

DRAFT

Approval of Previous Business Meeting Minutes:

February 14, 2019

February 21, 2019

BOARD OF COUNTY COMMISSIONERS BUSINESS MEETING MINUTES

A complete video copy and packet including staff reports of this meeting can be viewed at

<https://www.clackamas.us/meetings/bcc/business>

Thursday, February 14, 2019 – 10:00 AM

Public Services Building

2051 Kaen Rd., Oregon City, OR 97045

**PRESENT: Commissioner Jim Bernard, Chair
Commissioner Ken Humberston
Commissioner Paul Savas**

**EXCUSED: Commissioner Sonya Fischer
Commissioner Martha Schrader**

CALL TO ORDER

- Roll Call
- Pledge of Allegiance

Chair Bernard announced there a special presentation and invited Lynne Chicoine from Water Environment Services (WES) to the table. Lynne introduced Mike Christensen from Energy Trust of Oregon who presented a check to WES in the amount of \$82,890 for energy efficiency upgrades at the Kellogg Waste Water Plant.

~Board Discussion~

I. CITIZEN COMMUNICATION

<https://www.clackamas.us/meetings/bcc/business>

1. Steve Bates, Boring – Happy 160th birthday to the State of Oregon; support the Vietnam war memorial; support of SB 500 a property tax exemption for veterans; raising funds for a VOW MIA flag in Boring; requested the Board work with ODOT for signs on I5 and I205 that read “We Honor Veterans”.
2. Les Poole, Gladstone – VRF public hearings - encouraged folks to attend; supports Mr. Bates request for signs on I5 and I205; Celebration in Salem on Saturday for the 160th birthday; complimented AMR and their great service.
3. Tim Lussier, Estacada – signing the no new taxes pledge; spoke against the VRF; support of the Clackamas County Sheriff’s Office; and safe gun ownership; State of Oregon 160th birthday and his personal history; against tolling.
4. Brainard Brauer, Oregon City – hoping the Board can attend the next Redland CPO meeting; Redland traffic safety; community radar signs.

~Board Discussion~

II. PUBLIC HEARINGS

1. **Board Order No. 2019-07** for Boundary Change Proposal CL 18-010, Annexation to Tri-City County Service District

Nate Boderman, County Counsel & Ken Martin, Boundary Change Consultant presented the staff report.

Chair Bernard opened the public hearing and asked if anyone would like to speak, seeing none he closed the public hearing and asked for a motion.

MOTION:

Commissioner Humberston: I move we read approve the Board Order for Boundary Change Proposal CL 18-010, Annexation to Tri-City County Service District.

Commissioner Savas: Second.

all those in favor/opposed:

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Chair Bernard: Aye – the Ayes have it, the motion carries 3-0.

2. Board Order No. 2019-08 for Boundary Change Proposal CL 18-015, Annexation to Tri-City County Service District

Nate Boderman, County Counsel & Ken Martin, Boundary Change Consultant presented the staff report.

Chair Bernard opened the public hearing and asked if anyone would like to speak, seeing none he closed the public hearing and asked for a motion.

MOTION:

Commissioner Humberston: I move we read approve the Board Order for Boundary Change Proposal CL 18-015, Annexation to Tri-City County Service District.

Commissioner Savas: Second.

~Board Discussion~

all those in favor/opposed:

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Chair Bernard: Aye – the Ayes have it, the motion carries 3-0.

3. Board Order No. 2019-09 for Boundary Change Proposal CL 18-016, Annexation to Clackamas County Service District 1

Nate Boderman, County Counsel & Ken Martin, Boundary Change Consultant presented the staff report.

Chair Bernard opened the public hearing and asked if anyone would like to speak, seeing none he closed the public hearing and asked for a motion.

MOTION:

Commissioner Humberston: I move we read approve the Board Order for Boundary Change Proposal CL 18-016, Annexation to Clackamas County Service District 1.

Commissioner Savas: Second.

all those in favor/opposed:

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Chair Bernard: Aye – the Ayes have it, the motion carries 3-0.

4. Board Order No. 2019-10 for Boundary Change Proposal CL 18-017, Annexation to Sunrise Water Authority

Nate Boderman, County Counsel & Ken Martin, Boundary Change Consultant presented the staff report.

Chair Bernard opened the public hearing and asked if anyone would like to speak, seeing none he closed the public hearing and asked for a motion.

MOTION:

Commissioner Humberston: I move we read approve the Board Order for Boundary Change Proposal CL 18-017, Annexation to Sunrise Water Authority.

Commissioner Savas: Second.

all those in favor/opposed:

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Chair Bernard: Aye – the Ayes have it, the motion carries 3-0.

