

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.

March 17, 1992	WORK SESSION	Harris Hall
Following HACSA	BOARD OF COUNTY COMMISSIONERS	Main Floor

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

1. ADJUSTMENTS TO THE AGENDA

There will be some items of Emergency Business and, following the regular Agenda, the Board will discuss a memorandum from Finance and Management regarding marriage ceremonies outside of business hours.

2. PUBLIC COMMENTS

Florence Brown, 24164 Highway 36, Cheshire, commented on wetlands and on private rights for property. She stated that the 5th, 10th and 14th Amendments to the Constitution give citizens the right to own property and the right to equal protection under the laws. She commented that she would appreciate having more information on wetlands issues prior to the meetings.

Bert Henderson, 91531 Donna Road, Springfield, local union president at Weyerhaeuser, commented on behalf of the modifications to enterprise zoning for Weyerhaeuser which are on the Agenda.

3. COMMISSIONERS' ANNOUNCEMENTS

To be held at 10:40 a.m.

4. EXECUTIVE SESSION as per ORS 192.660

To be held later in the meeting.

5. COUNTY ADMINISTRATION

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- a. Announcements

None.

- b. RESOLUTION AND ORDER 92-3-17-1/In the Matter of Extending the Property Tax Exemption to the Weyerhaeuser Company and Establishing a New Minimum Number of Employees that the Firm Must Retain for the Springfield-Based Weyerhaeuser Plant Throughout the Enterprise Zone Exemption Period.

Margo Drivas, Assistant County Administrator, presented this item to the Board. Richard Hansen, Vice President and Mill Manager for the Weyerhaeuser Container Board operation, commented that Weyerhaeuser was requesting revisions to the pre-certification agreement due to project delays. He stated that there is competition from southern mills and it is a tribute to the quality of the people at Springfield Container Board that they have shown the confidence to invest here in spite of adverse economic conditions. The involvement and quality of the employees is very high and the record of improvement, productivity and cost has been outstanding over the past three years. He asked the Board to continue to support this project.

Rust asked what percentage of the material will be recycled and Hansen stated that it would be between 30 and 40 percent depending on the grade mix, approximately 400 tons per day will be collected from the entire west coast. MOTION: Approval of the order. Roberts MOVED, Frazier SECONDED. Rust commended the corporation for making an enormous investment in Lane County and stated that he is supportive of this investment which will stimulate the economy and the environmental technology in the region. VOTE: 5-0.

6. PUBLIC WORKS

- a. FIRST READING AND SETTING SECOND READING AND PUBLIC HEARING/Ordinance No. PA 1018/In the Matter of Adopting the Eugene Commercial Lands Study as a Refinement to the Eugene-Springfield Metropolitan Area General Plan, and Adopting a Severability Clause.

Dumdi read the ordinance into the record. MOTION: Approval of the First Reading and setting Second Reading and Public Hearing April 8, 1992, 7:00 p.m. at the City of Eugene. Roberts MOVED, Cornacchia SECONDED. VOTE: 5-0.

- b. FIRST READING AND SETTING SECOND READING AND PUBLIC HEARING/Ordinance No. PA 1019/In the Matter of Adopting the West Eugene Wetlands Special Area Study, a Refinement to the Eugene-Springfield Metropolitan Area General Plan, and Adopting a Severability Clause.

Dumdi read the ordinance into the record. MOTION: Approval of the First Reading and setting Second Reading and Public Hearing April 8, 1992, 7:00 p.m. at the City of Eugene. Roberts MOVED, Frazier SECONDED. VOTE: 5-0.

- c. FIRST READING AND SETTING SECOND READING AND PUBLIC HEARING/Ordinance No. PA 1017/In the Matter of Amending the Rural Comprehensive Plan Designation Applying to Tax Lots 100 and 800, Map 17-03-11; Tax Lots 100 and 200, Map 17-03-12; Tax Lot 300, Map 17-03-13; and Tax Lot 100, Map 17-03-14 from Forest to Agriculture, and Rezoning from FI/RCP (Nonimpacted Forest) to E40/RCP (Exclusive Farm Use), Adopting a Severability Clause and Findings in Support of this Action.

