

MINUTES & NOTICE OF BOARD ACTION

BOOK 146 PAGE 1216

APPROVED 2-13-91



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 news media, 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 The Board Office Specialist 3, ext. 4203.

January 16, 1991
9:00 a.m.

REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

Harris Hall
Main Floor

Chair Jack Roberts presided with Steve Cornacchia, Ellie Dumdi and Jerry Rust present. Marie Frazier excused. Judy Haldeman, Recording Secretary.

1. ADJUSTMENTS TO THE AGENDA

Jim Johnson, County Administrator, stated that there would be one item of Emergency Business.

2. PUBLIC COMMENT

None.

3. COMMISSIONERS' ANNOUNCEMENTS

To be held later in the meeting.

4. COMMISSIONERS' BUSINESS

- a. ORDER 91-1-16-1/In the Matter of Appointing Representatives to Various Committees and Agencies

Rust asked to have the Willamette Institute Trade Council listed on the multi-jurisdictional committee. Roberts suggested that any additional information the Commissioners would like to have included be given to Arlene Marshall so that a roster can be prepared for reference. Rust asked to have contact phone numbers listed, as well.

MOTION: Approval. Dumdi MOVED, Rust SECONDED. VOTE: 4-0.

5. RESOLUTIONS

- a. RESOLUTION 91-1-16-2/In the Matter of Proclaiming January 15-21, 1991 Martin Luther King Week and Supporting the Metro Area Leaders Task Force on Human Rights and Affirmative Action Mission Statement

Roberts read the resolution into the record. Rust commented that our community is one of the most active and there will be events all during this week.

MOTION: Approval. Roberts MOVED, Rust SECONDED. VOTE: 4-0.

Roberts asked Board members to sign the mission statement attached to this order and he will have it placed in the lobby.

6. EXECUTIVE SESSION as per ORS

To be held later in the meeting.

7. COUNTY ADMINISTRATION

- a. Announcements

None.

- b. DISCUSSION/In the Matter of Supporting a Forest Service Economic Diversification Program Application

Peter Thurston, Community and Economic Development Coordinator, presented this item to the Board.

MOTION: Approval of Lane County's involvement in this program and authorizing the Chair of the Board to sign this letter. Dumdi MOVED, Rust SECONDED. Rust commented that he had attended a Special Forest Products workshop in Portland last February and learned that this was about a \$16 million industry in the Northwest. This program will bring into sharp focus the way we manage our forests to bring about a more sustained yield and a more diverse product. VOTE: 4-0.

- c. ORDER 91-1-16-3/In the Matter of Approving the 1991/1993 Biennial Community Corrections Plan

Larry Salmony, Coordinator of Justice Services, presented this item to the Board. Rust asked Salmony to discuss what he had heard from the state in terms of cutbacks in this program. Salmony commented that the Governor had recommended a 10 percent cut in the enhancement area and 12 to 15 percent in the field services area. He will return to the Board with a modified plan in June.

MOTION: Approval of the 1991-93 Biennial Community Corrections Plan. Rust MOVED, Dumdi SECONDED. VOTE: 4-0.

8. CONSENT CALENDAR

- A. Approval of Minutes: December 5, 1990, Regular Meeting,
9:00 p.m.
December 6, 1990, Regular Meeting,
1:30 p.m.
- B. County Administration
- 1) ORDER 91-1-16-4/In the Matter of Amending Board Order 91-1-2-8 Appointing Two Members to the Lane County Fair Board (Comm. Roberts)
 - 2) ORDER 91-1-16-5/In the Matter of Amending Board Orders Nos. 89-1-4-1 and 91-1-2-9 Appointing Members to the Lane County Budget Committee (Comm. Roberts)
 - 3) ORDER 91-1-16-6/In the Matter of Appointing a Member to the Lane County Budget Committee (Comm. Frazier)
- C. Finance and Management Services
- 1) ORDER 91-1-16-7/In the Matter of Selling County-Owned Real Property Map/Tax Lot Number 17-04-34-13-00101, More Specifically Located Behind 3835 West 11th, Eugene, Oregon
- D. JTPA
- 1) ORDER 91-1-16-8/In the Matter of Appointing a Member to Fill a Vacancy on the Southern Willamette Private Industry Council
- E. Public Works
- 1) ORDER 91-1-16-9/In the Matter of Awarding a Contract to Willamette Crushing for Rock Production - Cottage Grove Shop, Lindsey, Pleasant Hill and West Boundary Stockpile Sites, Contract No. 90/91-08
 - 2) ORDER 91-1-16-10/In the Matter of Awarding a Contract to Willamette Crushing for Rock Production - Triangle Lake, Veneta Shop and Walton Stockpile Sites, Contract No. 90/91-09
 - 3) ORDER 91-1-16-11/In the Matter of Awarding a Contract to Willamette Crushing for Rock Production - Florence Shop, Canary Road and Big Creek Road Stockpile Sites, Contract No. 90/91-10
 - 4) ORDER 91-1-16-12/In the Matter of Awarding a Contract to Columbia Body and Equipment Co., in the Amount of \$55,200 for the Purchase of Three (3) New, End Dump Pup Trailers, Contract No. FY 90/91 FS-11

- 5) ORDER 91-1-16-13/In the Matter of Granting an Intergovernmental Agreement Time Extension to the City of Eugene and Continue to Provide Fuel from the Oak Street Service Station
- 6) RESOLUTION AND FINAL ORDER 91-1-16-14/In the Matter of Vacating a Portion of a Public Road, Known as Commercial Place, Between Blocks 113 and 114, Second Amended Plat of Fernridge, Book 6, Page 28, Lane County Oregon Plat Records, Without a Public Hearing, and Adopting Findings of Fact (16-05-35)

Roberts stated that item 8. D. 1. should be pulled from the Consent Calendar.

