

80712

MINUTES & REEL 102 PAGE 012 Date Wednesday, July 9, 1980
NOTICE OF BOARD ACTION
LANE COUNTY BOARD OF COMMISSIONERS

This document, upon approval in a public meeting by the Board of County Commissioners, serves as official minutes of such meetings as required under the Open Meetings Law, ORS 192.650.

Pursuant to notice made by mailing agendas to all news media, recognized charter groups, neighborhood organizations, all rural stores and a selected list of jurisdictions and individuals in Lane County a meeting of the Board of County Commissioners was held.

Questions should be directed to Debbie Mohr, Board Secretary, ext. 4203.

NOTE: ALL NBA/MINUTES ARE AVAILABLE AT THE INFORMATION DESK IN THE PUBLIC SERVICE BUILDING. WE WILL NO LONGER DELIVER THESE BY HAND.

July 9, 1980
Following HA/URA
Meeting

REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

Harris Hall
Main Floor

Vice Chairman Harold Rutherford presided, other Commissioners present were Vance Freeman and Archie Weinstein. Commissioners Gerald Rust and Otto t'Hooft were absent, on vacation.

1. COMMISSIONERS' ANNOUNCEMENTS AND BUSINESS

a. Emerald Empire Roundup

Bill Bain, Director of Assessment and Taxation, reminded the Board that the weekend coming up was the weekend of the Emerald Empire Roundup and introduced Bob Clark, Director of the Roundup who told the Board that this would be the first year events would be held indoors in the new arena at the Fairgrounds.

At this point the Board took Agenda Item 11.a. out of order.

11. ENVIRONMENTAL MANAGEMENT

a. REVIEW/Possible Position/Proposed LCDC Administrative Rule Defining "Land Conservation and Development Action"

Action Statement: Rutherford said the LCDC would hold a hearing on July 10 to discuss a proposed definition of the term "land development and conservation action" and the proposed definition of the term would include goal applicability to septic tank and building permits. He said the proposed definition would have an enormous impact on local government and he asked for authorization from the Board to forward a letter, which he had submitted to the Board and to Lee Miller,

REEL 102 PAGE 013

Director of Environmental Management, requesting greater clarification by LCDC before a decision would be considered. Rutherford then asked Miller to give the Board a brief report on what impact could be expected if the proposal were to be accepted. Miller said if the proposed definition was adopted there would be an increase of staff time of 1.35 person years with a cost impact of \$53,725 for FY 80-81. This figure excluded certain aspects of the program and if mailed notice was also to be required the effect would be an additional 2.2 person years along with an increase of an additional \$47,045. Miller advised the Board that the entire process then would result with an approximate \$100,000 increase to the County. Rutherford asked Assistant County Counsel Bill Van Vactor if he could carry a letter under Rutherford's signature and addressed to the LCDC on Thursday, July 10 and Weinstein said he would insist that his aide, George Kramer, attend the meeting as well. Van Vactor agreed to handle the letter and Rutherford moved that he, himself, be allowed to forward the letter to LCDC Thursday, July 10. Freeman seconded, all members voted aye and the motion carried unanimously. Rutherford's letter asked that LCDC address six specific questions in order to eliminate vagueness along with additional clarification on three general concerns.

Implementation and/or Future Agenda Date: Letter to be delivered to LCDC on Thursday, July 10, by Bill Van Vactor.

Other Departments Affected: Environmental Management; General Administration; County Administration (Board of County Commissioners); Management and Budget Services.

c. LRAPA (Lane Regional Air Pollution Authority)

Freeman reported that he had attended an LRAPA meeting on Tuesday at noon and learned that LRAPA is considering applying certain regulations on wood stove burning.

d. Airport Commission

Rutherford said that he had attended an Airport Commission meeting early that morning and had seen the preliminary plans for the new fire station to be built in the area which incorporates solar heat with a reported projected savings of 50 percent with heat and hot water use.

In a response to a question by Weinstein to Freeman regarding Triangle Veneer closure, Freeman said that Triangle Veneer was not in compliance and as far as he knew the closure would remain in effect. Weinstein said that he wanted this placed on the agenda because he felt that Triangle was ready to comply. Freeman said Triangle had not informed LRAPA of this. The Board took no action.