Dumdi read the ordinance into the record. MOTION: Approval of the First Reading and setting Second Reading and Public Hearing April 15, 1992, 1:30 p.m. in Harris Hall. Rust MOVED, Roberts SECONDED. VOTE: 5-0.

- d. DISCUSSION/Ordinance No. PA 1018/In the Matter of Adopting the Eugene Commercial Lands Study as a Refinement to the Eugene-Springfield Metropolitan Area General Plan, and Adopting a Severability Clause.

This item will be taken later in the meeting.

- e. DISCUSSION/Ordinance No. PA 1019/In the Matter of Adopting the West Eugene Wetlands Special Area Study, a Refinement to the Eugene-Springfield Metropolitan Area General Plan, and Adopting a Severability Clause.

This item will be taken later in the meeting.

7. COUNTY COUNSEL

- a. ORDER 92-3-17-2/In the Matter of Authorizing Execution of an Agreement with the City of Eugene and Centennial Bank and a Lease with Centennial Bank for Parking Purposes including Juror Parking.

Teresa Wilson, Assistant County Counsel, presented this item to the Board. MOTION: Approval of the order. Roberts MOVED, Cornacchia SECONDED. Roberts thanked Wilson for her hard work and stated that he had received comments from Centennial Bank on the good job that she had done. He thanked Jef Faw, Director of Finance and Management, for his work on this item as well. Rust stated that Roberts had contributed lots of time and effort toward the successful completion of this item. Dumdi agreed and stated that this agreement was much better than the original agreement because of all of their efforts. VOTE: 5-0.

8. ASSESSMENT AND TAXATION

- a. ORDER 92-3-17-3/In the Matter of Appointing a Member to the Farm Review Board Advisory Committee.

Dumdi recommended that the Board of Commissioners approve Gerald Edwards to the Farm Review Board Advisory Committee. MOTION: To appoint Gerald Edwards to the Farm Review Board Advisory Committee. Roberts MOVED, Rust SECONDED. VOTE: 5-0.

9. HUMAN RESOURCES

- a. ORDER 92-3-17-4/In the Matter of Establishing the New Classification and Salary Range for Recycling Specialist.

Cheryl McCawley, Personnel Analyst, presented this item to the Board. MOTION: Approval of the order. Rust MOVED, Roberts SECONDED. Cornacchia stated that he was concerned about the never-ending escalation of consideration paid for a variety of positions at the County. He suggested that elected officials set salaries for employees and not collective bargaining, as described in the memorandum of John Goodson, Director of Public Works. VOTE: 5-0. Dumdi asked that yearly salaries be included on all personnel items in the future rather than just the hourly rate.

10. YOUTH SERVICES

- a. ORDER 92-3-17-5/In the Matter of Directing the Department of Youth Services to Apply to be a Pilot Program for Implementation of the Community Juvenile Justice Act.

Steve Carmichael, Director of Youth Services, presented this item to the Board. He stated that HB3438 allows some pilot counties to be developed and he is proposing that Lane County apply to be considered as one of the pilot counties. The current system divides the management of juvenile offenders into three categories: 1) the County juvenile system; 2) Childrens Services Division placement workers; and 3) state training schools. This is a fractured system which he feels is not a client-responsive way to handle situations and causes confusion for the family. HB3438 allowed three to six counties to combine these services under county direction to transfer state workers to the responsibility of the county to manage one system. The state workers will remain state employees but the pilot resources will transfer to the counties. Multnomah and Lane Counties are the only ones interested at this time, though Washington County may come forward.

Cornacchia commented that he appreciated the intent of this proposal, but would like to know how it will affect the Lane County budget. Carmichael responded that he would use resources left from the state to try to build a comprehensive program for Lane County kids.

Roberts commented that he was in favor of going forward with this proposal, but that there were some risks which needed to be discussed. He stated that resources are declining and this program could be a colossal failure, though he will support it because the model makes sense and the need to coordinate is more crucial as the resources become more scarce. Cornacchia would like to have the County take over the authority, if it takes over the role; that there will not be additional mandates from the state without additional resources. Dumdi stated that she would support the comments made this morning. MOTION: Approval of the order. Roberts MOVED, Cornacchia SECONDED. VOTE: 5-0.

