

Villages at Mt. Hood Board of Directors Meeting

July 18, 2006

Meeting called to order at 4:04pm

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1. Roll Call

All 9 Directors were present.

Barbara Saldivar, Don Mench, Susan Corwin, Nancy Atkinson, Steve Graeper, Bob Reeves, David Lythgoe, Rick Applegate, Shirley Dueber.

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3. Review of Minutes from Previous Meetings:

Minutes of 5/22 Meeting:

Susan Corwin submitted a marked up version with significant changes.

Motion was made and unanimously carried to tabled pending review of updated version

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Minutes of 6/13 Meeting:

Susan Corwin submitted a marked up version with significant changes.

Motion was made and unanimously carried to tabled pending review of updated version

6/20: ditto, - tabled

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Minutes of 6/20 Meeting:

It was noted that the minutes were not available in a timely fashion before the meeting.

Susan Corwin submitted a marked up version with significant changes.

Motion was made and unanimously carried to tabled pending review of updated version

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Discussion of format of minutes:

Susan Corwin noted that the 6/20 minutes were very close to transcript and she did not find them useful.

Steve Graeper noted that the Minutes should clearly and simply include:

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- whether each member present, absence with notice, or absence without notice
- time format to order
- synopsis of important points/ideas of the meeting
- motions need to be recorded verbatim

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2. Directors Reports:

Barbara Saldivar: she had received a call from Alder Creek Resident to be included in the Villages at Mt. Hood

4. Communication from the community:

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Nancy Spenser: Communication should be after the BOD discusses things

Judith Norval: Cherie Burkholder fund raiser is coming up Sat. at the Lions Club, dinner and silent auction

Carol York: candidate for state Senate introduced herself

Jerry Chin: fiesta Saturday at RV Park \$10 adult, \$25 family, \$5 < age 15, tickets at the gate

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Also present were Dave Butts and several other unidentified people

8. Steven Lounsbury: Public Meeting Laws

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Steve is Clackamas County Attorney and he reviewed the presentation available on the web.

The Villages at Mt Hood Board of Directors is an advisory board to the Clackamas County Board of Commissioner and so are subject to the Oregon Public Meeting Laws.

Any public body is subject to open meetings laws: advisory bodies such as the Villages at Mt. Hood Board of Directors are public bodies.

5 Suggested we need to get a copy of the Oregon Attorney General's manual on public meeting: "Public Meetings and Records Manual - December 2005". According to the DOJ web site, it is available by calling 503-378-2992 x 325

Steven then reviewed the presentation with discussion.

10 Of Note:

- Have to give notice and where the meeting is being held per requirements of Bylaws
- A gathering of a "quorum", which in our bylaws is 3 or more, is a meeting
- Participation is governed by the board Chair
- No smoking at Public Meetings

15 - Town Hall meeting: vote by the "public" can be secret.
- Minutes kept permanently, tape recordings need to be kept for a year

Request to Steve -> check on how long to keep tapes.

Response: 1 year for tapes, indefinitely for minutes and documents

20 - Public can make a "public meetings" request for tape.
- can be a charge. Ex. \$1 for first page, \$.20 for each additional page for paper copies
- Executive sessions do not have public minutes... but can't make a decision in an executive session. These are not public unless ordered by a court but also can not make "a decision"

25 - We are not likely to have executive session unless there is a law suit and need to consult with counsel. See ors 192.662h for more information on executive session.
- ORS 166-150-0005 is retention policy

30 - Attorney General's Public Meetings Manual stated that we must have a majority of the total Board vote in favor of an item to take action.

=> This is not what is spelled out in the bylaws.

Action Item: Susan Corwin: work with Steve to confirm a need to change the bylaws and to get possible new wording to better conform to Open Meeting laws.

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7. General Business

a. Clackamas County Land sale -

40 Don Mench - CPO has approved a letter outlining conditions of endorsement.
Letter is available on the web.

Motion that the BOD endorse the CPO letter as written and that the Chair or appointee should write a brief letter to the BCC documenting the endorsement was made by Susan Corwin

45 Steve Graeper seconded

Discussion:

David Lythgoe: concerned that if the community gets 25% of the sales price that this could be perceived as a "tax" that was added on the price.

50 Don Mench noted that any sale would be an arms length transaction at only "fair market value". The County will get the best deal it can but certainly wouldn't be able to just "raise the price". The proposal is simply to get a share of the "Parks and Rec" dedicated funds for our "Parks and Rec".

Vote on the motion:

Affirmative: Steve Graeper, Susan Corwin, Barbara Saldivar; Dave Lythgoe, Bob Reeves, Nancy Daugherty, Rick Applegate, Shirley Dueber, Don Mench
Negative and Abstain: none
=> the motion passed

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Action Item: Rick Applegate - appoint someone or write an endorsement letter.

b. ODOT Transportation Enhancement Grant Update - Susan Corwin

10 The current ODOT Surveying work for the 2007/8 Arrah Wanna to Zigzag preservation project has had the marking of the "ROW border on the South side of US 26 for pedestrian paths" added to the work list. This is a big win.

