



# 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.

January 14, 1992  
Following HACSA

REGULAR MEETING  
BOARD OF COUNTY COMMISSIONERS

Commissioners' Conference Room

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

1. ADJUSTMENTS TO THE AGENDA

None.

2. PUBLIC COMMENTS

Dan Smith, 91508 Stallings Lane, Eugene, claimed that he personally felt discrimination as a citizen and resident of Lane County. He stated that he had obtained numerous permits for his tax lot to comply with County regulations and had personally devoted years of his life to improving the assessed value of his property 1000 percent in 15 years. He asked that the Board examine two planning actions as they were processed by Land Management; each a home occupation request on adjacent properties. He stated that it feels like discrimination due to the selective application of Code and the lack of enforcement regarding continual violations. He stated that his request (PA 560-90) has had all County requirements completed, including a change of occupancy, building requirements and conditions of approval. In contrast, PA 1244-90 has been denied its renewal request, but has entered into an orchestrated agreement with County Counsel and Land Management. Despite a failure to comply, no legal action has been initiated and this business continues to operate daily although not one of the required permits has been obtained. He stated that three letters were sent to the individual in question to cease operations and he did not. He asked why zoning laws are only meant for those who comply, why enforcement does not carry the weight of the paper that it is written on and why the laws were selectively applied.

MaryAnne Smith, 91508 Stallings Lane, Eugene, commented that Lane Code Chapter 14 provides that "violation of conditional use permits will result in a revocation of that permit." She stated that a letter was sent last

August to the Planning Director specifying a minimum of 25 violations of planning action 2207 and that these violations were substantiated with photos and video tape. She stated that enforcement is largely based on bluff rather than actual penalties and emphasized that "laws are for everyone."

Virginia Callister, 91442 Stallings Lane, Eugene, commented that the structure that is involved in PA 1244-90 was posted by the building department as "unsafe to occupy" and the occupant was cited for violations. A deal was made with the property owner as long as certain conditions were met; none of the conditions were met. The enforcement system only works selectively and has no real teeth when it does work; a strong message is being sent not to bother to comply.

Gregory Callister, 91442 Stallings Lane, Eugene, commented that it was clear to him after two years of dealing with Land Management that the leaders of the division have set themselves above the County, state and federal laws. He stated that the ability of the enforcement division was continually hampered and a message of contempt for land use law is being heard loud and clear. He stated that since the County has failed to act, the bad feelings which have been generated have continued to fester, resulting in aggressive acts against him and his property. He reported that he has had three major surgeries due to conditions caused by the stress from this case. He stated that this case should have been an issue of law instead of personalities and added that he no longer feels safe in his home or his neighborhood.

Cornacchia commented that this testimony had been compelling and he would like to have a report back from Land Management and Legal Counsel within two weeks. The Board concurred.

### 3. COMMISSIONERS' ANNOUNCEMENTS

To be held at 10:40 a.m.

Frazier excused from the meeting.

### 4. COMMISSIONERS' BUSINESS

- a. ORDER 92-1-14-1/In the Matter of Appointing Representatives to Various Committees and Agencies

Dumdi suggested that the Housing Policy Board be added under Multi-Jurisdictional Committees with Roberts as the representative.

MOTION: To approve the assignments as amended. Roberts MOVED, Rust SECONDED. VOTE: 4-0.

### 5. EXECUTIVE SESSION as per ORS 192.660

To be held later in the meeting.

6. COMMITTEE REPORTSEconomic Development Standing Committee

## a. WORK SESSION/Regional Strategy III Application

Dumdi introduced Jim Zelenka, L-COG; Hal Reed, Chair of the Lane Economic Committee; Paul Kemp, Economic Development Coordinator for Oakridge; Barbara Gant, Cottage Grove; Larry Ward, L-COG; Margo Drivas, Assistant County Administrator; Alex Polowski, Lane Economic Committee; John Lively, Metropolitan Partnership; Greg Satchell, Oregon Economic Development Department; George Labious; Jim Gilroy, Mayor of Cottage Grove; and John Mosely, University of Oregon. Zelenka stated that the Lane Economic Committee (LEC) surveyed seven key industries in Lane County and concurred that forest products was the primary industry. In-depth consultation efforts were conducted with those firms identified through a survey as having legitimate forest products projects. The 19 projects on the list were selected on the basis of business development opportunities, physical infrastructure projects which could assist those business development opportunities, human capital development programs and raw resource supply (see material on file).

Reed stated that the Committee had done a good job of filtering all of the projects and that he felt very good about the selection of forest products as the key industry for Lane County. Cornacchia asked what criteria were used to rank these projects. Zelenka responded that there was a list of merit criteria which the Committee used to review each project and Polowski added that the company's readiness to proceed was a big factor in the Committee's ranking and that the Committee had produced a well-rounded package. Satchell reported that the Committee had done an outstanding job and had produced an outstanding list of projects with a well-diversified strategy. He said that the state would review the projects and respond by February 24.

