



Chaplain of the Commission



In the wake of Goldwater's crushing loss to Johnson in 1964, and when they found a champion in Reagan in 1980, fundamentalist Christian leaders began to build on movements, such as the National Conservation Political Action Committee, the Committee For The Survival of A free Congress, the Religious Roundtable, the National Pro-life Political Action Committee, the Moral Majority and other PACs, and to seek out, support and succeed in electing right wing Christian nationalists at every level of city, state and federal government.

Using the sophisticated technologies of the Information Age in direct mailings and widespread outreach from the electronic church, fundamentalist preachers and proselytizers, such as Jerry Falwell, Jimmy Swaggart, Jim Bakker, Oral Roberts, Pat Robertson, Paul Weyrich, Richard Viguerie and a host of others, began to infiltrate the national consciousness and political process with mass manipulation, gross deception, fear and intimidation. In their 1982 book, *Holy Terror, The Fundamentalist War on America's Freedoms in Religion, Politics and Our Private Lives*, Flo Conway and Jim Siegelman were the first to discern and research the tenets, techniques and terrors of a concerted movement to erase the separation of church and state — and the precaution of our founding fathers — by establishing Christianity as

the foundational authority at every level of government.

This year, Conway and Siegelman published an updated edition of their classic, widely-recognized book with a new preface that offers the prescience and perspective of their initial discovery and exposure in light of the subsequent 43 years of fundamentalist Christian infiltration all the way to the Supreme Court.

Here in Lane County, David Loveall has been brazenly injecting his brand of religion into the meetings of the Lane County Board of Commissioners since he became Chair in January of this year. The following account of Loveall's actions is an abridged compilation of a series of articles by Leslie Rubinstein from a Cottage Grove newsletter, The Blackberry Pie Society.

"So, I want to bless these proceedings and grant us wisdom and compassion to make Kingdom decisions of importance to the people we serve and to our country..."

That's how newly elected Lane County Board of Commissioners Chair Loveall began the first regular board meeting of 2025. Falling just short of outright prayer, Loveall's blessing called upon the board to make "Kingdom decisions," a Christian belief that...carries with it the notion that *"Kingdom decisions are choices*

that people make to enter and live in the Kingdom of God. These decisions involve prioritizing God's values and principles, and making choices that align with God's will." Because Loveall was so careful to publicly point it out at the last meeting, we all know that not everyone on the board of commissioners is Christian, and certainly neither is everyone in his district, or for that matter in Lane County. Furthermore, it has long been the practice of the Board of Commissioners to leave religion at the door when conducting the public's business.

Loveall's preference for expressing his public views through a Christian prism makes more sense when you know that he and his wife are founders of Three Sixteen Ministries, whose vision statement includes the following: *We teach and model to men and women the biblical design of father headed families for the flow of heavenly blessings to be undeterred.* Leaving aside the troublesome notion of promoting a patriarchal model of "father headed families," Loveall — like all of us — is free to worship however he chooses. However, worship and other religious practices belong in church, not in Harris Hall.

♦ ♦ ♦

Chair Loveall began the January 28 meeting with yet another Christian invocation, only to be criticized by Commissioner Heather Buch who said,

“Our chair continues to reference his God and a blessing at the beginning of meetings, which I find disturbing and unsettling. . . we are here to do the business of the county. . .” Loveall responded by saying, *“I would remind you that Luke 18:7 says ‘the things that are impossible with men are possible with God.’ This nation was founded on a principle of Christian foundation. . . .”*

That statement clearly generated some discussion behind the scenes, and at the following meeting on February 4, Loveall made it clear that his opening religiosity was strictly personal, saying he delivered his remarks, *“...not as the voice of the county commissioners nor the government of Lane County.”* He followed that with a rapid-fire, cryptic attempt at an apology, saying that he’d had *“...some positive outreaches for better communication and clarity that may have been misinterpreted at our last gathering. . . I’m grateful for the grace extended to me by some of those affected. . .”* Perhaps a simple “I apologize for bringing my religion into this public meeting, and I won’t do it again” would have more effectively put the issue to rest.

