

OIA seeks Measure 49 relief through legislative process

By SCOTT JORGENSEN
IVN Staff Writer

An update on legislation being proposed at the state capitol in Salem was provided by Dave Hunnicutt, president of the Tigard-based property rights group Oregonians in Action (OIA), in Grants Pass.

Approximately 50 people were in attendance at the Guild Building in Grants Pass on Thursday evening, Feb. 12 as Hunnicutt discussed the current state of property rights under Measure 49, approved by voters in 2007. M49 claimants have three options, Hunnicutt said.

The first is for property owners to claim that they’ve proceeded far enough with their Measure 37 claims to be “vested.” Hunnicutt said that of the 7,500 M37 claims filed statewide, between 100 and 200 have gone through the vesting process, which is being handled by the appropriate counties.

OIA has been “fairly successful” at proving vesting among those claimants, Hunnicutt said. However, he added that it’s “typically an expensive process, it’s time consuming, and the results are uncertain.”

A second option for claimants is a conditional path that allows for between four to 10 homes on a property. Hunnicutt referred to this as the “impossible dream,” noting that the state has yet to approve any of those kinds of claims.

“And I don’t think they will,” he said.

The third option is to file for the “express lane” established by the state for persons wanting to put one to three homes on a piece of property. Hunnicutt stated that approximately 4,800 M49 claims have been filed in Oregon, meaning that the owners of some 2,700 M37 claims “just gave up.”

Of those 4,800 M49 claims, Hunnicutt said that 95 percent were for the “express lane,” but that the state has ruled only on around 300.

He said that on Monday, Feb. 9, he met with Oregon Dept. of Land Conservation and Development (DLCD) Director Richard Whitman about ways to speed the process used by that agency to handle M49 claims. DLCD projects that it will be finished with all those claims by June 2010, Hunnicutt related.

“I don’t think that’s possible,” he said. “I don’t think they’ll get there from here.

Hunnicutt said that in order to accelerate the handling of M49 claims, the state could approve all the M37 claims it has on file, let counties review claims that the state Dept. of Justice is looking at and direct more funds to DLCD to hire more claims processors. However, that last scenario is extremely unlikely due to the state’s continuing budget woes, he said.

The state has identified five categories of persons whose M49 claims have been



Dave Hunnicutt

denied, and OIA has identified three, Hunnicutt said.

Approximately 20 claimants filed M37 claims with the state, but not with their counties, he said, and 20 have properties located outside an Urban Growth Boundary (UGB), but within city limits.

“They will get nothing under Measure 49,” Hunnicutt said. There are 105 residents who filed M37 claims with the state after Dec. 4, 2006; and 124 who filed their claims late.

“Under the language of Measure 49, all of those claims are going to be denied,” Hunnicutt said.

Planning unit seats open

Applications to fill two positions (one voting and one nonvoting alternate) on the Rural Area Planning Commission are being accepted by the Josephine County Board of Commissioners.

The planning body has final jurisdiction on land-use matters as specified by law for the areas outside of urban-

The OIA leader reported that an additional 120 citizens filed for the “conditional” path allowing between four and 10 homes, but didn’t turn in appraisals of their properties within 180 days of filing. There are also those who filed claims with their counties, but not with the state.

“The state has no idea how many people are in that boat,” Hunnicutt said. “They have no record that you ever filed a Measure 37 claim.” And between 300 and 500 claimants fit in that category, he said.

Additionally, there are a handful of people whose properties are bisected by or inside of a UGB.

Also discussed during the gathering were several bills being proposed during the current legislative session.

House Bill 2229 would implement the recommendations of the Big Look Task Force, the group assembled in 2005 to examine the state’s land-use laws.

“I think HB 2229 in its present form is going nowhere,” Hunnicutt said.

growth boundaries. The commission also reviews and makes recommendations regarding zone changes, comprehensive plan map amendments and site-specific changes.

The commission consists of nine members from different areas of the county. No more than two members shall be principally engaged in the buying, selling or developing of real estate for profit either as individuals or for a company or corporation or engaged in the same kind of occupation, business, trade or profession.

Applications are available at the board of commissioners’ office, Room 154 in the Josephine County Courthouse in Grants Pass or online at co.josephine.or.us. Click on “Board of County Commissioners,” then “Advisory Boards” to download the application. They will be accepted until Monday, March 2 or until the positions are filled.