Drivas stated that there would be a Public Hearing on January 15 and that the Committee would need direction from the Board following the hearing. Cornacchia commented that he appreciated the work of the LEC and the growing sophistication of the County in dealing with Regional Strategies. He added that a true partnership is being created between the County and the state. Dumdi stated that she appreciated working with Satchell and being able to share his expertise. Zelenka stated that the LEC has not had an opportunity to address the issue of strategy administration funding and Satchell encouraged the County to write a proposal to offset these costs.

This meeting recessed at 10:36 a.m. to reconvene at 10:45 a.m.

7. COUNTY ADMINISTRATION

a. Announcements

None.

b. ORDER 92-1-14-2/In the Matter of Appointing a Member to the Community Corrections Advisory Committee

Larry Salmony, Justice Services Coordinator, recommended that Ed Joseph be appointed to the Community Corrections Advisory Committee. MOTION: To appoint Ed Joseph to the Community Corrections Advisory Committee. Roberts MOVED, Rust SECONDED. VOTE: 5-0.

3. COMMISSIONERS' ANNOUNCEMENTS

Rust announced that he had attended a meeting in Salem staffed by Gil Rydell regarding the ability of counties to tax private utilities for wheeling power on federally owned electricity transmission lines. Roberts commented that he supports this approach, but he is concerned that people will think that this somehow addresses the revenue problem for the County and it does not.

Rust announced that he had received a letter regarding leachate from the Day Island Landfill and he suggested that the Board look at the letter and forward it to the Resource Recycling Advisory Committee.

Rust announced that the Chili Cookoff will be held tonight at 4:30 p.m. at the Eugene/Springfield Convention and Visitors' Bureau.

Dumdi announced that Peter Thurston, Community and Economic Development Coordinator, has been working with some of the contractors to try to iron out legal problems that the contractors were having in getting clean fill deposited at the Landfill.

Cornacchia announced that he had attended an AOC meeting on Monday with the subcommittee of the Public Lands Committee regarding the idea of unhitching Road Fund timber receipts from roads. He stated that one concept discussed was that the nation should pay for lands removed from local benefit and would ask for reasonable, rational timber management that allowed commodity extraction. The 90 percent guarantee should remain until there is a resolution of the revenue issue. Rust stated that he would like roads to compete with all of the services provided by the County. Roberts commented that the problems cannot be solved by reallocating fewer resources and that a long-term fix was needed.

8. CONSENT CALENDAR

- A. Approval of Minutes: December 11, 1991, Regular Meeting  
9:00 a.m.  
December 11, 1991, Regular Meeting  
1:30 p.m.  
December 17, 1991, 8:00 a.m.,  
Interview with Fair Board Applicant  
December 17, 1991, Regular Meeting  
Following HACSA  
December 18, 1991, Regular Meeting  
9:00 a.m.  
December 18, 1991, Regular Meeting  
1:30 p.m.

B. Health and Human Services

- 1) RESOLUTION AND ORDER 92-1-14-3/In the Matter of Accepting Amendment #11 to the 1991-93 Intergovernmental Agreement #20-001 with the State Mental Health and Developmental Disabilities Services Division; Appropriating an Additional \$31,352 in Revenues and Expenditures in Fund 24 in the Department of Health and Human Services; Awarding an Intergovernmental Agreement with School District 4J; Delegating Authority to the County Administrator to Sign the Contract Amendment and Subsequent Agreement

C. Public Works

- 1) ORDER 92-1-14-4/In the Matter of Entering into an Agreement with CH2M/Hill for Construction Engineering Services for Duncan Island Road Bridge

MOTION: Approval of the Consent Calendar. Roberts MOVED, Rust SECONDED.  
VOTE: 5-0.

9. FINANCE AND MANAGEMENT SERVICES

- a. ORDER 92-1-14-5/In the Matter of Authorizing the Director of Finance and Management Services to Extend a Previously Approved Interfund Loan for Emergency Fairgrounds Building Demolition to Include Costs Attendant to Fairgrounds Master Planning

MOTION: Approval of the order. Roberts MOVED, Rust SECONDED. VOTE: 5-0.

10. HUMAN RESOURCES

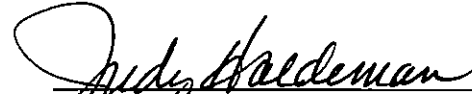
- a. ORDER 92-1-14-6/In the Matter of Classifying and Setting the Salary Range for the New Classification of Recycling Program Manager

Cheryl McCawley, Personnel Analyst, presented this item to the Board. Frazier commented that she would question the need for this new classification. MOTION: Approval. Rust MOVED, Roberts SECONDED. VOTE: 5-0.

11. EMERGENCY BUSINESS

None.

There being no further business, this meeting adjourned at 11:31 a.m. for Executive Session.

  
\_\_\_\_\_  
Judy Hardeman  
Recording Secretary