15 Environmental Assessment: Rich Watanabe - ODOT Manager is investigating whether the work for the Wildwood Safety Project or the Preservation Project can provide the documentation for the expected Categorical Exclusion for the addition of pedestrian paths. If they can, this would save significant \$

c. Communications Committee Formation - Shirley Dueber
Chair did not bring the topic forward for discussion.

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d. Mountain Express Bus- Bob Reeves

- 1224 riders in June, 206 elderly/disabled
- Monday meeting with Clackamas County Social Services as the lead in the county as fiscal agents for the ODOT 5311 grant application
- have \$25K in energy tax money as part of match
- Kudos to Clackamas County staff for the hard work on the grant request

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e. Mt. Hood Wilderness - Don Mench

- CPO received a letter from Gordon Smith in response to the CPO request to support HR 5025 but it was a "take in to account".
- The bill is in markup and expected to be reported out any day
- The BOD will review the CPO letters at the Aug meeting and vote on whether to support it.
- It will also be brought to the August Town Hall meeting for discussion and a vote

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f. Oregon Public Meeting Law Training Presenter: Susan Corwin
Presentation was made at this meeting.

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g. Town Hall Agenda and Discussion

The following items will be on the agenda.

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1. Review Wilderness proposal
2. Review progress and plans from each "Supported Activity"
 - Barbara will be out of town and Judith Norval will cover
3. Review and Vote on proposals for new "Supported Activity"
 - 9 proposal have been brought forward.
 - A work session is scheduled for August 1 with the BCC
 - Rick Applegate started a discussion of the role of the board.
 - per bylaws, they are the administrative arm to get a decision by the Town Hall
 - Rick Applegate wants to be a "decider" on potential supported activities.
 - Susan Corwin noted that it is very appropriate for the BOD to endorse or oppose any specific proposed supported activity. The proposing organization may then decide to withdraw if the BOD doesn't think it is a wise project.
 - Several BOD members had not read proposals.

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Specific proposals for supported activities

Salmon River Road and Welches Road Bike Paths - Susan Corwin - sponsor

Discussion: this is in conjunction with Clackamas County 5 year CIP (Capital Improvements Projects # 709 and 710

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Motion to endorsed as a supported activity was made by Nancy Atkinson; Dave Lythgoe seconded

Vote on the motion:

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Affirmative: Barbara Saldivar; Steve Graeper, Don Mench, Susan Corwin, Dave Lythgoe, Nancy Daugherty, Rick Applegate, Shirley Dueber

Negative: Bob Reeves

Abstain: none

=> the motion passed

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ZDO modifications and BKMs to Preserve the Mountain Character - Don Mench

Issue: planning seems to listen to developers' issues rather than CPO

Motion to endorsed as a supported activity was made by Susan Corwin and seconded by Nancy Atkinson.

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Discussion

Some of the ideas are

- 1) a night sky ordinance for street lights so we can see the stars
- 2) not allow quarry in residential areas
- 3) not allowing land fills in mountain residential areas.

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A community member - is there a vision? yes, within the mission statements.

The discussion then was then down a long winded rat hole about specific potential ZDO changes (i.e. a discussion that should have at the CPOs)

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Chair was requested to put the meeting back on track but declined as he "want to hear this"

After a while, people tired of talking and the meeting came back to the subject at hand.

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It was noted that the actual process is called out in the proposal:

1. both CPOs reviews discusses, and approves any potential change
2. Villages' BOD reviews, discusses, and approves any potential change
3. Villages' Town Hall Meeting reviews, discusses, and approves
4. the proposal is then send to the BCC for consideration.

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Bob Reeves stated that he is opposed to this and all the proposals for supported activities because it is "too much, too soon". We need to "not do as much, and move slower"

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Shirley Dueber noted that complete communities provides liability/risk management for the BOD as "county agents". If BOD participates in CPO activities, then not covered by County Liability. (Casey vs OSHU)

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Vote on the motion:

Affirmative: Don Mench, Susan Corwin, Dave Lythgoe, Nancy Daugherty, Shirley Dueber, Steve Graeper

Negative: Bob Reeves

Abstain: Barbara Saldivar, Rick Applegate

=> the motion passed

other proposal for Supported Activities

- 5 1. Stream Corridor Restoration
 2. Community Input on County Lands
 3. Barlow Trail County Park
 4. Invasive Weed Eradication
 5. Barlow Trail Recreation Area
10 6. Barlow Road - Govy to Springwater Trail
 7. Community Center Park
Were all tabled due to lack of time for discussion.

Town Hall Agenda

15 There was no further discussion or assignment of responsibilities to make the Town Hall meeting happen.

9. Updates

Shirley Dueber: Scott Cruickshank from TAP came to the Strategic Planning Meeting
The meeting also discussed the potential Community Center Park
20 Nancy Atkinson: Steiner Cabin Tour is scheduled
Rick Applegate: Visitor information Center is being evaluated for closure and/or sale. Meeting tonight (7/18) at Lion's Club on Visitor Services. Mr. Applegate had gotten lots of emails on about the possible closure and the evening meeting but had not notified the BOD.

25 **10. Adjournment**

6:04 Reeves moved to adjourn and Saldivar seconded

Respectfully submitted
Shirley Dueber
30 Secretary

Corrected, formatted, agenda inserted:
Susan Corwin
March 2007
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