Phone 474-5221 for more information.

He said that several powerful and diverse groups are opposed to the bill. They include, he said, 1000 Friends of Oregon, the Oregon Homebuilders Association, the Oregon Farm Bureau and various city governments and planners.

Senate Bill 430 would ban all new destination resorts in the state, Hunnicutt said, and OIA plans to fight it “tooth and nail.”

HB 2437 would call for ODOT to conduct a \$150,000 feasibility study on the cost of constructing a freeway from Coos Bay to Bend to Ontario and submit it to the 2011 Legislature.

Hunnicutt said that bill has a “really good chance of

passing,” and is being supported by the states of Idaho and Utah.

“We’re very excited about that bill,” he said.

Hunnicutt said that OIA has been making progress on property rights issues in the state, despite being vastly outspent by increasingly powerful environmental groups.

“We are on the right side of the issue,” Hunnicutt said. “We have the high moral ground.”

The OIA leader also expressed optimism that the legislative session may prove positive for Oregon property owners.

“I know for a fact that we are going to get some Measure 49 relief,” he said.



Tony A. Haro MA, LPC, NCC
Oregon Licensed Professional Counselor #C1722

Certified Grief Recovery Specialist

777 N.E. 7th St., Suite 214
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Obituaries

Richard ‘Rick’ Schroeder

Longtime motorcycle enthusiast and Cave Junction resident Richard “Rick” M. Schroeder, 55, died Saturday, Feb. 7, 2009 at his home.

A private family service will be held.

Mr. Schroeder was born Jan. 11, 1954 in West Point, N.Y. He worked as a boiler-maker and tattoo artist. Thirty years ago he moved from New York to Cave Junction.

He was a Harley Davidson motorcycle enthusiast and participated in motorcycle rallies throughout the valley. He helped with toy runs sponsored by I.V. Bikers.

Survivors include two sons, Jerami Schroeder and Jesse Schroeder, both of Austin, Texas; his mother, Naomi Street, of Freedom, Penn.; five sisters, Debbie Garrison, of Wellsville, N.Y., Cathy Gianico, of Maybrook, N.Y.,

Donna DaSilva, of Newberg, N.Y., Victoria Schnepf, of Grand Haven, Mich., and Valerie Rengell, of Hudsonville, Mich.; a brother, Billy Garrison, of Oroville, Calif.; and a grandson.

Illinois Valley Funeral Directors is in charge of arrangements.

Ronald Eshnaur

No service is planned for Ronald Eshnaur, 59, of Selma, who died Saturday, Feb. 7, 2009 at his home.

Mr. Eshnaur was born June 11, 1949 in Long Beach, Calif. In 1967 he graduated from high school and joined the U.S. Marine Corps. For 13 months he served in Vietnam, where he earned a Purple Heart and was honorably discharged in 1970.

In 1980 he moved from Ventura, Calif. to Cave Junction. In 1983 he met Kathleen

Wickman, and they married on Dec. 4, 2005 in Selma.

He worked in various jobs including bartending at Art’s Red Garter and Sportsman Tavern; at KCNA Radio; home health care for his mother-in-law; and delivering newspapers in Cave Junction and O’Brien for the Grants Pass *Daily Courier*.

An eager reader and trivia buff, he enjoyed the arts, theater, movies, and drives in the country.

Survivors include his wife, Kathleen, of Selma; two children, Duane Brittain, of Medford, and Aaron Wickman, of Selma; his parents, Angelo & Doris Cioppa of Redding, Calif.; three sisters, Judith Crumpler, of Medford, Jeannette Cordano, of Las Vegas, Nev., and Desire Estle of Nevada; and a brother, Shannon Eshnaur, of Washington.

He was preceded in death by a daughter, Laura Brittain, in 1987; a son, Kevin Brittain, in 2009; and his father, Terry Eshnaur.

Illinois Valley Funeral Directors is in charge of arrangements.

Church News

Good Shepherd Lutheran Church

There are reports in the Old and New testaments about lepers being healed in varying circumstances. Are they only stories, or are they meant to convey deeper meaning?

Perhaps the point is being afflicted by sin. And just as those in the Bible were healed by believing in the power of God, we can be healed of sin.

Calendar: Thursdays at 4 p.m., Good Shepherd Singers rehearse; Sundays at 9:15 a.m., All-Comers Sunday School, followed by worship and Communion.

