

Board of County Commissioners' Business Meeting Minutes

Thursday, Dec. 17, 2015 – 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

CALL TO ORDER

- Roll Call
- Pledge of Allegiance

Chair Ludlow recess as the Board of County Commissioners and convene as the Housing Authority Board for the next item.

He introduced Housing Authority Commissioner Paul Reynolds and asked the Clerk to read the Housing Authority Consent agenda by title only.

I. HOUSING AUTHORITY CONSENT AGENDA

- 1 In the Matter of Writing off Uncollectible Accounts for the Second Quarter of Fiscal Year 2016
- 2 Chair Ludlow asked for a motion. **MOTION:** Commissioner Reynolds: I move we approve the Housing Authority consent agenda.
- 3 Commissioner Bernard: Second.
- 4 Clerk calls the poll.
- 5 Commissioner Reynolds: Aye.
- 6 Commissioner Savas: Aye.
- 7 Commissioner Schrader: Aye.
- 8 Commissioner Smith: Aye.
- 9 Commissioner Bernard: Aye.
- 10 Chair Ludlow: Aye – the motion passes 6-0.

Chair Ludlow adjourned as the Housing Authority Board and re-convened as the Board of County Commissioners.

II. PRESENTATION

- 1 Presentation of the Clackamas County Government Channel 2015 Awards
- 2 Garrett Teague, Cable Communication Division presented the staff report and showed a video outlining the 2015 Cable Awards. The Board thanked Garrett and all the staff at Cable Communications office for their outstanding and dedicated work.

III. CITIZEN COMMUNICATION

- 1 Kim Trehwella, Estacada - Spoke regarding ZDO-254 Private Road Access for medical marijuana facilities.
- 2 Steve Chianello, Beavercreek - Spoke on ZDO-254 about enforcement needs.

- 3 Shirley Morgan, Welches - Spoke on ZDO-254 regarding enforcement needs and cost impacts.
- 4 Mark Depner, Canby - Spoke regarding Union Contract negotiations
- 5 Kevin Hutchison, Sandy - Spoke regarding Union Contract negotiations
- 6 Fred Yungbluth - Spoke regarding Union Contract negotiations
- 7 Kay Polluck, West Linn - Spoke regarding Union Contract negotiations
- 8 Linda Preisz, Lake Oswego - Spoke regarding Union Contract negotiations
- 9 Kimberly Benthin - Spoke regarding Union Contract negotiations
- 10 Thelma Haggemiller, Oak Grove-Spoke regarding Regional Wastewater Council and citizen involvement
- 11 Les Poole, Gladstone - Decision on Evangelical Property, and Metro
- 12 Steve Bate, Boring - Metro and Urban Reserves
- 13 Kay Mordock, Johnson City - Spoke regarding Regional Wastewater Treatment Advisory Committee and a request by Johnson City to be added as a voting member for representation

IV. READING AND ADOPTION OF PREVIOUSLY APPROVED LAND USE ORDINANCE

(No public testimony on this item)

- 1 Adoption of Previously Approved Zoning and Development Ordinance Amendments ZDO-254 – Marijuana Land Use Regulations
- 2 Nate Boderman, County Counsel presented the staff report and explained that this item was previously approved by the Board at the December 2, 2015 Land Use hearing. Board Discussion Chair Ludlow asked for a motion. **MOTION:** Commissioner Bernard: I move we read ZDO-254 by title only.
- 3 Commissioner Smith: Second.
- 4 Clerk calls the poll.
- 5 Commissioner Bernard: Aye.
- 6 Commissioner Smith: Aye.
- 7 Commissioner Schrader: Aye.
- 8 Commissioner Savas: Aye.
- 9 Chair Ludlow: Aye – the motion passes 5-0. He asked the Clerk to read ZDO-254 by title only – then asked for a motion. **MOTION:** Commissioner Smith: I move we approve ZDO-254, Amendments to the Zoning and Development Ordinance for Marijuana Land Use Regulations as previously approved at the December 2, 2015 land use hearing.
- 10 Commissioner Bernard: Second.
- 11 Board Discussion
- 12 Clerk calls the poll.
- 13 Commissioner Smith: Aye.
- 14 Commissioner Schrader: Aye
- 15 Commissioner Savas: No.
- 16 Commissioner Bernard: Aye.
- 17 Chair Ludlow: Aye – the motion passes 4-1.

