

Sears Road *from A1*

lanes and four-foot shoulders on both sides, budgeted at \$1.57 million in the county's capital improvement program for the 2022 fiscal year.

Even in the first phase, however, the county has come up against resistance. Sears Road resident Linda Raade-Vaught, who according to the report owns the only tree marked for removal on private property, has been a vocal petitioner against the project as well as a monkey wrench in the county's designs on her abutting property.

Raade-Vaught said an agreement between the previous landowner, her father, and the county extends her property eight feet into the roadway, meaning she has been paying 70 years of taxes on land the county has allowed to be used by the public.

"They sent me a letter offering me \$2,000 for the tree and my land. ... but I refused to do it," Raade-Vaught said. "Unless they take it by eminent domain, they're not going to take my property."

In response to her objections, the report states that "Vaught's tree will not be removed while it remains on her private property without her permission," though it recommends that the existing guardrail around the tree be replaced.

Gallup, in his presentation to the board, warned against non-action.

"If we do not use these funds per ODOT's expectations, we may need to return the funds to ODOT," he said.

The project report further warned against not using the funds.

"The project decision-makers need to know that if we do not expend the All Roads Transportation Safety (ARTS) funding allocated by ODOT, it will be difficult to secure those funds in the future," it said. "Agencies are held accountable for transportation funding and grants that are not programmed or completed can result in penalties, ranging from future funding not being granted to that agency to funding being reallocated to other agencies."

Testimonies

During the public hearing, seven residents and interested parties gave public testimony in objection to the proposed project.

Jim Poetzl, a Sears Road resident, stated that about six trees previously marked for cutting were on his property and provided a barrier to traffic.

"I have kids," he said, "and in the initial proposal you guys were going to remove trees that were directly in front of my house, which is my safety corridor from the road. ... I don't need a car at 55 miles an hour that loses control ... come crashing through my yard and hitting one of my kids."

Poetzl pointed to a rise in children in the area and a lack of signs warning drivers about children at play as more pressing issues to be addressed. A wider road, he added, would encourage drivers to speed.

"The last time I checked, trees don't walk in front of cars. They've been there for hundreds of years and they have not been hit as of today," he stated. "So if you remove those trees, all you're going to do is allow people to be less attentive in their driving and increase their speeds."

Next, Marlene Nowak, who co-owns the land with her sister, Raade-Vaught, started her testimony by noting that the county had years ago mistakenly placed

the road eight feet into her family's property.

Nowak presented a petition of 60 signatures from residents of Sears Road to reject the proposed project. Though four households were not home, she said, 100 percent of the residents she solicited signed the petition.

"They do not want the trees removed. They do not want the road widened," she said. "They just want double-yellow lines. ... and speed limit be posted."

Nowak's sister, Raade-Vaught, approached the board next to offer her own safety recommendations on Sears Road.

"Yes, there have been lots of incidents along the roadway, but not all of them have involved fixed objects," she said. "In fact, there have been more airplane crashes resulting in multiple fatalities on property next to the roadway than motor vehicle accidents."

Raade-Vaught cited other Sears Road residents' main concern as being excessive speed, "both private and Lane County vehicles from the maintenance shop."

Making Sears Road another thoroughfare just over a mile from Interstate 5, she said, would just put residents at risk.

Raade-Vaught recommended re-stripping the road, placing fog lines, increasing double-yellow lines on straightaways and installing rumble strips as solutions.

Next, Joe Raade, testifying as a Sears Road resident, emphasized Highway 99 as needing more attention.

"Highway 99 between Saginaw and Cottage Grove is by far our most dangerous part of South Lane County," he said.

Addressing the crash incidents on Sears Road from the project report, Raade spoke in his capacity as a first responder at South Lane County Fire and Rescue.

"I had the unfortunate experience of responding to all six of those emergencies up there," he said.

On the fatality, Raade said, "He was dead before he left the road. I know that first-hand."

Raade urged commissioners to look elsewhere for solutions.

"The accidents on our road are not related to the objects. They are related to the speed," he said. "They are related to some of your county vehicles that are parked three houses down from me. Those are instances that you can fix and that are in your control to fix without having to use this money."

Raade also pointed to Mosby Creek Road and London Road as needing safety attention.

In a subsequent interview with *The Sentinel*, Raade explained his knowledge as a first responder to the accidents cited by the project report.

"All but one of those involved intoxicants," he said.

According to Raade, regarding the fatality, an elderly passenger of the car had experienced a heart attack. His wife, who was driving, was distracted by the event and had a low-impact crash with a tree stump. No injuries resulted from the crash, but the passenger did not survive his medical emergency.

Continuing testimonies, Gwen Jaspers, a member of the council's Transportation Advisory Committee stepped up to the microphone.

"I am opposed to removing 61 trees along a two-mile stretch of Sears Road," she said.

