

**BOARD OF COMMISSIONERS'  
REGULAR MEETING**

May 10, 2011

9:00 a.m.

Harris Hall Main Floor

Commissioner Faye Stewart presided with Commissioners Jay Bozievich, Rob Handy, Sid Leiken and Pete Sorenson present. County Administrator Liane Richardson, County Counsel Stephen Vorhes and Recording Secretary Melissa Zimmer were also present.

1. **ADJUSTMENTS TO THE AGENDA**

Item T5C1 will be pulled from the Consent Calendar.

Handy asked that 5 a. be pulled from the Consent Calendar.

2. **PUBLIC COMMENTS**

Jim Gillette, Eugene, said with all of the proof he has shown the Board what the County has done to him all they can come up with is the same three things. He said the lady in the camper shell was not living there. He had a legal renter at that time in the house behind him. He added that she was a transient looking for a place to stay. She stayed in a pickup camper shell and ran an extension cord. He indicated she stayed until he kicked her off the property. He said only two people lived in the RV; Bob and another person. He said the Board needs to put it in black and white because he said it was not true. He said there had never been anyone living in the camper since he told them all to leave. He said there have been occasional visitors. He said he only had an RV for about a week and he doesn't have one now. With paintball, he admitted to the first two tournaments but he didn't know about the fourth one. He said a tiny bit of money took place but he was fined for paintball tournaments taking place from June 8 to June 18. He indicated there was one on June 8, but there were never any tournaments, but they fined him to June 18 for something that was beyond his control. He said the property was leased to someone else for \$400 per month and the County didn't attempt to go after him. He said the record clearly shows that the County has been out to get him. He said he has things where he has definite proof but he doesn't want to embarrass the County by airing this. He asked for a little fairness.

David Hoffman, Eugene, said there is a forwarding sign at the Fairgrounds to 783 Grant Street. He said the Board could give in kind support by allowing the Extension Service forwarding sign to remain at the Fairgrounds. He said the Extension Service is more important than social services, but if they do not get food they will die.

3. **COMMISSIONERS' RESPONSE TO PUBLIC COMMENTS AND/OR OTHER ISSUES AND REMONSTRANCE**

Sorenson stated the financial pages of the Eugene Register Guard stated that Exxon Corporation made \$11 billion in profit in the first three months of calendar year 2011. He said it is important for business to make a profit, but it is also important for them to have fairness in the Country, at a time when so many people are unemployed or underemployed. He added that it is outrageous that one of the corporations in the country could make that much money and actually pay so little in income taxes. He said the unfairness of the situation involving millions of Americans that do not have good jobs or are losing the benefits on the job is something that government at all levels should deal with in some fashion. He said the level of unfairness has reached the point where those who are concerned about the public are looking at the unfairness and asking what they can do. He commented that something fundamental has to change in their society.

Handy said his wife is a bee keeper. He added when he thinks about the Extension Service, one of the gaps they have in the community is how they move towards food security for their local population. He said that bees have a role to play. He said there is a challenge for bees because they are sensitive, and they are vulnerable to herbicides and pesticides and when they ask the question about how much damage is safe, they are asking the wrong question. He said the question is how little damage is possible.

Bozievich recognized his father-in-law Lynn Davenport who was in the audience.

Stewart recalled that they had the OSU Extension Service come before the Board about the services that are still provided to the community. Stewart noted they were on Metro T.V. and they were spreading the word. With regard to the request for the sign, he will bring it up at the next Facilities Meeting next Monday to ask David Suchart about it. Stewart disagreed with Gillette. He stated he understands the issues. He added that he tried helping Gillette through the situation to get into compliance. He didn't hear anything from the Board to change direction.

4. **EMERGENCY BUSINESS**

None.

5. **CONSENT CALENDAR**

A. Approval of Minutes

May 11, 2010, Regular Meeting, Following HACSA  
April 11, 2011, Special Meeting, 2:00 p.m.  
April 26, 2011, Work Session, 1:30 p.m.

B. Assessment and Taxation

- 1) ORDER 11-5-10-1/In the Matter of a Refund to Arclin USA Inc. in the Amount of \$80,749.90.

