

MINUTES & NOTICE OF BOARD ACTION

BOOK 156 PAGE 1321

APPROVED May 11, 1994



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.

February 15, 1994
9:00 a.m.

WORK SESSION
BOARD OF COUNTY COMMISSIONERS

Commissioners'
Conference Room

Chair Jerry Rust presided with Steve Cornacchia, Ellie Dumdi & Jack Roberts present. Marie Frazier excused. Beth McAllister, Recording Secretary.

1. ADJUSTMENTS TO THE AGENDA

Cornacchia stated that the Board should consider pulling item 6.a. due to Marie Frazier's absence because she is the liaison to the Watershed Council and has vital input regarding the charter. Rust concurred with Cornacchia's comments and suggested that item 6.a. be discussed, but to not take any action on it.

2. PUBLIC COMMENTS

Sherry Dobson, 90992 Poodle Creek Road, Noti, spoke regarding changing the adoption criteria at Lane County Animal Regulation. Last week she tried to adopt a spaniel mix six-month-old puppy and was turned down because they were going to keep the dog part time in a large fenced yard. The person she spoke to at Animal Regulation stated that they would rather euthanize the dog than to have it outside at anytime. Dobson explained to the person at Animal Regulation that she has a cocker spaniel that spends the summer months outdoors and the woman at Animal Regulation replied that she felt very sorry for her. In June, Sherry Dobson worked for Dr. Warren Dobson who found a kitten in the storm sewer, reported it to Animal Regulation, and they promised to come and get it. When they finally came and picked up the kitten, Dr. Dobson said that they would like to keep it and was told that they would have to go through the adoption procedure. One hour later, Animal Regulation called the Dobsons and stated that they were going to put the kitten to sleep because it had thrown up. The Dobsons stated that they would pay its vet bill. The kitten had all of its shots and the Dobsons paid over \$200.00. They went to adopt the kitten and Animal Regulation wanted to charge them the full adoption fee, even though the Dobsons already paid for the shots. They also said that

they were going to turn them down from adopting the kitten due to their dog having recently received a ticket. The Dobsons finally got the cat and gave it to Sherry Dobson so it would have a good home. The woman at Animal Regulation stated that Sherry's home was unfit. Ms. Dobson showed the Board pictures of her home and her current pets to show that she is not unfit to take care of these animals. She feels that the adoption policy should be changed because LCARA is depriving a lot of these animals of having a good home.

Rust responded that the Board will look into and get a response from LCARA. Cornacchia stated that this is the fourth or fifth episode that he has heard about since he has become a commissioner. Cornacchia is concerned that the word "regulation" is being heard more often than "animal." He stated that he cannot understand a policy that would not let someone adopt an animal because that person would allow the animal to spend time outside.

Rust stated that the Board needs to look into what the policies and procedures of LCARA are and if changes need to be made or if staff is just interpreting these policies and procedures incorrectly. Dumdi concurred with Rust's comments. Dumdi stated that she has heard more complaints than Cornacchia has and that she had received written information in January from Animal Regulation which gave the parameters for adoption. She feels that these standards that they are imposing are unreasonable. Dumdi also stated that this has been a repetitive problem at LCARA.

Cornacchia stated that the Board strives, from a policy standpoint, to ensure that the public is treated with respect and assistance as opposed to regulation. He emphasized that attitude is very important to the Board when serving the public.

The Board directed Bill Van Vactor to take this adoption policy issue to George Russell and to schedule it for the Board's work session within 30 days. Rust stated that the Lane County Board office will contact Ms. Dobson.

3. COMMISSIONERS' ANNOUNCEMENTS

None.

4. EXECUTIVE SESSION as per ORS 192.660

None.

5. COUNTY ADMINISTRATION

a. Announcements

Bill Van Vactor, County Administrator, stated that he received correspondence a couple of weeks ago regarding possible amendments to the Real Estate Transfer Tax to clarify issues on timber contracts.

Van Vactor asked the Board if they want to assign a task group to consider that amendment as well as others. Rust suggested that the Finance & Audit Committee with the assistance of Legal Counsel could handle this. Roberts stated that he thought that this would be a reasonable group to work through these amendments. The Board directed that they send this to the Finance & Audit Committee. Roberts stated that if put on ballot, the decision needs to be made by March 17.

6. PUBLIC WORKS

- a. STATUS REPORT AND ORDER 94-2-15-1/In the Matter of Approving the McKenzie Watershed Council Charter.

Rust commented that due to Commissioner Frazier's absence today, that the Board would prefer to not take action, but rather have a discussion on the Board's issues and concerns.

Roy Burns stated that questions have been raised regarding the participation of the new members and the expansion of the charter. He stated that the amount of control the commissioners have in terms of amendments to bylaws and the charter are through the approval requirements, which are consensus. He commented that in the event that the commissioners' representative on the council were not to approve by consensus the amendments to either the bylaws or the charter itself, it would not be able to go forward. He noted that the contract has not been executed due to waiting for final action by the Board in terms of a decision on continued participation in the charter.

Steve Gordon stated that 17 of the members have signed the charter and they are hoping that the County will also sign. He explained that the council is going to use a pure consensus model of decision-making which requires each party to abide by the decision. He stated that if a member is not present at a meeting where the council makes a decision, then that item automatically appears on the next month's agenda and there is an opportunity for the absent member to bring the item back to the table to indicate whether they agree or disagree with the consensus. He noted that there are citizen groups represented, the timber industry, environmental groups, and property owner groups, which will create quite a bit of discussion before a consensus will be reached on any item. He noted that a lot of time has been spent on the process of this group, which is important and will benefit the project in the long term.

