

## ANNOTATED MINUTES

*Tuesday, March 1, 1994 - 9:45 AM  
Multnomah County Courthouse, Room 602*

### BOARD BRIEFINGS

- B-1 Board Briefing on Inmate Training Project Through the Home Builders Institute.  
Presented by Bill Wood.*

#### **PRESENTATION AND RESPONSE TO BOARD QUESTIONS BY LARRY AAB AND GARY SIMMONS.**

- B-2 Facilities Fund Overview and the Five Year Facilities Capital Improvement Plan.  
Presented by Wayne George, Jim Emerson, Craig Calkins and Betsy Williams.*

#### **PRESENTATION AND RESPONSE TO BOARD QUESTIONS REGARDING THE FACILITIES FUND BY BETSY WILLIAMS, WAYNE GEORGE AND CRAIG CALKINS. FIVE YEAR FACILITIES CAPITAL IMPROVEMENT PLAN TO BE PRESENTED THE FOLLOWING WEEK.**

- B-3 Presentation of the Proposed Work Plan and Budget for the 1994 Multnomah  
County Fair. Presented by Betsy Williams, Barbara Rutherford-Crest and Susan  
Sharp.*

#### **PRESENTATION AND RESPONSE TO BOARD QUESTIONS BY BETSY WILLIAMS, MARIA HALL, VICE-CHAIR OF THE NEW FAIR ADVISORY BOARD AND BARBARA RUTHERFORD-CREST, FAIR ADMINISTRATOR.**

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*Thursday, March 3, 1994 - 9:30 AM  
Multnomah County Courthouse, Room 602*

### REGULAR MEETING

*Chair Beverly Stein convened the meeting at 9:34 a.m., with Vice-Chair Tanya Collier, Commissioners Sharron Kelley, Gary Hansen and Dan Saltzman present.*

### CONSENT CALENDAR

**UPON MOTION OF COMMISSIONER KELLEY,  
SECONDED BY COMMISSIONER HANSEN, THE**

**CONSENT CALENDAR (ITEMS C-1 THROUGH C-4) WAS  
UNANIMOUSLY APPROVED.**

**COMMUNITY AND FAMILIES SERVICES DIVISION**

- C-1 *RESOLUTION in the Matter of Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody*

**RESOLUTION 94-41.**

**DEPARTMENT OF HEALTH**

- C-2 *Ratification of Amendment #4 to Intergovernmental Revenue Agreement, Contract #200724, Between the Oregon Health Division and Multnomah County Health Department to Increase Funds for Various Health Department Programs, for the Period July 1, 1993 through June 30, 1994*
- C-3 *Ratification of Amendment #1 to Intergovernmental Revenue Agreement, Contract #201004, Between the Oregon Health Division and Multnomah County Health Department to Increase Funding by \$18,400, for the Period Upon Execution through July 30, 1995*
- C-4 *Ratification of an Intergovernmental Agreement, Contract #201844, Between Multnomah County Health Department and the Oregon Health Sciences University to Provide Dental Specialty Care Services to Clients Referred by the County, for the Period February 1, 1994 through 30 Days Written Notice*

**REGULAR AGENDA**

**NON-DEPARTMENTAL**

- R-1 *PROCLAMATION in the Matter of Recognizing the Contributions and Community Service of the COLUMBIA RIVER GIRL SCOUT COUNCIL*

**GIRL SCOUT, JAMIE SCHMEER READ THE PROCLAMATION FOR THE RECORD. PRESENTATION BY NANCY COWDEN, GIRL SCOUT CADET TROOP 12. COMMISSIONERS WERE PRESENTED WITH GIRL SCOUT COOKIES. PROCLAMATION 94-42 WAS APPROVED.**

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

- UC-1 *ORDER in the Matter of the Acquisition of Real Property for the Department of Community Corrections East County District Probation Services Field Office (IN CONJUNCTION WITH R-2)*

**COMMISSIONER KELLEY MOVES AND COMMISSIONER HANSEN SECONDED, CONTINUING UC-1 AND R-2 UNTIL MARCH 10, 1994. MOTION UNANIMOUSLY APPROVED.**

**DEPARTMENT OF COMMUNITY CORRECTIONS**

- R-2 *Budget Modification DCC #7 Requesting Authorization to Transfer \$120,000 from Rentals to Buildings for the Purchase of Property at 495 NE Beech in Gresham, for the Proposed Location of an East County District Office of Parole and Probation and Integrated Services*

**CONTINUED UNTIL MARCH 10, 1994.**

**NON-DEPARTMENTAL**

- R-3 *Public/Private Partnerships: Human Services Contracting Report Presentation by Members of the Multnomah County Task Force on Contracting*

**PRESENTATION AND RESPONSE TO BOARD QUESTIONS BY CAROLYN MARKS BAX, BOB DONOUGH, SUSAN CLARK. CHAIR STEIN REQUESTED TASK FORCE REPORT TO THE BOARD IN THREE MONTHS.**

- R-4 *RESOLUTION in the Matter of Accepting the Report from the Contracting Task Force: Public/Private Partnerships in Human Services Contracting*

**UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, RESOLUTION 94-44 WAS UNANIMOUSLY APPROVED.**

- R-5 *PUBLIC HEARING in the Matter of an Appeal of Greg Durham from Hearings Officer Decision Revoking Appellant's Adult Care Home License*