C. Management Services

- 1) ORDER 11-5-10-2/In the Matter of Authorizing a Sheriff's Sale of Surplus County Owned Real Property on June 13, 2011 and Delegating Authority to the Property Management Officer to Remove any Particular Property from Said Sale if Determined to be in the County's Best Interest.

MOTION: to approve the balance of the Consent Calendar.

Bozievich MOVED, Leiken SECONDED,

VOTE: 5-0.

Handy indicated that he wanted to move ahead with the May 11, 2010 minutes and the minutes of April 26, 2011.

Handy MOVED, Leiken SECONDED.

VOTE: 5-0.

Bozievich indicated this was the second time Handy pulled off the April 11 minutes for approval. He asked if there was an issue with the minutes.

Handy indicated the Chair was looking for a motion.

MOTION: to approve the April 11, 2011 minutes.

Bozievich MOVED, Leiken SECONDED.

Sorenson wasn't present so he will be voting no.

Bozievich indicated it was possible to abstain from a vote instead of voting no.

Sorenson indicated that he will abstain from the vote.

VOTE: 3-2. (Handy, Sorenson abstained).

6. **COUNTY ADMINISTRATION**

- a. Announcements.

None.

- b. ORDER 11-5-10-4/Adopting Positions on Legislative Issues During the 76<sup>th</sup> Legislative Session

Alex Cuyler, Intergovernmental Relations Manager, discussed Attachment A. (Copy in file).

MOTION: to approve ORDER 11-5-10-4.

Bozievich MOVED, Leiken SECONDED.

VOTE: 5-0.

Japan Aid Concept

Stewart recalled the Board had tried hard to replace the former Secure Rural Schools payment trying to find offsets for those payments. He was also concerned about Lane County's high employment rate. He said they have forest management plans on the books that haven't been implemented. He said the Northwest Forest Plan was designed and adopted in 1994 and in the plan it calls for \$1.2 billion feet of harvest allowed under the plan. He indicated they have averaged about 250 to 350 million board feet per year. He thought in the Pacific Northwest if the Forest Service could actually harvest the board feet of timber that was called for in the plan, there could be over 30,000 jobs created.

Stewart noted that because of the economic situation in the country there is little demand for manufactured products in the United States. He indicated there are 450,000 displaced Japanese people who could use help rebuilding their country. He thought it would be nice if the federal government could make the contribution to help Japan rebuild by using manufactured products from the United States. He said the past two months since this has occurred, he has had conversations with multiple parties: with DeFazio, Senator Wyden, Senator Merkley and they are working this in their offices in Washington, D.C., reaching out to the Forest Service, the Department of Agriculture and the Department of Interior to see if it is legitimate. He added they are also working with the Secretary of State's office to see if there is funding available. He reported that yesterday he had a meeting with the governor's staff in the Natural Resource Department and the Governor is interested in this and is willing to consider a resolution of support. He is bringing this to the Board for comments to see if they could draft a resolution in support to elevate the conversation to the federal level and encourage the federal partners to take the idea to see if they could create jobs to rebuild Japan.

Sorenson stated he liked Stewart's idea. He thought they are less likely to be successful in Congress if they have three different strategies going instead of one or two. He thought they need to figure out if it is something they are going to coordinate with the other O & C counties or the other counties affected by federal land. He said they need to come up with the best approach. He thought federal government prohibits the export of forest products from federal lands. He added

the processing is the part of a federal role. He asked if this would be compliant with existing laws.

Stewart indicated there is a law that doesn't allow for raw timber products to be sold in log form outside of the United States. He indicated at the Legislative Committee they made sure that the proposed resolution is specific around manufactured products. He noted another issue taking place is that China is buying a lot of the exportable logs in this country and in turn creating a demand in raw log price, making it difficult for the local mills to compete locally and it is having a detrimental affect. He indicated there is a concern about some level about the manufactured products fitting the Japanese market. He added that they can meet the lumber specifications. He said there is opportunity for mills that mill raw logs into a lumber product that could be met.

