

JOINT MEETING  
of  
BENTON COUNTY COMMISSIONERS  
And  
ALBANY CITY COUNCIL  
Albany City Hall  
Council Chambers  
Tuesday, June 23, 2009  
4:00 p.m.

**MINUTES**

**CALL TO ORDER**

Mayor Sharon Konopa called the meeting to order at 4:13 p.m.

**ROLL CALL**

Councilors present: Councilors Ralph Reid Jr., Floyd Collins, Bill Coburn, Bessie Johnson, and Dick Olsen

Councilors absent: Councilor Jeff Christman

Benton County Commissioners present: Chair Jay Dixon, Vice Chair Annabelle Jaramillo, and Commissioner Linda Modrell

**INTRODUCTIONS**

Mayor Sharon Konopa handed out a document listing potential Public Works topics (see agenda file).

Benton County Commissioners Jay Dixon, Annabelle Jaramillo, and Linda Modrell introduced themselves.

Benton County staff in the audience introduced themselves: Natural Areas & Parks (NAP) Director Jeff Powers, Community Development Director Greg Verret, Road Maintenance Manager Laurie Starha, County Surveyor Ray Wilson, Facilities Manager Chris Bielenberg, and Public Information Officer Rick Osborn.

Councilors Ralph Reid Jr., Bill Coburn, and Dick Olsen introduced themselves.

City of Albany staff in the audience introduced themselves: Public Works Director Diane Taniguchi-Dennis, City Manager Wes Hare, Assistant City Engineer Jeff Blaine, and Public Information Officer/Management Assistant Marilyn Smith.

**BUSINESS FROM THE PUBLIC**

There was no business from the public.

Councilor Floyd Collins arrived at 4:14 p.m.

**NORTH ALBANY LAND USE AND PLANNING**

Hare said the City of Albany and Benton County have agreed to work together in the future to ensure that there is adequate water, sewer, and fire protection. In this economy there isn't a lot of development so construction adjacent to the urban growth boundary (UGB) isn't an issue right now. As development does take place, however, it is important to ensure that appropriate services are available.

Modrell said that once a building permit is issued, it is hard to reverse it. She asked what type of system could be put into place. She suggested an informal session for both agencies to look at a map and identify the areas and the zones that are problematic.

Konopa said last year the Council suggested staff from both agencies talk through the issues. She asked, has that conversation taken place? Hare said Albany staff has made some contacts recently with Benton County but they have not set up a protocol.

Jaramillo suggested that Planning staff from both agencies establish a framework for future discussions. Then they can share information with the Board and the Council. In the past, there was a lot they could not do because of Measure 37. There was a lot of pre-zoned land that had to be left intact.

Modrell asked if Hare knows the results of the Big Look initiative. Hare said that the legislation resulting from the Big Look created some new regional planning tools. The goal was to improve on the process that was used in the Rogue Valley where a multi-year project involving many jurisdictions, that involved a lot of time, led to great frustration. In

the end, one city opted out and killed the whole process. His point is, regional planning is not easy. He thinks the goals may be accomplished by creating a more structured framework for regional planning than there has been in the past.

Dixon wants to start small, with just two agencies. He feels there is no need to start a regional plan at this point. He suggested both agencies delegate staff to the project.

Collins asked, how would the agencies decide appropriate boundaries if the UGB gets changed? The City has large subdivisions, but the streets are narrow and cause issues for fire trucks. It could be that both agencies need to amend their codes; but from a historical standpoint, both agencies could at least start working on the sticky issues. Building permits and subdivision processes are a good place to start since most problems are related to water and/or sewer failure or the potential for transition from rural setting to urban standard.

Reid thinks it should be referred to as "East Benton County Land Use and Planning" rather than "North Albany" because many problems happen outside the city limits anyway.

#### NORTH ALBANY COUNTY SERVICE DISTRICT

Public Works Director Diane Taniguchi-Dennis said Albany and Benton County have reached a milestone with the pay off of the North Albany County Service District (NACSD) loan. The payoff also triggers the discussion for what to do with the NACSD since the intergovernmental agreement (IGA) does not define a specific process for dissolution of the district. Taniguchi-Dennis recommends that Benton County and the City staff work together to prepare alternatives on what to do with the district for the Albany City Council and the Benton County Commissioners to consider at a future meeting. Bielenberg said they have begun to list the issues and items of consideration for future discussion. Their intent is to identify issues with parks, roads, and service districts.

Taniguchi-Dennis said, a person in North Albany has expressed interest in a NACSD property that was the site of the old treatment plant. The property owner is anxious for the City and County to start discussions involving the transfer of the NACSD property. There are other capital improvements needed to fix the leaking pipelines in the NACSD. A discussion on how to fund those capital improvements is also needed.