MOTION: Approval of the balance of the Consent Calendar. Dumdi MOVED, Rust SECONDED. VOTE: 4-0.

8. CONSENT CALENDAR

D. JTPA

- 1) ORDER 91-1-16-8/In the Matter of Appointing a Member to Fill a Vacancy on the Southern Willamette Private Industry Council

Dumdi stated that both Frank Brazell and Norman Oakley were excellent nominees. Brazell is currently on the Council as Chair and it would be appropriate to reappoint him and to keep Mr. Oakley's application for a future appointment.

MOTION: Approval of Frank Brazell. Dumdi MOVED, Rust SECONDED. VOTE: 4-0.

9. COUNTY COUNSEL

- a. ORDER 91-1-16-15/In the Matter of Authorizing the Execution of a Lease, Easements and Covenant with Centennial Bank for Parking Purposes on County-Owned Land

Teresa Wilson, Assistant County Counsel, presented this item to the Board. Dumdi commented that this had been a long-time effort and that Wilson had done an excellent job of pulling this all together. Rust commented that this had taken a lot of negotiation. He stated that he hoped that the interests of the County would be attended to properly and that this would be a proactive way to stimulate some economic activity in downtown Eugene. Roberts commented that this had been a difficult call in many respects. He commented that the reality of operating in an urban environment is that there is a need to work together in a positive manner. Malcolm Scott, attorney for Centennial Bank, reported to Roberts that Wilson had been upfront and straightforward at all times and that he had enjoyed working with her.

MOTION: Approval. Dumdi MOVED, Roberts SECONDED. VOTE: 4-0.

10. HEALTH AND HUMAN SERVICES

- a. DISCUSSION/Regarding Follow-Up to National Health Study in November 11, 1990, Issue of Parade Magazine

Rob Rockstroh, Director of Health and Human Services, presented this item to the Board. He commented that the report from Linda Eaton cited increased rates of hepatitis which caused Oregon to come out badly in the study. Rust commented that he noticed that Oregon had a high cancer rate and he would like to know what kinds of cancer were studied and what demographic factors or geographic factors were used, etc. Rockstroh responded that Oregon had a fairly old population which influences this high rate. Jeannette Bobst, Public Health Manager, commented that the state is addressing cancer of the liver by instituting a hepatitis B vaccination program in the refugee and drug population. The state is also working with teens to prevent lung cancer with smoking cessation programs.

Rust commented that he would like to see an inquiry to the state to get some of these questions answered. Cornacchia suggested that Rust and his aide work on this and Rust stated that he would be glad to write a letter to the state. Rockstroh will provide easily accessible information for the next Board of Health report.

Roberts suggested that the Board recess for 30 minutes to read the material presented this morning on the Kittleson Appeal for Emergency Business.

This meeting recessed at 9:40 a.m. to reconvene at 10:10 a.m.

3. COMMISSIONERS' ANNOUNCEMENTS

Rust commented that it was a serious mistake to pursue military action in the Gulf.

Rust announced that he will be presenting a paper on the yew tree in Cottage Grove on Friday at the Village Green (see material on file).

Roberts announced that there will be a retirement gathering for Daniel Hartwig on January 18, 1991, at 1:00 p.m. in the Zone 1 Maintenance Room.

Roberts announced that there will be a march in honor of Martin Luther King starting at South Eugene High School and ending at the fountain in the downtown mall at 1:30 p.m. on January 18, 1991.

Dumdi announced that there will be a retirement gathering for Doc Heile on the following Friday from 11:30 a.m. to 1:30 p.m. at Public Works.

11. EMERGENCY BUSINESS

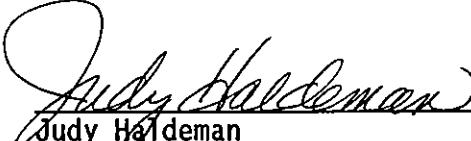
ORDER 91-1-16-16/In the Matter of a Determination of Whether or Not to Consider the Appeal of the Hearings Official's December 28, 1990, approval of PA 1596-90 (Kittleson) Verifying a Legal Non-Conforming Use.

Al Couper, Associate Planner, presented this item to the Board. There were no ex parte contacts declared by the Board. Dumdi asked if there were any hours specified for weekday use on this property. Couper responded that there were no hours stipulated; however, all of the uses are constrained by the finding that there was no lighting. There does not appear to be a limit on the practice time. Bill Van Vactor, County Counsel, stated that this is an application for a vested right which has to be based upon the factual practice and pattern at a certain date, unlike a conditional use permit.

Rust commented that the record was now for a court to determine. He stated that he personally felt that the Board could have approached this differently at an early stage in the process. Roberts agreed with Rust that this should be forwarded to the Land Use Board of Appeals.

MOTION: Not to hear this appeal. Rust MOVED, Dumdi SECONDED. VOTE: 4-0.

There being no further business, this meeting adjourned at 10:31 a.m. to Executive Session.



Judy Haldeman
Recording Secretary