

August 15, 1979  
Following HA/URA  
Meeting

REGULAR MEETING  
BOARD OF COUNTY COMMISSIONERS

Harris Hall

The regular meeting of the Board of County Commissioners was called to order on the above date by Chairman Vance L. Freeman. All five Commissioners were present - Freeman, Otto t'Hooft, Gerald Rust, Archie Weinstein and Harold Rutherford. Reba Charles was the Recording Secretary for the meeting.

1. COMMISSIONERS' ANNOUNCEMENTS AND BUSINESS

a. CONTINUED APPROVAL/Regional Managers' Plan for Community Corrections

Rust stated that this plan was a local plan developed by local people. Weinstein asked if that meant that the County should take it over. Rust replied that this was for only two years and entirely at the discretion of the Commissioners. Rust moved approval; t'Hooft seconded. All voted aye and the motion carried.

b. RECONSIDERATION OF MOTION/Primary Land Use Designations in Applications for Partitions

Weinstein stated that there was a previous motion on this subject and that he was totally opposed to the primary land use. He stated his opposition to any land use designations and said that the way it came out in the newspapers this motion would affect every one of the 13 subareas. Weinstein moved to reconsider the previous motion; t'Hooft seconded. Rutherford voted no; the other four Commissioners voted aye and the motion carried.

c. DISCUSSION/Staff Resources Available for Marcola Zoning (Board)

Rich Owings presented the projected time requirement for this: one month start-up time, three months for staff preparation, one month or more for citizens' information meetings and one month or more for Board of Commissioners' meetings and public hearings. Owings commented that assigning one full-time planner to this project would extend the time necessary for completing the Rural Conservation and Development Program. It might also cause confusion to citizens because of the changes in zoning. An alternative suggested by Owings called for applying the plan diagram and approving partition applications by staff in accord with recent Board policy; an amendment of the Unzoned Area Development Permit to require public hearings and planned conformity for a greater number of land use activities. On the negative side, this would mean that the area may remain unzoned longer. On the positive side, this would take less staff time and make more resources available for the Rural Conservation Program. Hearings could be held sooner and there would be better understanding by citizens. Freeman commented that this has been waiting for a very long time. Rutherford remarked on the delay in this one subarea and Rust asked if the staff could not do both things at once. t'Hooft expressed his belief in the alternative land use plan and the hope that it would happen soon. Margie Hendriksen, Legal Counsel, stated

that LCDC was going to hold hearings on our progress and that they look on zoning as very important. t'Hooft stated that he would like to see them proceed with the zoning. Rutherford stated that other subareas would be delayed by this zoning and that he thought the Board should express confidence in the alternate conservation and development plan. t'Hooft said that he did not like 20-acre minimums and that as long as this area remains unzoned that is the way it will be. Owings said that when the Board made their decision, Planning would come back with a timeline. Freeman asked if there was not some preliminary work that could get underway now. Rust moved to go ahead with the zoning and to work out the staffing; t'Hooft seconded the motion. Rutherford remarked that this originated with his motion to devote all efforts to the alternate conservation plan. Weinstein stated that zoning is being forced on people. Freeman, Rutherford and Weinstein voted no on the motion; Rust and t'Hooft voted yes and the motion failed to carry.

- d. Plaques from NACo. Freeman noted several plaques had arrived from the National Association of Counties and congratulated all those responsible for the awards.

- e. REPORT/L-RAPA Meeting

t'Hooft met with L-RAPA to look at final candidates for a selection of a director and he distributed material to the other Commissioners.

## 2. GENERAL ADMINISTRATOR'S REPORT

- a. AFSCME

General Administrator, George Morgan, reported unofficial news that the Union Local had rejected the Fact Finder's report.

- b. City/County Revenue-Sharing Program for \$8,871

George Morgan reported confirmation had been received that both Springfield and Eugene had approved increases of seven percent. t'Hooft moved approval of this transfer of funds; Rust seconded. All voted aye and the motion carried.

- c. REPORT/Road Project on South 6th Street, Cottage Grove

George Morgan reported that the Roads Advisory Council will be meeting next week and will be considering this project. The first phase was estimated to cost \$100,000. The second phase from city limits to I-5 was estimated at \$260,000. There had been no engineering work - cost estimates were approximate.

