

September 19, 1979
Following HA/URA
Meeting

REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

Harris Hall
Main Floor

Chairman Vance Freeman presided. Other Commissioners present included Gerald Rust, Harold Rutherford, Otto t'Hooft and Archie Weinstein. Reba Charles was Recording Secretary.

1. COMMISSIONERS' ANNOUNCEMENTS AND BUSINESS

a. REPORT BACK/Nonfunding of CETA Positions in Lane Economic Development Council

Steve Ickes, Employment and Training, presented a report indicating that the LECDC program is sound and in accord with all CETA projects. He presented a memorandum to the Commissioners, and stated that he had spent some six weeks looking into the project and could find no evidence of contradiction with the legislative intention of CETA. Freeman moved to table the report; t'Hooft seconded. Following discussion the question was called for; Rust, Rutherford and Weinstein voted no; the other two Commissioners voted aye; the motion failed. Rust moved to accept the report; Rutherford seconded; Weinstein voted no; Rust and Rutherford voted aye; t'Hooft and Freeman abstained; the motion failed. Rust asked for a recount. Freeman and Weinstein voted no; Rust and Rutherford voted aye; t'Hooft abstained; on a two-two vote the motion failed. Rust moved to have the General Administrator execute the contract; Rutherford seconded; Weinstein voted no; the other four Commissioners voted aye and the motion carried.

b. DISCUSSION AND ACTION/Cooperation for Convention Promotion

Freeman noted that no expenditure was involved. Freeman moved to cooperate in convention promotion; Rust seconded; all voted aye and the motion carried.

c. CONTINUED DISCUSSION AND ACTION/Compensation for Land that is Downgraded by LCDC Rules

Weinstein reported a meeting with the Lane County Chamber of Commerce at which he discussed the legislation requiring compensation for land that is downgraded by LCDC rules. He had also contacted Representative Bill Rogers, who had just been appointed to the Land Use Commission, and he would also be speaking to Clackamas County people on this issue. Rutherford spoke in favor of Weinstein's project as making a breakthrough for the rights of people whose property values have been decreased. However, he stated that he thought those who had benefited from a zone judgment or other land use regulation should be the ones to pay.

d. CONTINUED ORDER 79-9-5-1 Designating Big Fall Creek Road as a Truck Route and Closing Rubin Leigh Road

2. GENERAL ADMINISTRATOR'S REPORT (No business)

3. CONSENT CALENDAR

(All items listed here are considered to be routine by the Board of Commissioners and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Calendar and will be considered separately.)

a. Approval of Minutes

b. Approval/Liquor License Applications

- 1) ORDER 79-9-19-1 Application of Stephen E. Hill, Shelly D. Hill, William E. Hill, Patricia J. Hill, dba One Stop Market, Florence (PS Liquor License--New Outlet)
- 2) ORDER 79-9-19-2 Application of Inn Investors, Ralph Robinson and Neal K. Sande, dba Country Squire Inn, Lane County (Dispenser Class A--New Licensee)
- 3) ORDER 79-9-19-3 Application of Francis William Bennett and Jerri Lou Ann Bennett, dba Bennetts' Market, Junction City (PS License--New Licensee)
- 4) ORDER 79-9-19-4 Application of Roy Earl Isaacson and Ruby M. Isaacson, dba J's Pizza, Leaburg, (RMB License - New Licensee)

c. Assessment and Taxation (No business)

d. Environmental Management

- 1) FIRST READING AND SETTING A PUBLIC HEARING (Second Reading: Wednesday, October 3, 1979, 1:30 p.m.) Ordinance No. 755 Rezoning Certain Land in Section 19, Township 18 South, Range 4 West, W.M. from Agriculture, Grazing Timber Raising (AGT) District to General Rural (GR-10) District
Applicant: Ed Vilhauer, ZC 79-163
Location: Spencer Creek Road, Opposite Briggs Hill Road
- 2) FIRST READING AND SETTING A PUBLIC HEARING (Second Reading: Wednesday, October 3, 1979, 1:30 p.m.) Ordinance No. 756 Rezoning Certain Land in Section 10, Township 17 South, Range 4 West, W.M. from Suburban Residential (RA) District to Light Industrial with Site Review (M-2/SR) District
Applicant: Mark Bridge, ZC 27-200
Location: 30042 Prairie Road, Eugene
- 3) FIRST READING AND SETTING A PUBLIC HEARING (Second Reading: Wednesday, October 3, 1979, 1:30 p.m.) Ordinance No. 757 Rezoning Certain Land in Section 5, Township 21 South, Range 3 West, W.M.