2. GENERAL ADMINISTRATOR'S REPORT (No Business)
3. MANAGEMENT AND BUDGET SERVICES (No Business)

4. 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

- 1) Friday, June 20, 1980 - Regular Meeting at 3:30 p.m.
- 2) Tuesday, June 24, 1980 - Special Meeting of the HA/URA
- 3) Tuesday, June 24, 1980 - Regular Meeting Following HA/URA at 9:00 a.m.
- 4) Tuesday, June 24, 1980 - Special Meeting/Public Hearing at 1:30 and 7:30 p.m.
- 5) Wednesday, June 25, 1980 - Special Meeting of the Metropolitan Wastewater Service District
- 6) Wednesday, June 25, 1980 - Regular Meeting at 9:00 a.m.
- 7) Wednesday, June 25, 1980 - Regular Meeting at 1:30 p.m.

b. Assessment and Taxation

- 1) ORDER 80-7-9-1/Various Refunds to Various Taxpayers

c. Environmental Management

- 1) FIRST READING AND SETTING A PUBLIC HEARING/Ordinance No. RN 106-80/Naming Certain Private Roads: "Native Drive," "Eric Todd Lane," "Garry Oak Drive," "Sherwood Island Road" (Second Reading: Wednesday, July 30, 1:30 p.m.)

d. Finance and General Services (No Business)

e. General Administration (No Business)

f. Legal Matters

- 1) FIRST READING AND SETTING OF PUBLIC HEARING/Ordinance No. 15-80/In the Matter of Amending Chapter 5 of Lane Code, LC 5:050, Optional Forum (Public Hearing: July 23, 1980, 9:00 a.m.)

g. Management and Budget (No Business)

h. Plat Approvals

- 1) Westfir Plat, Westfir

i. Public Safety

- 1) APPROVAL/Application and Permit for Launching Model Rockets (Kevin J. Leppanen)
- 2) APPROVAL/Application and Permit for Launching Model Rockets (Herman C. Daniel)
- 3) ORDER 80-7-9-2/Transfer of Excess Property Vehicles Ownership Titles to Marcola Rural Fire Department, Lane Rural Fire Department, Lorane Rural Fire Department, and Veneta Rural Fire Department
- 4) ORDER 80-7-9-3/Application for Business as a Wrecker of Motor Vehicles or Salvage Pool Operators (Allen Geedba, Goshen Auto Dismantlers and Recyclers, Inc., 85471 Franklin Boulevard, Eugene)
- 5) ORDER 80-7-9-4/Application for Business License as a Wrecker of Motor Vehicles or Salvage Pool Operators (Robert Smith dba Foreign Parts West, Inc., 2699 Prairie Road, Eugene)
- 6) ORDER 80-7-9-5/Application for a Business License as a Wrecker of Motor Vehicles or Salvage Pool Operators (Peggy Bond dba Bond's Auto Wrecking, 85451 Highway 99 South, Eugene)
- 7) ORDER 80-7-9-6/Application for Business License as a Wrecker of Motor Vehicles or Salvage Pool Operators (Dennis Langan dba D & L Auto Wreckers, 91720 Highway 99, Junction City)
- 8) ORDER 80-7-9-7/Application as a Wrecker of Motor Vehicles or Salvage Pool Operators (Bruce Anderson dba Anderson Brothers Truck and Equipment Company, Box 2787, Eugene)

j. Public Works

- 1) ORDER 80-7-9-8/Accepting the Low Bids Submitted by Wildish Construction Company in the Amount of \$101,633.25 for Improvement of Van Duyn Road from Steward Way to I-5 Ramps, Prospective Contract No. 80-13
- 2) ORDER 80-7-9-9/Accepting the Bid Submitted by Eugene Sand and Gravel, Inc., for Concrete Bridge Slab Requirements for FY 80-81, Prospective Contract No. P80-11
- 3) ORDER 80-7-9-10/Accepting Bids for FY 80-81 Asphaltic Mix Patching Material Needs, Prospective Contract No. P80-14
- 4) ORDER 80-7-9-11/Accepting Bids for Equipment Rental Contracts for FY 80-81, Prospective Contract No. P80-15