LIBRARY MEETING

Tuesday, February 24, 6:30 p.m.
County Building
102 S. Hwy. 199, Cave Junction

Let’s open the doors of the I.V. Branch Library!

We will identify the requirements, set the goals, and map a strategy.

Join us in creating a vibrant library that will reflect our community.

Information: 592-3289
www.josephinelibrary.org



IMMANUEL UNITED METHODIST CHURCH
200 Watkins St., CJ
Phone 592-3876
Pastor Charles Chase
Sunday School - 9:15 a.m.
Sunday Worship - 9:15 a.m.
Child-care for small children
Web Page:
<http://UMCIImmanuel.org>

ST. PATRICK OF THE FOREST CATHOLIC CHURCH
407 W. River St., CJ
592-3658
Msgr. Gregory Moys, Pastor
Mass - Saturday 5:30 p.m.
No Sunday Mass
Holy Days TBA
Sacrament of Reconciliation
Saturday - 4:30 to 5 p.m.

ILLINOIS VALLEY BAPTIST CHURCH
2110 Caves Hwy., CJ
Pastor Frank J. Matz, Jr.
Sunday School - 9:30 a.m.
Sunday Worship - 10:30 a.m.
Women’s Bible Study
Tuesday at 12:30 p.m.
www.illinoisvalleybaptistchurch.org
Phone: 541-592-6149

BAHA’I FAITH
Phone 592-5234

GOOD SHEPHERD LUTHERAN CHURCH
East River Street
& Lewis Court, CJ
Pastor Don Torala
Sunday School - 9:15 a.m.
Sunday Worship - 10 a.m.
Tuesday Youth group - 6 p.m.
Church Phone: 592-2290
www.goodshepherdlutheraniv.org

SEVENTH-DAY ADVENTIST CHURCH
265 S. Old Stage Rd., CJ
Sabbath School - 9:30 a.m.
Saturday Church Service
11 a.m. Saturday
Prayer & Praise
7 p.m. Tuesday
Pastor Verne Hyland
Church 592-3218
Everyone Welcome
Madrone Adventist School
592-3330
Sr. Teacher: Mrs. Amy Whitchurch
592-6604

COMMUNITY BIBLE CHURCH
113 S. Caves Ave., CJ
Evangelical
Morning Worship - 10:30 a.m.
Evening Service - 6 p.m.
Awana - Wednesdays - 6 p.m.
Pastor Dave Gordon
Christian Academy -
PK to 12th

VALLEY EVANGELICAL FREE CHURCH
498 Laurel Road, CJ
P.O. Box 1248
Pastor Les Knapp
Sunday School - 9:45 a.m.
Worship Service - 11 a.m.
evfree@frontiernet.net
592-6160

THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
temporary location at
28195 Redwood Hwy., CJ
Sacrament Meet - 9 a.m.
Sunday School - 10:20 a.m.
Priesthood, Relief Soc. -
11:10 a.m.
Bishop John A. “Jack” Brown
1st Counselor Bob Knott
2nd Counselor Dan Fiske

FOUNTAIN OF LIFE ASSEMBLY OF GOD
451 S. Junction Ave., CJ
592-3956
Pastor Mark McLean
Sunday School - 10 a.m.
Morning Worship - 11 a.m.
Evening Worship - 6 p.m.
Wednesday - 7 p.m.
Adult Bible Study



FIRST BAPTIST CHURCH OF SELMA
18285 Redwood Hwy., Selma
597-4169
Pastor Monty Pope
Sunday School - 9:45 a.m.
Worship - 11 a.m.

BRIDGEVIEW COMMUNITY CHURCH
5181 Holland Loop, CJ
592-3923
“We celebrate God’s Presence in our lives!”
Sunday Morning Worship
10:30 a.m.

TAKILMA BIBLE CHURCH
10300 Takilma Road, Takilma
Pastor Dan Robinson
Bible Study / Prayer Time
9:30 a.m.
Morning Worship 11 a.m.
Wednesday Bible Study
7 p.m.

CALVARY FELLOWSHIP OF CAVE JUNCTION
meeting at
Evergreen Elementary School
520 W. River St., CJ
Sunday Worship 10 a.m.
Wednesday Bible Study
6:30 p.m.
Pastor Pat Henderson
592-3092