V. PUBLIC HEARINGS

- 1 Second Reading of Ordinance No. 09-2015 Repealing the Moratorium on Medical

Marijuana Dispensaries, Chapter 6.12 of the County Code and Repealing Medical Marijuana Facility Regulations, Chapter 8.09 of the Clackamas County Code and Declaring an Emergency

2 Nate Boderman, County Counsel presented the staff report. Chair Ludlow opened the public hearing and asked if anyone wished to speak, seeing none he closed the public hearing and asked for a motion. **MOTION:** Commissioner Bernard: I move we read the ordinance by title.

3 Commissioner Smith: Second.

4 Clerk calls the poll.

5 Commissioner Schrader: Aye.

6 Commissioner Savas: Aye.

7 Commissioner Bernard: Aye.

8 Commissioner Smith: Aye.

9 Chair Ludlow: Aye – the motion passes 5-0. He asked the Clerk to assign a number and read the ordinance, he then asked for a motion. **MOTION:** Commissioner Smith: I move we adopt ordinance No. 09-2015 Repealing the Moratorium on Medical Marijuana Dispensaries, Chapter 6.12 of the County Code and Repealing Medical Marijuana Facility Regulations, Chapter 8.09 of the Clackamas County Code and Declaring an Emergency.

10 Commissioner Bernard: Second.

11 Board Discussion

12 Clerk calls the poll.

13 Commissioner Savas: No.

14 Commissioner Bernard: Aye.

15 Commissioner Smith: Aye.

16 Commissioner Schrader: Aye

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

18 First Reading and Adoption of Ordinance No. 11-2015 Amending Chapter 9.01, Uniform Code for the Abatement of Dangerous Buildings of the Clackamas County Code and Declaring an Emergency

19 Nate Boderman, County Counsel presented the staff report. Chair Ludlow opened the public hearing and asked if anyone wished to speak, seeing none he closed the public hearing and asked for a motion to read the ordinance. **MOTION:** Commissioner Bernard: I move we read the ordinance in full.

20 Commissioner Savas: Second.

21 Clerk calls the poll.

22 Commissioner Bernard: Aye.

23 Commissioner Smith: Aye.

24 Commissioner Schrader: Aye.

25 Commissioner Savas: Aye.

26 Chair Ludlow: Aye – the motion passes 5-0. He asked the Clerk to assign a number and read the ordinance in full, he then asked for a motion.

MOTION: Commissioner Savas: I move we adopt ordinance No. 11-2015

- Amending Chapter 9.01, Uniform Code for the Abatement of Dangerous Buildings of the Clackamas County Code and Declaring an Emergency
- 27 Commissioner Schrader: Second.
- 28 Board Discussion
- 29 Clerk calls the poll.
- 30 Commissioner Smith: Aye.
- 31 Commissioner Schrader: Aye
- 32 Commissioner Savas: Aye.
- 33 Commissioner Bernard: Aye.
- 34 Chair Ludlow: Aye – the motion passes 5-0.

VI. BOARD DISCUSSION ITEMS)

WATER ENVIRONMENT SERVICES

(Service District No. 1, Tri-City Service District & Surface Water Management Agency of Clackamas County)

Chair Ludlow announced the Board will recess as the Board of County Commissioners and convene as Service District No. 1 for the first item.