from Rural Residential (RR) District to Light Industrial (M-2) District

Applicant: James F. Thrasher, ZC 79-216

Location: 779232 Highway 99 South, South Cottage Grove

- e. Finance (No business)
- f. General Administration (No business)
- g. Legal Matters (No business)
- h. Plat Approvals
 - 1) Colina Vista Estates, Creswell
 - 2) Thurston Meadows First Addition, Springfield
 - 3) West Shore, Lane County, Oregon
- i. Public Works
 - 1) ORDER 79-9-19-5 Rescinding ORDER 76-9-8-9 Vacating a Portion of T. E. Seavy Road, County Road No. 722 (Due to an Error in Property Description)
 - 2) FIRST READING AND SETTING A PUBLIC HEARING (Second Reading Wednesday, October 10, 1979, 1:30 p.m.) Ordinance No. 79-120-79 Naming Certain Land Private Roads "Blok Lane" and "Olive Branch Lane"
 - 3) ORDER 79-9-19-6 Accepting a Deed of Land to be Used as a Public Road Easement and as a County Road From Ralph F. and Irene E. Thompson (Upper Camp Creek Road) M 501-78
 - 4) ORDER 79-9-19-7 Accepting a Deed of Land to be Used as a Public Road Easement and as a County Road From Mark Walter and Christie A. Johnson (Creswell West Road) M 324-79
 - 5) ORDER 79-9-19-8 Accepting a Deed of Land to be Used as a Public Road Easement and Not as a County Road From Roy W. and Ione Hatley (Huston Road) M 234-79

Rutherford requested that 3. d. 1), 2) and 3) be pulled because of a question about whether the agriculture goal was being addressed. On being assured that appropriate notification to exceptions would go out, the Consent Calender was read. Rutherford moved approval; t'Hooft seconded; all voted aye and the motion carried.

4. PUBLIC HEARINGS

- a. CONTINUED THIRD READING, PUBLIC HEARING AND ACTION/Ordinance 79-79 Amending Chapter 10 of Lane Code to Add Standards for Residential

Outdoor Storage of Inoperable Vehicles and Parts, Junk and Refrigerators and Freezers; Add Appropriate Definitions and Make General Housekeeping Revisions to the Entire Definition Section.

Helen Elliott, Permit Processing, stated that these regulations are not enforced unless there is a complaint. During discussion, Rutherford stated concern about the storage of heavy equipment causing problems. Chairman Freeman opened the public hearing.

Thomas Martin, 3620 Emerald, Eugene, inquired if the proposed regulations are more permissive than what exists today. Elliott answered that in the case of a complaint, the owner could be cited for an industrial use if he had more than one piece of equipment. Martin expressed the opinion that there would be more complaints under the new regulations.

Charles Dallas, who owns property on Howell Road and resides on Fox Hollow Road, stated that he had a neighbor on whose property were sixteen automobiles or parts thereof. Across the street from him is a new home with tennis court and swimming pool which has to face on this "junk yard." This had been reported to County staff and the answer had been that this proposed ordinance would enable the neighbor to do something about it. At present it is degrading the surrounding property values.

Gordon Elliott, 1267 Irvington Drive, said that many people are trained to do things on their own and that these regulations were too specific and went too far. It is difficult and expensive to get legal help. He thought that people should be more tolerant and that there should be some way of solving the problem without hurting people. The public hearing was closed.

Rutherford stated that the regulation as to freezers and the refrigerators should make it clear that it was for outdoor storage only and that there is a possibility of securing doors without them being padlocked. He also mentioned a problem with the statute which requires there to be intent to create a hazard. t'Hooft inquired what kind of proceedings would be taken against a violator and Elliott said it is an infraction. Freeman suggested that a warning should be given with some days provided to comply. Legal Counsel Van Vactor said that if these substantive provisions were added, a fourth hearing would be necessary, with changes to be in the County Clerk's office for two weeks beforehand. Weinstein expressed concern about the fines, and Elliott said that a manual change was being drafted to change them. t'Hooft suggested \$25 for first offense and \$25 each for the next 10 days before going to \$100 per day. A second offense could be \$100. Rust moved to continue and to set the next hearing for 9:00 a.m., October 10; t'Hooft seconded; all voted aye and the motion carried.