In an added twist, Loveall issued his statement from the dais prior to gaveling in the meeting. Is he assuming that comments delivered prior to the official beginning of the meeting (but still with the commissioners, county staff and public all in attendance and in place for the public meeting) are not part of the public record? Do they count for anything other than using his public position to grandstand from the dais about whatever comes to mind?

During Public Comment — an agenda item that typically takes place near the beginning of each meeting — several members of the public explicitly condemned Loveall’s “Christian foundation” remarks from the previous week.

Ron Shaheen, the new DPLC House District 12 Chair, said: *“The United States was not founded on Christian principles. . . and nowhere in the Constitution do the words God, Jesus Christ, or Christianity appear.”* This elicited murmurs of appreciation from the audience at Harris

Hall. Ron then referenced the 1796 Treaty of Tripoli, negotiated by President George Washington and signed into law by President John Adams, which includes the following: *“...the Government of the United States of America is not in any sense founded in the Christian religion.”*

While Loveall did not offer his usual Christian blessing at the beginning of the Board of Commissioners meeting on February 11, he did manage to morph his intention to start meetings with prayers into some fancy, rather woke language, indicating that he intended to find a way to allow the practice. Speaking from his favorite, self-created, pre-meeting platform — where apparently the chair can transform himself into something called an “independent commissioner” — Loveall announced that he has been “testing the waters to bring back the tradition of inspiration and dedication.” Indicating that invocations will continue to be a part of future meetings, Loveall took cover by noting he is working with the county counsel to “get this right.”

Clearly and understandably, the public had a lot to comment on, and between the commenters and the commissioners’ response, two-fifths of the morning meeting was devoted to responding to Loveall’s entirely self-created controversy and the other public concerns.

[Loveall] said there will be both secular and non-secular invocations and that he wants to “give groups a chance to express their important roles in this community.” Apparently, the Chair will be the gatekeeper here.

Okay then, we look forward to hearing from the peyote-smoking Native American Church, the pagan Wiccans, and the atheistic Secular Humanists during this newly created invocation portion of Lane County Board of Commissioners meetings.

Clearly, [Loveall] got the message from all the Lane County residents who gave public comment, spoke with their commissioners, and wrote letters to the

editor speaking out against his five weeks of injecting exclusively Christian prayers into County Commissioner meetings.

■ ■ ■

On March 18, . . . Loveall continued his effort to weave religion into Lane County Board of Commissioners meetings. This time he forfeited his usual pre-meeting pulpit and instead folded his message into the meeting itself by morphing it into a sermon dedicated to the American flag.

After reminding the audience of something we all learned in elementary school — that each star of the American flag represents a state — Loveall quoted from a book published by the U.S. House of Representatives in 1977, explaining that each star is also a “...symbol of the heavens and the divine goal to which man has aspired from time immemorial.” He then admitted he had to look up the word “immemorial,” and proceeded to school the audience about the definition and usage of the word.

It appears that Loveall derived his explanation of the flag from a 34-page booklet published periodically by the U.S. Congress, titled “Our Flag.” It turns out the sentence Loveall quoted continues with the decidedly secular description of the stripes saying, *“...the stripe is symbolic of the rays of light emanating from the sun.”* . . . Loveall must comb the internet looking for ways to justify bringing Christianity into Lane County Board of Commissioner meetings, stopping short when he finds something, no matter how remote, that justifies his insistence on injecting divinity into the public meeting that taxpayers pay him to chair.

Meanwhile, we are still waiting for Loveall to fulfill his February 11th promise to *“...give groups a chance to express their important roles in this community...”* with secular or non-secular invocations. So far, the only ones we’ve heard are from Loveall.

**Leslie Rubinstein
and Robert Emmons**

LandWatch Adds New Board Member

Gwen Farnsworth of Dexter became a member of the LandWatch Board in April. She owns and lives on almost 500 acres 14 miles southeast of Eugene and recently completed a conservation easement with Northwest land Conservation Trust on land comprised of 14 tax lots, 12 of which will be protected from development in perpetuity.

