

## LAWSUIT ALLEGES COUNTY VIOLATION OF MEETINGS LAW

The question of whether Lane County Commissioners Sid Leiken, Jay Bozievich and Faye Stewart violated open meetings law with a May 3 emergency meeting that did not provide 24 hours notice is now in the hands of the Oregon courts.

Attorney Marianne Dugan filed the suit June 29 on behalf of Commissioner Rob Handy. The suit seeks a judge's declaration that decisions made during the meeting were made illegally and seeks costs and attorneys' fees from the three commissioners, not the county itself. It also seeks a declaration that the commissioners named in the suit violated Oregon law when they held the meeting and did not release the minutes.

Emails that Dugan obtained through a public records request show that the conservative majority of the board through emails and phone calls decided to have a meeting about whether to release public records in regard to allegations of wrongdoing against Handy. But progressive Commissioners Pete Sorenson and Handy were not contacted until less than an hour and a half before the 9 am meeting on May 3. The three conservatives then voted to release the documents.

The emergency meeting was held in response to allegations that Handy illegally asked for contributions for his debt that came about as a settlement over a timber company-financed open meetings lawsuit. Handy said he had previously checked with the county's finance department regarding the legality. He said the release of the documents was timed to maximize the damage that would be done to him in the May 15 primary election, which would take place before he could be cleared of wrongdoing. Handy lost to conservative City Councilor Pat Farr.

Commissioner Jay Bozievich has denied receiving

advance notice of a meeting, saying in a June 7 email "the matter was referred to legal counsel and we were waiting for advice as of 7:09." Bozievich also said in the email that in the future he would only comment to *EW* if a public records request is filed. Lane County charges for public records requests.

Bozievich also forwarded emails that did not come to light in Dugan's public records request that appear to show part of the impetus for the hurried meeting was a request from conservative talk show host Bill Lundun. Farr appeared on Lundun's radio show before the election.

Leiken and County Administrator Liane Richardson did not respond to a request for comment on the lawsuit. The County Commission was not in session this week due to the July 4 holiday. Stewart said he was unable to comment as he had not yet seen the suit or heard back from legal counsel.

Under Oregon law there must be justification in the minutes of the meeting for emergency meetings arranged with less than 24 hours notice. The minutes of the May 3 meeting have not released, the suit says.

In other county news, according to attorney David Force, the Oregon Court of Appeals agreed with the Lane County's contention that an appeal of the controversial voter redistricting was moot, since the election utilizing the redrawn North Eugene district was held in May, and its result cannot be changed regardless of the legality.

The changes to voter boundaries, which opponents say favor conservative candidates, was approved by the board's conservative majority of Leiken, Bozievich and Stewart.

— Camilla Mortensen

## PESTICIDES IN YOU AND YOUR SALMON

When life hands you lemons, you make lemonade. But what do you do when life hands you pesticides in your urine? You fight. And when the Environmental Protection Agency attempts to delay regulations protecting salmon from pesticides, you take that agency to court.

Residents of the Triangle Lake area aren't mixing up urinate, but they're not taking the poison lying down, either. At noon on Saturday, July 7, anti-pesticide group Pitchfork Rebellion and other Triangle Lake residents will speak out at "Occupy This! Rally for Pesticide Justice and Jobs!" The

peaceful rally will call for the immediate ban of aerial spraying of pesticides near homes and schools, and it takes place at Wayne Morse Plaza at the old federal courthouse.

According to Standing Together to Outlaw Pesticides (STOP), aerial sprays don't just mist buildings and people with pesticides, they also result in contamination of the watershed. Residents, in an informal group called the Siuslaw Watershed Guardians, paid for the analysis of four public streams near Triangle Lake and found atrazine, desethyl atrazine or hexazinone in all of them. The group has been fighting to stop the toxic sprays for years and the state only began to take the issue seriously after a researcher found the pesticides 2,4-D and atrazine in the urine of Triangle Lake residents.

STOP is calling for a moratorium on forestry pesticides. "The health of humans, in particular children, should come before Big Timber profits," says member Eron King, whose whole family tested positive for atrazine and 2,4-D in April 2011. "In light of the suspended state exposure investigation, it is important that the governor issues a moratorium on all forestry pesticides until the investigation gets full cooperation from ODA [Oregon Department of Agriculture], ODF [Oregon Department of Forestry] and the timber industry, and can conclude that the pesticides within my children, neighbors and I are not from forestries clear-cut sprays."

