

Public Comment
9/25/18

Lane County Commissioners

FROM: Linda Raade-Vaught

Re: The Proposed Sears Road safety project

Last week I attended the Traffic Advisory Committee meeting held at the Lane County Public Works location in Eugene. I was disturbed to find that Dist 5, East Lane County, did not have representation on the committee when the topic of the meeting was about Sears Rd, which is located in East Lane County.

When the vote was taken to present their proposal to the Board of Commissioners it passed by only one vote. I am here representing residents of Sears Rd who are not aware of the final proposal and could not attend any meetings due to work, school, or disability and not able to drive at night. Every one who lives on Sears Rd, and I have talked to many, believes the only hazard is the high rate of speed which vehicles travel. If Lane county would spend their money on projects that would slow traffic the road would be safer for every one. We need rumble strips, more or longer double no passing strips. Lane County should contact ODOT to change the designation of Sears Rd from a "minor collector" road to a "Scenic By Way" with a bike touring designation. This could also allow fixed speed zones to be posted. These were also some of the ideas presented by the "no" voters on the committee.

I spoke to one disabled resident who is upset and afraid that if the trees are removed in front of her home there is nothing to stop a vehicle if it leaves the roadway and it will hit her house, "it will hit my bedroom" she cried. Division Chief Joe Raade of the South Lane Fire and Rescue could not be here today. He lives on Sears Rd and wanted you to know that the fatality that occurred near MP 1 on Sears Rd was due to a medical problem. The driver did hit a fixed object but, he was dead before he left the roadway.

We are asking you to please send the Traffic Advisory Proposal back to the committee for further consideration.

TO: Lane County Transportation Advisory Committee

From: Linda Raade-Vaught

Re: The proposed Sears Road safety project

My name is Linda Raade-Vaught. My Family owns several residences on Sears Rd, and five generations have and still do live at that location. As we now have a new generation of county employees on the TrAC committee I would like to tell you some history about Sears Rd.

Our Grandparents purchased 10 acres along Sears Rd in 1945. The location was the original farm house in that valley which went on the Lane County tax rolls in 1900, one hundred and eighteen years ago. At that time Sears Rd was a narrow gravel road. At the end of the driveway are two original cement gate pillars. They are what we consider to be historical landmarks as they still show the name of the original land owner, "C.A. King Ranch". Due to the numerous speeding vehicles on Sears Rd we have for our own safety moved the gate up further on the driveway so we can pull off the road and park to unlock the existing gate. For a vehicle to make contact with one of the pillars it would have to speed over a ditch then thru two fences (the roadway fence and the driveway fence) and this has never happened in the over seventy years our family has owned the property. Also none of the large fir trees along the roadway on our property has ever been involved in a vehicle accident.

In the 1950's Lane County public works started black topping Sears Rd. This made it safer so that we could ride our bikes and horses along the roadway. In the 1960's Interstate 5 was built connecting Sears Rd with I-5 and it has since been resurfaced several times. Each time the roadway was resurfaced it was widened and encroached onto our property near the large Maple tree at the bend of the road. Lane County residents found that Sears road was a fast shortcut to I-5 NB. They began speeding and cutting corners on the road to shorten their travel time. Our late father brought this problem to the Lane County Public Works department's attention and they agreed to help resolve the problem by putting up a traffic safety guardrail to protect

vehicles and the Maple tree which is still in place today. We no longer let our children and grandchildren ride their bikes on the roadway due to the hazard of unlawful speeding vehicles.

Only one fatal accident has occurred in front of our property. Cause of the accident was a Juvenile driver speeding around the corner, crossing from the NB lane to the SB lane and hitting a pickup head on. This had nothing to do with any trees or roadside obstacles. The only visual obstruction has been very tall black berry vines growing up over the neighboring property owners fence. We contacted the owner on our own and the problem has been resolved leaving a clear visual view of the corner. The Lane County Sheriff's deputies need to do traffic control on Sears Rd. Maybe this would help slow down the speeding vehicles.

Back to the widening of Sears Rd. As our family has known and your own survey taken this year proves that our property line extends out eight feet from the Maple tree into the center of the now Sears Rd. Lane County citizens and Lane County itself has allowed our property to be encroached upon without compensation and which we have for the past seventy years paid Lane County property taxes on.

I attended the TrAC meeting in Cottage Grove and stated my opinions. I was told that the Row River is cutting into the bank near the roadway and is causing erosion. I don't believe this to be true. There is a large island in the middle of the river and at that location and the main channel goes on the west side of the island. The east channel next to Sears Rd is a small stream. We are hardly able to get irrigation water from that side of the river in the summer. I have personally lived thru several floods at this location and never has the water of the Row river come up over the bank on the Sears Rd side.

So what to do, add more speed signs, curve ahead signs, double the do not cross striping? As for a clear zone, our family have already given eight feet of our property for that cause. Either leave it as it is with added police traffic patrol or, rebuild Sears Rd back into its original right-away. This would resolve the clear zone issue without lowering property values for property owners along Sears Rd.

PROPOSAL TO AMEND LANE COUNTY NUISANCE ANIMAL CODE:

PROPOSAL: Add language from Multnomah County Nuisance Animal Ordinance

PURPOSE: Bring Lane Co. nuisance animal code in alignment with Multnomah Co. nuisance animal ordinance; Provide citizens with additional recourse in dealing with nuisance animals; Clarify that “continuous” annoyance (which is open to interpretation) is not the sole option for recourse.

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EXISTING LANE COUNTY CODE CHAPTER 7, SECTION 115

7.115 Continuous Annoyance.

An animal owner who fails to control any animal that causes annoyance, alarm, or noise disturbance for more than 15 minutes at any time of the day or night, be it repeated barking, whining, screeching, howling, braying or other like sounds which can be heard beyond the boundary of the owner's property commits a Class C violation. *(Revised by Ordinance No. 13-86, Effective 11.7.86; 1-00, 4.12.00; 6-09, 2.5.10)*

PROPOSED AMENDMENT: Insert Bolded and Italicized Language

7.115 Continuous Annoyance.

An animal owner who fails to control any animal that causes annoyance, alarm, or noise disturbance for more than 15 minutes ***or repeated episodes of intermittent noise lasting for a minimum period of thirty minutes*** at any time of the day or night, be it repeated barking, whining, screeching, howling, braying or other like sounds which can be heard beyond the boundary of the owner's property commits a Class C violation. *(Revised by Ordinance No. 13-86, Effective 11.7.86; 1-00, 4.12.00; 6-09, 2.5.10)*

From MULTNOMAH COUNTY ORDINANCE 13-305

§ 13.305 DUTIES OF OWNERS

(B) It is unlawful for any person to commit any of the following:

(5) Permit any animal unreasonably to cause annoyance, alarm or noise disturbance to any person or neighborhood by barking, whining, screeching, howling, braying or other like sounds which may be heard beyond the boundary of the owner's or keeper's property under conditions wherein the animal sounds are shown to have occurred either as an episode of continuous noise lasting for a minimum period of ten minutes **or repeated episodes of intermittent noise lasting for a minimum period of thirty minutes**. It shall be an affirmative defense under this subsection that the animal was intentionally provoked by a party other than the owner to make such noise.