The majority of her property is forest, with Douglas fir as the dominant species. It also contains 10-15 acres of endangered oak savanna and oak woodlands, and four ponds. Its three ecosystems provide habitat for a wide assortment of wildlife, including, deer, elk, cougar, bear, bobcats, foxes, coyotes and squirrels; hawks and other native fowl and amphibians.

In May Gwen joined LandWatch Research Analyst Lauri Segel and me on a trip to Salem to testify before a legislative committee in support of Senate Bills 77 and 79 (Described in the second article of this issue).

We commend Gwen for the steps she has taken to protect her own property and look forward to working with her to protect others.

Robert Emmons



LW and the 2025 Legislative Session



Twice in 2024 LandWatch met with other land use groups across the state to discuss a host of farm and forest protective measures that were ultimately winnowed down to four bills to be introduced at the 2025 legislative session. Instead of solely defending against the copious bills introduced every session intended to undermine or destroy regulatory safeguards for farm and forest land, this session we introduced our own bills intended to plug loopholes in land use law that developers had been expanding and exploiting for decades.

Following are the bills introduced by Senator Jeff Golden, Chair of the Natural Resources and Wildfire Committee:

Senate Bill 73 would prohibit the spot zoning of resource land that has allowed inappropriate residential dwellings and would require zoning based on the characteristics of an entire area.

SB 77 honors the intent of the home occupation statute to keep home occupations in-home as secondary to the primary occupation and activities in farm and forest zones.

SB 78 requires that a replacement dwelling be of the same size and scale of the dwelling

it is replacing instead of merely an opportunity to build an inappropriate and out-of-scale non-farm residence.

SB 79 prohibits new houses that are not associated with agriculture or forest management from being built in critical groundwater areas, priority wildlife habitat and migration corridors, and on high-value farmland.

These were modest, common sense proposals intended to strengthen the intent of existing regulation routinely exceeded by urbanizing development interests. Nevertheless, led by perennial Oregon Property Owners Association President and lobbyist, Dave Hunnicutt, and other conservative, anti-regulation forces, our bills met stiff opposition and weakened support in committee.

Though we were encouraged by the assurances and support of Chair Golden and by the quantity and quality of citizen testimony, SB 73 died before reaching a hearing, and Golden removed SB 79 from consideration this session.

LandWatch Research Analyst, Lauri Segel, new LandWatch Board member, Gwen Farnsworth, and I traveled to Salem on April 7, to testify in support of

SBs 77 and 78. Chair Golden began the session by announcing that, due to the overwhelming amount of bills before his committee, testimony would be reduced from two minutes to 90 seconds. A panel presentation in support of our bills, led by new 1000 Friends lobbyist, Jim Johnson, was curtailed as well.

The committee room was filled with advocates for the bills, some of whom had come long distances from eastern and southern Oregon, and most of whom were hardworking farmers and foresters, to attend and testify. Their testimony was concrete, informative and compelling.

For their part, Hunnicutt and a handful of opponents showed up to protest the bills' encroachment on their property rights to, presumably, continue replacing modest farmhouse dwellings with mansions and claim full-scale hotels on farm and forest land as home occupations. Jim Johnson presented numerous examples of egregious statute violations such as these in his panel segment. Neither bill passed out of Golden's committee.

Session after session, year after year, legislators are faced with an ever increasing number of bills. This year produced a re-

cord 3,432 and assured that they would rarely, if ever, have the time to understand the complexities of a given bill or its potential and actual consequences. Indeed, many may not even have read the bill. As a result, legislators are largely influenced by lobbyists and other vested interests for "interpretation" and direction in how to vote. The fate of a bill, therefore, may be determined before it even reaches the committee floor.

Citizen involvement and participation is Oregon's first land use goal. But in successive legislative sessions critical involvement in a bill's outcome increasingly occurs behind closed doors. The severely constrained testimony of concerned citizens is, thereby, little more than window dressing for a process corrupted by too many bills, too little time and too many legislators influenced by paid lobbyists vested in the destruction of Oregon's land use program. This is not to suggest, however, that our state senators and representatives lack conscientiousness and integrity, but, rather, to recognize that they, too, are victims of a broken system.

