

ANNOTATED MINUTES

Tuesday, October 22, 1991 - 9:30 AM
Multnomah County Courthouse, Room 602

PLANNING ITEM

Chair Gladys McCoy convened the meeting at 9:32 a.m., with Vice-Chair Rick Bauman, Commissioners Pauline Anderson, Sharron Kelley and Gary Hansen present.

P-1 CU 15-91 DE NOVO HEARING, 10 MINUTES PER SIDE in the Matter of the September 3, 1991 Planning Commission Decision DENYING a Conditional Use Request for a Non-Resource Related Single Family Residence in the MUF-19 (Multiple Use Forest) District for Property Located at 16745 NW McNAMEE ROAD. (From September 24, 1991 Board Meeting)

BOB HALL OUTLINED THE RULES, PROCEDURES AND SPECIFIC CRITERIA AND PRESENTED STAFF REPORT. IN RESPONSE TO A QUESTION OF COMMISSIONER KELLEY, MR. HALL EXPLAINED THE PROPERTY IS OUTSIDE THE BIG GAME WINTER HABITAT AREA, BUT IT IS UNKNOWN WHETHER THE PROPERTY IS WITHIN THE WILDLIFE CORRIDOR AS THE STUDY IS NOT YET COMPLETE.

IN RESPONSE TO A REQUEST OF MR. HALL AND AFTER A RULING FROM JOHN DuBAY AND UPON MOTION OF COMMISSIONER BAUMAN, SECONDED BY COMMISSIONER ANDERSON, IT WAS UNANIMOUSLY APPROVED THAT A LETTER FROM DONNA GREEN OF HILLSBORO, OREGON NOT BE SUBMITTED INTO EVIDENCE.

JAMES HUTCHINSON, ATTORNEY FOR APPLICANT DON JOYCE, TESTIFIED IN SUPPORT OF REVERSAL OF PLANNING COMMISSION DECISION AND SUBMITTED DOCUMENTATION ADVISING THAT FIRE AND POLICE SERVICE IS PROVIDED TO THE AREA.

ANDEE CARLSTROM TESTIFIED IN SUPPORT OF PLANNING COMMISSION DECISION AND RESPONDED TO BOARD QUESTIONS REGARDING LOGGING IN AND NEAR JOYCE PROPERTY. MR. HALL RESPONDED TO A QUESTION OF COMMISSIONER ANDERSON.

ARNOLD ROCHLIN REQUESTED PROCEDURAL CLARIFICATION REGARDING FINDINGS PRESENTED AT THIS HEARING. IN RESPONSE TO A QUESTION OF CHAIR McCOY, MR. DuBAY EXPLAINED MR. ROCHLIN HAS STANDING IN THIS MATTER. MR. ROCHLIN TESTIFIED IN SUPPORT OF PLANNING COMMISSION DECISION AND RESPONDED TO BOARD QUESTIONS.

MR. HUTCHINSON PRESENTED REBUTTAL TESTIMONY.

MR. HALL AND MR. DuBAY RESPONSE TO BOARD QUESTIONS. COMMISSIONER ANDERSON MOVED AND COMMISSIONER BAUMAN SECONDED, TO AFFIRM THE PLANNING COMMISSION DECISION. COMMISSIONER KELLEY COMMENTS IN OPPOSITION TO THE MOTION. PLANNING COMMISSION DECISION DENYING CONDITIONAL USE REQUEST WAS AFFIRMED, WITH COMMISSIONERS ANDERSON, BAUMAN AND McCOY VOTING AYE, AND COMMISSIONERS KELLEY AND HANSEN VOTING NO.

IN RESPONSE TO MR. DuBAY, VICE-CHAIR BAUMAN EXPLAINED THE UNDERLYING FINDING FOR HIS DECISION WAS BASED ON INCOMPATIBLE USAGE WITH THE PRIMARY USE OF THE LAND IN THAT AREA.

