

LAND CONSERVATION AND DEVELOPMENT COMMISSION
APRIL 25, 26, 1991 MEETING
EUGENE

MINUTES

Attending

Commissioner William Blosser
Commissioner John Brogoitti
Commissioner Virginia Burdick
Commissioner Robert Kerr
Commissioner Hector Macpherson
Commissioner Lynne Saxton (present on the 26th only)
Commissioner Tom Throop

Staff Present

Susan Brody, Director
Craig Greenleaf, Deputy Director
Greg Wolf, Assistant Director
Mitch Rohse, Information Officer
Carol St. Louis, Commission Assistant
And several members of the Department staff

Lunch Briefing

On Thursday, April 25, the Commission met for lunch at the Eugene Hilton. They received briefing information from staff relative to agenda items. They did not make or deliberate toward any decision.

1.0 Public Comment

No one appeared.

2.0 Minutes

It was MOVED by Commissioner Brogoitti, seconded by Commissioner Throop, and passed unanimously that the minutes of the March 7-8, 1991 meeting be approved. Commissioners Burdick and Saxton were absent.

3.0 Issues Pending

The agenda for the Commission's June meeting was reviewed.

4.0 Jurisdiction Status Report

Jim Sitzman of the department staff presented the staff report.

Commissioner Sue Kupillas and Laurel Prairie-Kuntz appeared on behalf of Jackson County to request a two-year extension for the County's periodic review.

The Commission concurred with the Department's recommendation for an additional two year extension of periodic review with the agreement that the county would complete the higher priority work prior to that date. The County assured the Commission it would comply with the agreed-upon schedule.

It was MOVED by Commissioner Throop, seconded by Commissioner Burdick and passed unanimously that the extension of continuance deadlines for Linn and Wasco Counties be approved. Commissioner Saxton was absent.

It was MOVED by Commissioner Brogoitti, seconded by Commissioner Macpherson and passed unanimously that the continuance deadline to July 31, 1991 for Deschutes County's Acknowledgment be approved. Commissioner Throop declared his conflict as a Deschutes County Commissioner and did not vote on this item. Commissioner Saxton was absent.

5.0 Acknowledgment of Compliance Requests

5.1 Lane County (exceptions)

Bob Rindy and Doug White of the Department staff presented the staff report. This was the final acknowledgment piece for Lane County. In addition to recommending acknowledgment of 1,072 acres of developed and committed exceptions and 1,667 acres rezoned by the county to resource use, the Department also recommended the county rezone an additional 126 acres to exclusive farm use.

Roy Burns, Lane County, testified on the County's behalf and requested the Commission make a decision on this matter at this meeting to finally complete Lane County's acknowledgment. He expressed frustration at the time and money this process had cost over the last two years.

Commissioner Brogoitti indicated he was also disturbed with the time and effort spend in respond to this Court remand.

Julius E. Benedick, Eugene, owner of tax lots 1600 and 1508 (plot 25-2), testified that he believed his property was irrevocably committed and should retain its current zoning.

Susan Hammond appeared on behalf of Mae Gibson, owner of tax lot 800 (plot 484-1). They also believed Mrs. Gibson's property was irrevocably committed and should retain its current zoning.

On Plot 484-1, it was MOVED by Commissioner Throop, seconded by Commissioner Brogoitti and passed with Commissioners Macpherson and Blosser voting no, to sustain the County. Commissioner Saxton was absent.

On Plot 413-4, it was MOVED by Commissioner Macpherson, seconded by Commissioner Burdick and passed unanimously to sustain the staff recommendation. Commissioner Saxton was absent.

On Plot 251-2, it was MOVED by commissioner Throop, seconded by Commissioner Brogoitti and passed with Commissioners Burdick and Blosser voting no, to sustain the county. Commissioner Saxton was absent.

5.2 Benton County (Jackson-Frazier Wetlands)

Bob Rindy appeared on behalf of the Department and requested the Commission acknowledge the revised protection plan for the Jackson-Frazier wetland as complying with Goal 5.

Bob Frenkel, Corvallis, appeared in support of the Department's recommendation.

Gary Munsterman, Benton County Planning Director, also appeared in support of the Department's recommendation.

It was MOVED by Commissioner Troop, and seconded by Commissioner Kerr that the Department's recommendation be approved. The motion passed with Commissioners Brogoitti and Burdick abstaining as they were out of the room during the discussion of this item. Commissioner Saxton was absent.

6.0 City of Stayton Periodic Review

Bob Rindy appeared on behalf of the Department. The Department recommended the Commission require the City of Stayton to amend its Periodic Review Order to meet Factor 2 and amend the Comprehensive Plan and Development Code to comply with Goal 5 and the Goal 5 Administrative Rule. The Department also recommended that this issue be "segmented," and that the remainder of the City's Order be declared to meet all periodic review requirements.

Representatives of the City appeared and testified they believed their periodic review order did satisfy the requirements of Factor 2, and requested the whole Order be declared to meet all periodic review requirements.

