

**Rhododendron CPO  
Meeting Minutes  
Zig Zag Inn  
10:30am  
April 18, 2009**

**Welcome & Presidents Report**

President, Steve Graeper opened the meeting at 10:35. All of the board was present with the exception of Barbara Novinger, who was out of town. There was a quorum. 20 people were present including guests. He welcomed the larger than normal attendance.

**Secretary's Report**

Nancy Dougherty read the minutes from the January 18th meeting. Graeper asked for additions, corrections or deletions. There were none. Sharon Lamoreaux moved to accept the minutes as read. Michelle Lamoreaux seconded, a vote was taken and the minutes were approved unanimously.

**Treasurer's Report**

Treasurer Sharon Lamoreaux read her report. Beginning balance in the checking account was \$859.53. \$19.50 was paid to the Zig Zag Inn for coffee at January's meeting leaving \$840.03. Donations at last meeting were \$17.00. Current balance is \$857.03. Steve Fitzwalter asked if we needed more money? President Graeper acknowledged that indeed, the CPO could always use additional funds. He mentioned that funds in the account are used for meeting and expense reimbursement. There is also a small amount of donated funds to be used for the Rhododendron Garden. Optimally, Graeper said he would like to see a substantial deposit from gift or Grant to be donated and then use the interest to perpetually maintain the Rhododendron Garden. The Treasurer continued her report saying that \$255.00 was set-aside for the Garden which leaves an actual account balance of \$602.03. The Treasurers report was accepted.

**Old Business**

Property use and zoning issues

New Developments with the All Ways Towing property

Graeper reported that Greg Fritz, Clackamas County Planning, approved the Zig Zag Principle River/Greenway permit for All-Ways Towing, which was discussed at last quarters meeting. He said the approval was good because the permit requires the riverbank and ground cover be restored to its original condition and gives the county authority to make sure that happens.

Graeper next read a letter (attached) submitted by Ann Kuzminski, a local resident, who was unable to attend today's meeting.

**Welcome Guest Speaker,**

**Kimberly Benthin, Clackamas County Code Compliance Specialist**

Special guests Kim Priest and Kimberly Benthin, Code Compliance Specialist, of Clackamas County were then introduced. A Power Point presentation was shown with examples of code violations throughout the county. Some of the land use and zoning violations were of deserted cars and commercial vehicles, dumped garbage, stream bank violations, illegal camping sites and building code violations of non-permitted buildings and shops turned into homes. They explained that Clackamas County is a large county with limited funds and they can only deal with violations that are brought to their attention. They also explained that their hands were somewhat tied as previous Board of County Commissioners had instructed them to "Work" with violators and to not be "Heavy Handed" and that edict was still in place until removed by the current BCC.

**Rhododendron CPO**  
**April 18, 2009**  
**Meeting Minutes**

Regarding the All-Ways Towing property, Benthin explained that on May 22, 2006 the first of many complaints was filed against this property. The complaint was regarding the removal of trees on the property. She explained that the Forestry Practices Act allowed them to take the trees down, but not to take out the low growth and put in a parking lot, which was a violation for which a fine was levied.

On March 4, 2008 a Design Review of the property for a Fenced Storage Yard was submitted and on March 31, 2008 a Conditioned Permit was granted. There are two zonings on this property. One is residential, zoned RR and the other is commercial, zoned RTC. Benthin continued explaining that there were some personnel changes in the county and that unfortunately the file fell through the cracks. The design review required the applicant, Oregon Earth Enterprises as a tenant of the property owned by All-Ways Towing to comply with the conditions of the Design Review. Benthin has made numerous visits to the property and they appear to be making some progress toward compliance. The approval of the Zig Zag Principle River/Greenway permit was just one step of the conditioned permit.

When asked about the oil and gas seeping into the ground from the pieces of machinery stored on the property, she explained that this is not a zoning problem and DEQ needs to be made aware of this condition. Also, if there are any noise complaints she said that a meter reading must be done and that they need to be below 60 decibels during the day and 50 at night.

At this time there is a non-compliance hearing pending for sometime in May. After being postponed twice there is a possibility the hearing may be postponed again if the applicant appears to be heading in the right direction. They have been given conditioned approval, but have one and a half more years to comply. The owner of the property and of All-Ways Towing/Performance Auto Body is Mr. Pat O'Malley and the tenant is Oregon Earth Enterprises, owned by Mr. Andrew Tagliafico.

