

W.5.E.1.

Memorandum Date: July 20, 2011  
Meeting Date: August 3, 2011

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**TO:** Board of County Commissioners  
**DEPARTMENT:** Public Works, Waste Management Division  
**PRESENTED BY:** Patti Hansen, Division Manager x3761

**AGENDA ITEM TITLE:** ORDER/IN THE MATTER OF APPROVING PURCHASE OF REAL PROPERTY – MAP AND TAX LOT NO. 17-04-28-44-00900 (PIONEER RESOURCES BUSINESS PARK, LOT 25)

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I. **MOTION**

MOVE THAT THE BOARD ORDER BE ADOPTED APPROVING THE PURCHASE OF REAL PROPERTY ON OR NEAR THE CLOSED BETHEL DANEBO LANDFILL.

II. **AGENDA ITEM SUMMARY**

Waste Management requests authorization to purchase a parcel of land on or near the closed Bethel Danebo landfill to provide a location for equipment required for ongoing methane monitoring of the site.

III. **BACKGROUND/IMPLICATIONS OF ACTION**

A. **Board Action and Other History**

A settlement agreement was made and entered into effective the 17<sup>th</sup> day of November 2010, by and between Frontier Recovery, LLC and Lane County concerning methane monitoring responsibility on the closed Bethel Danebo Landfill. Lane County is responsible for methane monitoring on all lots of the Pioneer Business Park that are on, or are partially on the former Bethel Danebo landfill footprint, specifically lots 17-25, and 27-34. All these lots are owned by Frontier Recovery, LLC except lot 25. Lot 25 is owned by Sunset Investments LLC and it is currently offered for sale by the owner.

B. **Policy Issues**

The settlement agreement remains in full force and effect.



**C. Board Goals**

Lane County Strategic Plan page 13

- *Maintain a healthy environment with regard to air quality, water quality, waste management, land use and parks.*

Lane County's Strategic Plan, in its discussion of strategies for resources and planning, emphasizes that "Lane County has placed as its highest priority public health and safety services..." (Lane County Strategic Plan, 2001 – 2005, page ii)

**D. Financial and/or Resource Considerations**

The Waste Management Division has the funding in their closed landfill program to pay \$206,000 and related costs for purchase of this property located on or near the closed Bethel Danebo Landfill.

**E. Analysis**

Given the signing of the settlement agreement and the ongoing methane monitoring on the site, staff recommends the purchase of lot 25 to facilitate the monitoring and performance of the settlement agreement.

**F. ALTERNATIVES/OPTIONS**

1. Board may choose to approve the purchase of real property for \$206,000.
2. Board may choose to offer differently than recommended.
3. Board may choose not to approve and reject the offer.

**IV. TIMING/IMPLEMENTATION**

If approved, staff will proceed to purchase the property.

**V. RECOMMENDATION**

It is recommended the Board approve the purchase of the property.

**VI. FOLLOW-UP**

Following Board approval, WMD will proceed with the process of acquiring the property.

**VII. ATTACHMENTS**

Board Order



BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. ) IN THE MATTER OF APPROVING THE PURCHASE  
) OF REAL PROPERTY – MAP AND TAX LOT NO. 17-04-  
) 28-44-00900 (PIONEER RESOURCES BUSINESS PARK,  
) LOT 25)

**WHEREAS**, Sunset Investment LLC has offered to sell a parcel of land, identified as Map and Tax Lot No. 17-04-28-44-00900 and also as Lot 25 of Pioneer Resources Business Park platted and recorded in File No. 75, slide 562-564, Lane County Plat Records; and


**WHEREAS**, the Department of Public Works, Waste Management Division Manager recommends purchase of the property for the price of \$206,000 to assist in ongoing methane monitoring of the closed Bethel-Danebo landfill; and

**WHEREAS**, Lane Manual 21.400 and 21.410 establish that the Board shall have final authority on all real property matters, except as further delegated, and requires that all contracts for the acquisition of real property be acted upon by the Board through the prescribed agenda process.

**NOW, THEREFORE, IT IS HEREBY ORDERED**, that purchase of the property platted as Pioneer Resources Business Park, Lot 25, and further described above, is approved and the County Administrator is authorized to sign all contracts, execute all documents, approve payment of the sum of \$206,000 to purchase the land, and authorize payment of costs related to the purchase of the property, as necessary.

Adopted this \_\_\_\_ day of August, 2011.

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Faye Stewart, Chair  
Lane County Board of Commissioners

APPROVED AS TO FORM  
Date 7-27-2011 Lane County  
  
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OFFICE OF LEGAL COUNSEL