#### WATER SUPPLY AND RIGHTS

Modrell said it has been a pleasure to work with Albany staff.

Dixon asked, is Albany still working with Adair Village for water supply and rights? Taniguchi-Dennis said, we are still in discussions with them.

Jaramillo said the groundwater management area was identified in North Albany but it falls outside the City limits. They are investigating nitrate levels. She asked, are the areas in North Albany being discussed? Modrell said she is not sure if it is being discussed yet, but we should be mindful that this area could be problematic if there will be further testing. It will require some long-term planning.

Modrell said that Linn County is developing a framework for how to talk about water issues and as those discussions continue, everyone will get a better feel for how they will progress. The Environmental Protection Agency (EPA) is very interested, as well as Department of Environmental Quality (DEQ) and water resources. The discussion is not about regulation, but what we have now and where we are going, and can be as simple as a list of values. The discussion should include the public and the result would be creation of a memorandum of cooperation with three counties and any interested cities. This would provide the groundwork to start discussions in the event a problem arose. Currently everyone is not on the same page and does not have the same information. Having all the agencies work together would be more cost effective.

Collins said, in the 1960-70s agencies looked at nitrates caused by failing septics or over application of fertilizers. They had severe implications. Modrell said that some test wells have been drilled, but there is not enough money to put into the process to really figure out the cause and effect. Some wells have high nitrates, and some do not. Konopa said nitrates could also be an issue in North Albany.

#### NORTH ALBANY PARKS

Powers said that both agencies recognize the need for restrooms in North Albany Park, which is operated by Benton County. They have also discussed the need for more urban parks relative to a particular use that would benefit the City. It is their plan to do a comprehensive County Park Plan and mesh that with the work the City has already done with City parks, and to jointly formulate a master plan to incorporate a broad range of uses. They are open to various scenarios to benefit the City and the County, such as a dog park and trails into subdivisions on the perimeter of North Albany. They are trying to be responsive to the community and efficient by working together.

Parks & Recreation Director Ed Hodney said Powers is a pleasure to work with. Powers and Hodney have already had conversations about ways to collaborate as the population in North Albany increases, and what resources the City can bring to the table related to improvements to the park. Jointly planning improvements to meet the needs of both constituencies is efficient but could involve commitment of resources. The park is not targeted in Albany's Parks Master Plan for improvement, but it is recognized as part of the system of parks that serves Albany residents, and as an asset to the community. It is not in the System Development Charges (SDC) capital projects list at this time.

Reid asked, what is the timeframe for Benton County's master plan? Powers said they will start it towards the end of the summer and hope to complete a draft in six months. It would be finalized in early 2010. Hodney said, in 2010 Albany's Parks Master Plan will be scheduled for an update as well.

Reid suggested both agencies explore an IGA for operation of the North Albany Park. He has received some complaints that for folks trying to rent the park, figuring out which jurisdiction to contact is confusing. Discussion followed.

Reid asked if camping is allowed in county parks. Powers said that Salmonberry Park allows it. Occasionally the county gets a special request for camping from a school, for example, and grants a special use permit.

#### ALBANY-CORVALLIS BICYCLE PATH

Hare thanked Benton County for their work to get this project off the ground. They applied for the state enhancement grant through the Oregon Department of Transportation (ODOT) for federal money, which paid for the preliminary engineering. Albany's Bike & Pedestrian Commission has been very supportive. Hare said he used to be on the state's Transportation Advisory Commission and he voted to support the project. City staff is looking for other funding sources for the path.

Albany has also been active with the Safe Routes to School program with the help of Benton County. Hare is anxious to see this project go forward.

Modrell described the path being put in by Cheldelin Middle School in Corvallis. They are hoping to get right-of-way (ROW) and easements from the public. Powers said that engineering for the path has begun and the topographic survey will start in August. Property owners have been notified that part of the path will be marginally in the railroad's ROW. They have their first meeting with ODOT and others on July 1.

Councilor Bessie Johnson arrived at 4:58 p.m.

#### NORTH ALBANY ROADS

Wilson said that Benton County has around 15 miles of road in North Albany. They meet with Albany staff about these roads periodically. There used to be confusion from the public about ownership, but to help clear up the confusion, several IGAs have been put into place to allow for the City to do permitting and customer service, so that citizens only have to go to one source.

Taniguchi-Dennis said it has been wonderful working with Benton County Public Works staff on various projects such as the Safe Routes to School, the stimulus money for the multi-use path, and the North Albany sidewalk extension. These are all examples of coordination between the two agencies.