IN RESPONSE TO A CONCERN OF CHAIR McCOY, MR. DuBAY ADVISED THIS IS NOT APPROPRIATE FORUM IN WHICH TO DISCUSS TAKING ISSUE RAISED BY APPLICANT'S ATTORNEY. MR. DuBAY EXPLAINED THAT IF BY THE BOARD'S ACTION, MR. JOYCE IS DEPRIVED OF ANY ECONOMIC USE OF HIS PROPERTY, IT WOULD BE A TAKING ISSUE, BUT ALL OPTIONS MUST BE EXPLORED AND DENIED FIRST AND THE NEXT STEP MUST BE MADE BY APPLICANT.

MR. HALL ADVISED THAT STAFF WILL PREPARE FINDINGS FOR BOARD REVIEW AND ADOPTION NEXT WEEK.

There being no further business, the meeting was adjourned at 10:25 a.m.

**OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON**



Deborah L. Bogstad

**Tuesday, October 22, 1991 - 10:25 AM
Multnomah County Courthouse, Room 602**

BOARD BRIEFING

B-2 Discussion of Details of a Proposal by State Senior and Disabled Services that Area Agencies on Aging Begin Serving the Disabled for Public Assistance and Long Term Care. Presented by Multnomah County Aging Services Director, Jim McConnell; and State Senior and Disabled Services Administrator, Dick Ladd.

**JIM McCONNELL AND DICK LADD PRESENTATION AND
RESPONSE TO BOARD QUESTIONS. RECOMMENDATIONS
TO COME BEFORE THE BOARD WITHIN A MONTH.**

*Tuesday, October 22, 1991 - 10:45 AM
Multnomah County Courthouse, Room 602*

AGENDA REVIEW

- B-1 Review of Agenda for Regular Meeting of October 24, 1991.*
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*Wednesday, October 23, 1991 - 9:30 AM - 12:00 PM
Multnomah County Courthouse, Room 602*

WORK SESSION

- B-1 Informational Session, Including a Historical Overview of the Mentally and Emotionally Disturbed System, State Perspectives, and Testimony Presented by System Participants.*

DIANE LUTHER, JERRY FRYE, BARRY KAST, GEORGE BACHIK, SUSAN CLARK, GARY SMITH, JOE DEAN, JOHN PARKER, NELLIE FOX-EDWARDS, ED WASHINGTON, DOUG MONTGOMERY, JOE BLOOM, DAVID GREEN, GARRETT SMITH AND MARGE GALLAHAN PRESENTATION, TESTIMONY AND DISCUSSION. BOARD COMMENTS.

*Wednesday, October 23, 1991 - 1:30 PM - 3:00 PM
Multnomah County Courthouse, Room 602*

WORK SESSION

- B-2 Board Discussion and Policy Direction Regarding Methods for Re-Examining the Mentally and Emotionally Disturbed System.*

DIANE LUTHER, JERRY FRYE, DAVID GREEN, NORMAN MILLER, GARY SMITH, LIAM CALLEN AND JIM EDMONDSON DISCUSSION. BOARD COMMENTS AND DISCUSSION.

*Wednesday, October 23, 1991 - 3:00 - 4:00 PM
Multnomah County Courthouse, Room 602*

WORK SESSION

**PAULINE ANDERSON, RICK BAUMAN, GLADYS McCOY,
SHARRON KELLEY, GARY HANSEN, LARRY NICHOLAS
AND PAUL YARBOROUGH DISCUSSION REGARDING
MERITS OF PROPOSED CONSOLIDATION OPTIONS.**

*Thursday, October 24, 1991 - 9:30 AM
Multnomah County Courthouse, Room 602*

REGULAR MEETING

Chair Gladys McCoy convened the meeting at 9:32 a.m., with Commissioners Pauline Anderson, Sharron Kelley and Gary Hansen present.

CONSENT CALENDAR

**UPON MOTION OF COMMISSIONER ANDERSON,
SECONDED BY COMMISSIONER KELLEY, CONSENT
CALENDAR ITEMS C-1 THROUGH C-8 AND C-10 THROUGH
C-12 WERE UNANIMOUSLY APPROVED.**