- 5) ORDER 80-7-9-12/Improvement of a Portion of River Road, County Road No. 200 and Subjecting Certain Land to a Lien of an Assessment for the Cost of the Improvements in an Amount to be Determined Later by the Board
- 6) ORDER 80-7-9-13/Releasing a Cashier's Check Submitted by Bill Boslaugh in Connection with Approval and Recording of Partition No. M 396-79
- 7) ORDER 80-7-9-14/Accepting a Deed of Land to be Used as a Public Road Easement and as a County Road from Alexandra de Palma, et al (Simon J. Road) M 64-79
- 8) ORDER 80-7-9-15/Accepting a Deed of Land to be Used as a Public Road Easement and as a County Road from Mabel C. Williams, et al (Edenvale Road) M 313-79
- 9) ORDER 80-7-9-16/Accepting a Deed of Land to be Used as a Public Road Easement and as a County Road from Kathryn K. Cundiff, et al (Fox Hollow Road), M 301-79
- 10) ORDER 80-7-9-17/Accepting a Deed of Land to be Used as a Public Road Easement and not as a County Road from J. F. Schmidt, et al (West Hilyard Lane) M 614-78
- 11) PARTITION APPROVAL: Harold F. Stephens, M 198-79
- 12) ORDER 80-7-9-18/Easement to Pacific Power and Light Company
- 13) ORDER 80-7-9-19/Easements to City of Eugene for Sanitary Sewer Improvements

Freeman moved approval, Rutherford seconded, all members voted aye and the motion carried unanimously with the exception of Agenda item j., under Public Works, 1) ORDER 80-7-9-8, which was pulled at the request of Public Works

5. PUBLIC HEARINGS

- a. SECOND READING PUBLIC HEARING AND ACTION/Ordinance No. 14-80 Amending Chapter 10 of Lane Code to Revise Procedures Affecting Changes in Official Zoning Maps and Declaring an Emergency

Action Statement: County Counsel Margie Hendriksen advised the Board that this was a housekeeping measure, a procedural change to expedite a more efficient timeframe available for Planning in changing legal descriptions to map descriptions in an orderly fashion. Weinstein said he would vote against the matter and Freeman then suggested that both items a. and b., be held over for one week in order for full Board participation. Since the matter was a public hearing, Rutherford opened for public hearing, no one was present to testify in support of or in opposition to the Ordinance and Rutherford closed the public hearing. Freeman then moved that 5.a., be continued for one

week, Rutherford seconded, all members voted aye and the motion carried unanimously.

Implementation and/or Future Agenda Date: Continued to Wednesday, July 16 at 9:00 a.m.

Other Departments Affected: County Administration (Board of County Commissioners); Environmental Management; County Counsel.

- b. FOURTH READING PUBLIC HEARING AND ACTION/Ordinance No. 7-80 Amending Chapter 10 of Lane Code to Revise Special Exceptions to Minimum Area Requirements

Action Statement: Freeman moved to continue for one week, Rutherford seconded, all members voted aye and the motion carried unanimously.

Implementation and/or Future Agenda Date: Continued to Wednesday, July 16, at 9:00 a.m.

Other Departments Affected: County Administration (Board of County Commissioners); Environmental Management; County Counsel.

6. COMMITTEE APPOINTMENTS

- a. Resource Recovery Advisory Committee (RRAC)

Action Statement: Joyce Nichols, Community Relations Officer, advised the Board that there were two vacancies on the Resource Recovery Advisory Committee and it was the Committee's recommendation to appoint Bob Fenstermacher and Marie Mulholland for those positions. Freeman said he would like to have representation from Springfield on the Committee and then moved that Fenstermacher and Curtis Schmidt be appointed to the Committee. Rutherford seconded, all members voted aye and the motion carried unanimously.

Implementation and/or Future Agenda Date: Appointments effective immediately.

Other Departments Affected: General Administration (Community Relations); Environmental Management.

No Business on the Following:

- 7. ASSESSMENT AND TAXATION; 8. COMMUNITY HEALTH AND SOCIAL SERVICES;
- 9. DISTRICT ATTORNEY; 10. EMPLOYMENT AND TRAINING
- 11. ENVIRONMENTAL MANAGEMENT
 - a. REVIEW/Possible Position/Proposed LCDC Administrative Rule Defining "Land Conservation and Development Action"

(This matter was handled earlier in the morning under Commissioners' Announcements and Business.)