Dumdi questioned the makeup of the council and the balance in the membership and whether the property owners and homeowners in the area are sufficiently represented as opposed to the agency. Gordon replied that the makeup has three federal representatives, two state representatives, five elected officials, and nine other interest

groups - resident groups. He believes the makeup of the council is working so far.

Roberts is concerned that too much time is being spent on the process and procedure rather than substance. He emphasized that he would like to put this in motion so that all the momentum that has been built up will not be lost. Roberts is concerned that if this gets dragged out for too long, other agencies involved in this will interpret that to be a lack of commitment on Lane County's part to see this through.

Cornacchia is concerned that the watershed maintain what the Board had originally intended it to be. He noted that the language regarding amendments is not consistent with what Steve Gordon stated. Cornacchia noted that the information states that the amendments will become effective at the time proposed if all council members are present and approve. Further in the information, Cornacchia noted that it states that otherwise amendments will be effective at the meeting following the proposal with whomever is present, which means that if the agency objected and was not in attendance, that amendment would become effective if everyone else was there on that subsequent day. Cornacchia referred to a letter from Louise Billheimer regarding the McNutt Island issue. Cornacchia objected to the idea of the council becoming a policy advisory body until a final decision has been made as to where the watershed is headed. He remarked that the amendment process and the addition and subtraction of members can be used to add members who share the same particular agenda and philosophies. Cornacchia stated that he would like reassurance that this council is not heading in this direction. If this is the case, he feels that the Board of Commissioners needs to be in control of the membership and policy direction. Cornacchia supported spending more time on process if the council is going to become something different than what it originally was intended for. He remarked that this letter from Ms. Billheimer has alarmed him and made him think that this is the first effort in taking the council into a different direction than what was originally intended. He indicated that if the charter and the amendment process can insure him that the council remain what it was originally intended to be, then he is willing to move forward and approve the charter.

Burns stated that this issue was discussed and the same concerns as Cornacchia raised were raised by other members of the council, however, no action was taken. Cornacchia reiterated that this council was not originally set up to be used to look at site-specific issues relative to a particular agenda. Rust questioned staff on whether the consensus model can also be used in what is on the agenda for discussion. Gordon replied that at the last meeting they elected co-chairs of the council and their role is setting the agenda. The council can limit the agenda to items that relate to the work program.

C. Human Resources and Management Services

- 1) ORDER 94-2-15-5/In the Matter of Authorizing the Sale of County-Owned Surplus Real Property to Edward L. Cook, Jr. & Assigns and Clay C. Helt & Assigns (Map #19-03-14-32, Lots 11900 and 12000, Adjacent to 725 West F Street, Creswell) and Executing the Associated Land Sale Contract.

D. Public Safety

- 1) ORDER 94-2-15-6/In the Matter of Adopting a Revised Emergency Operations Plan for Lane County.
- 2) ORDER 94-2-15-7/In the Matter of Amending Chapters 3 and 54 of Lane Manual to Reflect Revisions to Lane County's Emergency Operations Plan (LM 3.044(5) and CH. 54).

E. Public Works

- 1) ORDER 94-2-15-8/In the Matter of Accepting a Federal Land and Water Conservation Fund Grant for Installation of a Group Picnic Shelter, Playground, and Multipurpose Court at Lowell Park and Delegating Authority to the County Administrator to Sign the State and Local Agreements.
- 2) ORDER 94-2-15-9/In the Matter of Approving a Project Design for Improvement of Hall Road from MP 3.8 (Goldson Road) to MP 4.7.
- 3) SUBDIVISION PLATS
 - a. Coburg Estates
City of Coburg
16-03-33
 - b. River Pointe, 1st Addition
City of Eugene
17-03-08
 - c. Ash Creek Estates
City of Springfield
17-02-33 & 34

MOTION: To approve the Consent Calendar. Dumdi MOVED, Roberts
SECONDED. VOTE: 4-0.

Terry Wilson returned to the meeting and stated the item had been found and suggested that it be handed out and brought back at the tomorrow afternoon meeting. Cornacchia questioned if the cost analysis had been completed, and if it hadn't, then the item should not be discussed until

it had. Van Vactor responded that he would call Ollie Snowden to find out the status of the analysis.

8. EMERGENCY BUSINESS

None.

9. COMMISSIONERS' ANNOUNCEMENTS

Rust announced the Asian Celebration at the fairgrounds this Sunday from 10:00 a.m. to 6:00 p.m. Rust encouraged the public to view this successful event. Roberts commented that in speaking to Dave Toyama, past president of the Asian Council, he remarked how amazed people were back in Asia at how successful this has been.

Rust announced that he received a memo from Robert Lewis that in March, Metro Television will begin transmitting live interactive training sessions via the EDNET satellite to sites throughout the state of Oregon.

Dumdi noted that at last night's Eugene City Council meeting they approved the Jerry's Home Improvement Center expansion.

Rust remarked that the Board will come back into session at 1:30 today to hear the oral report on the Strategic Economic Initiative.

There being no further business this meeting adjourned at 10:20 a.m.


Beth McAllister
Recording Secretary