

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 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.

May 15, 1991
1:30 p.m.

REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

Harris Hall
Main Floor

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

13. COMMISSIONERS' ANNOUNCEMENTS

Dumdi announced that she had attended the WIR Conference in Maui last week dealing primarily with public lands issues. She stated that Philip Burgess, President and Chief Executive Officer, of Center for the New West had given a speech entitled "New Choices in the Changing West - Outlook for the 1990's".

14. PUBLIC HEARINGS

- a. PUBLIC HEARING, RESOLUTION AND ORDER 91-5-15-18/In the Matter of Accepting Amendment #40 to 1989-91 Intergovernmental Agreement #20-001 with the Oregon Mental Health and Developmental Disabilities Services Division and Reducing Appropriations for Revenues and Expenditures in the Amount of \$7,835 in Programs for the Mentally Ill and Developmentally Disabled

Roberts opened the Public Hearing. There being no one present who wished to testify, Roberts closed the Public Hearing. MOTION: Approval. Dumdi MOVED, Rust SECONDED. VOTE: 5-0.

- b. PUBLIC HEARING AND FINAL ORDER 91-5-15-19/In the Matter of Surrender of a Portion of County Road No. 65 (Rhododendron Drive) to the City of Florence

Bob Ezell, Surveyor, presented this item to the Board. Roberts opened the Public Hearing. There being no one present who wished to testify, Roberts closed the Public Hearing. MOTION: Approval. Dumdi MOVED, Frazier SECONDED. VOTE: 5-0.

- c. SECOND READING AND PUBLIC HEARING/Ordinance 1-91/In the Matter of Amending Chapters 13 and 15 of Lane Code to Revise Provisions Regulating Access and Road Requirements in LC 13.050(5)(c)(i), 15.010(3)(j), 15.020, 15.055(1) & (2) and 15.130

Tom Stinchfield, Transportation Planning Engineer, presented this item to the Board. Roberts opened the Public Hearing. There being no one present who wished to testify, Roberts closed the Public Hearing. Frazier asked if this would influence the number of gravel roads in the County and Stinchfield commented that this did not address the gravel roads issue specifically. This may limit the number of roads in the County system. Frazier commented that there would be less County gravel roads, but more public access roads potentially. Frazier asked if there would be an effect on real property values with this change and Stinchfield commented that he did not know how this would affect property values. MOTION: Approval. Dumdi MOVED, Rust SECONDED. VOTE: Cornacchia, Dumdi, Roberts and Rust AYE, Frazier NAY.

- d. ORDER 91-5-15-20/In the Matter of Amending Chapter 15 of Lane Manual to Revise Policies and Criteria Regulating Access, Road Acceptance and Road Vacation Pursuant to LM 15.205 - 15.410

MOTION: Approval. Cornacchia MOVED, Dumdi SECONDED. VOTE: 5-0.

10. COUNTY COUNSEL

- a. DISCUSSION/Draft Ordinance with Proposed Riparian Vegetation Regulation Changes to Lane Code Chapter 16

This item continued from the morning meeting.

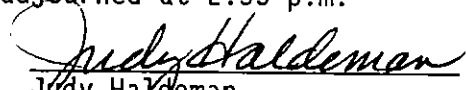
Stephen Vorhes, Assistant County Counsel, presented this item to the Board. He stated that the changes are: 1) authorization of riparian vegetation removal to allow farm uses has been limited only to EFU zones; 2) clear language referring to how these provisions apply to other activities within the zone; and 3) notice of director's approval of development plans would go to the appropriate property owner and the right of appeal would be provided pursuant to LC 14.

Dumdi stated that she was concerned that there was more and more development occurring in sensitive areas and she would like to propose a stricter enforcement policy which would involve a hefty fine and a management plan for restoration of riparian vegetation that has been inappropriately removed. Roberts agreed and suggested that the Planning Commission look at enforcement in the riparian zone. Cornacchia stated that he was concerned about large fines for those who may have removed the riparian vegetation out of ignorance and he suggested that there be a minimum/maximum fine. Roberts commented that those people could be allowed to replant, if the vegetation had been removed in error.

Vorhes stated that a management plan must be prepared when riparian vegetation is removed or replaced and it must be reviewed by Fish and Wildlife and the Planning Director. Copely commented that mitigation is not specifically noted in the old version of the ordinance for riparian vegetation, though it does occur in wetlands issues and in certain coastal areas. Cornacchia asked how the riparian zone would be repaired upon notification of a violation of the Code. Rust suggested that Land Management be empowered with the authority to direct and order restoration when necessary. Cornacchia stated that the number one policy must be the protection of the riparian vegetation and curing problems when the vegetation is not protected. Dumdi commented that realtors should be educated about the ordinance so that property buyers are aware of the regulations.

Roberts polled the Board and determined that there was consensus on sending this ordinance to the Planning Commission. Roberts commented that there were concerns on the part of Board members about penalties, restoration requirements and dumping. He asked if the Board would like to have staff and the Planning Commission work on developing language to include these concerns with a referral back to the Board. Dumdi suggested that the draft ordinance be referred to the West Lane Planning Commission as well. Jim Mann, Planning Supervisor, stated that there was a work session scheduled in June with the Planning Commission and that some of these details could be worked out then. Roberts suggested that there be a progress report to the Board on August 20.

There being no further business, this meeting adjourned at 2:35 p.m.


Judy Haldeman
Recording Secretary