Benthin also mentioned that if an eyesore complaint was registered, shrubs could be planted along the fence. It was pointed out that a complaint had already been filed and the complainant was told shrubs would be added. To date they have not.

Next, Don Mench from the Mount Hood Corridor CPO asked Ms. Benthin some questions about some issues in his CPO. After some discussion, Graeper suggested that any discussions regarding code violations outside the Rhododendron CPO boundary would best be handled outside of this meeting.

In closing, Ms. Benthin mentioned that interested parties could check on the Internet for permit applications and violations. The Clackamas County web site has a link to a site called Velocity Hall. The direct link is:

<http://www.clackamas.us/transportation/planning>

It was recommended that those who are concerned with the lack of strength in current code enforcement should perhaps contact the new Board of County Commissioners and register their displeasure with the current code enforcement guidelines.

President Graeper thanked Ms. Benthin and Ms. Priest for their time and coming to speak to us. The presentation was informative and he hoped there would be more enforcement. He assured them that the CPO would continue to "Hold their feet to the fire" regarding the enforcement of compliance issues in Rhododendron. Ms. Benthin hoped that would be the case.

Judith Norval then asked if we had ever invited the owner or the tenant to a CPO meeting? Graeper pointed out that the CPO meetings are open for everyone to attend and that meeting dates and times are

## **Rhododendron CPO**

**April 18, 2009**

### **Meeting Minutes**

posted in the Post Office, the newspaper and on signs throughout the area and that they were welcome to attend any and all CPO meetings. Michelle Lamoreaux then made a motion to specifically invite Mr. Tagliafico and Mr. O'Malley to our next CPO meeting. There was no second. After some discussion, it was decided that we should have a special meeting to discuss what approach and decide just exactly what it was the CPO would like to see happen regarding this property. Lamoreaux amended her motion to contain the special meeting at the discretion of President Graeper component. The motion is: For President Graeper to obtain documentation from Clackamas County then call at his discretion a CPO meeting for the purpose of discussing what the CPO would like to see happen with the property and then to specifically invite Mr. Tagliafico and Mr. O'Mally to a CPO meeting to discuss their intentions with the property and the desires of the CPO. The amended motion was seconded by Sharon Lamoreaux and unanimously approved.

Alma Reick asked if Simon Burke had a permit for the current use of his property on the North side of Hwy. 26. It was believed he did not. As with the All Ways Towing property and as was pointed out by Ms. Benthin, only after a complaint is issued will the use of the property be investigated.

#### Rhododendron Memorial Garden Update

The Garden update was tabled until the next CPO meeting.

#### Open Position on CPO Board

##### Search for Secretary

Nancy Dougherty offered her services as Recording Secretary for the next year. Graeper thanked her for stepping up and assuming that responsibility.

#### Road 20 Maintenance & Upkeep by National Forest Service

A letter was sent to President Graeper from Burnham Chamberlain of the US Forest Service, stating that Turin Construction was still under contract to repair road 20 and that it was hoped the project would be completed once the weather turns warmer.

### **New Business**

Judith Norval announced that in order to get matching funds for M. E. L. there will be two benefits: On May 2 a Mexican Dinner at the Lion's Club and on July 26 a Wine and Art Show (location to be announced).

### **Adjournment**

Sharon Lamoreaux moved that the meeting be adjourned. Sherry Holm seconded the motion. The motion passed unanimously and the meeting was adjourned at 12:08.

Respectfully submitted,

Nancy Dougherty  
Recording Secretary

**Attachment to Rhododendron CPO 4-18-2009 Minutes**  
**Letter from CPO member Anne Kuzminski**

To: Rhododendron CPO  
Date: April 17, 2009

I am unable to attend the meeting Saturday the 18<sup>th</sup> but wanted to share my feelings about All Ways Towing property issue.

As a long time Rhododendron property and homeowner I strongly object to the construction equipment shop yard's encroachment onto the Zig Zag River conservation area. Not only is it an environmental hazard, the entire property is a huge eyesore along the Mount Hood Scenic Highway and for the Rhododendron community.

A big Thank you to the Rhododendron CPO for their diligent follow thru on this issue. I hope this issue can be resolved after all this time and they can get back to other important issues concerning our community.

Anne Kuzminski  
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