- 1 Authorization for Clackamas County Service District No. 1 to Enter into Phase I of an Agreement for Professional Engineering Services with MWH Americans, Inc. for the Tri-City Water Pollution Control Plant Solids Handling Improvements Project
- 2 Greg Geist, Water Environment Services presented the staff report and showed a video. Chair Ludlow asked for a motion. **MOTION:** Commissioner Smith: I move we, the Clackamas County Board of Commissioners, acting as the Governing Body of Clackamas County Service District No. 1 Authorize Phase 1 of an Agreement for Professional Engineering Services with MWH Americans, Inc. for the Tri-City Water Pollution Control Plant Solids Handling Improvements Project.
- 3 Commissioner Schrader: Second.
- 4 Board Discussion
- 5 Clerk calls the poll.
- 6 Commissioner Schrader: Aye
- 7 Commissioner Savas: Aye.
- 8 Commissioner Bernard: Aye.
- 9 Commissioner Smith: Aye.
- 10 Chair Ludlow: Aye – the motion passes 5-0. **Chari Ludlow announced the Board will adjourn as the Service District No. 1 and convene as Tri-City Service District for this second item.**
- 11 Authorization for Tri-City Service District to Enter into Phase I of an Agreement for Professional Engineering Services with MWH Americans, Inc. for the Tri-City Water Pollution Control Plant Solids Handling Improvements Project
- 12 Greg Geist, Water Environment Services presented the staff report. Chair Ludlow asked for a motion. **MOTION:** Commissioner Savas: I move we, the Clackamas County Board of Commissioners, acting as the Governing Body of Clackamas County Tri-City Service District Authorize Phase 1 of an Agreement for Professional Engineering Services with MWH Americans, Inc. for the Tri-

- City Water Pollution Control Plant Solids Handling Improvements Project.
- 13 Commissioner Schrader: Second.
- 14 Board Discussion
- 15 Commissioner Savas: Aye.
- 16 Commissioner Bernard: Aye.
- 17 Commissioner Smith: Aye.
- 18 Commissioner Schrader: Aye
- 19 Chair Ludlow: Aye – the motion passes 5-0. **Chair Ludlow announced the Board will adjourn as Tri-City Service District and Re-Convene as the Board of County Commissioners for the remainder of the meeting.**

*Commissioner Bernard was not feeling well and excused.

VII. CONSENT AGENDA

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

MOTION:

Commissioner Smith: I move we approve the consent agenda.

Commissioner Schrader: Second.

Clerk calls the poll.

Commissioner Smith: Aye.

Commissioner Schrader: Aye.

Commissioner Savas: Aye.

Chair Ludlow: Aye – the motion passes 4-0.

A. Health, Housing & Human Services

- 1 Approval of Revenue Agreement with Oregon Department of Education for Medicaid Reimbursement – *Children, Youth & Families*
- 2 Approval of Professional Services Agreement with Estacada School District, for the School Based Health Centers (SBHC) Building Mental Health Capacity – *Public Health*
- 3 Approval of Amendment 33 to the Services Contract with Health Share of Oregon to Expand the Healthy Homes Intervention Home Visit Program - *Public Health*
- 4 Approval of a Construction Agreement Change Order between the Department of Health, Housing and Human Service and Par-Tech Construction for the West Linn Senior Center Expansion Project – *Housing & Community Development*

B. Department of Transportation & Development

- 1 Approval of Amendment No. 1 to an Intergovernmental Agreement (TGM Grant Agreement No. 30687) with Oregon Department of Transportation to Develop the Villages at Mt. Hood Pedestrian and Bikeway Implementation Plan

C. Elected Officials

- 1 Approval of Previous Business Meeting Minutes – *BCC*

D. Department of Communications (C-Com)

- 1 Approval of an Amendment to the Intergovernmental Agreement with Washington County Consolidated Communications Agency (WCCCA) and the City of Lake Oswego Communications Agency (LOCOM) for the Computer Aided Dispatch Partnership

E. Public and Government Affairs

- 1 **Board Order No. 2015-133** in the Matter of an Extension of the Cable Television Franchise with Canby Telephone Association (dba Canby Telcom)

VIII. COUNTY ADMINISTRATOR UPDATE

IX. COMMISSIONERS COMMUNICATION

MEETING ADJOURNED – 8:21 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. You may also order copies from any library in Clackamas County or the Clackamas County Government Channel. www.clackamas.us/bcc/business.html