Sundquist said that at the meeting on June 17, 2009, the BCC expressed interest in illegal roadside spraying and wanted to see some action in that area but not necessarily enforcement. Additionally, he said a weed rating system could be developed for the committee's noxious weed choice, that the work plan should be updated to include the program policy document and the results from the committee's Technical Advisory role, that the County website needs updating, and that a method for the public to report illegal spraying or noxious weeds should be developed.

J. Nelson said she had attended some of the BCC community meetings and used those forums to explain the purpose of advisory committees, the purpose of VMAC, and public involvement.

Williams said that illegal roadside spraying could be added to the work plan under Temperature of the Community since the BCC had expressed an interest in that issue.

Sundquist said that the board had suggested public education for the illegal roadside spraying problem. He then asked if the BCC appointed members were going to report to their individual commissioners, or could the committee chair report issues/problems to the BCC at large.

J. Nelson said that the chair could report to the BCC those items approved by the committee. She then asked if the BCC wants accountability from their appointed member.

Schumacher replied that aspect of the committee reorganization was not discussed.

Sundquist asked if the committee had a Temperature of the Community or other issue and the committee was in agreement, would the committee chair take the issue to the BCC.

Williams and LaRue said that previously the BCC Liaison that attended the committee meetings would take any issues to the BCC.

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Schumacher added that there is no longer a BCC Liaison with the new committee structure. Williams, LaRue, and Sundquist said that the committee chair could bring issues to the BCC, if the committee was in agreement.

Schussler suggested that the appointed committee members might want to check with their appointing commissioners to ascertain how each would like to be informed. Schumacher added that the appointing commissioners may be more interested in committee issues that would impact the geographical areas that they represent.

Williams suggested that the committee chair could take broader issues to the BCC to ascertain how they would like the group to handle them and that the individual members could take specific issues to their commissioners. She asked the group if the illegal spraying issue should be brought to the BCC to see what action should be taken.

J. Nelson suggested that the BCC wants basic information; such as, locating areas where illegal spraying or other inappropriate roadside activities.

Williams suggested that the subcommittee report listed as Agenda Item VII is part of the Temperature of the Community and should be included in this section of the meeting. The committee agreed. She asked the subcommittee, Sundquist and J. Nelson, for a report.

J. Nelson reported that the subcommittee suggests that road crews document locations of illegal roadside activities, that the accompanying support crew could document issues in the right of ways, and that they could submit the report to the Vegetation Management Coordinator.

Schussler pointed out that the state constitution is clear on how to use road fund monies.

Obstructions in the right of way that impede traffic would be appropriate, but illegal spraying may be considered a health issue and might not be an appropriate use of road fund monies.

J. Nelson added that, for example, the support crew in the truck that goes with the mowing crew could notate and report any issues in the right of ways.

Schussler replied that an opinion from County Counsel would be needed to determine if that would be an allowable use of road fund monies, and perhaps that a different fund would be appropriate for such action. If there was a way to add that duty to the crew's assignments that were incidental to their work, it probably would not be a problem but that is not the case.

Williams asked if this question could be submitted to County Counsel or if it should be routed through a different path.

Schumacher replied that he could ask County Counsel.

Sundquist added that the subcommittee was suggesting an educational outreach with alternative methods rather than enforcement. If enforcement was needed that the BCC could be advised for any policy decision, the Oregon Department of Agriculture (ODA) could be asked if they wanted to be involved, and a letter could developed by either the committee or subcommittee to be sent to the property owners. Also that the state added weeds to their adopt-a-road plan (HB 2424)

Williams said that good ideas have been suggested. If a favorable opinion is obtained from County Counsel, it may be useful for BCC to know the extent of the illegal activities. We could take suggestions to the BCC with templates on how it could be done.

J. Nelson added that compiling information of illegal activities not enforcement was the first step suggested by the subcommittee. Additionally, she added that the committee could develop a vegetation/right of way brochure for educational purposes like the City of Eugene's. She also asked if work done by hand in the right of way was allowed.

LaRue asked if it was against County policy for any work to be done in the right of way.

Schumacher replied that all unpermitted work in the right of way, either done mechanically or by hand, is not allowed.

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V. TECHNICAL ADVISORY / COMMITTEE ADVISORY

Williams said that there is a pending action item for illegal spraying. If enforcement or reporting is possible per legal opinion, the committee could make that recommendation to the BCC or if not possible the committee could provide outreach ideas and ask how we should move forward.