- d. APPROVAL PROCESS/Permits for Wrecking Yards

George Morgan said that this did not require Board action, that the code did allow one individual Commissioner to approve. Margie Hendriksen stated there was risk of a permit being found defective by

the Sheriff or some other agency. Consensus was that the process should be more formalized and Morgan agreed to prepare something for this purpose.

### 3. PUBLIC HEARINGS

- a. CANCELED: Public Hearing on Dexter Wastewater Facility
- b. SECOND READING, PUBLIC HEARING AND ACTION/Ordinance 10-79 Amending Chapter 11 of Lane Code to Revise Mobile Home Regulations, Add Appropriate Definitions, and Make General Housekeeping Revisions to the Entire Definitions Section

Helen Elliott, Environmental Management, presented this proposal in response to a concern of the Board for more objective criteria for granting temporary mobile home permits. The new proposal would limit the permits to single-wides, except when there is a record of prior ownership. A six-month nonrenewable permit would be available in case of financial hardship. Elliott said that one of the problems occurring at present was that people are spending up to \$40,000 on the basis of a temporary permit for a double-wide trailer. Then it was difficult to find another place to move it, making for more enforcement problems. Environmental Management granted about 600 temporary permits every year. It was planned to have these permits all expire December 31, which would put the work load in the slowest period. The plan would also cut paper work and response time for granting permits by 50 percent. There would also be a savings in fuel consumption for inspection.

Rutherford inquired about skirting and tie-downs. Elliott replied that these were required under state law. In response to further questioning Elliott stated that there was no provision in the proposal for agricultural employees or for commercial or industrial watchmen. This would have to come back to the Board as an amendment to the zoning ordinance. The sewage inspection was carried out every two years.

Chairman Freeman opened the public hearing.

Dave Angwood, 3850 Portland Road Northeast, Salem, mobile home dealer and member of the Dealer Association, stated that he disagreed that this was a housekeeping issue and that the industry as a whole is opposed to the regulations on mobile home siting. Specifically he was opposed to the requirement for inspection before occupancy. If it became a requirement of this County, he recommended the maximum time frame of 48 to 72 hours in which inspection would be made. Rust inquired about a fee being charged for inspection. Angwood said there already is a fee and in his opinion there should be no fee and there should be prompt inspection. Delay in occupancy increases the cost to the owners. He cited Senate Bill 480, passed in 1975, on the question of prior occupancy and stated that it was determined at that time that inspection before occupancy was not a problem. t'Hooft inquired about homes manufactured outside the state and the witness replied that they have to be manufactured according to HUD code. Margie Hendriksen, Legal Counsel, stated that we have had homes set up on a site that was

dangerous. Angwood stated that that would be an exception and if there is approval of a mobile home area there would be no problem. He regarded the requirement for inspection of an individual site in an already approved mobile home park as a duplication of effort. He also disagreed with the requirement for temporary permits that the mobile home be a single-wide, stating that doors and halls in single-wides are often not wide enough to accommodate a wheel chair. He also said that most hardship cases refused do go up on appeal and that they should not be refused by staff.

V. A. Speers, 134 Delmonty, Eugene, a mobile home dealer, stated that he disagreed with the requirement for inspection prior to allowing the resident to move into his mobile home. Dealers, he stated, are licensed and bonded and required to follow the regulations of the Department of Commerce. He stated that he knew of no dealer in Lane County who would not go out and make a correction in the case of an occasional mistake. He also stated that he felt a County department should not decide what is or what is not a hardship. He cited the case of an elderly person who would need to live in a double-wide for physical reasons on a more less permanent basis.