III. BOARD DISCUSSION ITEM

Public & Government Affairs

1. **Resolution No. 2019-11** Confirming Commitment to Build a New Clackamas County Courthouse

Amy Kyle, Public & Government Affairs presented the staff report.

~Board Discussion~

Chair Bernard opened the public hearing and asked if anyone would like to speak, seeing none he closed the public hearing and asked for a motion.

MOTION:

Commissioner Humberston: I move we read approve the Board Order for Boundary Change Proposal CL 18-017, Annexation to Sunrise Water Authority.
Commissioner Savas: Second.

~Board Discussion~

all those in favor/opposed:

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Chair Bernard: Aye – the Ayes have it, the motion carries 3-0.

IV. CONSENT AGENDA

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

MOTION:

Commissioner Humberston: I move we approve the Consent Agenda.

Commissioner Savas: Second.

all those in favor/opposed:

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Chair Bernard: Aye – the Ayes have it, the motion carries 3-0.

A. Health, Housing & Human Services

1. Approval of a Revenue Professional Services Agreement with Health Share of Oregon for Point of Contact Provider Services – *Public Health*
2. Approval of an Agency Service Agreement with Impact NW for Shelter Plus Care Supportive Service – *Social Services*
3. Approval to Apply for Funding to Improve Criminal Justice Response to Domestic Violence, Dating Violence, Stalking and Sexual Assault through the US Department of Justice Office on Violence Against Women – *Children, Youth & Families*

B. Department of Transportation & Development

1. Approval of a Contract with Northwest Code Professionals to Provide On-Call Third Party Services for Assistance with Plan Review and Inspections – *Procurement*
2. Approval of a Contract with Clair Company to Provide On-Call Third Party Services for Assistance with Plan Review and Inspections – *Procurement*

C. Elected Officials

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

V. DEVELOPMENT AGENCY

1. Approval of the 4th Amendment to the Disposition Agreement with Oregon Beverage Recycling Cooperative

VI. COUNTY ADMINISTRATOR UPDATE

<https://www.clackamas.us/meetings/bcc/business>

VII. COMMISSIONERS COMMUNICATION

<https://www.clackamas.us/meetings/bcc/business>

MEETING ADJOURNED – 10:50 AM

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BOARD OF COUNTY COMMISSIONERS BUSINESS MEETING MINUTES

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Thursday, February 21, 2019 – 6:00 PM

Public Services Building

2051 Kaen Rd., Oregon City, OR 97045

PRESENT: Commissioner Jim Bernard, Chair
Commissioner Ken Humberston
Commissioner Paul Savas
Commissioner Martha Schrader
Commissioner Sonya Fischer
Housing Authority Commissioner Paul Reynolds

CALL TO ORDER

- Roll Call
- Pledge of Allegiance

Chair Bernard announced the Board will 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.

I. HOUSING AUTHORITY CONSENT AGENDA

Chair Bernard asked the Clerk to read the Housing Authority consent agenda by title, then asked for a motion.

MOTION:

Commissioner Reynolds: I move we approve the Housing Authority consent agenda.

Commissioner Fischer: Second.

all those in favor/opposed:

Commissioner Reynolds: Aye.

Commissioner Humberston: Aye.

Commissioner Schrader: Aye.

Commissioner Savas: Aye.

Commissioner Fischer: Aye.

Chair Bernard: Aye – the Ayes have it, the motion carries 6-0.

1. Approval to Execute an Easement Agreement between Housing Authority of Clackamas County and Nathan C. Miller and McKenna Miller
2. Approval of Resolution No. 1936 for Housing Authority of Clackamas County to Adopt the Local Contract Review Board Rules

Chair Bernard announced the Board will Adjourn as the Housing Authority Board and Reconvene as the Board of County Commissioners for the remainder of the meeting.

II. PRESENTATION *(Following are items of interest to the citizens of the County)*

1. Water Environment Services (WES) Presentation on the Efforts of the WES Advisory Committee. Greg Geist, director of WES introduced Greg Diloreto, Vice Chair of the WES Advisory Committee to present the report and PowerPoint.

~Board Discussion~

III. CITIZEN COMMUNICATION

<http://www.clackamas.us/bcc/business.html>

1. Les Poole, Gladstone – Spoke about HB2020 Cap and Tax Bill in Salem and the need for evening business meetings.

IV. PUBLIC HEARING

1. Second Reading of Ordinance No. 01-2019 Adding Chapter 7.07, Vehicle Registration Fee (VRF), to the Clackamas County Code. *1st reading was 2-7-19*

Dan Johnson and Mike Bezner, Department of Transportation & Development presented the staff report including a PowerPoint presentation.