**CHAIR STEIN PRESENTED PROCEDURE OF HEARING TO ALLOW 15 MINUTES PER SIDE TO PRESENT ARGUMENT AND EVIDENCE, WITH THE APPELLANT GOING FIRST. THE RECORD WILL BE LEFT OPEN UNTIL 5:00 PM ON THURSDAY, MARCH 10, 1994, FOR SUBMITTAL OF WRITTEN REBUTTAL TO THE ARGUMENTS AND EVIDENCE PRESENTED DURING THIS HEARING; AND THE BOARD TO REVIEW THE WRITTEN MATERIALS AND PLACE THIS MATTER ON THE BOARD AGENDA FOR DISCUSSION AND A TENTATIVE VOTE ON THURSDAY, MARCH 17, 1994.**

**PETE KASTING, DEPUTY CITY ATTORNEY FOR THE CITY OF PORTLAND, ADVISING THE BOARD OF COUNTY COMMISSIONERS ON THIS ITEM. MR. KASTING REQUESTED THE BOARD TO DISCLOSE ANY EX PARTE CONTACTS FROM EITHER SIDE, AND THE NATURE OF SAME.**

**COMMISSIONER SALTZMAN NOTED THAT HE WAS CONTACTED BY A FAMILY MEMBER REQUESTING HIM TO LOOK INTO THIS CASE. COMMISSIONER SALTZMAN ADVISED THAT HE ONLY OBTAINED THE HEARINGS OFFICER DECISION.**

**COMMISSIONER HANSEN ADVISED THAT RON WYDEN'S CONGRESSIONAL STAFF CONTACTED HIS STAFF ON THIS ISSUE. COMMISSIONER HANSEN NOTED THAT HE HAD NO PERSONAL CONTACT REGARDING THIS ISSUE.**

**MR. KASTING ASKED IF THE PARTIES INVOLVED HAD ANY QUESTIONS REGARDING THESE EX PARTE CONTACTS. NO REQUEST MADE. MR. KASTING REITERATED THE PROCESS OF PROCEDURE ON THIS ITEM.**

**STEVEN MARKS, ATTORNEY FOR THE APPELLANT GREG DURHAM, PRESENTED AND EXPLAINED WHY THE BOARD SHOULD REVERSE THE HEARINGS OFFICER DECISION REVOKING THE APPELLANTS'S ADULT CARE HOME LICENSE AND LET THE LICENSE EXPIRE IN THE THIRTEEN DAYS IT HAS REMAINING.**

**CHIP LAZENBY, ASSISTANT COUNTY COUNSEL, REPRESENTING THE COUNTY, PRESENTED AND EXPLAINED WHY THE BOARD SHOULD AFFIRM THE HEARINGS OFFICER DECISION REVOKING GREG DURHAM'S ADULT CARE HOME LICENSE AND NOT LET IT EXPIRE BY ITS OWN TERMS. MR. LAZENBY REQUESTED THE BOARD TO ADOPT THE HEARINGS OFFICER ORDER AS THE FINAL ORDER REVOKING MR. DURHAM'S LICENSE. MR. LAZENBY ALSO NOTED THAT MR. DURHAM HAS BEEN GIVEN SEVERAL SECOND CHANCES.**

**MR. MARKS PRESENTED AND EXPLAINED REBUTTAL.**



MR. MARKS RESPONSE TO QUESTIONS OF COMMISSIONER SALTZMAN. MR. LAZENBY RESPONSE TO QUESTIONS OF COMMISSIONER SALTZMAN. MR. LAZENBY RESPONSE TO QUESTIONS OF CHAIR STEIN. BOARD COMMENTS AND DISCUSSION REGARDING REVOCATION. MR. MARKS STATED FOR THE RECORD, THAT MR. DURHAM WOULD NOT APPLY FOR AN ADULT CARE HOME LICENSE WITHIN MULTNOMAH COUNTY EVER AGAIN. FURTHER BOARD QUESTIONS, COMMENTS AND DISCUSSION REGARDING POSSIBLE APPLICATIONS BY MR. DURHAM TO OTHER COUNTIES FOR ADULT CARE HOME LICENSE. MR. KASTING READ THE STATE RULES AND STANDARDS GOVERNING THE ISSUANCE OF ADULT CARE HOME LICENSES. MR. BALOG RESPONSE TO QUESTION OF COMMISSIONER SALTZMAN.

HEARING CLOSED. MR. KASTING ADVISED THE BOARD AND BOTH PARTIES THE CONTENTS OF THE RECORD MADE BEFORE THE HEARINGS OFFICER WILL BE MADE A PART OF THE BOARD'S RECORD, AND THAT ANY REBUTTAL SUBMITTED WILL BE ON THE RECORD ONLY. ALSO, ANY PARTIES MAKING WRITTEN SUBMISSIONS SHOULD PROVIDE A COPY FOR EACH MEMBER OF THE BOARD, THE CLERK OF THE BOARD, OPPOSING COUNSEL, AND MR. KASTING BY 5:00 PM THURSDAY, MARCH 10, 1994, FOR CONSIDERATION BEFORE THE BOARD OF COUNTY COMMISSIONERS AT 9:30 AM ON THURSDAY, MARCH 17, 1994.


#### PUBLIC COMMENT

R-6 Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.

NONE.

There being no further business, the meeting was adjourned at 11:45 a.m.

OFFICE OF THE BOARD CLERK  
for MULTNOMAH COUNTY, OREGON

  
Carrie A. Parkerson