12. FINANCE AND GENERAL SERVICES (No Business)
13. HOUSING AND COMMUNITY DEVELOPMENT
 - a. ORDER 80-7-9-20/Approving a Grant Application for Weatherization Funding from the State Community's Services Program
 (This matter was handled under the HA/URA meeting at 9:00 a.m.)
14. JUDICIAL ADMINISTRATION (No Business)
15. JUVENILE DEPARTMENT (No Business)
16. LEGAL MATTERS
 - a. ORDER 80-7-9-21/Adopting Findings of Fact/Application by Edward D. Adams to Rezone Land (ZC 79-485) (Public Hearing: May 14, 1980)
 Weinstein stated that with only three Commissioners present he would vote yes on the Legal Matters items only on accommodation but that he retained the right of a no vote on those items consistent with his philosophy.
Action Statement: Freeman moved approval, Rutherford seconded, all members voted aye and the motion carried unanimously.
Implementation and/or Future Agenda Date: Immediately.
Other Departments Affected: None
 - b. ORDER 80-7-9-22/Approving a Zone Variance and Adopting Findings of Fact/Application by Thomas Emerson for a Zone Variance ZV 79-404 (Public Hearings: April 16, 1980 and April 30, 1980)
Action Statement: Freeman moved approval, Rutherford seconded, all members voted aye and the motion carried unanimously.
Implementation and/or Future Agenda Date: Immediately.
Other Departments Affected: None.
 - c. ORDER 80-7-9-23/Adopting Findings of Fact/In the Matter of an Application by S-TRI-C, Inc., to Rezone Land (ZC 79-402) (Public Hearings: April 23, May 7, and May 20, 1980)
Action Statement: Freeman moved approval, Rutherford seconded, all members voted aye and the motion carried unanimously.
Implementation and/or Future Agenda Date: Immediately.
Other Departments Affected: None.

REEL 102 PAGE 019

- d. ORDER 80-7-9-24/Approving a Temporary Mobile Home Permit and Adopting Findings of Fact/In the Matter of an Application by Jose A. Otero for a Temporary Mobile Home Permit, LC-292-80-TMH (Public Hearing: April 2, 1980)
- Action Statement: Rutherford moved approval, Freeman seconded, all members voted aye and the motion carried unanimously.
- Implementation and/or Future Agenda Date: Immediately.
- Other Departments Affected: None.
- e. ORDER 80-7-9-25/Adopting Findings of Fact/In the Matter of an Application by the Lane County Real Estate Division to Rezone Land. (WZC 79-035) (Public Hearings: May 14 and June 4, 1980)
- Action Statement: Freeman moved approval, Rutherford seconded, all members voted aye and the motion carried unanimously.
- Implementation and/or Future Agenda Date: Immediately.
- Other Departments Affected: None.
- f. ORDER 80-7-9-26/Approving a Land Partition and Adopting Findings of Fact/In the Matter of an Application by M. E. and Virginia M. Warren for a Land Partition (M 26-80) (Public Hearing: April 23, 1980)
- Action Statement: Freeman moved approval, Rutherford seconded, all members voted aye and the motion carried unanimously.
- Implementation and/or Future Agenda Date: Immediately.
- Other Departments Affected: None.
- g. ORDER 80-7-9-27/Approving a Site Review Permit and Adopting Findings of Fact, in the Matter of an Application by Hart Jensen/National Advertising Company, for a Site Review Permit (SR 80-10)
- Action Statement: Freeman moved approval, Rutherford seconded, all members voted aye and the motion carried unanimously.
- Implementation and/or Future Agenda Date: Immediately.
- Other Departments Affected: None.
- h. ORDER 80-7-9-28/Declaring Results on McKenzie-Willamette Port District
- Action Statement: Freeman moved approval, Rutherford seconded, all members voted aye and the motion carried unanimously.
- Implementation and/or Future Agenda Date: Immediately.

Other Departments Affected: None.

- i. ORDER 80-7-9-29/In the Matter of Setting a Date for the Final Hearing on the Formation of the Dexter Sanitary District

Action Statement: Freeman moved approval, Rutherford seconded, all members voted aye and the motion carried unanimously.

Implementation and/or Future Agenda Date: Final Hearing set for Wednesday, July 30, 1980.

Other Departments Affected: Finance and General Services (Elections); County Administration (Board of County Commissioners); County Counsel.

No Business On the Following:

- 17. PUBLIC SAFETY; 18. PUBLIC WORKS; 19. REGIONAL INFORMATION SYSTEMS
- 20. EMERGENCY BUSINESS
- 21. EXECUTIVE SESSION as per ORS 192.660 (Commissioners' Conference Room)
 - a. Litigation; b. Personnel Matters; c. Negotiations

(None Held)

There being no further business, Freeman moved to adjourn until 1:30 p.m., Rutherford seconded, all members voted aye and the meeting was adjourned at 10:00 a.m.

Cliffie Mads
 Recording Secretary to the Board