JUSTICE SERVICES

SHERIFF'S OFFICE

- C-1 *Ratification of an Intergovernmental Agreement Between Oregon State Marine Board and Multnomah County to Provide Funding for Sheriff's River Patrol Marine Law Enforcement Activities for Fiscal Year July 1, 1991 through June 30, 1992*
- C-2 *Liquor License Change of Ownership Application Submitted by the Sheriff's Office with Recommendation for Approval as Follows:
Package Store for QUICK SHOP MINIT MART #11, 13076 SE Stark Street, Portland.*
- C-3 *Liquor License Application Renewals Submitted by the Sheriff's Office with Recommendation for Approval as Follows:
Dispenser Class A for CHINA HUT RESTAURANT, 16721 SE Division, Portland; MULTNOMAH FALLS LODGE, P.O. Box 377, Troutdale; TIPPY CANOE INN, 28242 Crown Point Highway, Troutdale; THE DRUM AND RICCARDOS LA FIESTA RESTAURANT, 14601 SE Division, Portland.
Dispenser Class B for THE RACQUET CLUB, 1853 SW Highland Road, Portland
Package Store for BOB'S CORNER GROCERY AND DELI, 13110 SE Division, Portland; CORBETT COUNTRY MARKET, 36801 NE Crown Point Highway, Corbett; DAVID'S MARKET, 12217 SE Foster Road, Portland; FRED'S MARINA, 12800 NW Marina Way, Portland; J & N GROCERY, 10729 SE Harold Street, Portland; K.S. FOOD MARKET, 15231 SE Division, Portland; ORIENT COUNTRY STORE, 29822 SE Orient Drive, Gresham; PLEASANT VALLEY MARKET, 16880 SE Foster, Portland; SUNSHINE MARKET, 13580 SE Powell, Portland; THREE-D MARKET, 1739 SE 139th, Portland.*

Restaurant for ROUND TABLE PIZZA, 15920 SE Division, Portland.
Retail Malt Beverage for POWELLHURST TAVERN, INCORPORATED, 844 SE 144th, Portland; WEBB'S ROYAL TAP ENTERPRISES, INC. CLUB GENESIS, 13639 SE Powell, Portland.

DEPARTMENT OF HUMAN SERVICES

- C-4 *Ratification of Amending No. 1 to the Intergovernmental Agreement Between Multnomah County and Oregon Health Sciences University Providing Increased Non-Residential Adult Services Funds for Clients of the Mental and Emotional Disabilities Program Office, Effective July 1, 1991 through June 30, 1992*
- C-5 *Ratification of Amendment No. 1 to the Intergovernmental Agreement Between Multnomah County and Reynolds School District #7 Providing Increased Early Intervention Funds for Clients of the Developmental Disabilities Program Office, Effective September 1, 1991 through June 30, 1992*
- C-6 *Ratification of Amendment No. 1 to the Intergovernmental Agreement Between Multnomah County and Oregon Health Sciences University, Providing Contractor a 1.5% Cost of Living Increase Awarded by the Federal Granting Agency for the Provision of Dental Care to Low Income Residents, through June 30, 1992*
- C-7 *Ratification of Amendment No. 3 to the Intergovernmental Agreement Between the State Health Division and Multnomah County Reflecting a \$1,050 Increase in Grant Funding for Various Health Division Programs, for the Period July 1, 1991 through June 30, 1992*
- C-8 *Ratification of an Intergovernmental Agreement Between the Oregon Department of Human Services and Multnomah County, to Provide the Entire County Health Division Access to the State Office of Medical Assistance Programs Data System*
- C-10 *Ratification of an Intergovernmental Agreement Between the Oregon Department of Human Resources, Children's Services Division and Multnomah County to Provide Funding for Staffing of the Juvenile Justice Division's Gang Unit and Operation of the House of Umoja, and the 30-Day Residential Treatment Program Housed at the Donald E. Long Facility, for the Period July 1, 1991 through June 30, 1992*
- C-11 *Ratification of a Revised Memorandum of Understanding Between the Oregon Housing and Community Services Department and Multnomah County Wherein the Aging Services Division's Community Action Program Office is Authorized to Administer the Housing Agency Low Income Rental Housing Fund Program and Pay Housing Rent on Behalf of Very Low Income Households, through June 30, 1992*

NON-DEPARTMENTAL

- C-12 *In the Matter of the Appointments of Marian Keyser and Arthur Payne to the PORTLAND/MULTNOMAH COMMISSION ON AGING*

Vice-Chair Rick Bauman arrived at 9:34 a.m.