Jaspers criticized the proposal for not addressing intoxication and the young ages of those responsible for the traffic accidents.

"I argue that to accommodate irresponsible driver behavior does not promote a culture that prioritizes safety," she said. "A first step to safety would be to reduce the speed limit."

Though the process of applying for a speed limit change had been referred to "futile" in previous meetings, Jaspers noted that an ODOT rule change is being considered that would take into consideration the larger context of a roadway in question.

Jaspers also made the case that wider roads will make speeding and crashes more frequent due to a false perception of safety by drivers.

Robin Mayall from Springfield next brought testimonial to the board from a cyclist's perspective.

Criticizing Highway 99 as "a cyclist's nightmare," Mayall argued that the removal of trees on Sears Road would have a severe economic impact on businesses that benefit from a regular stream of cyclists.

"We should be looking at ways to make this road safer and quieter for residents and more attractive to area cyclists," she said.

Mayall recommended "some combination of law enforcement activity, speed-calming treatments and a re-designation of this road potentially as a scenic bikeway."

Sears Road resident Mark Kintigh finished testimonials by supporting previous testimonies.

"Speed has always been an issue," he said. "I've had a number of crashes go through my fences onto my property."

Kintigh feared that removing the objects would put the safety burden on the property owners rather than the reckless drivers.

"I think it would be more fiscally responsible to turn the money back and have it used for a better use," he said.

Board Responses

Commissioner Heather Buch, who represents the district encompassing Sears Road, spoke first in response to the testimonials.

"I, too, like the last speaker, don't like to spend money just to spend money," Buch said. "I want to know that it's spent wisely and it's something that the community wants."

Buch noted that the project seemed to come about as a request from ODOT rather than the residents.

In response to an inquiry about speed limits, Gallup responded that a speed study on Sears Road revealed that most drivers were traveling at a speed between 50 and 55 miles per hour. While willing to submit an application to adjust speed, Gallup said the process would take six to eight months and, "It's been my experience in the past that their recommendation is right at what most drivers are doing."

Gallup added that the problem with adjusting speed limits too low is "speed differential," whereby drivers become frustrated, are more likely to pass other vehicles and crash incidents consequently rise.

Buch expressed a desire to explore alternatives before green lighting the project.

"It sounds like a solution for a problem ... that doesn't exist," said Commissioner Joe Berney. "What is driving it other than dollars?" he asked Gallup.

Gallup cited crash data again, but Berney was unimpressed.

"I'm having trouble understand-

ing, if you have virtually 100 percent of the people living on the road saying 'Please don't do this,' and there are other ways to approach the problem, why we wouldn't be looking at those other ways," queried Berney.

"The fixed objects create the severity of the crash," explained Lane County Engineer Peggy Kepler. "When people leave the roadway and they hit a fixed object, the severity of the crash is higher than if it wasn't there."

Commissioner Jay Bozievich took the point. "Fixed object removal is about allowing people to make mistakes and recover from them," he said. "I know this because I used to design roadways for a living."

Bozievich also warned about the possible legal liability of taking no action after a road has been identified as a safety risk, referring to past cases where the county had been sued by injured parties.

Board Chair Pete Sorenson added sobering information to the discussion to highlight the need for attention on the issue.

"Lane County exceeded the traffic deaths of Portland, Oregon," he said. "Substantially all the traffic deaths over a 10-year period came out of rural Lane County. We were the death leader in the state for many years and maybe still are."

As the board members circled in on a decision, Commissioner Pat Farr addressed the crowd of Sears Road residents in the audience directly.

"I think there's a lot more that needs to be talked about before we cut the trees," he said. "I'd much rather a fixed object be a tree than your house."

Sorenson recommended a two-month delay on the vote to come up with a strategy and Kepler noted that the intergovernmental agreement with ODOT allows for up to 10 years to come up with a solution.

Commissioners ended the hearing by voting unanimously to delay voting for two months, during which time Commissioner Buch would arrange a community meeting with residents and city staff.

Commissioner Buch had not responded to inquire as of the submission of this article.

Outside the board chambers, residents were generally pleased with the results, but far from complacent.

"I was glad they spoke about the speed on the road," said Sears Road resident Bonnie Edwards. Even so, Edwards lamented that she often sees cars treating the road "like a racetrack. ... It happens every day."

Nowak agreed. "I want to see the speed limit at least lowered to 45. I want no passing," she said. However, she was on the fence regarding other solutions. "The rumble strips, that's a questionable thing for me because, even though it's a safety thing, it is really bad for the people who live there," referring to the strips' disruptive noise.

Whatever solutions are ultimately decided upon, the next two months will see residents considering a range of options concerning the safety issues of Sears Road. Striking a balance between county and resident interests rests on the fruitfulness of the coming discussions as well as a unified local voice. Until then, residents can continue to enjoy the tree shade of their scenic rural road.

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