~Board Discussion~

Chair Bernard opened the public hearing, he stated there are several folks here to speak.

<https://www.clackamas.us/meetings/bcc/business>

1. David Marks, Clackamas – Supportive of Vehicle Registration Fee, he urged the Commissioners to do it by Ordinance.
2. Susan Drew, Sandy – Opposed to Vehicle Registration Fee, read a letter signed by 20 community members.
3. Greg DiLoreto, West Linn – Supportive of Vehicle Registration Fee, cited infrastructure statistics.
4. Brian Burke, Oregon City –Supportive of Vehicle Registration Fee with an emphasis on safety improvements.
5. Tiffany Turgetto, Clackamas – Supportive of Vehicle Registration Fee and offered some other ideas including putting gas tax on the ballot.
6. Janelle Lawrence, Milwaukie – Thanked the Board for their support for traffic safety and was supportive of Vehicle Registration Fee.
7. Loren Hutnick, Eagle Creek – Opposed to Vehicle Registration Fee, said the problem is Salem.
8. Rob Luster, Oregon City – Asked the Board to put the VFR before the voters.
9. Laurie Freeman-Swanson, Molalla – Supportive of Vehicle Registration Fee.
10. Traci Hensley, Canby – Opposed to the Vehicle Registration Fee – she said it should be put before the voters.
11. Eugene Schoenheit – Opposed to Vehicle Registration Fee, said the Board received a mandate from the voters in 2016.
12. William Gifford, Oregon City – Supportive of Vehicle Registration Fee, said the Board has the authority to solve problem and \$30 is too low.
13. Les Poole, Gladstone – Opposed to the Vehicle Registration Fee, said there needs to be a robust discussion with public awareness.
14. Herb Chow, Clackamas – Opposed to the Vehicle Registration Fee, said the problem is spending by those in control in Salem.
15. Steve Adams, Milwaukie –Supportive of Vehicle Registration Fee, wants the Board to focus on safety improvements.
16. Lee Burgess – Opposed to Vehicle Registration Fee because of its effects on people on fixed income.
17. Myra A, Oregon City – Asked the Board to put the Vehicle Registration Fee on the ballot for a vote by the people.
18. Thelma Haggemiller, Oak Grove – Supportive of Vehicle Registration Fee, asked the Board to establish a citizen advisory committee for road maintenance.
19. Tom Wilks, Beavercreek – Asked questions of staff and suggested ideas for road maintenance savings.

Chair Bernard thanked everyone for testifying and closed the public hearing.

~Board Discussion~

<http://www.clackamas.us/bcc/business.html>

MOTION:

Commissioner Humberston: I move we read the Ordinance by title only.

Commissioner Fischer Second.

~Board Discussion~

all those in favor/opposed:

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Commissioner Schrader: Aye.

Commissioner Fischer: Aye.

Chair Bernard: Aye – the Ayes have it, the motion carries 5-0.

Chair Bernard asked the Clerk to read the Ordinance by title only and then asked for a motion.

MOTION:

Commissioner Humberston: I move we Adopt Ordinance No. 01-2019 Adding Chapter 7.07, Vehicle Registration Fee to the Clackamas County Code.

Commissioner Fischer: Second.

~Board Discussion~

all those in favor/opposed:

Commissioner Humberston: Aye.

Commissioner Savas: No.

Commissioner Schrader: Aye.

Commissioner Fischer: Aye.

Chair Bernard: Aye – the Ayes have it, the motion carries 4-1.

V. CONSENT AGENDA

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

MOTION:

Commissioner Humberston: I move we approve the consent agenda.

Commissioner Fischer: Second.

all those in favor/opposed:

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Commissioner Schrader: Aye.

Commissioner Fischer: Aye.

Chair Bernard: Aye – the Ayes have it, the motion carries 5-0.

A. Health, Housing & Human Services

1. Approval of an Intergovernmental Agreement with the Oregon Trail School district for the Cedar Ridge Fitness Center – *Public Health*
2. Approval to Apply for a Continuation Grant for Oregon Department of Transportation 5311 Rural Formula Funds for Operations Funding for the Mt. Hood Express – *Social Services*
3. Approval to Apply for the Substance Abuse and Mental Health Services Administration (SAMHSA) Grant for Funding to Prevent the Onset and Reduce Progression of Underage Drinking and Substance Abuse in Children – *Children, Families & Community Connections*

B. Elected Officials

1. Approval of Previous Business Meeting Minutes – *BCC*
2. Approval of Amendment No. 1 with Dial Temporary Help Services, Inc., dba Employers Overload for Payroll Services for Election Board Workers – *Clerk via Procurement*