It was MOVED by Commissioner Throop, seconded by Commissioner Burdick and passed unanimously that the staff recommendation be adopted. Commissioner Saxton was absent.

7.0 Advisory Committee Reports

7.1 Citizen Involvement Advisory Committee (CIAC)

Stan LeGore, appeared on behalf of the Committee and presented a report on the Committee's last meeting. He asked the Commission's support in opposing HB 3373.

It was MOVED by Commissioner Brogoitti, seconded by Commissioner Throop and passed unanimously that the Commission support the CIAC in its opposition to HB 3373 and convey that message to the Legislature by way of a letter to the House Environment and Energy Committee.

7.2 Local Officials Advisory Committee (LOAC)

No oral report was made on this item.

8.0 Recruitment Process for Director Position

It was MOVED by Commissioner Brogoitti, seconded by Commissioner Burdick, and passed unanimously to appoint Craig Greenleaf as Acting Director beginning May 9, 1991. Commissioner Throop was absent.

It was MOVED by Commissioner Brogoitti, seconded by Commissioner Macpherson, and passed unanimously that the recruitment criteria presented in the staff report be adopted. Commissioner Throop was absent.

Commissioner Kerr emphasized he thought it was important to only do a regional recruitment at this time. He said the Commission did not find a national recruitment useful during the last Director recruitment two years ago.

Chairman Blosser indicated he would appoint a Commission subcommittee on Director recruitment at the June meeting.

9.0 Department of Energy Certification of State Agency Coordination Agreement

Jim Knight appeared on behalf of the Department to request certification of the Department of Energy's coordination program.

Mike Grainey and Walter Perry, appeared on behalf of the Department of Energy in support of certification.

It was MOVED by Commissioner Saxton, seconded by Commissioner Throop and passed unanimously to approve the staff recommendation. Commissioners Burdick and Throop were absent.

10.0 Proposed Adoption of Transportation Rule

Bob Cortright of the Department staff presented the staff report. He also presented some revisions contained in his April 24, 1991 memorandum, and options for requiring reconsideration of land use contained in his April 26, 1991 memorandum.

It was MOVED by Commissioner Burdick and seconded by Commissioner Saxton to adopt Option 4 in the April 26, 1991 memorandum to apply "shall" to the Portland area only. The motion passed with Commissioners Throop, Saxton, and Macpherson voting no.

By that motion, Option 4 was amended as follows:

- (2) Local governments in [the Portland] MPO's with a population greater than 1 million [area] shall...

It was MOVED by Commissioner Saxton, seconded by Commissioner Brogoitti, and passed unanimously that the transportation rule, with the amendments contained in Bob Cortright's April 24, 1991 memorandum, be adopted.

11.0 Approval of the 1989-1990 Exclusive Farm Use (EFU) and Forest Report

Craig Greenleaf and Lloyd Chapman presented the staff report on behalf of the Department. The Department recommended approval of the reports for submittal to the Legislature.

Jim Mann presented written testimony on behalf of Lane County. He said that significant improvements have been made in the reporting, and that the County had made suggestions for improvement and discussed them with staff.

Commissioner Macpherson suggested that the county listings be arranged so that they are easier for legislators to find.

It was MOVED by Commissioner Saxton, seconded by Commissioner Brogoitti, and passed unanimously that the staff recommendation be approved. The Commission also directed staff to convene a group of interested parties to look at how counties gather this information and propose a more useful format to the 1993 Legislative Assembly. Commissioners Throop and Burdick were absent.

12.0 Report on the Farm and Forest Research Study

Jim Hope of the Department staff presented the final reports on Task I and Task III. The Commission directed the Department to transmit these reports to the Legislature.

13.0 Report on the Urban Growth Management Study

John Kelly of the Department staff presented the staff report and briefed the commission on the 1991 Governor's Symposium on Growth Management and Livable Communities.

The Commission approved the outline for the Department's report on the Urban Growth Management Study and the proposed approach of translating study findings and proposals into specific recommendations for rulemaking, goal amendment or legislation.

14.0 Coastal Report

No oral presentation was made on this item.

15.0 Commissioners' Report

Commissioner Kerr asked for guidance on how to deal with a state park in the Brookings area which the Parks Department wishes to turn over to local control. The park is full of old, native azalea plants which Commissioner Kerr fears will be lost without State Parks' protection. The other Commissioners advised Commissioner Kerr to present his concerns to the Parks Commission.

16.0 Director's Report

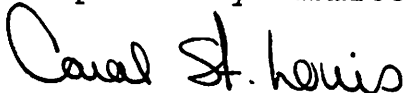
Director Brody reviewed the items in the report and updated the Commission on the Department's budget hearings.

Legislative Subcommittee Meeting

The Commission's legislative subcommittee met during the lunch hour on Friday and discussed what the Commission's approach should be on the various secondary lands bills. After some discussion at the end of the regular meeting, the Commission made some amendments to the staff recommendation and approved it.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol St. Louis
Commission Assistant

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