

MINUTES & NOTICE OF BOARD ACTION

BOOK 151 PAGE 1459

APPROVED

11-10-92

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.

WEDNESDAY, OCTOBER 28, 1992 - REGULAR MEETING

1:30 p.m.

(Harris Hall Main Floor)

Chair Ellie Dumdi presided with Steve Cornacchia and Jerry Rust present. Dumdi announced that Marie Frazier would be late. Jack Roberts excused. Jane Burgess, Recording Secretary.

11. COMMISSIONERS' ANNOUNCEMENTS

Rust announced that Sacred Heart Hospital has asked that we support a letter in favor of their campaign for medical excellence, and moved that the proposed letter be endorsed for the chair's signature. Rust said that time is of the essence and they need this to make their deadline. Cornacchia commented that this endorsement is worthwhile, useful and legitimate as long as the Board is not choosing this facility over its competitor in the industry. Dumdi affirmed that this was strictly a letter of support and not a recommendation for one facility over another.

Marie Frazier entered the meeting.

MOTION: Agreement to the letter of support and that it be signed by the Chair. Rust MOVED, Cornacchia SECONDED. VOTE: 4-0, Roberts absent.

Marie Frazier announced that the City of Oakridge is requesting a letter of support from the County for their application to ODOT requesting monies to provide a T-intersection between Greenwater Park and the rest area. Frazier explained that there currently is no easy access and that the joint access would enhance the usability of both sites and could incorporate the areas. She stated staff did study this request and determined that support of this would not jeopardize any other project that the County may wish to concentrate on. Cornacchia stated if there was a road match, i.e., road funds and road eligible, that he would even support that. Frazier stated the anticipated cost would be about \$170,000.

Dumdi announced that there will be another hearing in Salem with the Division of Land Conservation and Development. She stated that there is one item of Emergency Business in reference to this to be held later in the meeting.

Dumdi announced that on November 16 at 2:30 p.m. there will be a meeting with the Director of Corrections, the parole board, and the Community Corrections Advisory Committee at the Downtown Athletic Center.

Dumdi received a letter from Mayor Morrisette in Springfield saying that their Public Works Department is planning a celebration of a successful year of improving unpaved neighborhood streets in Springfield with a gathering at the intersection of 6th and "M" Streets from 12:00-1:00 p.m., Saturday, October 31. Cornacchia announced his plans to attend.

12. PUBLIC HEARINGS

- a. SECOND READING AND PUBLIC HEARING/Ordinance No. PA 13-92/In the Matter of Amending Lane Code Chapter 11 to Repeal the Outdoor Burning Regulations in Section 8.200 of the Eugene Code, 1971, Made Applicable Within the Urbanizable Area of the Eugene Urban Growth Boundary, Adopting a Severability Clause and Declaring an Emergency.

Dumdi read the ordinance into the record. There being no one present to testify, Dumdi closed the public hearing.

MOTION: Approval of second reading and public hearing. Rust MOVED, Cornacchia SECONDED. The Secretary polled the Board. VOTE: Rust, Frazier, Cornacchia and Dumdi aye. The motion carried unanimously, Roberts excused.

Roberts entered the meeting at 1:45 p.m.

Frazier excused at 2:45 p.m.

- b. SECOND READING AND PUBLIC HEARING/Ordinance No. PA 1024/ In the Matter of Amending the Rural Comprehensive Plan Diagram from "Agricultural Lands" to "Non-Resource" and Amending the Zoning Map from "Exclusive Farm Use" (E-40) to "Rural Residential" (RR-5) for Map No. 18-04-13, Tax Lot 1300.

Al Couper, Land Management Division, presented this item to the Board. Cornacchia expressed concern as to the water availability issue. Cooper acknowledged concern over water availability in reference to determining lot size. Discussion ensued concerning the classification of the property pertaining to Goal 3 and Goal 4 and the certainty that long-term water adequacy must be demonstrated.

Dumdi read the ordinance into the record and opened for public hearing.

Rust stated he believes the land is predominantly forest land and that the applicant has not met the burden of proof on water quality and quantity. Cornacchia and Dumdi concurred with this statement.

Staff was asked to come back to the Board in two weeks with findings to support a decision not to approve this zone change.

The meeting recessed at 3:55 p.m. to resume at 4:05 p.m.

- c. SECOND READING AND PUBLIC HEARING/Ordinance No. PA 1025/ In the Matter of Amending the Rural Comprehensive Plan Diagram from "Forest Lands" to "Commercial" and Amending the Zoning Map from Non-Impacted Forest Land (F-1) to "Rural Commercial" (C-R) for Map No. 16-45-00, Tax Lot 6200.

Dumdi read the ordinance into the record. There being no one present to testify, Dumdi closed the public hearing.

MOTION: Approval of second reading and public hearing. Rust MOVED, Cornacchia SECONDED. The Secretary polled the Board. VOTE: Rust, Roberts, Cornacchia and Dumdi aye. Frazier excused. The motion carried unanimously.