J. Nelson asked how they would be identified and suggested citizen complaints should be taken.

Williams replied that citizen complaints should be a separate recommendation to the BCC and perhaps specific properties should not be targeted. Perhaps a County-wide letter could be sent.

Sundquist said outreach could be done cheaper via the newspaper.

Williams said she'd like to learn more about the State's adopt-a-road program.

Schumacher said that HB 2424 began in Bend with a group called "Pull Together" that asked if weed pulling only by hand (no herbicides and no machines) could be added to the roadside trash pickup of the State's adopt-a-road program.

Williams said that could be recommended to the BCC to add to the County program.

Schumacher said it was possible if it passed at State level and he can provide HB 2424 copies

J. Nelson suggested an educational brochure how owners can do permitted maintenance in the right of way near their property with information about the adopt-a-road program.

Williams moved to the next topic and recapped that Knotweed had been chosen by the committee as the "weed of the ____" (length undetermined), that the members were to conduct research to find existing posters/resources, and that members were to communicate via email.

J. Nelson asked about distribution or publication of the posters.

Williams said that 20 or 30 posters could be produced without much cost for distribution by members and that Penhallegon would write a newspaper article and contact a television station.

Sundquist and Schumacher discussed the different types of Knotweed, that it's on the state's "A" list of noxious weeds, that it's not a good landscaping choice, and that it cannot be completely controlled without chemicals at this time.

Schumacher added that the outreach will educate but will raise the questions; What should the public do about it and what will the County do about it? Mowing is all the County can do but that chemicals are the current way to get rid of it.

Sundquist asked if it was a function of the committee to advise landowners what they should plant outside of the right of ways.

LaRue asked if we tell the public about a weed, do we also tell them how to get rid of it.

J. Nelson said we are trying to educate the public about the weed and that we don't want it to spread off their property.

Williams asked if a different weed should be chosen for the outreach that owners could get eradicate, like English Ivy.

Schumacher said that other agencies have already researched and offer treatment suggestions for noxious weeds and asked if there is a need for the County to do it again. The County doesn't have a chemical program and doesn't have enough resources for manual control. He said that maybe the committee should discuss how it's going to address the noxious weed issue.

Sundquist said that a weed rating system could be developed, that the committee could choose the most noxious weeds, and that the BCC discussed other jurisdictions have a "last resort policy" that includes chemical treatments. He said that he supported limited chemical treatments for weeds that are a serious and dangerous threat to the health of economy and that the committee had been in agreement but a workable plan could not be developed.

Schumacher said that the County had compiled a noxious weed list of the top offenders that listed the control options with herbicide as a last resort.

Williams suggested using the noxious weed list to choose the weeds, pick ones that can be identified by the public, and recommend methods of removal other than herbicides.

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Sundquist stated that toxicity should be considered when choosing the weed.
Williams asked if a weed should be chosen now or wait until the next meeting.
LaRue asked about the schedule, as it will be Spring before any outreach could be ready.
Williams thought a weed that would still be identifiable during the Fall or Winter could be chosen.
LaRue suggested Poison Ivy.
Sundquist asked if the outreach should be for those weeds in the roadside.
LaRue asked if the weed list gives an indication if they're in the right of way or just statewide.
Schumacher said the ODA noxious weed list is broken down with "A" being worst offenders, "B" are wide-spread weeds being monitored, and "C" weeds are new invasives.
LaRue asked if the outreach was limited to one weed or could the top five be chosen.
Williams said that choosing one weed might be more successful, as the choice of Yellow Star Thistle had been in a previous outreach. She suggested choosing a weed from the "A" list.
Schumacher suggested staying with Knotweed for the outreach as previously decided, as it's easily identifiable, and he receives public inquiries every year on that weed. The group agreed.
Sundquist suggested Poison Hemlock for a future outreach.