Collins said he has been approached by citizens about the excessive speed on Valley View Road. The City has done a speed analysis on Scenic Drive. He asked, has one been done for Valley View Road? Can we lower the limit? Konopa said, there was a speed study conducted before the shoulder was added, so a new study would be timely. Since the street has been widened with the shoulder, speed has increased. Jaramillo said the County is also getting complaints about it. The issue is ODOT. Even with a speed study, until they do an assessment it is difficult to make changes. Discussion followed.

Reid, Konopa, Taniguchi-Dennis, and Hare met with former City Manager Steve Bryant. Bryant now represents Oregon Solutions, a consortium that builds consensus around big projects. Right now Oregon is seeking \$8 billion from the stimulus money for corridors of high speed rail. ODOT is contemplating using the old rail electric line from Portland to Eugene so Bryant was soliciting Albany's concerns. Hare said, we expressed interest in commuter rail. It seems ODOT is trying to quickly get input from stakeholders as part of putting the grant application together. Hare told them Albany is interested in the project and also listed the Board of Commissioners for both Benton County and Linn County as interested parties. The application turn-around time is very fast. The corridor would run from Eugene to Vancouver, BC.

Olsen wants to prepare resolutions to support the train stopping in Albany. He said he saw a map that did not show Albany as a stop on that route. Hare said, we did stress to Bryant that we want Albany to be a stop. Reid said, we have not yet seen what is being proposed by ODOT for this project.

#### BUSINESS FROM THE COUNCIL AND THE BOARD

Jaramillo briefly described the Habitat Conservation Plan for the Carbol Hill area. They have received public comment and are starting on the Prairie Conservation Strategy. Hopefully they will have a viable plan to Fish & Wildlife in October. This is intended to reduce Benton County's liability when they site and permit homes, roads, etc. by focusing on endangered species. Jaramillo said the draft is on Benton County's website, with a direct link to the site from the home page.

Reid said he heard that the Metropolitan Planning Operation (MPO) entry threshold may be raised from 50,000 to 100,000 population. This means Albany would not be eligible for several years. Discussion followed.

Reid is still trying to get commuter service from Albany to Philomath. He is also trying to include Lebanon but has not been successful yet. He hopes Benton County will be part of the project as well.

Reid said he pushed for a regional gas tax several years ago in order to fund roads and streets, since cities get little to no help from the federal government and state money is drying up. He said, we will have to rely on local funding. He would like a regional gas tax to be discussed again. Modrell noted that there could be a moratorium on local gas tax once the state institutes it, so it may be a mute venture. Collins said he fears that the state will redistribute the revenues and cities will get even less.

Dixon said the public meeting to address homelessness in Benton County is Wednesday, June 25, 2009.

Dixon said Greenberry Gap is 26,000 acres along Highway 99, with 571 structures. This area warrants fire protection so he is working with land owners and fire districts.

Referring to the MPO threshold, Olsen asked, how can Albany get a bridge if we are no longer close to the threshold? Modrell said, the regional planning land use process through the Department of Land Conservation and Development is a tool we can use in the event they do change the MPO from 50,000 to 100,000. Olsen wants to identify where the bypass should be and purchase property for it so that downtown Albany doesn't end up with a bridge through it. Modrell said the problem with considering a bridge from Corvallis is the congestion on Highway 34. She thinks we can better utilize the infrastructure we already have. For example, we should use rail since it has a small footprint.

Collins agrees with Olsen that we should plan now, instead of waiting to reach 100,000 population. Our planning will need to include an alternative funding mechanism for the infrastructure. Hare noted that the MPO increase is just a proposal at this time. It is not set. It would be appropriate for the City to contact our representative and inform them of its implications for Albany, especially in terms of funding eligibility. As a non-MPO we must adhere to a different planning standard which requires funding as well. If they do go to 100,000, we could propose a combined Albany-Corvallis MPO. Modrell added that we could ask for a consideration given our unique situation of being two cities geographically blended together. She agreed that being regional would have its advantages.

Johnson appreciates the willingness of Benton County to meet with the Council. Communication is the key to having a good relationship and the more the two agencies talk, the more they can accomplish together.

CONSENSUS: The consensus of the Albany City Council and the Benton County Board of Commissioners was to schedule joint meetings twice a year.

#### ADJOURNMENT

There being no other business, the meeting was adjourned at 5:35 p.m.

Respectfully submitted,



Mary A. Dibble, MMC  
Deputy City Clerk

Reviewed by,



Stewart Taylor  
Finance Director