Oregonians do have some hope for keeping pesticides out of our waterways when it comes to the neurotoxins that affect salmon. In June, Northwest Center for Alternatives to Pesticides won a court battle against the EPA in which the EPA sought to delay legal protections from pesticides that damage salmon habitat. A Seattle judge found industry and the government were not taking genuine steps to protect salmon jeopardized by pesticides, Amiee Code of NCAP says. Judge Thomas Zilly has lifted the stay, which now allows NCAP to move forward with a lawsuit it initiated in 2010. In the ruling, Code says, "the judge really comes out and points out EPA is being disingenuous."

Code says the case has been a long time in the making. "We've been fighting for obvious, needed protections since 2000." She says current regulations are insufficient and the courts have agreed with NCAP.

"We won't give up; the environment can no longer be put on the backburner while unsustainable and harmful business continues unabated," Code says.

— Shannon Finnell and Camilla Mortensen

## sports

### Rainy Days and Head Collisions

EMFC Azul, Eugene's premier women's soccer team, had a weekend of ties at home: The first, against Issaquah Soccer Club came down to stoppage time. "It was a real barn-burner," says Evon Smith, Azul's coordinator and perhaps the team's most loyal fan. In a last-ditch effort, Eugene Metro Fútbol Club (EMFC) put an equalizing header between the goalposts from a corner kick that rang in the final whistle, much to the chagrin of the opposing coach.

Saturday's game against Emerald City, uncharacteristically taking place at 2 pm, was rain-swept and rotten. As my grandfather would have put it: "Aye lad, it's a lovely day for a footy match."

The pitch was slippery, as was the ball, and innumerable, sliced goal kicks and long balls sailed out over the sidelines. The first goal came in the eleventh minute, scored with poise by Azul striker Caitlin Jobanek, and Lindsay Parlee's magnificent goalkeeping kept the score at 1-0 throughout the slippery first half.

The second half began with Emerald City instantly affecting a barrage of attacks on goal, each of which Azul managed to fend off until the 65th minute, when a chance one-on-one break allowed the Seattle opponents a simple tap-in to equalize.

Unfortunately it had been lofty balls that allowed Emerald City their dominating possession streak in the second half, with their players simply being too tall and well versed at controlling floated passes for the home team. And if this didn't set a tone of determination when it came to the ball being in the air, then the late second-half collision between two Emerald City players certainly did, when a nasty clash of heads resulted in a broken nose and concussion that ended in medics carrying the two still conscious, though badly beaten, teammates off in stretchers.

At the final whistle, the score remained 1-1, but it was an exciting game nonetheless.

On another note, Spain just made history with their Euro 2012 win. But it was not for lack of injury on the Italian side. Remember, soccer fans; this is a contact sport, and the fact that full-body tackles aren't involved should never be taken for granted.

The final EMFC Azul home game will take place against Oregon Rush on Wednesday, July 11 at 6 pm. — Andy Valentine

## biz beat

A **new cohousing development** called Oakleigh Meadow is forming with a group of about a dozen local households. The 2.7-acre site will be off River Road near Riverfront Park and the bike path, on land owned by David Adee and Joan Connolly. Other founding members include Pen Sand, Jim O'Connor and Jen Carroll. The sustainable housing project will include 16 to 24 units and a common house for shared activities such as meals and recreation. Consultant for the project is architect and author Katie McCamant, co-founder of The Cohousing Company, and she will give a free slide show and talk on cohousing at 7 pm Friday, July 6, at the Baker Center, 325 E. 10th Ave. See [www.oakleighmeadows.org](http://www.oakleighmeadows.org) or call 688-5233.

**Access the Law** is a Eugene nonprofit office offering affordable, sliding-scale legal services for working low-income families and individuals at 245 W. 13th Ave., phone 686-4890. Attorneys on staff include Marc Friedman, Amanda Husted, Tori Klein and Katrina R. Saint Marie.

Eugene-based **Gorilla Capital, Grape Solar** and **Café Yumm!** made the Portland Business Journal's Top 100 list for fastest-growing privately held companies in Oregon. Café Yumm!, which now employs 233 people and has 11 restaurants, posted a 51.9 percent growth rate during the three-year period from 2009 through 2011.

**Voodoo Doughnuts** is having some fun with its latest creation, Easy Pesey Lemon Kesey doughnuts, lemon-filled with tie-dye vanilla frosting and a chewy cube of "acid" on top. Part of the proceeds from sales of the limited-time doughnuts are going to help support the Kesey Collection of manuscripts and artwork in its current home at the UO Knight Library, says Sara Heise of Voodoo.

**Rick Nicol**, president of Western Pneumatics, Inc., has been reappointed to the Eugene Toxics Board, representing businesses that are required to report under Eugene's Toxics Right-to-Know Program. Randy Prince, representing an environmental advocacy position, was also reappointed.

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