VI. COUNTY ADVISORY

Schumacher said that at the present time there was not much advisory or input to the County being done; however, a botanist has been temporarily hired to help identify native threatened and endangered plants (T&E), to help determine the level of the problem of noxious weeds along the County's road system, and to help develop a GIS level map of the County's road system.
J. Nelson asked if the T&E sites were available on the GIS for the public, and if the public can obtain a permit to collect seeds from those sites.
Schumacher replied that only research scientists can obtain such a permit, that both the County and State have been ambiguous as to the location of the T&E sites, and that if requested a generalized map will be provided. This is done for the protection of those sites.
Sundquist asked if the County's T&E sites were part of a State inventory.
Schumacher responded that the T&E sites are monitored if they are on either the Federal or State list.
Sundquist asked about the status of the guardrail project, and if there were plans to establish a partnership arrangement with ODOT (equipment exchange, etc.).
A. Nelson said that there was no current partnership between Road Maintenance and ODOT, we utilize the same kind of tractors, and we no longer exchange striping machines.
Schumacher said that it had been discussed in the past, but that the State did mimic the County's "Vegetation Management Prescription Plan" when developing their plan.
Sundquist (follow-up questions at end of the meeting) asked when ODOT adopted the County's vegetation plan and who was his ODOT contact.
Schumacher clarified that ODOT didn't "adopt" the County's plan, but rather they used it as a guideline for their plan. The ODOT document is available on the State of Oregon website and his main contact at ODOT was the IVM Coordinator, Will Lackey.

VII. ILLEGAL ROADSIDE SPRAYING – SUBCOMMITTEE REPORT

SEE AGENDA ITEM IV FOR REPORT

VIII. VEGETATION COORDINATOR UPDATE

Schumacher reported that four seasonal positions (two returning/two new) have returned for the guardrail projects, that the positions were funded as an offset for the elimination of chemicals for road right of way vegetation management. He hopes that they will get around the entire county system in six months.
LaRue asked about the use of the Sherriff's work crews, if the cost per year was a million dollars,

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and what work was done for that amount.

A. Nelson said that the Sherriff’s work crews were not hired due to staff layoffs, that the cost was for the Sherriff personnel’s time as well as for the use of the equipment, and that budget covered both vegetation control and litter patrols.

Schumacher continued and said that all the guardrails have been brush mowed and then followed by weed eaters. The budget is \$118,000 annually for the crew. An example of the guardrail work being done that the members can easily monitor is the work on Delta Highway.

Sundquist asked if the guardrail blackberry bushes were being grubbed and the effect of such removal on shoulder integrity. He also stated that he thought the IVM policy required low-maintenance ground covers be established following such treatment to replace mowing.

Schumacher answered that the blackberry bushes were not being grubbed, that millions of dollars would need to be spent to remove them by scrapping and rebuilding the shoulders, and that he would like it replaced with a low-maintenance ground cover if possible.

Williams suggested that the guardrail discussion be continued at a later time, as this was the time for the Vegetation Coordinator report.

Schumacher recapped and continued his report by saying that guardrail crews are doing great, that a botanist has been hired for our T&E and noxious weed inventories, that they’re shifting from safety strip to full-width mowing, that this year they’re trying second pass mowing with a third pass on the main lines, and they’re leaving the secondary routes to grow until mowing for a second and last time. Work is being finished up for both the 2009 road prep projects and the Brice Creek tree work, that crews have received fire control training, that he is working with the homeowners association for bids on the North Game Farm urban transition project, and that they’re working with Waste Management at the Bring site to open a main access road with noxious weed removal for emergency vehicle access.

Schussler added that the access being opened is also to a state park and that will help bring to light some of the illegal activities ongoing at that location.

Schumacher concluded by saying that all field mowing on County properties within the urban growth boundary have been completed.

IX. ROAD MAINTENANCE MANAGER UPDATE

A. Nelson said the Veneta and Eugene crews had been combined with the chip seal crew and that they were at the coast for a few weeks. The paving crew, a combination of the Cottage Grove and Dexter crews, is working in the Cottage Grove area. The bridge crew has completed painting the Office covered bridge and next will work on fish culverts and the drainage system for McKenzie River Drive.

LaRue asked about the work being done and mile markers being installed on Clear Lake Road.

A. Nelson said that the road will be rebuilt between Highway 99 and Green Hill Rd with stimulus package funds and that the mile markers are being installed for tracking quantities.

X. EQUIPMENT DISPLAY

POSTPONED UNTIL NEW COMMITTEE MEMBERS APPOINTED

XI. ELECTION OF VMAC OFFICERS

POSTPONED UNTIL NEW COMMITTEE MEMBERS APPOINTED

Meeting adjourned at 7:30 p.m.

Steve Smith
Recording Secretary

FINAL

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