A few legislators have admitted that the number of bills in a session must be reduced, but with little agreement about

how to do it, and pushback against any restraint by those who are benefitting from the status quo. A bill this session to allow each legislator to introduce no more than 25 bills—still too many for adequate consideration—went nowhere.

All of us who are committed to maintaining and strengthening a land use program that for over 50 years has helped protect the farms and forests, the natural areas and open spaces that, as Governor Tom McCall knew, would continue to be eradicated without it are indebted to strong supporters such as Senator Golden and those advocates who, year after year, session after session, have dependably testified in opposition to bills intended to weaken or destroy land use regulation.

Though this first time collective effort to introduce our own bills resulted in none of them getting out of committee, two of them received a hearing, and we're optimistic that our strong showing and testimony and the presence of our own lobbyists will hobble the confident stride of Hunnicutt and his ilk when the next legislative session opens.

Robert Emmons



An 8,358 square foot home built on farmland in 2008 to replace the existing manufactured home. It has 6 bedrooms, 7.5 bathrooms and a 10 car garage and sold for \$12 million in 2020. Our bill to keep replacements in scale with original dwellings died in committee.

CleanLane Resource Recovery Facility: An Interview With Dan Hurley

Dan Hurley is the Director of Public Works for Lane County. He is a graduate of the United States Military Academy and the University of Oregon, with degrees in environmental engineering and environmental studies. He has worked at the County for 20 years with much of that time dedicated to solving waste management challenges, serving first as an engineer for the landfill, and later as the manager of the solid waste division. He lives in Springfield with his wife, Terri.

LW: *Can you tell us why Lane County has contracted with a local company to build the CleanLane Resource Recovery Facility?*

DH: The CleanLane Resource Recovery Facility is a facility Lane County is planning to build that will process garbage and recycling streams to reduce the amount of waste entering the landfill. It will be the most technologically advanced waste processing facility in the country and would utilize technology and equipment designed and built by a local manufacturer, Bulk Handling Systems.

LW: *And why is this facility important to Lane County?*

DH: CleanLane is an investment in our community's future. The facility will divert 80,000 tons of recyclable and organic material away from the landfill each year. Reducing the amount of recyclable materials and organic materials that end up in Short Mountain Landfill will mean that we have more space in the landfill for waste that can't be recycled, and the landfill will last at least 20 years longer. The project will also reduce our carbon footprint. CleanLane will divert food waste and other methane-producing organics to an enclosed digester that will produce renewable transportation fuels.

LW: *Where is the facility planned to be built?*

DH: The facility is planned to be built on a 25-acre property in Goshen that is between Interstate 5 and Highway 99. The County purchased the property in 2023 and has been working since then to obtain land use approvals. Investing in Goshen has long been a priority of the Board of County Commissioners.



In 2015, the County obtained a Goal 14 exception from DLCD to "up-zone" rural industrial land to allow for urban levels of industrial development with the goal of increasing jobs in rural Lane County. This project will produce 65 ongoing family-wage jobs.

LW: *What is the current zoning on this property?*

DH: The property has been zoned Industrial since the early 1960s. With the 2014 Goshen Region Employment and Transition (GREAT) Plan, the property was rezoned from Rural Industrial (RI)



The CleanLane Resource Recovery Facility proposed for Lane County's waste processing and recycling

to a Goshen-specific Light-Industrial (LI) Zone

LW: *We understand that the land use approvals were denied. Why was that?*

DH: The Planning Director approved the project on the basis that the proposed use fit as an “Industrial Service” within the allowable uses. The approval received six appeals from a mix of neighbors and waste hauling companies. A hearing was held in February, and the Hearings Official ruled in April to deny the approval. The primary issue was a conundrum that the zoning allowed for recycling facilities, but prohibited “waste-related uses.” Lane County argued the facility was primarily a recycling facility and that secondary uses contradictory to the zoning can be allowed, but the Hearings Official felt otherwise. Lane County has appealed the decision to the Land Use Board of Appeals (LUBA).