5. COMMITTEE APPOINTMENTS

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a. Metropolitan Area Planning Advisory Committee ORDER 79-9-19-13

General Administrator Morgan presented a list of names suggested by the Community Relations Department. Weinstein nominated Julian Falk, Charles Cole, and Kathleen Shelley. Tom R. Bowerman and Cliff Everett were named as alternates. Rutherford seconded the nomination; all voted aye and the nominations carried.

b. Planning Commission Coordinating Committee

This committee would review and make recommendations concerning MAPAC. Weinstein nominated Gene James and Dennis Cuddeback. Freeman seconded; Rust noted no; the other four Commissioners aye and the nominations were adopted.

6. ASSESSMENT AND TAXATION (No business)

7. COMMUNITY HEALTH AND SOCIAL SERVICES (No business)

8. DISTRICT ATTORNEY (No business)

9. EMPLOYMENT AND TRAINING (No business)

10. ENVIRONMENTAL MANAGEMENT (No business)

11. FINANCE (No business)

12. GENERAL SERVICES (No business)

13. HOUSING AND COMMUNITY DEVELOPMENT

a. APPROVAL/Revision of FY 80 Community Food and Nutrition Program Grant

Jim Johnson explained the revised budget and work program. Rutherford moved that the Board of Commissioners approve the revised budget and work plan for the FY 80 Community Food and Nutrition program as recommended by staff; Rust seconded; all voted aye and the motion carried. Weinstein expressed concern about the reduction in Senior Services and asked that staff do the best they could.

b. REPORT BACK/Feasibility of Recapturing Funds in Home Repair Program

Jim Johnson explained that this report was in response to a request of several weeks before. He said that clients consisted of 75 percent elderly, three percent handicapped, and that many of the others were single parents with smaller children. He detailed three alternative ways of recapturing the repair grants; (1) deferred payment loan, which would require an additional staff person and some legal counsel time; (2) "declining block" loan, which would require another staff person but would provide security for the County's investment; (3) Promissory note, which would require little staff time and have low administrative cost, but would not be secured very well in case of default. He stated that staff preference was to retain the present

policies. The repair grants have a limit of \$1,000 per client, but the average job last year cost about \$300 including materials and labor. Rutherford moved to approve the staff recommendation; Freeman seconded. Morgan inquired about loss through noncollection, stating that the administration is trying to identify areas where the General Fund is subsidizing grants of different types through staff services which cost the General Fund several thousand dollars per year. He said that this investigation did not apply especially to this project but was only one of several grant projects being investigated in this regard. On the question all voted aye and the motion carried.

c. APPROVAL/Department of Energy FY 79 Weatherization Grant

Johnson explained that this project would require the hiring of an additional carpenter to carry it out. Rutherford moved that HCD staff complete a submission of an application to the state of Oregon for Lane County's full FY 79 allocation of DOE weatherization funds, amounting to \$159,150. Upon the state's acceptance of this grant requested is also moved that one classified carpenter position be added to the HCD Department's staff in order to carry out the weatherization work program. Rust seconded; all voted aye and the motion carried.

d. APPROVAL/Special Community Services Administration Grant for Upper Willamette Economic Development Corporation (\$15,000 for an Industrial Park in Oakridge)

Steve Greenwood, HCD, explained that this is a one-time only expense, that the Board had previously indicated their support. t'Hooft moved that the Board of Commissioners accept the \$15,000 special grant from the Community Services Administration for the Upper Willamette Economic Development Corporation's development of an industrial park at Oakridge. Rutherford seconded; all voted aye and the motion carried.

14. JUDICIAL ADMINISTRATION (No business)

15. JUVENILE DEPARTMENT (No business)

16. LEGAL MATTERS (No business)

17. PUBLIC LANDS (No business)

18. PUBLIC SAFETY (No business)

19. PUBLIC WORKS

a. DISCUSSION AND ACTION/Bid Award - Dexter Reservoir Bridge and Causeway

General Administrator Morgan presented this project, recommending that option 2 be adopted. Upon inquiry as to where the money was coming from, Morgan stated that it was road money, but that the money could be restored to the Road Fund. He stated that option 2 had the advantage of being interest-free money. Rust moved to adopt option 2; t'Hooft seconded; all voted aye and the motion carried.

- 20. REGIONAL INFORMATION SYSTEMS (No business)
- 21. EMERGENCY BUSINESS (No business)

- 22. EXECUTIVE SESSION as per ORS 192.660 (Commissioners' Conference Room)
 - a. Litigation; b. Personnel Matters; c. Negotiations

t'Hooft moved to adjourn to Executive Session as per ORS 192.660 for purposes of litigation, personnel matters and negotiations; Freeman seconded; all voted aye and the motion carried.

Paula Charles
Recording Secretary to the Board