Leiken thought it made sense to be supportive of this concept. He said it is important for other jurisdictions to know they are interested. He said when they go back to the Northwest Forest Plan enacted in 1994, the 1.2 billion board feet was actually an 80 percent reduction of the historical harvests that were happening in the 80's. Now they are only seeing between 250 and 300 million board feet being harvested on public lands and it is not near the Northwest Forest Plan. He said the benefits are helping the citizens of Japan and helping the local citizens by creating jobs and enhanced revenue to provide services in Lane County. He thought it makes a lot of sense. He thought as they gather support it is important to take it to the industries that would benefit in creating more jobs. He indicated that the private timber owners are already working with Japan. He wants to ask the question how much more in timber harvest on public lands is the public willing to support and to see the enhanced revenues come in to provide the critical services that people want in Lane County.

Sorenson said he will support the resolution but he has concerns about coordination and what the O & C is doing.

Stewart recalled at the last O & C Counties meeting, he was able to secure 15 minutes at the end of their agenda and he presented this to them and it was received positively. He said there will be a further discussion at the next meeting and it appears there is interest on that Board.

Handy was concerned about the coordinated strategy approach in that they are not sending mixed signals about their priorities. He indicated that reauthorization of Secure Rural Schools is their top priority and they have been working with their partners around the country and there is a potential of sending mixed signals to the legislators. He asked if they would be competing with the private sector who is addressing the market needs with their own strategies. He wanted to hear about safeguards that could be in place for having flexibility in dealing with different country's disasters.

Stewart explained that he approached this idea to the administration when there were hurricanes in New Orleans and how they could rebuild. He added that it didn't make sense they would write a check to the south to rebuild and they turn around and buy the products from another country because they can't get them locally. He indicated it didn't go anywhere. He added he did the same thing with Haiti and it didn't go anywhere. He spent more time in this effort building support and fine tuning the idea. He has been concerned about not creating a situation that would be detrimental to private industries. He said because there is no demand locally, their products are leaving the country to China. He thought this would be a good opportunity to purchase manufactured products under the normal system. He added that it would have less of an opportunity to interrupt the structure of the private free enterprise market.

Bozievich fully supports this resolution and Stewart's efforts. He noted an issue in trying to get Secure Rural School payments is finding offsets for the spending. He said the revenue generated from the Northwest Forest Plan timber harvest to bring up to the 1.3 million board feet would be eligible for the offset and would be helpful in those efforts. He didn't think they are sending a mixed message. He thought this could help with the budget situation. He explained the O & C proposal is about selling off O & C lands and only 50 percent of those lands total 2.1 million acres. He added the federal government owns 60 million acres in Oregon. He said they are not talking about selling half of the federal land in Oregon, they are talking about the O & C portion. He didn't see that as mixing their messages.

MOTION: to have staff finalize Attachment D, the draft Board resolution and bring it to the Board.

Bozievich MOVED, Leiken SECONDED.

Stewart commented that this doesn't create all the offsets necessary for Secure Rural Schools. He said it creates a sizable amount of funds that could be used to offset it. He proposed that if this moves forward, the money generated in the Pacific Northwest from this proposal would offset the payment to those states that are harvesting the timber.

Sorenson asked if there was going to be a line item in the state budget to use federal funds to approve foreign aid to Japan to buy finished forest products from the United States.

Stewart thought it was possibly under the Secretary's budget. He asked if it needed to be a budget item directly. He thought if that was something that needed to be included in the document, he could include it.

Sorenson thought putting the resolution out as an opportunity is a good thing. He thought they should let the congressional delegation look at it to see what they can do.

Bozievich withdrew his motion so this could be sent to staff to finalize. Leiken withdrew his second.

Handy recommended some changes in the resolution.

MOTION: to move the resolution with wordsmithing.

Handy MOVED, Leiken SECONDED.

VOTE: 5-0.

c. REPORT/Lane Livability Consortium SMART Communities Project

Andrea Riner, LCOG, said she is the Project Manager for the SMART Communities Project. She requested the Board consider further acknowledgment of the County's participation in the Lane Livability Consortium with the signature of the Memorandum of Understanding. She indicated it is a document where they are waiting to get signatures from all of the consortium members: cities of Springfield and Eugene, Lane Transit District, ODOT, St. Vincent de Paul, HACSA, and University of Oregon. She added they recently acquired EWEB and MPO and LCOG. She explained it is an agency consortium, a staff team and a regional effort to pursue the goals within the grant.

