

Board of County Commissioners' Business Meeting Minutes

Thursday, Oct. 17, 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
Housing Authority Commissioner Paul Reynolds

I. CALL TO ORDER

- Roll Call
- Pledge of Allegiance

Chair Ludlow opened the meeting as the Housing Authority Board for the first item on the agenda. He introduced Paul Reynolds, Housing Authority Commissioner and asked the Clerk to read the Housing Authority consent agenda by title.

II. HOUSING AUTHORITY CONSENT AGENDA

1. In the Matter of Writing off Uncollectible Accounts for the First Quarter of FY 2014
2. Resolution 1903: Appointment of an Executive Director to the Housing Authority

MOTION:

Commissioner Reynolds: I move we approve the Housing Authority Consent Agenda.

Commissioner Bernard: Second.

Board Discussion – the Board acknowledged Chuck Robbins the new Executive Director of the Housing Authority.

Clerk call the poll:

Commissioner Reynolds: Aye.

Commissioner Savas: Aye.

Commissioner Schrader: Aye.

Commissioner Smith: Aye.

Commissioner Bernard: Aye.

Chair Ludlow: Aye - the motion passes 6-0.

Chair Ludlow adjourned as the Housing Authority Board and convened as the Board of County Commissioners for the remainder of the meeting.

III. PRESENTATION

1. Presentation of the 2013 Clackamas County Small Grant Awards

Caroline Hill, County Administration presented the staff report. She introduced the 2013 Small Grant recipients.

Board Discussion

IV. CITIZEN COMMUNICATION

1. Jo Haverkamp, West Linn – respect to Citizens speaking before the Board.
2. Paul Edgar, Oregon City – regarding urban renewal and reserves.

Board Discussion

3. Les Poole, Gladstone – appreciates information available on the County web page – supports Damascus staying a city – light rail and the parks property.
4. Janet Schoenheit, Oak Grove – importance of citizen input.
5. Eugene Schoenheit, Oak Grove – suggest the Board put Citizen Communication at the end of the meeting.
6. Richard Langdon, Portland – appreciates a meeting he attended with Dan Chandler and stated this outreach to the public is good.

V. PUBLIC HEARING

1. Second Reading of Ordinance No. 05-2013 Amending Section 6.09 of the Clackamas County Code Pertaining to Library Exclusion Process

Stephen Madkour, Chris Storey, County Counsel presented the staff report. The first reading of this Ordinance was on September 12, 2013. Chris introduced Doris Grolbert from the County Library.

Doris Grolbert, Director of the County Library explained why this amendment will help the Library staff.

Board Discussion

Chair Ludlow opened the public hearing and asked for public comment.

1. Kevin Phillips, Beavercreek – did not see a need for an emergency clause.

2. Jo Haverkamp – has comments regarding the person in charge issue.
3. Libby Wentz, Gladstone – common sense should be used in these instances, and referred to *ORS 164.205*.
4. Richard Langdon, Portland – stated if someone is breaking the law, the police should be called. Asked if a person can be asked to leave the library without committing a crime.

Stephen Madkour, County Counsel stated you can be asked to leave the library for a variety of reasons as stated in the ordinance.

5. Eugene Schoenheit, Milwaukie – had several questions about the ordinance.

Board Discussion

Chair Ludlow closed the public hearing asked for a motion.
(Verbatim transcript of this motion available)

1. MOTION:

Commissioner Bernard: I move we read Ordinance No. 05-2013 by title only.

Commissioner Schrader: Second.

Board Discussion

Clerk call the poll:

Commissioner Bernard: Aye.

Commissioner Smith: Aye.

Commissioner Schrader: Aye.

Commissioner Savas: Nay.

Chair Ludlow: Aye – the motion passes 4-1 – he asked the Clerk to read the Ordinance by title only. He then asked for a motion to adopt the Ordinance.

2.MOTION:

Commissioner Bernard: I move we adopt Ordinance No. 05-2013 amending section 6.09 of the Clackamas County Code pertaining to the Library Exclusion, and removing section 2, Emergency Clause.