DEPARTMENT OF HUMAN SERVICES

- C-9 *Ratification of Amendment No. 1 to the Intergovernmental Agreement Between Multnomah County and the City of Portland Wherein the City will Fund the CHIERS Program's Central City Concern Inebriate Pick-Up Service for the Period October 1, 1991 through June 30, 1992, or Until City Funds of \$36,750 are Fully Expended*

CHAIR McCOY EXPLANATION. UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER KELLEY, C-9 WAS UNANIMOUSLY APPROVED.

REGULAR AGENDA

JUSTICE SERVICES

DISTRICT ATTORNEY

- R-1 *Budget Modification DA #5 Authorizing Expenditure of a \$201,643 Interjurisdiction Manufacturing and Distributing Project Grant Awarded by the Bureau of Justice Assistance to Provide Funding for Certain Staff Within the District Attorney's Office*

UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER HANSEN, R-1 WAS UNANIMOUSLY APPROVED.

NON-DEPARTMENTAL

- R-2 *Second Reading and Possible Adoption of an ORDINANCE Relating to the Business Income Tax: Amending MCC 5.70.045 and 5.70.075 to Provide for Quarterly Tax Payments and Collection*

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER ANDERSON MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF THE SECOND READING AND ADOPTION. NO ONE WISHED TO TESTIFY. ORDINANCE 702 UNANIMOUSLY APPROVED.

- R-3 *RESOLUTION in the Matter of the Regionalization of County Services*

COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-3. COMMISSIONER BAUMAN MOVED AND COMMISSIONER ANDERSON SECONDED, AMENDMENT TO PAGE TWO, LINE 2, DELETING THE WORD "LIBRARIES". BOARD COMMENTS AND DISCUSSION. AMENDMENT UNANIMOUSLY APPROVED. COMMISSIONER KELLEY DISCUSSED CITY OF WOOD VILLAGE CONCERNS REGARDING THE EFFECT OF THE PROPOSED RESOLUTION ON THE WORK OF THE METRO CHARTER COMMITTEE. BOARD DISCUSSION AND COMMENTS. RESOLUTION 91-147 UNANIMOUSLY APPROVED, AS AMENDED.

- R-4 *RESOLUTION in the Matter of Designating Ben Buisman as Multnomah County's Representative to the Tax Coordinating Planning Effort*

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER ANDERSON, RESOLUTION 91-148 WAS UNANIMOUSLY APPROVED.

SERVICE DISTRICTS

(Recess as the Board of County Commissioners and convene as the Governing Body of MID COUNTY STREET LIGHTING SERVICE DISTRICT NO. 14)

- R-5 *RESOLUTION in the Matter of Designating Ben Buisman as Multnomah County's Representative to the Tax Coordinating Planning Effort for Mid County Street Lighting Service District No. 14*

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, RESOLUTION 91-149 WAS UNANIMOUSLY APPROVED.

(Recess as the Governing Body of Mid County Street Lighting Service District No. 14 and convene as the Governing Body of DUNTHORPE RIVERDALE SANITARY SERVICE DISTRICT NO. 1)

- R-6 *RESOLUTION in the Matter of Designating Ben Buisman as Multnomah County's Representative to the Tax Coordinating Planning Effort for Dunthorpe Riverdale Sanitary Service District No. 1*

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER ANDERSON, RESOLUTION 91-150 WAS UNANIMOUSLY APPROVED.

(Recess as the Governing Body of Dunthorpe Riverdale Sanitary Service District No. 1 and reconvene as the Board of County Commissioners)

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-7 *RESOLUTION in the Matter of Opposition to the Proposed Land Use Re-Zoning to Eliminate the County Expo Center*

UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER KELLEY, RESOLUTION 91-151 WAS UNANIMOUSLY APPROVED.

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, ITEMS R-8 THROUGH R-19 WERE UNANIMOUSLY APPROVED.

- R-8 *ORDER in the Matter of Cancellation of Land Sale Contract 15397 Between Multnomah County, Oregon and Richard O. Carpenter and Marvin W. Albaugh*

Upon Default of Payments and Performance of Covenants

ORDER 91-152.

- R-9 *ORDER in the Matter of Cancellation of Land Sale Contract 15236R Between Multnomah County, Oregon and Evelyn L. Corbin Upon Default of Payments and Performance of Covenants*

ORDER 91-153.