The following items were carried over from the morning meeting:

9. CONSENT CALENDAR

- A. Approval of Minutes: August 18, 1992, Work Session, 8:30 a.m.
August 26, 1992, Regular Meeting, 1:30 p.m.
September 2, 1992, Regular Meeting, 9:00 a.m.
September 2, 1992, Regular Meeting, 1:30 p.m.
September 16, 1992, Regular Meeting,
Following HACSA
September 16, 1992, Regular Meeting, 1:30
p.m.
September 23, 1992, Regular Meeting,
Following HACSA
September 23, 1992, Regular Meeting, 1:30
p.m.
September 30, 1992, Regular Meeting,
Following HACSA
October 13, 1992, Regular Meeting, 9:00 a.m.
October 13, 1992, Regular Meeting, 1:30 p.m.
October 14, 1992, Regular Meeting, 9:00 a.m.
- B. Human Resources and Management Services
 - 1) ORDER 92-10-28-5/In the Matter of Authorizing the Sale of County-Owned Surplus Real Property:
 - a. 16-45-23-00-00900 Adjacent to 52959 McKenzie Highway, Blue River, Oregon to Patrick Dibala.

Al Johnson, 767 Willamette #203, stated he was representing the applicant, Westfir Associates, i.e. the Zeus family. Johnson gave a brief presentation describing the property. He stated the need for flexibility in classification and choice for reallocation and explained the difficulty for management of this property in the future.

David Funk, 30806 Blanton Road, speaking on behalf of the Crest-Blanton neighbors, opposed the amendment stating forestry criteria and water problems that exist. He took exception to Mr. Johnson's scrutiny of the urban growth boundary, asserting that this is not a development area.

Alexander Sahonchik, 1390 West 40th, stated he was requested by neighbors to examine the property because of his qualifications in the forest products industry and determined that the logger had taken over 1.0 million board feet of logs off the non-timber land. He stated that it can still be used as forest land. He reiterated the classifications of trees and forestry capabilities available on this site.

Helen Hollyer, 4350 Blanton Heights Road, commented on availability of adequate potable water. She stated that the majority of the property does not fall within the boundaries of the water district, that there is substantial drainage problems and that a contaminated landfill is located within a portion of the property. She spoke of poor water availability and quality, vegetation management and a history of failed wells in the area.

Peter Von Hippel, 1900 Crest Drive, spoke concerning the rural character in the area and the urban growth boundary.

Alex Lockfeld, 1752 West 34th Place, summarized the concerns of the previous speakers, and stated his opposition to the zoning amendment.

Al Johnson summarized a letter submitted by Mr. Zeus responding to the concerns of the area.

Bill Wolfe, 3010 Friendly Street, forester, spoke on the forestry management of the property and commitment to other uses.

Jean Tate, 5008 Blanton Road, proposed limiting development to one house for five acres.

Wayne Tate, 5008 Blanton Road, proposed development due to fire danger possibilities.

Nancy Robinson, 1815 West 34th Avenue, expressed concern about subversion of the urban growth boundary.

- b. 18-03-17-12-03000 Adjacent to 4111 E. Amazon Drive, Eugene, Oregon to Gregory Klaubouch and Judith Manning.
- c. 19-05-03-00-00400 Adjacent to 26911 Briggs Hill Road, Eugene, Oregon, to West Smart.

- 2) ORDER 92-10-28-6/In the Matter of Increasing the Revolving Fund for the Lane County Department of Health & Human Services.

C. Public Works

- 1) RESOLUTION AND ORDER 92-10-28-7/In the Matter of Vacating a Portion of County Road Number 441 (D. A. Gibbs Road) Without a Public Hearing and Adopting Findings of Fact (18-04-09).
- 2) RESOLUTION AND ORDER 92-10-28-8/In the Matter of Setting a Public Hearing on the Proposed Surrender of Seven County Roads or Portions Thereof and Two Bridge Structures to the City of Eugene (Second Reading & Public Hearing: December 16, 1992, 1:30 p.m., Harris Hall Main Floor)
- 3) SUBDIVISION PLAT
 - a. SANDPINES WEST, PHASE I
City of Florence
18-12-15 & 22

MOTION: Approval of the Consent Calendar subject to amendment to page 4 of the August 18, 1992 minutes, under Commissioners' Announcements, which should read "Received a memo from the Eugene City Council." Rust MOVED, Roberts SECONDED. VOTE: 4-0.

10. HUMAN RESOURCES AND MANAGEMENT SERVICES

The following three items were taken together.


- a. ORDER 92-10-28-9/In the Matter of Appointing Members to the Board of Equalization, Boards II and III.
- b. ORDER 92-10-28-10/In the Matter of Appointing Alternate Members to the Board of Equalization for Boards I, II, and III.
- c. ORDER 92-10-28-11/In the Matter of Approval to Activate Boards II and III of the Boards of Equalization Upon Receipt of a Specified Number of Taxpayer Appeals.

MOTION: Approval of the orders. Cornacchia MOVED, Roberts SECONDED. VOTE: 4-0.

13. EMERGENCY BUSINESS

Dumdi presented a request from Roy Burns, LMD, and William Van Vactor, County Counsel, for approval of proposed amendments to DLCD administrative rules for Goals 3 and 4 with small scale provisions. The Board gave its approval. Staff will prepare final draft for signature by the Chair.

There being no further business, this meeting adjourned at 4:21 p.m.



Jane Burgess
Recording Secretary