Riner reported they received a grant in October 2010, a new program out of a partnership at the federal level between the U.S. Department of Transportation and Federal EPA to support work and preliminary efforts for revamping those agencies' programs to provide a higher level of service for livability. With the funds they have currently, they are looking at how they can be more strategic in investing those funds and communities by working together. She said it is an effort they pursued as a region to get in the front of the program. She indicated they are one of 45 recipients to do this. She said they are looking for participation from the members. She added that it is a three year program and they are looking to take the work they are already doing in those agencies and stakeholder groups. She indicated that they will look at what they are already doing and see what they can do to better integrate those programs, better support them for outcomes and sustainability, bringing economic development in the social equity components of sustainability together with the environmental portion. She said they were looking forward to working with the Board and staff at Lane County. She indicated the initial proposal is to look to the County for leadership based on regional economic development strategy put together and approved by the Joint Elected Officials last year. She stated they are looking at every agency's set of

services to the community as potential inputs to the process. She added in working with Glenda Poling, Economic Development, they have identified preliminary in-kind match for working with Sarah Mizejewski and the local agricultural programs. She thought the GIS department could do data collection and analysis and transportation planning working on greenhouse gas planning as required by the state.

Poling explained there was a perception that Community and Economic Development Department would be offering an in-kind match to \$126,000. She added it is not cash. She noted that \$40,000 of that was considered to be a reimbursement by HUD. She said that leaves \$86,000. She commented what was left made them concerned about how they could find that type of valuation to what they have in place. She was in discussion as to how they can still be a partner at the table and not focus on the monetary issue. She thought they could share a good work product as a contribution to this consortium. She added they are not expending any extra dollars, they are sharing their product and she was supportive.

Sorenson asked if there was a formal agreement on who is part of the Lane Livability Consortium.

Riner said the first agreement was required as their grant submission and all of the agencies signed at that time. She stated this request is for a full Memorandum of Understanding as required by HUD. She said they want to start at the ground floor to have an organization to start the process. She stated their goal at the end of the three year grant is to have a set of partners and people who can participate in different ways

Sorenson wanted to broaden it to include local education and the various programs they have. He asked what financial resources Lane County is putting into the Lane Livability Consortium Project.

Richardson responded that at this time they are planning on doing an in-kind match. She noted one category is climate change. She indicated that Mizejewski's work is going to be in that area so they will be contributing significant amounts of information that will be helpful to the program. She said they will eventually have a document that will talk about all of the various available lands in Lane County and their potential uses. She added that it will be in-kind instead of monetary.

Sorenson asked what project goes away if they add this.

Richardson said something would have gone away if they would have stayed with the earlier concept, where they would be contributing significant staff time and some additional money. She stated that nothing is going away now. She added the person in Land Management is getting paid out of Economic Development.

Stewart stated that he didn't know what the finished work product would be. He said there is the inclusion of the Metro Plan and policies recommended with the Metro Plan, but there is no staff time from planners included in the proposals.

Riner said every product that comes out is doing the research analysis. She added that they are not looking at taking any of the recommendations through a Planning Commission and through city councils or to work toward adoption. She indicated that they want to give information and power the local jurisdictions to make those choices themselves. She indicated that within the consortium they have identified leadership areas so there is land use and they are charged with working with their partners, the same as what they are doing currently with regional issues. She said it is a set of resource documents for the government agencies. She noted at the end there will be 25 different spreadsheets to do analysis of capital projects and public workshop formats that are more successful at getting broader community participation. She added that it is not showing how to do it, it is for certain outcomes.

Stewart asked if it is not changing anything what will be created in this document that is not already being done. He said the governments are doing more community outreach and there is more social media to engage people. He asked what the level of the grant is.