Bob Harrison, Eugene, a dealer, stated that present inspection fees were in excess of what the state allows. He said that the City of Eugene had a flat fee of \$15.45 for inspection, but that the County should be allowed a reasonable travel expense. He opposed the requirement for inspection before occupancy. He said dealers as a group would be glad to work with staff if they had any problem with a specific dealer. Weinstein inquired if the industry was satisfied with the present Chapter 11, the code requirements. Harrison stated that dealers did not consider Lane County a problem but that they were concerned with land use planning. He also expressed concern about the time required to grant a permit, especially in the cities where Lane County acted as the inspector. He felt that inspection in a standard subdivision of each site was not necessary when the overall park had been approved. Weinstein stated that we needed to encourage mobile homes for the elderly and that he favored adding more mobile homes, that this was an emergency situation. t'Hooft inquired how many mobile homes there were in Lane County. Harrison replied that he did not know, but that in an eight-year period he has sold over 1,200 such homes. He stated that there would be more mobile homes if there were more land available and that competition for land with conventional housing raises land prices too much for mobile home park owners along with the limitations on land use to 5 acres and 20 acres. t'Hooft remarked that the requirement for five acres in the County at present land prices would make a mobile home cost \$100,000. Harrison agreed saying that they could provide more housing for low-income people if land were more available.

Bob Rushline, Eugene, stated that mobile homes represented about six percent of housing in the Metropolitan Area.

Rich Owings said the County had adopted a code. There were mobile home parks which were plotted for single-wide mobile homes and were now being used by double-wides. This meant that the required setbacks were not being met. He also said that when inspection was required it

was normally done the following day and that fees were set by the Department of Commerce. He stated that he would like to meet with Mr. Harrison about this subject.

Freeman closed the public hearing. Rutherford moved to deny Ordinance 10-79, revising Lane Code Chapter 11. t'Hooft seconded, saying that he was opposed to the restrictions to single-wides and that he believed the present regulations were adequate to protect the public. Freeman expressed the desire to have better cooperation between the County and the mobile home industry. Rust said he thought the motion too sweeping and that he would prefer considering the changes on an issue-by-issue basis, indicating what parts of the ordinance need to be cleaned up. Weinstein said that he was against any revisions at this time and thought the mobile home people should get together with Elliott and Owings and come back with a proposed plan. Rust said that he thought it was inappropriate for the industry to make the primary plan, that that should be part of the planning process.

t'Hooft suggested amending the motion to call for a report by staff at some definite time within the next three months. Rutherford accepted the amendment. On a roll call vote Rust voted no; Freeman, t'Hooft, Rutherford and Weinstein voted aye; and the Ordinance 10-79 was denied, with provision for the staff to report back within the next three months.

#### 4. ENVIRONMENTAL MANAGEMENT

- a. DISCUSSION AND ACTION/Initiation of Plan Amendment Procedure for Proposed "Renaghan" Amendment to Coastal Subarea Plan
- b. DISCUSSION AND ACTION/Initiation of Plan Amendment Procedure for Procedure of "Taylor" Amendment to Lower Middle Fork Subarea Plan

These proposals, presented by Lee Miller, Planning Director, were at the "screening" stage which called for the Board to decide whether to consider their request. There was concern that going ahead at present would put too much pressure on staff time for other projects. Rust said he thought that further delay would not be desirable and that if there was not staff time for it, another person should be hired. Rutherford moved to defer action and review further in 90 days; Freeman seconded. All voted aye and the motion carried.

#### 5. HOUSING AND COMMUNITY DEVELOPMENT

- a. APPROVAL/Use of Future Program Income Dollars from Florence Subdivision Project

Jim Johnson explained that this project called for a recapture of funds covered by a second mortgage, loan agreement and note. When these were liquidated HUD would consider this "program income" and require it to be spent for eligible activities under the HCD Block Grant Program. According to an agreement with Florence City Council, the first half of these program income dollars would be designated for activities in Florence; the remainder would be used for eligible CD

activities to be decided on by the Board of County Commissioners. Rutherford moved approval; Rust seconded. All voted aye and the motion carried.

b. APPROVAL/Citizen Participation for FY 81 Housing and Community Development Block Grant Application

Jim Johnson said that this proposal called for approval of the Citizens Participation Plan for applying for Fiscal Year 1981 HCD Block Grant Funds. He also stated that small city requests go directly to HUD. Rust moved approval; t'Hooft seconded. All voted aye and the motion carried.

6. EMERGENCY BUSINESS (no business)

7. EXECUTIVE SESSION

t'Hooft moved that the Board go into Executive Session as per ORS 192.660. Rust seconded. All voted aye and the motion carried.

Patricia Charles  
Recording Secretary to the Board