- R-10 *ORDER in the Matter of Cancellation of Land Sale Contract 15459 Between Multnomah County, Oregon and Richard Fowlkes Upon Default of Payments and Performance of Covenants*

ORDER 91-154.

- R-11 *ORDER in the Matter of Cancellation of Land Sale Contract 15540 Between Multnomah County, Oregon and H. Gene Hatten Upon Default of Payments and Performance of Covenants*

ORDER 91-155.

- R-12 *ORDER in the Matter of Cancellation of Land Sale Contract 15435 Between Multnomah County, Oregon and Carrie L. Holliday Upon Default of Payments and Performance of Covenants*

ORDER 91-156.

- R-13 *ORDER in the Matter of Cancellation of Land Sale Contract 15448 Between Multnomah County, Oregon and Shirley N. Long Upon Default of Payments and Performance of Covenants*

ORDER 91-157.

- R-14 *ORDER in the Matter of Cancellation of Land Sale Contract 15166 Between Multnomah County, Oregon and Allen W. Murphy Upon Default of Payments and Performance of Covenants*

ORDER 91-158.

- R-15 *ORDER in the Matter of Cancellation of Land Sale Contract 13972R Between Multnomah County, Oregon and Leona Ramseth Upon Default of Payments and Performance of Covenants*

ORDER 91-159.

- R-16 *ORDER in the Matter of Cancellation of Land Sale Contract 15394 Between Multnomah County, Oregon and Mary A. Rosebrough Upon Default of Payments and Performance of Covenants*

ORDER 91-160.

- R-17 *ORDER in the Matter of Cancellation of Land Sale Contract 15279 Between Multnomah County, Oregon and Troy N. Tyrell and Carol J. Tyrell Upon Default of Payments and Performance of Covenants*

ORDER 91-161.

- R-18 *ORDER in the Matter of Cancellation of Land Sale Contract 15449 Between Multnomah County, Oregon and John S. Wiley, Jr. Upon Default of Payments and Performance of Covenants*

ORDER 91-162.

- R-19 *ORDER in the Matter of Cancellation of Land Sale Contract 15453 Between Multnomah County, Oregon and Ernestine H. Wiseman Upon Default of Payments and Performance of Covenants*


ORDER 91-163.

- R-20 *FINAL ORDER DENYING CU 6-91 in the Matter of the Review of the Planning Commission Decision Which Approved "Beaver Bark", a Wood Products Transfer, Storage, and Processing Operation Proposed in an EFU Zoning District*

UPON MOTION OF COMMISSIONER BAUMAN, SECONDED BY COMMISSIONER ANDERSON, ORDER 91-164 WAS APPROVED, WITH COMMISSIONERS ANDERSON, BAUMAN AND McCOY VOTING AYE, AND COMMISSIONERS KELLEY AND HANSEN VOTING NO.

There being no further business, the meeting was adjourned at 9:53 a.m.

**OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON**


Deborah L. Bogstad

Thursday, October 24, 1991 - 3:00 PM - 5:00 PM

**Standard Plaza Building
1100 SW Sixth - Portland
Third Floor Conference Rooms A & B**

JOINT GOVERNMENTS MEETING

1. *Third in a Series of Joint Governments Meetings Between Fairview, Gresham, Multnomah County Portland, Troutdale and Wood Village to Discuss Service Delivery.*

**PARTICIPANTS GLADYS McCOY, BERNIE GUISTO, EARL
BLUMENAUER, RICK BAUMAN, JO HAVERKAMP, FRED
CARLSON, GRETCHEN KAFOURY, SAM COX, GARY
HANSEN, PAULINE ANDERSON, MIKE LINDBERG, GUSSIE
McROBERT, DICK BOGLE, SHARRON KELLEY, BUD
CLARK, ARNOLD COGAN, TIM OWENS, MAUREEN
LEONARD, LARRY NICHOLAS, KATHY BUSSE, FELICIA
TRADER, SHEILA ARTHUR, MIKE CASEY AND RAMSEY
WEIT DISCUSSION AND CONSENSUS BUILDING
REGARDING PROPOSED OPTIONS A, B, C, D AND E.**