LW: *We heard the County is trying to do an end-around with the legislature. What is this about?*

DH: We’ve been challenged by outdated code language that never anticipated an integrated state-of-the-art facility like CleanLane. Lane County approached the Legislature to consider a “super siting” bill that would allow the facility to be sited outside of existing land use regulations. Lane County pursued this option to avoid a long, drawn-out land use battle that would likely add additional costs to the project. Five of our local legislators sponsored HB 3971 [bit.ly/HB3971] to allow super siting. We are deeply grateful for their advocacy on this matter. Unfortunately, the bill did not move out of the House Rules Committee.

LW: *So what’s next for the facility?*

DH: Lane County will continue to pursue the appeal of the land use decision to LUBA. In the interim, the county will be looking at other feasible options for siting the facility. Ultimately, the Board will need to provide direction for any significant changes with the project.

Editor’s Note: In the competition to build a state of the art waste/processing/ sorting/ conversion facility in Lane County, a Eugene company, Bulk Handling Systems, was the overwhelming choice over the proposal submitted by Sanipac and EcoSort, both owned by the international hauling conglomerate Waste Connection, Inc. and doing highly lucrative business all over the country. At base, behind the need for HB 3971 and the opposition to it is an international corporation’s sour grapes strategy to retaliate, in part, by having Sanipac haul its garbage 167 miles to a landfill it owns near Medford, deny Lane County the tipping fees it needs to pay off its contract debt and make more money for its holding company in Texas. And then frame its vested corporate interests as concern for local mom and pop haulers.

For a fuller description and explanation of Lane County’s proposed facility, see the OPB interview with Hurley broadcast November 14, 2024: “Lane County’s advanced recycling facility aims to generate renewable energy and lower landfill use.” [bit.ly/Lane-recycling]

IN MEMORIAM

Land Use Advocate and Lane County Commissioner Rob Handy



Long before being elected to the Lane County Board of Commissioners (BCC) as the North Eugene district representative from 2009-2012, Rob Handy was involved in helping protect his River Road community and served for years as a leader and member of its neighborhood

association. Rob’s integrity, compassion and commitment surely helped win him the votes to oust long term incumbent Bobby Green, an insider in the development community.

During his four year term in office, Rob was a dependable voice for environmental

justice and the protection of Lane County’s rural lands.

Following his term on the BCC, Rob kept a lower profile and spent many of his last years on the Oregon Coast and in the Alsea Valley. He died by the Pacific Ocean on May 19.

Rick McDougal Noncompliance Update

About a year and a half ago LandWatch reported that Richard McDougal, residing in Fall Creek, had been found by the County to be in violation of land use laws and the County building code due to the presence of several large un-permitted structures developed on his property.

Since then, the County has attempted to resolve McDougal's failure to comply by filing a case against him in Lane County Circuit Court. During the course of those proceedings, McDougal evidently decided to change the resolution he had offered up during proceedings before the Lane County Hearings Official.

In an attempt to legalize what was referred to as "Western Town," developed in the F1 zone (where the only structures allowed are those accessory to commercial forestry), McDougal originally proposed to rezone a portion of his F1 zoned property, followed by a property line adjustment with his contiguous F2 zoned property. The plan was to essentially move "Western Town" from the F1 zone to the F2 zone and then pursue an "as-built" permit for it.

However, in Circuit Court, McDougal dropped that plan, and the judge essentially sent it back to the County for McDougal to proceed with some kind of land use action. That turned out to

be an attempt to get one of the largest un-permitted structures, "Western Town," permitted as an "as-built" agricultural structure. That ploy ultimately failed because McDougal was unable to provide evidence of any existing agricultural activity on his properties.

Now, McDougal is suing the County in an attempt to avoid paying the fines assessed against him for his unlawful acts. He has filed a Writ of Review in Lane County Circuit Court. The case was expected to be heard by the Lane County Circuit Court in mid-June.

Lauri Segel



On acreage zoned F-1 that allows only structures accessory to commercial forestry and F-2 that allows only one dwelling, Rick McDougal has built — without permits — an elaborate playground on land designated as big game habitat.

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