

**CLARK COUNTY BOARD OF COMMISSIONERS  
MINUTES OF OCTOBER 8, 2013**

The Board convened in the Commissioners' Hearing Room, 6th Floor, Public Service Center, 1300 Franklin Street, Vancouver, Washington. Commissioners Tom Mielke, David Madore Steve Stuart, Chair present.

**9:45 A.M.**

**PROCLAMATION – DISABILITY EMPLOYMENT AWARENESS MONTH**

Stuart read a proclamation proclaiming October, 2013 as “*Disability Employment Awareness Month*” in Clark County, Washington, and urged all citizens to join in reaffirming our community’s determination to fulfill the letter and spirit of the ADA and the IDEA, and to implore the policy makers and business leaders of Clark County to redouble their efforts. Mary Strehlow, Community Services accepted and said a few words.

**PROCLAMATION – 4H WEEK**

Madore read a proclamation proclaiming October 6-12, 2013, as “*National 4-H Week*” in Clark County, Washington and urged the citizens of this community to become more aware of this special program and to recognize the unique partnership between Clark County and Washington State University Extension. 4H Staff and Volunteers accepted and said a few words.

**10:00 A.M.**

**PLEDGE OF ALLEGIANCE**

The Commissioners led the Pledge of Allegiance.

**INVOCATION**

Bahram Hosseini, member of Local Spiritual Assembly of the Baha'is of Washougal delivered the invocation.

**CONSENT AGENDA**

Stuart read consent agenda item #1. Mielke inquired more information. Mary Blanchette, Children’s Justice Center explained further. Further discussion ensued. Stuart read consent agenda item #2. Mielke stated he would like to pull consent agenda item #2 for further discussion. Stuart read consent agenda items #3 - #5. Madore stated his concerns with consent agenda items #5 - #6. Pete Capell, Public Works Director and Monica Tubberville, Parks and Recreation spoke more on consent agenda item #5. Stuart read consent agenda items #6 - #11.

**ACTION:** Moved by Mielke to **APPROVE** consent agenda items #1, #3 - #11. Madore seconded the motion. Commissioners Mielke, Madore, and Stuart voted aye. Motion carried.

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Further discussion ensued regarding consent agenda item #2. Discussion ensued regarding title 8.

**PUBLIC COMMENT REGARDING CONSENT AGENDA #2**

1. Steve Horenstein, legal counsel and staff for Humane Society of Southwest Washington asked to see the amendments mentioned.

**Madore read the amendments. Horenstein and Humane Society staff responded.**

Stuart inquired more information. Humane Society staff responded. Lawrence Watters, Prosecuting Attorney joined the discussion. Further discussion ensued about the current contract and other organizations that could assist. Mark McCauley, County Administrator joined the discussion. Further discussion ensued. Chris Horne, Prosecuting Attorney joined the discussion. Further discussion ensued.

**PUBLIC COMMENT REGARDING CONSENT AGENDA #2 CONTINUED**

2. Bruce Barnes stated his support of keeping the jobs local. **Madore responded.**
3. Gretchen Starke stated her support of approving the contract.
4. Cheryl Theory, volunteer at the Humane Society of Southwest Washington stated her support of the Humane Society.
5. Don Orange, business owner, stated his concerns with the Board's action and stated his support of the Humane Society contract.
6. Milada Allen stated her concerns with shifting the responsibility to the Sheriff's office and stated her support of the Humane Society contract.

**ACTION:** Moved by Madore to **AMEND** consent agenda item #2, page 1, item #3A to **STRIKE** the words "or members of the public" and to **ADD** the following language "This contract also provides payment for stray dogs and licensed cats that members of the public turn over to the Humane Society. The County will provide alternate means for members of the public to turn in other animals to other providers. The contract is nonexclusive and recognizes the freedom for the County to contract with other organizations who also wish to care for animals." Mielke seconded the motion.

Mielke stated his concerns with making amendments to the contract as the Humane Society stated they would not accept them. Madore responded and stated his support of the amendments. Stuart stated his objections to the amendments and support of the Humane Society contract. Further discussion ensued.

Commissioner Madore voted aye. Commissioners Mielke and Stuart voted nay. **Motion Failed.**

Madore inquired if the Board would be open to further amendments. Mielke responded.

**ACTION:** Moved by Madore to **APPROVE** consent agenda item #2. Stuart seconded the motion. Commissioners Mielke, Madore, and Stuart voted aye. Motion carried.

