

Amazon debt-sharing decision due

By KATHY McMANUS
Of the Emerald

Boyd to announce opinion soon

The outcome of a decision made almost two months ago by the Amazon Family Housing Appeals Board is still unknown, as University Pres. William Boyd prepares to announce his own opinion — one which may overturn the decision made in August.

Boyd is awaiting word from his staff and physical plant officials before announcing a final decision.

Under the appeals board decision, Amazon project rent which is now helping pay for the debt incurred in building the Westmoreland project can be used for improvements at Amazon beginning July 1, 1980. But, this will occur only if Westmoreland rent can meet the debt alone, says Law Prof. Jon Jacobson.

Jacobson, an appeals board member and author of its decision, says that the new policy is a test to see whether or not Westmoreland can meet its debt during the next fiscal year.

"If we were convinced that they could, we wouldn't have decided this way," he said. Under the decision, Amazon will continue to pay into a fund that will be set aside for the Westmoreland debt. If, at the end of the next fiscal year, the newer housing unit does not need the Amazon fund, the money will be "returned" to Amazon, he said.

"We remained unconvinced that the device of debt sharing was required to meet the goal set by the housing department."

The Amazon Appeals Board recognized in its decision the housing department's goal of providing low-cost housing to the greatest number possible of student families.

Bonds used to finance construction of campus housing must be paid through rental income, according to state statute and Oregon State Board of Higher Education rules. Traditionally, the interpretation has been that all residents of family housing contribute toward the debt incurred by any family housing unit, according to Housing Office officials.

"We felt that this point is discretionary," Jacobson said. "Debt service-sharing is permissible, but isn't required. I think that's fairly clear. We were deciding a question of policy and although they (Amazon and Westmoreland) are the same type of housing, there is obviously quite a bit of difference."

Swimmer struggles on for record

ABOARD THE IDLE DAY (AP) — Stella Taylor, painfully swollen and perilously off schedule due to navigation problems, stroked through the sea Monday afternoon, fighting to become the first person to swim from Bimini to Florida.

By 5 p.m. EDT Monday, after more than 30 hours in the ocean, the gritty 46-year-old marathon swimmer was 25 to 40 miles from Key Largo in Florida, the nearest landfall.

She faced the prospect of remaining in the water another 13 to 20 hours, far longer than first anticipated when the British-born swimmer began her 100-mile-plus swim at 10:40 a.m. EDT Sunday.

Oregon Daily Emerald

Complaints made by Amazon residents about sharing Westmoreland's debt go back at least to last February when the Amazon Policy Board took a recommendation to remove debt service-sharing by Amazon to the Housing Office, which refused it in March.

The Policy Board then appealed to the Amazon Appeals Board and, after months of study interspersed with summer vacation conflicts, the decision was written and signed Aug. 18.

The issue now rests in Boyd's hands—as he is the only person who can overturn the decision—according to University Law Pro-

fessor Dave Frohnmayer, who helped set up Amazon's governing system.

"Any Appeals Board decision is binding unless the president overturns it," Frohnmayer says.

He adds that new appointments to the board will probably be made soon because of a general University policy of one year appointments.

The Housing Office must accept Boyd's decision and adjust any new rental rates.

"The recommendation says that rates at Westmoreland will increase and rates at Amazon will stay the same," says Donald Moon Lee of the Housing Office.

"But that's based on the past budget."

"I know that the appeals board spent a lot of time and asked a lot of good questions, and I think they came up with an innovative decision," Lee says.

"Amazon and Westmoreland are both family housing, but they are not similar in quality."

The Amazon Policy Board would agree with Lee. According to a memo given the appeals board, problems needing attention at Amazon include insufficient heat, insects, poor sound insulation and flooded laundry rooms — problems Westmoreland residents don't have.

Boyd plans to come to a conclusion on the appeals board decision soon.

"I can't make a decision on it until I know the economic consequences," Boyd said Monday. "I've solicited opinions from economic advisors on my staff."

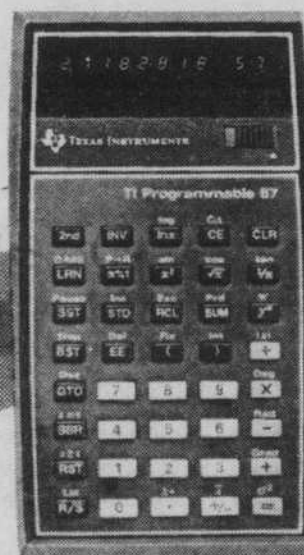
The Physical Plant has also been asked to advise Boyd. "The Physical Plant has a lot to do with Amazon in terms of cost," Boyd says.

"I will make a decision very quickly. The document just hasn't successfully competed in getting to the top of my desk."

Willy Hart, Amazon Project Director and a policy board member, says he has no comment on the appeals board decision at this time.

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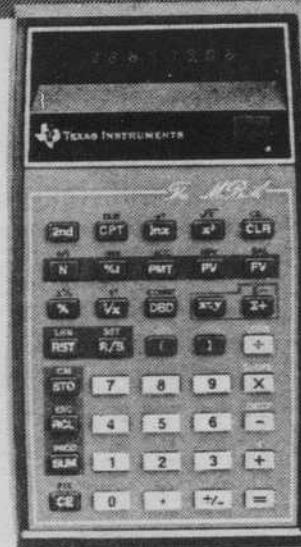
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