11. CONSENT CALENDAR

- A. Approval of Minutes: February 18, 1992, Work Session, 9:00 a.m.
February 18, 1992, Joint Meeting BCC/Fair Board
11:30 a.m.
February 18, 1992, Work Session, 1:30 p.m.
- B. Finance and Management Services
- 1) ORDER 92-3-17-6/In the Matter of Correcting a Quitclaim Deed for Property Sold by Lane County to Shirley Lakes and Bernice Saunders in April 1987 (Map #18-06-01-00-01803).
- C. Public Safety
- 1) ORDER 92-3-17-7/In the Matter of Approving an OLCC License (New Outlet) for Tina D. Phinney and Billy Hutchison dba: Tina's Lucky Logger Restaurant, Springfield.
- D. Public Works
- 1) SUBDIVISION PLAT
- a. Elizabeth Park
City of Eugene
17-04-16

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

12. EMERGENCY BUSINESS

ORDER 92-3-17-9/In the Matter of Delegating Authority to the County Administrator to Sign the Subcontract with SCAR/Jasper Mountain Center

MOTION: Approval of the order. Frazier MOVED, Roberts SECONDED.

Jim Johnson, County Administrator, commented that he had a copy of a letter from Roger McGuckin, Building Official, regarding compliance at

Jasper Mountain and asked the Board if these should be tied together. Rust and Cornacchia commented that this was over-reaching to force total compliance on receiving \$50,000 from Lane County and this money should not be leveraged on compliance. Roberts commented that the Board had already approved the \$50,000 for the castle and he was reluctant to tie compliance to this money now. VOTE: 5-0.

ORDER 92-3-17-8/In the Matter of Appointing a Justice Pro Tempore for the Florence Justice Court

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

6. PUBLIC WORKS

- d. DISCUSSION/Ordinance No. PA 1018/In the Matter of Adopting the Eugene Commercial Lands Study as a Refinement to the Eugene-Springfield Metropolitan Area General Plan, and Adopting a Severability Clause.

Michael Copely, Associate Planner, introduced Theresa Bishow and Jim Croteau, City of Eugene, to the Board. Bishow commented that the highlights of the policy direction proposed in the study include adjusting the supply to remove sites which have severe development constraints and to resolve conflicts between the zoning and the Metro Plan designation with regard to commercial property. There is policy direction to revise the Eugene zoning ordinance to encourage greater flexibility and mixing of commercial and compatible industrial uses and to allow opportunities for business parks in industrial areas. There are policies which promote redevelopment and encourage greater intensification of our existing commercial sites and promote neighborhood and community commercial centers. The study will look at the community's interest in having the city better regulate the design and appearance of new commercial developments and redevelopment of existing commercial sites. She stated that the Eugene Planning Commission served as the main citizen advisory group on the project and both the Eugene Planning Commission and the Lane County Planning Commission recommended approval of the Eugene Commercial Lands Study.

Cornacchia asked that there be written comments from the task force on its position on the final document prior to the Public Hearing. Bishow stated that they had disbanded in September, but she would try to arrange a meeting of the task force or encourage individuals to provide comments. Cornacchia would like to have comments from the task force on the natural resources study also. In response to a question from Rust, Bishow stated that a high percentage of the vacant commercial land was ready to go; those that are constraint free are listed in the appendix on page b-1 (see material on file). Rust stated that he would appreciate a comprehensive listing of numbers of acres as well as road needs for these properties so that

decisions can be made for the use of scarce resources in providing services to the top six sites.

This meeting recessed at 10:24 a.m. to reconvene at 10:40 a.m.

3. COMMISSIONERS' ANNOUNCEMENTS

Rust wished everyone a Happy St. Patrick's Day.

Roberts congratulated Sheldon High School and the Irish for winning the state basketball championship.

Cornacchia announced that he supported Sheldon and its victory also. He suggested that the Board send a letter either collectively or separately to the Sheldon High School basketball team.