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**PUBLIC COMMENT**

1. Bruce Barnes stated his concerns with clear cutting, herbicide spraying and the state of the County.
2. Sharon Nasset spoke about conduct of public meetings.
3. Gretchen Starke stated her concerns with the dissolution of the Watershed Stewards Program.
4. Leslie, Editor for the Watershed Stewards Program newsletter stated her concerns with the dissolution of the Watershed Stewards Program.
5. Lee Jensen spoke about micromanaging.
6. Jack Hansen, Attorney, spoke about a land use issue. **Mike Mabrey, Community Planning responded.** Lenna Woods joined the discussion. **Further discussion ensued.**
7. Jim Kinney spoke about the Columbia River Crossing.
8. Jack Davis spoke about last week's hearing and the Luke Jensen Sports Park.
9. Sydney Reisbeck spoke about the Watershed Stewards Program. **Further discussion ensued.**
10. Terry Allen stated his support of the Board's support of parks, trails, and open spaces.

**PUBLIC HEARING: I502 MARIJUANA RELATED FACILITIES INTERIM ORDINANCE**

To consider entry of findings and conclusions supporting an Interim Land Use regulation clarifying prohibitions on the location of marijuana related facilities.

Gordy Euler, Community Planning provided some background and presented three options regarding the moratorium. Further discussion ensued.

**PUBLIC COMMENT REGARDING I502 MARIJUANA RELATED FACILITIES INTERIM ORDINANCE**

1. Steve Horenstein representing two retail clients stated his preferred option.
2. Gregory Goodman stated his concerns with language mentioned in the resolution.

Axel Swanson, Senior Policy Analyst spoke about the proposed language. Further discussion ensued. Chris Horne, Prosecuting Attorney's office also joined the discussion.

3. Milada Allen stated her concerns with the possible consequences.

Horne explained the process further. Further discussion ensued.

**ACTION:** Moved by Mielke to **ADOPT** the findings included within Resolution 2013-08-04 to enact option 1 as indicated by staff. Madore seconded the motion. Commissioners Mielke, Madore, and Stuart voted aye. Motion carried.

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**PUBLIC HEARING: ANNUAL REVIEWS & DOCKETS (continuation of September 24 hearing)**

To consider the remaining items, 8-11:

8. CPZ2013-00010 NE 99th St/SJO - A proposal to amend the comprehensive plan and zoning designation on four parcels totaling 88.5 acres, from Mixed Use to Urban Low and Urban Medium; and from MX to R1-7.5 and R-18 on parcel numbers 200306000; 200312000; 200372000; 200373000.

Jose Alvarez, Community Planning presented. Further discussion ensued.

**PUBLIC COMMENT REGARDING CPZ2013-00010 NE 99TH ST/SJO**

1. Randy Printz spoke further on the intended parcel use.

**ACTION:** Moved by Mielke to **APPROVE** CPZ2013-00010 as recommended by staff and agreed upon by the applicants. Madore seconded the motion. Commissioners Mielke, Madore, and Stuart voted aye. Motion carried.

9. CPZ2013-00011 NE 139th St/Gaynor – A proposal to amend the comprehensive plan and zoning designation from Industrial (IL) to Commercial (CC) on parcel number 185402000.

Alvarez presented. Further discussion ensued.

**PUBLIC COMMENT REGARDING CPZ2013-00011 NE 139TH ST/GAYNOR**

1. Randy Printz spoke further on the intended parcel use.

**ACTION:** Moved by Mielke to **APPROVE** CPZ2013-00011. Madore seconded the motion. Commissioners Mielke, Madore, and Stuart voted aye. Motion carried.

10. CPZ2013-00012 NE 10th Ave/Bishop – A proposal to amend the comprehensive plan and zoning designation from Rural (R-5) to Commercial (CR-1) on parcel numbers: 219656000; 216957000; 216896000; 216897000; 216955000; 216954000; 216895000; 216948000; 216972000

Alvarez presented. Further discussion ensued.

**PUBLIC COMMENT REGARDING CPZ2013-00012 NE 10TH AVE/BISHOP**

1. Randy Printz spoke further on the intended parcel use.
2. Steve Horenstein spoke on behalf of James and Leslie Curry and asked for approval of planning commission recommendation.

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Chris Cook, Prosecuting Attorney, joined the discussion. Further discussion ensued. Oliver Orjiako, Community Planning Director joined the discussion. Further discussion ensued.

