

Board of County Commissioners' Business Meeting Minutes

Thursday, Aug. 15, 2013 - 6 p.m.

**Public Services Building
2051 Kaen Rd., Oregon City, OR 97045**

PRESENT:

Commissioner John Ludlow, Chair
Commissioner Jim Bernard
Commissioner Paul Savas
Commissioner Martha Schrader
Commissioner Tootie Smith

EXCUSED:

Housing Authority Commissioner Paul Reynolds

I. CALL TO ORDER

- Roll Call
- Pledge of Allegiance

Chair Ludlow announced the Board will convene as the Housing Authority Board for the next item. He asked the Clerk to read the Housing Authority Consent agenda by title; he then asked for a motion.

II. HOUSING AUTHORITY CONSENT AGENDA

1. Approval of Conditional Funding Awards for Four Housing Development Projects
2. Approval of the Construction Agreement Contract with A-1 Quality Construction for Public Housing Flooring Replacements
3. Resolution No. 1902 – Approval of the Housing Authority's Certification for the Section 8 Management Assessment Program

MOTION:

Commissioner Bernard: I move we approve the Housing Authority Consent Agenda.
Commissioner Smith: Second.
Commissioner Savas: Aye.
Commissioner Schrader: Aye
Commissioner Smith: Aye.
Commissioner Bernard: Aye.

Chair Ludlow: Aye.

Chair Ludlow – The motion is approved 5-0.

Chair Ludlow announced the Board will adjourn as the Housing Authority Board and convene as the Board of County Commissioners for the remainder of the meeting.

III. CITIZEN COMMUNICATION

1. McFarland, Canby – spoke regarding his neighbors code violations – still waiting for a call from the County.
2. Les Poole, Gladstone – asked about the sales agreement for the Trolley Trail.

the following citizen were heard after the public hearing

3. Aaron and Kimberly Auer, Oregon City – spoke regarding the Jason Lee statue replacement.
4. Mack Woods, Canby – spoke against the CRC, Light Rail and the Patient Protection and Affordable Care Act (aka 'Obamacare').

IV. PUBLIC HEARING

1. Reading and Adoption of County Ordinance No. **04-2013** Amending Park Rules in Section 6.06 of the County Code to Allow for Administrative Inspections and Declaring an Emergency

Rick Gruen, County Parks, Lieutenant Jeff Davis, Sheriff's Office and Stephen Madkour, County Counsel presented the staff report. A five minute video produced by the Sheriff's Office was played showing the issues on the Clackamas River from Barton Park to Carver Park. Mr. Madkour explained that this current proposal would amend County parks rules set forth in Chapter 6.06, of the County Code to specifically provide authority for the Sheriff's office and other individuals designated by the Parks Director to perform visual inspections of personal property items such as coolers. The amendments would establish a properly authorized administrative program designated and systematically administered to provide clear authority to conduct administrative inspection of prohibited items. Administrative searches are conducted for purposes other than law enforcement, such as courthouse and airport security, fire safety, mobile homes and elevators. As such, there are well recognized exceptions to the warrant requirement rule. He also explained the reason for declaring the emergency is to have the ordinance effective upon its adoption.

Board Discussion

Chair Ludlow opened the public hearing and stated there are folks who signed up to speak.

1. Kevin Phillips, Beavercreek – spoke in opposition of the ordinance.
2. Laurie Freeman Swanson, Molalla – spoke in support of the ordinance.
3. Frank Heaton, Carver – lives on the River and spoke against the ordinance.
4. Eugene Schoenheit, Milwaukie – spoke against the ordinance.
5. Les Poole, Gladstone – has concerns that people will go other places including private property.

Chair Ludlow asked if anyone else wished to speak on this subject, seeing none he closed the public hearing and asked for a motion to read the Ordinance in full.

MOTION:

Commissioner Bernard: I move we read the ordinance in full text.

Commissioner Schrader: Second.

Commissioner Savas: Aye.

Commissioner Schrader: Aye

Commissioner Smith: Aye.

Commissioner Bernard: Aye.

Chair Ludlow: Aye.

Chair Ludlow – The motion is approved 5-0. He asked the Clerk to assign a number and read the Ordinance in full text.

The Clerk assigned Ordinance No. 04-2013 and read the ordinance in full text.

Chair Ludlow asked for a motion to adopt the ordinance.

MOTION:

Commissioner Bernard: I move we adopt Ordinance No. 04-2013 amending park rules in section 6.06 of the Clackamas County Code to allow for Administrative inspections and declaring an emergency.

Commissioner Savas: Second.

Board Discussion

Commissioner Schrader: Aye.

Commissioner Smith: Aye

Commissioner Bernard: Aye.

Commissioner Savas: Aye.

Chair Ludlow: Aye.

Chair Ludlow – The motion is approved 5-0

V. DISCUSSION ITEMS

NO DISCUSSION ITEMS SCHEDULED

VI. CONSENT AGENDA

Chair Ludlow asked the Clerk to read the consent agenda by title. He then asked for a motion.

MOTION:

Commissioner Schrader: I move we approve the consent agenda.

Commissioner Smith: Second.

Commissioner Smith: Aye.

Commissioner Schrader: Aye.

Commissioner Savas: Aye.

Commissioner Bernard: Aye.

Chair Ludlow: Aye.

The motion is approved 5-0.

A. Health, Housing & Human Services

1. Approval of an Amendment with Empowerment Initiatives, Inc. for Peer Services

B. Department of Transportation & Development

1. Approval of an Intergovernmental Agreement with the State of Oregon to Participate in the Motor Carrier Safety Assistance Program
2. Approval of a Requirement Contract with Paramount Petroleum Corporation for Liquid Asphalt 2013
3. Approval of a Requirement Contract with Albina Asphalt for Liquid Asphalt 2013

VII. WATER ENVIRONMENT SERVICES

1. Approval of a Retainer Agreement between Clackamas County Service District No. 1, Tri-City Service District and Richwine Environmental, Inc. for Consultant Services

VIII. COUNTY ADMINISTRATOR UPDATE

IX. COMMISSIONERS COMMUNICATION

MEETING ADJOURNED – 7:35 p.m.

NOTE: Regularly scheduled Business Meetings are televised and broadcast on the Clackamas County Government Channel. These programs are also accessible through the County's Internet site. DVD copies of regularly scheduled BCC Thursday Business Meetings are available for checkout at the Clackamas County Library in Oak Grove by the following Saturday. You may also order copies from any library in Clackamas County or the Clackamas County Government Channel. <http://www.clackamas.us/bcc/business.html>

