



**DAN JOHNSON**  
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT  
DEVELOPMENT SERVICES BUILDING  
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

July 25, 2024

BCC Agenda Date/Item: \_\_\_\_\_

Board of County Commissioners  
Clackamas County

**Approval of a Board Order for Authorizing a Maintenance Program For Bridges Along Local Access Roads in the County. Total value is up to \$100,000 per Maintenance Expenditure. Funding through County Road Funds. No County General Funds are involved.**

|                                     |   |                           |              |
|-------------------------------------|---|---------------------------|--------------|
| <b>Previous Board Action/Review</b> | Briefed at Issues – June 4, 2024<br>Briefed at Issues for Request for Consent – July 23, 2024 |                           |              |
| <b>Performance Clackamas</b>        | Ensure safe, healthy and secure communities   |                           |              |
| <b>Counsel Review</b>               | Yes 7/8/24 HH   | <b>Procurement Review</b> | NA           |
| <b>Contact Person</b>               | Mike Bezner   | <b>Contact Phone</b>      | 503-742-4651 |

**EXECUTIVE SUMMARY:** Local Access Roads are public roads that are not County Roads and have never been accepted by the County for maintenance. Although the County has jurisdiction over them, the County is not liable for failure to improve them or to even keep them in repair. Also per ORS 368.031, the County can only spend County funds on Local Access Roads if the Board of County Commissioners (BCC) determines that the work is an emergency, or if the BCC enacts an order or resolution based on the Road Official recommending an expenditure that is justified by the public use of the road.

There are hundreds of Local Access Roads in Clackamas County, but only three of these have bridges (each on a dead-end road) that are at least 20 feet in length:

- Goose Creek (Suter Road) Bridge
- Salmon River (Island Road) Bridge
- Hacket Creek (Broken Bridge Drive) Bridge

For Filing Use Only

The latest inspections of these bridges by the Oregon Department of Transportation indicate priority maintenance recommendations. Given the uniqueness of bridges as critical links in the public road system and to avoid future emergencies, the attached Road Official's Report concludes that it is in the public's interest to expend County Road funds on Local Access Road bridges as part of a continuing maintenance program with the following constraints:

- The Road Official recommends that the expenditure is justified based on the public use of the bridge.
- The authorized expenditure is less than \$100,000.

This Board Order would adopt these findings and authorize a continuing program to maintain bridges along local access roads.

**RECOMMENDATION:** Staff recommends the Board of County Commissioners approve the attached Board Order adopting the findings and recommendations of the County Road Official and authorizing the Road Official to have authority for expenditures of less than \$100,000 on a continuing program to maintain bridges along Local Access Roads.

Respectfully submitted,

*Dan Johnson*

Dan Johnson  
Director of Transportation & Development

Attachments:  
Board Order  
Road Officials Report

**BEFORE THE BOARD OF COUNTY COMMISSIONERS**

**OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of Authorizing a Maintenance Program For Bridges Along Local Access Roads in the County



Board Order No. \_\_\_\_\_

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**Whereas**, this matter coming before the Board at this time, and it appearing that maintaining public roads and bridges of the County for safe traveling is important to the livelihood and vitality of the region;

**Whereas**, under ORS 368.016, the County has maintenance responsibility for roads that are classified as “county roads,” but not those that are classified as “local access roads;”

**Whereas**, there are hundreds of Local Access Roads throughout the County, three of which have bridges spanning across them;

**Whereas**, under ORS 368.031(2), the Board may assume maintenance responsibility, and expend county moneys, on Local Access Roads within the County under two circumstances: first for emergency work, and second for non-emergency work through an order or a resolution authorizing for either a single project or a continuing program, provided that (a) the county road official recommends the expenditure, and (b) the public use of the road justifies the expenditure proposed;

**Whereas**, County Code 7.03.20(F) designates the Director of the Department of Transportation and Development as the Road Official of the County;

**Whereas**, pursuant to an Intergovernmental Agreement in Cooperation with the Association of Oregon Counties and the League of Oregon Cities, No. 32588, dated August 23, 2018, as amended, and to the National Bridge Inspection Standards (23 CFR 650 Subpart C), the Oregon Department of Transportation (“ODOT”) inspected certain bridges that are at least 20 feet in length along Local Access Roads in the County;

**Whereas**, the Board recognizes the report by the County Road Official, dated July 11, 2024, attached hereto as Exhibit A, providing the ODOT inspection results of bridges along Local Access Roads in the County and the identification of certain maintenance work that said bridges may need; and

**Whereas**, it appears to the Board that public use of bridges along Local Access Roads in the County justifies the expenditures of county moneys to maintain said bridges;

**BEFORE THE BOARD OF COUNTY COMMISSIONERS**

**OF CLACKAMAS COUNTY, STATE OF OREGON**

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**NOW THEREFORE, the Clackamas County Board of Commissioners do hereby order:**

1. The adoptions of the findings and recommendation of the County Road Official, dated July 11, 2024, attached hereto as Exhibit A, concerning the maintenance needs of bridges along Local Access Roads in the County; and
2. The Director of Department of Transportation and Development, as the Road Official of the County, to have authority for expenditures of less than \$100,000 on a continuing program to maintain bridges along Local Access Roads in the County, consistent with this resolution.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024

**BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Recording Secretary

# BEFORE THE BOARD OF COUNTY COMMISSIONERS

## OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of Authorizing a Maintenance  
Program For Bridges Along Local Access  
Road in the County



Board Order No.

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### EXHIBIT A

#### ROAD OFFICIAL'S REPORT

TO: Board of Commissioners

FROM: Dan Johnson, Road Official

DATE: July 11, 2024

**SUBJ: Road Official Report re Bridges Along Local Access Roads**

Local Access Roads are public roads that are not County Roads and have never been accepted by the County for maintenance. Although the County has jurisdiction over them, the County is not liable for failure to improve them or to even keep them in repair. Also per ORS 368.031, the County can only spend County funds on Local Access Roads if the BCC determines that the work is an emergency, or if the BCC enacts an order or resolution based on the Road Official recommending an expenditure that is justified by the public use of the road.

There are hundreds of Local Access Roads in Clackamas County, but only three of these have bridges (each on a dead-end road) that are at least 20 feet in length:

- Goose Creek (Suter Road) Bridge
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All public bridges that are 20 feet in length or greater in the United States are required by the Federal Highway Administration to be inspected every two years. In Oregon, this is done by the Oregon Department of Transportation who then submits the inspection reports to the County. These inspection reports often have maintenance or repair recommendations based on deterioration or stream flow changes. Oftentimes these recommendations are also relatively low-cost activities. The latest inspection reports are attached, and they indicate urgent and high priority maintenance recommendations.

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Program For Bridges Along Local Access  
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Given the uniqueness of bridges as critical links in the public road system and to avoid future emergencies, it is my assessment that it is in the public's interest to expend County Road funds on Local Access Road bridges as part of a continuing maintenance program with the following constraints:

- The Road Official recommends that the expenditure is justified based on the public use of the bridge.
- The authorized expenditure is less than \$100,000.