**PUBLIC COMMENT REGARDING CPZ2013-00012 NE 10TH AVE/BISHOP  
CONTINUED**

3. Mark Dougherty spoke about his property.

Further discussion ensued.

**ACTION:** Moved by Mielke to **APPROVE** CPZ2013-00012 as originally proposed and applied for and recommended by staff for the four parcels indicated in red. Madore seconded the motion. Commissioners Mielke, Madore, and Stuart voted aye. Motion carried.

**ACTION:** Moved by Mielke to **MOVE** the five parcels from CPZ2013-00012 that were not included in the previous motion be place on the 2014 Docket. Madore seconded the motion. Commissioners Mielke, Madore, and Stuart voted aye. Motion carried.

11. CPZ2013-00007 Fifth Plain Creek – Proposal to amend the Comprehensive Plan by removing Urban Holding-20 designation from the following properties located south of Ward Road:

169480000; 169480001; 169491000; 168619000; 169480001; 154022000;  
154020000; 115621128; 115621166; 115621126; 115621130; 154024000;  
153989000; 153965000; 153958000; 153969000; 154021000; 115621188;  
115621182; 115621184; 168627000; 153954000; 115621168; 154026000;  
104170000; 153934000; 153971000; 154006000; 115621156; 115621150;  
115621158; 115621152; 115621154; 153949000; 154022005; 115621112;  
115621170; 115621110; 115621178; 115621122; 115621176; 153964000;  
153972000; 153970000; 154010000; 154011000; 153959000; 154012000;  
115621144; 115621146; 115621160; 115621108; 168623000; 168626000;  
168618000; 115621174 ; 115621172; 115621118; 115621120; 115621116;  
154023000; 115621186; 169460000; 168638000; 115621138; 115621140;  
115621142; 115621180; 115621106; 153933000; 153934010; 168617000;  
115621114; 115621164; 154013000; 115621148; 153934005; 115621124;  
168630000; 104182000; 115621162; 104180000; 115621134; 115621136;  
168624000; 115621132; 169479000; 168641000; 168622000; 115621192;  
153968000; 168620000; 169480000; 168637000; 169472000

Alvarez presented. Cook provided some background. Further discussion ensued. Printz joined the discussion.

*Stuart left for another meeting.*

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**PUBLIC COMMENT REGARDING CPZ2013-00007 FIFTH PLAIN CREEK**

1. Jeanette Steinhauen stated her support of having an evening hearing to discuss this matter.
2. Elizabeth Shaw stated her concerns in the proposed development
3. Earle Ellis stated his concerns in the proposed development
4. Wendy Bobert stated her concerns in the proposed development.
5. David Harris stated his concerns in the proposed development
6. Susan Steinbrenner, Evergreen School, spoke about the possible impacts to the schools and spoke about impact fees.
7. Richard Bender stated his concerns in the proposed development
8. Mike Roth stated his support of the proposed development

Printz explained further. *Stuart returned.* Further discussion ensued.

**ACTION:** Moved by Mielke to **CHANGE** the November 19, 2013 hearing from 10:00 A.M. to 6:00 P.M. Madore seconded the motion. Commissioners Mielke, Madore, and Stuart voted aye. Motion carried

**ACTION:** Moved by Mielke to **CONTINUE** the hearing regarding CPZ2013-00007 Fifth Plain Creek to November 19, 2013 at 6:00 P.M. Madore seconded the motion. Commissioners Mielke, Madore, and Stuart voted aye. Motion carried

**COMMISSIONER COMMUNICATIONS**

Mielke spoke about property rights, micromanaging, and the Watershed Stewards Program

Madore spoke about an upcoming C-Tran meeting. He also spoke about the positives of having a public process.

Stuart also spoke about the positives of having a public process. He also spoke about an upcoming C-Tran meeting.

Hearing Adjourned

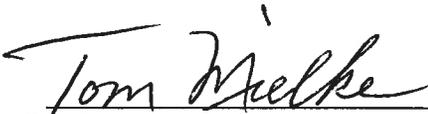
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BOARD OF COUNTY COMMISSIONERS



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Steve Stuart, Chair



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Tom Mielke, Commissioner

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David Madore, Commissioner

ATTEST:



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Tina Redline, Deputy Clerk of the Board

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Please Note: The Board of Commissioners' minutes are action minutes. Digital recordings can be provided upon request. In addition, the Commissioners' hearings are broadcast live on CVTV, cable channels 21 and 23, and are also videotaped and repeated several times ([www.cvtv.org](http://www.cvtv.org)).