Riner reported in the Memorandum of Understanding they didn't put the funding in because they weren't looking to make anyone make a financial commitment, it was being part of a consortium. She added that there is a separate document that talks about the grant amount. She reported the total grant amount is \$1.45 million, an equal amount of in-kind and cash match from the total consortium, with the only cash match coming from ODOT for the greenhouse gas work. She said each partner agency based on what they were committing to do got a different grant amount. She added that some did not receive any but are just participating as an in-kind match.

Stewart stated that he is concerned about the large amount of money to be spent on a project when it sounds like the deliverables will be information to be used. He noted on page 11 it stated the appropriate implementing agency representatives of the consortium shall give due consideration to the proposition brought forth by the consortium. He stated it doesn't have to be put through a planning process or implement into the code. He asked what is implied with shall give due consideration.

Riner said it will be determined by each body. She thought it means reviewing the work that is done and asking the questions and informing the process through the three years of the grant. She stated they are specifically looking at how they do not reach segments of the community that are low income and non-English speaking. She said they have done quite a bit with their efforts, but they are not

meeting an overall standard for full participation. It states they have the ability to build on what they have and they can go further for the benefit of their region.

Stewart was concerned. He commented that it is a lot of money to be spent. He said there is more involved than Mizejewski and a part time GIS person from the County level. He thought they would expect a regular attendee from the County at the meeting. He said they will want to gather more information and he thought it will be more time consuming and involved than what is being stated from the County side. He had trouble connecting the value with the involvement and what their roles will be. He wanted to have a product that they could believe in and implement. He wasn't comfortable with the process.

Riner indicated there is funding coming to the County to compensate for participation of \$40,000.

Leiken thought this was a scaled down 2050 Vision Plan. He stated he has concerns about this. With regard to the Metro Plan and HB3337, he thought the language for this could be old and not be serviceable. He indicated that there were some issues that he was uncomfortable with.

Bozievich had the same concerns as Stewart. He said there is a 23 page agreement referencing a 28 page contract. He doesn't really understand what they are obligating themselves to under this contract. He requested that this gets referred to Legal Counsel to review. He asked if HUD had to review this. He noted there is prohibitive use of funds. He wanted to know what they are confined to about giving due consideration to recommendations. With regard to the idea of achieving something through land use to meet "triple bottom line sustainability" he asked if there is difference in how people define social equity. He said sometimes it is at the detriment of private property rights. He stated he is not sure what he is obligating the County to do as a partner in the consortium. He wanted action on this delayed for another week to have Legal Counsel review it to let them know about the contract and what they are obligating themselves to. He also wanted Land Management staff to review this relative to land use in being part of the consortium. He commented that it reminded him of the Ichli dues. He also wanted the transportation planning staff to be involved.

Handy wanted background as to how they got to where they are. He asked if this partnership came about because of successes they have had locally with integrated transportation with public health and the need for affordable housing, given the rising fuel cost options. He stated that this brings excitement for what it will mean to the local economy to give people options.

Stewart said this could come back on May 18. He heard from Sorenson about the addition of schools, he heard from Bozievich that they would like to have review by Legal Counsel of what the commitments are in the document and thoughts from Land Management about the document and Transportation Planning staff.

He heard from Leiken, how it meshes with the Metro Plan. He heard from Handy about information about housing and the component for housing. He asked to give an example of what would be a realistic product.

Bozievich wanted an understanding of how many other studies they have done about public involvement locally. He thought they have studied public involvement to death trying to meet Goal One and have made multiple attempts to involve “under represented communities.” He wanted to know why they are going through the invention of the wheel one more time. He wanted to know what they have they done in the past.

Sorenson hoped they could continue to be involved in this project but shares the concerns about what it is they are being asked to do and the outcomes.

Riner responded that she was confident she could address many of the concerns.

7. **COUNTY COUNSEL**

a. Announcements

None.

8. **EXECUTIVE SESSION as per ORS 192.660**  
(Commissioners' Conference Room)

Per ORS 192.660 (2)(d) and (2)(h) for labor negotiations and litigation.

9. **OTHER BUSINESS**

None.

There being no further business, Commissioner Stewart recessed the meeting at 11:05 a.m.

Melissa Zimmer  
Recording Secretary