C. Administration

1. Approval of two Intergovernmental Agreements with the State of Oregon Related to Funding for a Future County Courthouse

D. Community Corrections

1. Approval of an Amended Intergovernmental Agreement between Community Corrections and the State of Oregon Department of Corrections for an Application Program Interface

VI. WATER ENVIRONMENT SERVICES

1. Approval and Adoption of Water Environment Services Five-Year Sanitary and Surface Water Programs Capital Improvement Plan (CIP) FY 18/19 to FY 22/23
2. Approval of a Public Improvement Contract between Water Environment Services and Northstar Chemical, Inc. for the Chemical Supply – *Procurement*
3. Approval of a Public Improvement Contract between Water Environment Services and Two Rivers Terminal, LLC for the Chemical Supply – *Procurement*
4. Approval of an Amendment with Kennedy/Jenks Consultants, Inc. for the Tri-City Hypochlorite Disinfection Project – *Procurement*

VII. COUNTY ADMINISTRATOR UPDATE

<https://www.clackamas.us/meetings/bcc/business>

VIII. COMMISSIONERS COMMUNICATION

<https://www.clackamas.us/meetings/bcc/business>

MEETING ADJOURNED 9:04 PM

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COPY

Karen Brisbin
Justice Of The Peace

CLACKAMAS COUNTY JUSTICE COURT

11750 SE 82ND AVE SUITE D | HAPPY VALLEY, OR 97086

March 28, 2019

Board of County Commissioners
Clackamas County

Members of the Board:

A Resolution Appointing Justices of the Peace Pro Tempore for the
Clackamas County Justice of the Peace District

Purpose/ Outcome	Approval of the Resolution Appointing Justices of the Peace Pro Tempore will appoint pro tempore judges to ensure that the Justice Court can continue to hold court during those periods of time when Justice of the Peace Brisbin is temporarily absent or otherwise unable to hold court.
Dollar Amount and Fiscal Impact	Pro Tempore judges are paid at an hourly rate of \$47.22, plus .58 cents per mile for travel to and from the court building.
Funding Source	Justice Court Budget
Safety Impact	None
Previous Board Action/ Review	Annual appointment per ORS 51.260
Contact Person	Laura Anderson, Administrative Services Supervisor 503-794-3816

BACKGROUND: When Justice of the Peace Brisbin is temporarily absent or otherwise unable to hold court, justices of the peace pro tempore ensure that the Justice Court can continue to hold court. Pro tempore judges adjudicate violation or civil cases set for first appearance/ arraignment or contest hearing/ trial. The individual recommended for appointment is a Clackamas County attorney in good standing with the Oregon State Bar and meets the eligibility requirements set by Oregon Revised Statutes.

The Resolution has been reviewed and approved by County Counsel.

RECOMMENDATION: Staff recommends approval of this Resolution appointing two Clackamas County attorney to serve as justice of the peace pro tempore during the next year.

Respectfully submitted,

Karen Brisbin
Justice of the Peace

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

A RESOLUTION APPOINTING A
JUSTICE OF THE PEACE PRO
TEMPORE FOR THE CLACKAMAS
COUNTY JUSTICE OF THE PEACE
DISTRICT



Order No. _____

WHEREAS, The Clackamas County Justice of the Peace District (the Justice Court) was created by the Board of County Commissioners (BCC) in February 2009, and Justice of the Peace Karen Brisbin was subsequently appointed by the Governor and has been elected to serve a six (6) year term; and

WHEREAS, Pursuant to ORS 51.260(2), the BCC may appoint justices of the peace pro tempore to ensure that the Justice Court can continue to hold court during those periods of time when Judge Brisbin is temporarily absent or otherwise unable to hold court; and

WHEREAS, Kristen David is eligible to serve as justice of the peace pro tempore being citizens of the United States, residents of Oregon for at least three years, and have maintained a residence or principal office in Clackamas County for at least one year immediately prior to appointment; and

WHEREAS, The BCC, upon the recommendation of Judge Brisbin, finds it is in the public interest to appoint Kristen David, to serve as justices of the peace pro tempore in Clackamas County;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Board of County Commissioners appoints Kristen David to serve as justices of the peace pro tempore for the Clackamas County Justice of the Peace District. Kristen David shall have the authority to preside over court proceedings as is necessary during times when Judge Brisbin is temporarily absent or otherwise unable to hold court.

IT IS FUTHER RESOLVED that the appointment of Kristen David shall be for a term not to exceed one year from the date this resolution. The appointment, however, is subject to termination in the sole discretion of the BCC at any time prior to the expiration of the term.

ADOPTED this ____ day of _____, 2019

By the BOARD OF COUNTY COMMISIONERS

Chair

Recording Secretary