Cornacchia commented about the memorandum regarding marriage ceremonies performed by Deeds and Records staff outside of business hours. He wondered if it would be possible to create a regulation wherein County clerks can perform marriages and receive a fee for them. Bill Van Vactor, County Counsel, stated that it would be possible and Johnson stated that it could be done if the County would pay the employees overtime. This will be discussed later today.

Dumdi reported that the American Legion in Florence has divested itself of all property and that the money spent to dispose of material from the demolished building could have been used for sports programs. Cornacchia stated that he would support a waiver of half of the fee with that provision.

ORDER 92-3-17-11/In the Matter of a Partial Fee Waiver for the Florence American Legion

MOTION: To grant a 50 percent refund to the American Legion with the provision that the money goes to the sports program. Rust MOVED, Cornacchia SECONDED. VOTE: 5-0.

Dumdi announced that she would be out of town for the L-COG Board of Directors meeting on Thursday March 19 at 7:30 p.m. Rust stated that he would try to attend this meeting in her place.

Dumdi announced that she would be out of town for the SWPIC meeting on Thursday at noon. Cornacchia may be able to attend that meeting.

6. PUBLIC WORKS

- e. DISCUSSION/Ordinance No. PA 1019/In the Matter of Adopting the West Eugene Wetlands Special Area Study, a Refinement to the Eugene-Springfield Metropolitan Area General Plan, and Adopting a Severability Clause.

Michael Copely, Associate Planner, presented this item to the Board and stated that the Lane County Planning Commission had made some changes to the proposal and staff recommended that those changes not be made a part of the ordinance. Van Vactor asked if this would require an amendment to the Rural Comprehensive Plan and Copely responded that he would check on this. Steve Gordon, L-COG, explained the history of the wetlands issues in Lane County, the Comprehensive Wetlands Plan developed by L-COG and workshops held for citizens. The draft plan recommends protecting several thousand acres of wetlands and developing over 250 acres of industrial land in West Eugene; the key is mitigation and restoration with a regional mitigation bank to pool resources in advance. The plan does not propose redesignating land to a natural resource designation and does not propose rezoning to natural resource outright. The hydric soils were mapped in the Fern Ridge area but no zone changes are planned in that area with regard to wetlands.

Rust excused at 11:15 a.m.

Cornacchia asked what the cost to Lane County would be to implement this plan and Van Vactor and Copely stated that they had not reviewed that issue. Cornacchia stated that it would be worthwhile to know the cost of the Eugene regional permit. Roberts commented that he would not want to get into a situation where any wetland that falls into public ownership is locked up forever from development. He stated that he could agree with the Lane County Planning Commission with regard to the deletion of the clause in policy 3.8 "and to protect other important functions and values". Neil Bjorklund, City of Eugene, stated that he would concede that the phrase was not essential; it had been put in to address the concerns of the Department of Environmental Quality. Cornacchia stated that he would support the Lane County Planning Commission suggestions unless there is some new language brought forth with the specificity that Roberts suggested. Dumdi concurred.

12. EMERGENCY BUSINESS

ORDER 92-3-17-10/In the Matter of an Interpretation of the Lane County Rural Comprehensive Plan, Applicability of Groundwater Quantity and Quality Limited Areas to Uses Allowed in Zoning Districts

MOTION: Approval of the order. Cornacchia MOVED, Roberts SECONDED.
VOTE: 4-0. Cornacchia stated that he appreciated the job that Land Management had done on this interpretation. Roberts agreed. Van Vactor

commented that he had a concern about applying this interpretation routinely and he recommended that there should be a tag in the Code which refers staff to this interpretation. Roy Burns, Land Management Manager, stated that there is a legislative type of correction needed to make sure that these do not slip through the cracks.

Burns commented that there was a notice from the Water Resources Department about upcoming hearings on March 30 and 31 to deal with Governor Roberts' reorganization of some of the natural resources agencies. Burns stated that there were some concerns about this reorganization and he suggested that the Board might want to take a position. Cornacchia stated that this had been discussed in the AOC Legislative Committee meeting yesterday; the members decided that they would not comment except as the reorganization affected counties locally. Burns would prepare a memorandum outlining his concerns about this reorganization.

This meeting recessed at 11:44 a.m. to reconvene at 1:30 p.m.



Judy Haldeman
Recording Secretary