BEFORE THE BOARD OF COMMISSIONERS

County of Lake
State of Oregon

REGULAR SESSION

The Lake County Board of Commissioners met in Regular Session Wednesday, December 16, 2020. The following members were present: Chair Bradley J. Winters, Vice Chair James Williams, and Commissioner Mark Albertson (via web). Also present: Community Justice Director Jake Greer, Treasurer Ann Crumrine, Administrative Assistant Melanie Lasley (via web), Legal Counsel James Bailey (via web), Landfill Manager David Berman, Planning Director Darwin Johnson, and Member of the Press Danielle Jester. Number of Public Present: 10.

10:00 a.m. – The Regular Session was called to order by Chairman Winters and the Pledge of Allegiance was recited.

Additions: Planning Commission Reappointment Recommendations
Master Design Engineering Service Agreement with AECOM

Deletions: EOCA IGA

TIMED ITEMS:

10:00 a.m. – Public Comment

Community Justice Director praised Commissioner Winters for over twenty years of service at Lake County. Commissioner Albertson and Administrative Assistant Lasley also extended kind regards.

Commissioner Winter's rebutted by giving credit to his County Family.

10:14 a.m. – Recess Open Session

10:20 a.m. – Resume Open Session

OTHER BUSINESS:
Master Design Engineering Service Agreement with AECOM

Discussion on addressing imminent DEQ concerns and then soliciting quotes from qualified vendors for a master design. Geologist Nicole Braudy from Anderson Engineering attended the meeting and offered Anderson Engineering as a possible contender.

Discussion between the Commissioners on the appointment of the Interim Landfill Manager process.

Commissioner Albertson motioned that we use AECOM in interim and get the exact scope of work needed, and then an engineering firm or anyone can put in, in the interim we can use AECOM, we need to get our ducks in a row.

Commissioner Albertson amended his original motion that we use AECOM for immediate need and go out for bid for the scope of work, and ask Anderson Engineering for immediate need, then put out for bid for the long term.

Discussion on the motion.

Chair Winters suggested to give the interim manager direction, not recommending a contract. Nicole and Mr. Anderson can help you get into compliance, help you with technical language, and help you put a plan into action for your needs.

Nicole Braudy will connect with Mr. Berman after the meeting. She said she can have a storm weather report ready by the first of the year.

**Commissioner amended his motion to give Mr. Berman the freedom to use whomever he needs. Chair Winters Second. 3 Ayes – Motion Carried.**

**Meeting Minutes**

Meeting Minutes from the December 1, 2020 Work Session and December 2, 2020 Regular Session need approval.

Vice Chair Williams asked for a revision to a motion to make it clear it was amended.

**Vice Chair Williams motioned to accept Minutes from December 1st and 2nd with one change to mention that is an amended motion. Chair Winters Second. 3 Ayes – Motion Carried.**

11:04 a.m. – Recess Open Session

1:30 p.m. – Resume Open Session

1:30 p.m. – File #20-033 Appeal Hearing Decision

Chair Winters explained that the hearing section has been closed, but the Board needed to review and deliberate facts and findings. The decision will be deliberated by the Board today.

Planning Director Johnson reviewed the file for the Commissioners and public. He explained the application was submitted under similar use interpretation of the ordinance. The Planning Commission approve the CUP as similar in nature to a disposal site. Although they did not approve a disposal site. They approved a wrecking yard and scrap metal collection site.
Legal Counsel Bailey explained the Board can uphold, remand or overturn the original decision.

Discussion on similar use versus conditional use.

Mr. Johnson added that a deed was established in 1975, and authorization was requested and granted to reconnect to the septic system in 2001. No official CUP was obtained. In 1996 a rock pit was permitted.

A dismantler’s license from the DMV will ensure that fluids from the vehicles are properly stored and disposed.

The consensus of the Board was to have thorough facts and findings, and they deliberated on whether it would be best to have the Director shore them up, or remand the changes to the Planning Commissioner. Overall, they felt the planning commission did a great job.

3:00 p.m. – Recess Open Session

3:16 p.m. – Resume Open Session

Legal Counsel provided the Commissioner with an aide during the break.

1. Is the requested use specifically allowed?

- No

2. Is the use permitted in another zone?

- Yes

3. Same use of general type, as another use permitted by another CUP?

-Discussion on the need. They do not believe it is of a similar type.

4. Is the proposed use more similar to other CUP uses?

- Yes

The Commissioners would like the findings to address all testimony received and clarify similar use on page 4 of the Staff Report.

Commissioner Albertson motioned to uphold the Planning Commission’s decision. Chair Winters Second.

Discussion on amending the original motion.

Chair Winters suggested language to include that all testimony received be reviewed by the Planning Director, and with help from Legal Counsel, anything that came up in the hearing is addressed in facts and findings, and have clarification on similar use.

**Commissioner Albertson motioned to amend his original motion to say what Chair Winters suggested.** “Chair Winters suggested language to include that all testimony received be reviewed by the Planning Director, and with help from Legal Counsel, anything that came up in the hearing is addressed in facts and findings, and have clarification on similar use”. Chair Winters Second.

Discussion on different chapters of statute to address.

December 16, 2020 Regular Session Minutes
3 Ayes – Motion Carried.

3:46 p.m. - With there being no further discussion, the meeting was adjourned.

Respectfully Submitted,

Melanie Lasley
Commissioner’s Assistant

Board Approval,

Bradley J. Winters
Chair

James Williams
Vice Chair

Mark Albertson
Commissioner