Chair Ludlow: Second.

(see poll for motion 2 below)

Board Discussion

3.MOTION

Commissioner Smith: I call for the question to stop the discussion and complete the motion on the floor.

Commissioner Schrader: Second.

Clerk call the poll:

Commissioner Bernard: Aye.

Commissioner Smith: Aye.

Commissioner Schrader: Aye.

Commissioner Savas: Nay.

Chair Ludlow: Aye – the motion passes 4-1 – now I will ask for the poll on the original question.

(poll for motion 2)

Clerk call the poll:

Commissioner Schrader Aye

Commissioner Smith: Aye

Commissioner Savas: Nay

Commissioner Bernard: Aye

Chair Ludlow: Aye – the motion passes 4-1.

VI. DISCUSSION ITEM

County Counsel

1. Board Order No. **2013-82** Approving the Designation of Certain Officials as Persons in Charge (PIC) of County Facilities, Building and Property

Stephen Madkour, Chris Storey, County Counsel presented the staff report. County Employee's Janelle McCloud, Public Health and Dan Johnson and Marshall Beck, Dept. of Transportation and Development spoke about specific incidents where this order could be helpful.

Board Discussion

Chair Ludlow stated this is a discussion item and called folks up 2 at a time.

1. Les Poole, Gladstone – concerned about the authority given to County employees as the person in charge.
2. Kevin Phillips, Beaver Creek – referred to three separate cases similar to this issue – stated the person in charge will only direct someone to leave.
3. Tena Olsen, Oregon City – has concerns when dealing with Veterans.
4. Richard Langdon, Portland – believes this is unconstitutional.

Board Discussion

5. Maryanna Moore, Gladstone – has concerns regarding training and the person in charge.
6. Jo Haverkamp, spoke against the person in charge order.

7. Cyndi Lewis Wolfrum, Milwaukie – asked what the Sherriff’s role is with this issue.

Board Discussion

Chair Ludlow asked for a motion.

MOTION:

Commissioner Bernard: I move we approve the Board Order approving the designation of certain officials as Persons in Charge of County Facilities, Buildings and Property.

Chair Ludlow: Second.

Board Discussion

Clerk call the poll:

Commissioner Smith: Aye.

Commissioner Schrader: Aye

Commissioner Savas: Nay.

Commissioner Bernard: Aye.

Chair Ludlow: Aye – the motion passes 4-1.

VII. CONSENT AGENDA

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

MOTION:

Commissioner Schrader: So moved.

Commissioner Savas: Second.

Board Discussion

Clerk to call the poll:

Commissioner Bernard: Aye.

Commissioner Smith: Aye.

Commissioner Schrader: Aye.

Commissioner Savas: Aye.

Chair Ludlow: Aye - the motion passes 5-0.

A. Health, Housing & Human Services

1. Approval of Annual Revenue Contract 29297-CC with Ride Connection Inc., to Provide Funding for Rides Provided by Members of the Clackamas County Transportation Consortium – *Social Services*
2. Approval of an Intergovernmental Agreement between Clackamas County and the Estacada School District – *Children, Youth & Families*

B. Department of Transportation & Development

1. Approval of a Contract with Harper Houf Peterson Reghellis, Inc. for Consulting Engineering Services for the Tolbert Street, 82nd Drive to Minuteman Way Project

C. Elected Officials

1. Approval of Previous Business Meeting Minutes – BCC

D. Business & Community Services

1. Approval of an Intergovernmental Agreement between Clackamas County and Metro for the Construction Excise Tax Grant
2. Approval of a Cooperative Intergovernmental Agreement between Clackamas County, the City of Estacada and the Estacada Area County Service District for Library Services

VIII. NORTH CLACKAMAS PARKS AND RECREATION DISTRICT

1. Approval of an Amendment to the Memorandum of Understanding with the City of Damascus for the Construction of Trillium Creek Park

IX. COUNTY ADMINISTRATOR UPDATE

X. COMMISSIONERS COMMUNICATION

MEETING ADJOURNED – 9:20 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>