

**BOARD OF COUNTY COMMISSIONERS  
HEARING PACKET**

**Hearing Item:**                    **Declare the Brush Prairie Bridge #201, capital road project CRP #332322, a “Public Use and Necessity” and to direct the Prosecuting Attorney’s office to proceed onto Superior Court with Eminent Domain proceedings. Parcel Number 196691-000, property owners Jason C. Bice and Amy E. Bice; Parcel Number 196694-000.**

**Date:**                                **Tuesday, July 21, 2015**

**Time:**                                **10:00 a.m.**

**CONTENTS:**

- 1. Staff Report**
- 2. Vicinity Map**
- 3. Notices of Public Hearing**
- 4. Letters to the Bice’s**

*PW 15-062*

# CLARK COUNTY STAFF REPORT

**DEPARTMENT:** Public Works / Real Property Services

**DATE:** July 21, 2015

**REQUESTED ACTION:** Declare the Brush Prairie, Bridge #201, capital road project CRP #332322, a "Public Use and Necessity" and to direct the Prosecuting Attorney's office to proceed onto Superior Court with Eminent Domain proceedings. Parcel Number 196691-000, property owners Jason C. Bice and Amy E. Bice; Parcel Number 196694-000.

\_\_\_ Consent       X  Hearing      \_\_\_ County Manager

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## **PUBLIC WORKS GOALS:**

- Provide safe and efficient transportation systems in Clark County
- Create and maintain a vibrant system of parks, trails and green spaces
- Continue responsible stewardship of public funds
- Promote family-wage job creation and economic development to support a thriving community
- Maintain a healthy, desirable quality of life
- Increase partnerships and foster an engaged, informed community
- Cultivate a nimble, responsive work force
- Make Public Works a great place to work

## **BACKGROUND**

The Public Works Department has negotiated with two (2) property owners to acquire the permanent easements needed for the Brush Prairie, Bridge #201 project; (CRP 332322). One (1) property owner has signed the required permanent easement. Staff continues to negotiate with the one remaining property owner.

To meet the 2016 construction season and avoid losing a federal grant, Public Works is requesting that the Board declare this project a "Public Use and Necessity" and refer this matter to the Prosecuting Attorney's office, civil division, to file a petition with the superior court asking for an order of public use and necessity and setting this case for trial regarding compensation.

<u>Owner</u>	<u>Serial Numbers</u>
Amy E. Baker Bice	196694-000
Amy E. and Jason C. Bice	196691-000

## **COUNCIL POLICY IMPLICATIONS**

None.

## **ADMINISTRATIVE POLICY IMPLICATIONS**

None.

## **COMMUNITY OUTREACH**

Development of the Transportation Improvement Program includes a wide array of public input opportunities including public hearings and information on the county website. Specifically, staff and management have had recurrent communication through emails, letters, phone calls and meetings about this project with the property owners since 2012.

*PW 15-062*

**BUDGET IMPLICATIONS**

YES	NO	
X		Action falls within existing budget capacity.
		Action falls within existing budget capacity but requires a change of purpose within existing appropriation
		Additional budget capacity is necessary and will be requested at the next supplemental. If YES, please complete the budget impact statement. If YES, this action will be referred to the county council with a recommendation from the county manager.

**BUDGET DETAILS**

Local Fund Dollar Amount	\$0.00
Grant Fund Dollar Amount	\$606,000.00
Account	Road Fund
Company Name	N/A

**DISTRIBUTION:**

Board staff will post all staff reports to The Grid. <http://www.clark.wa.gov/thegrid/>

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\_\_\_\_\_  
 Tom Grange, PE  
 Engineering and Construction Division

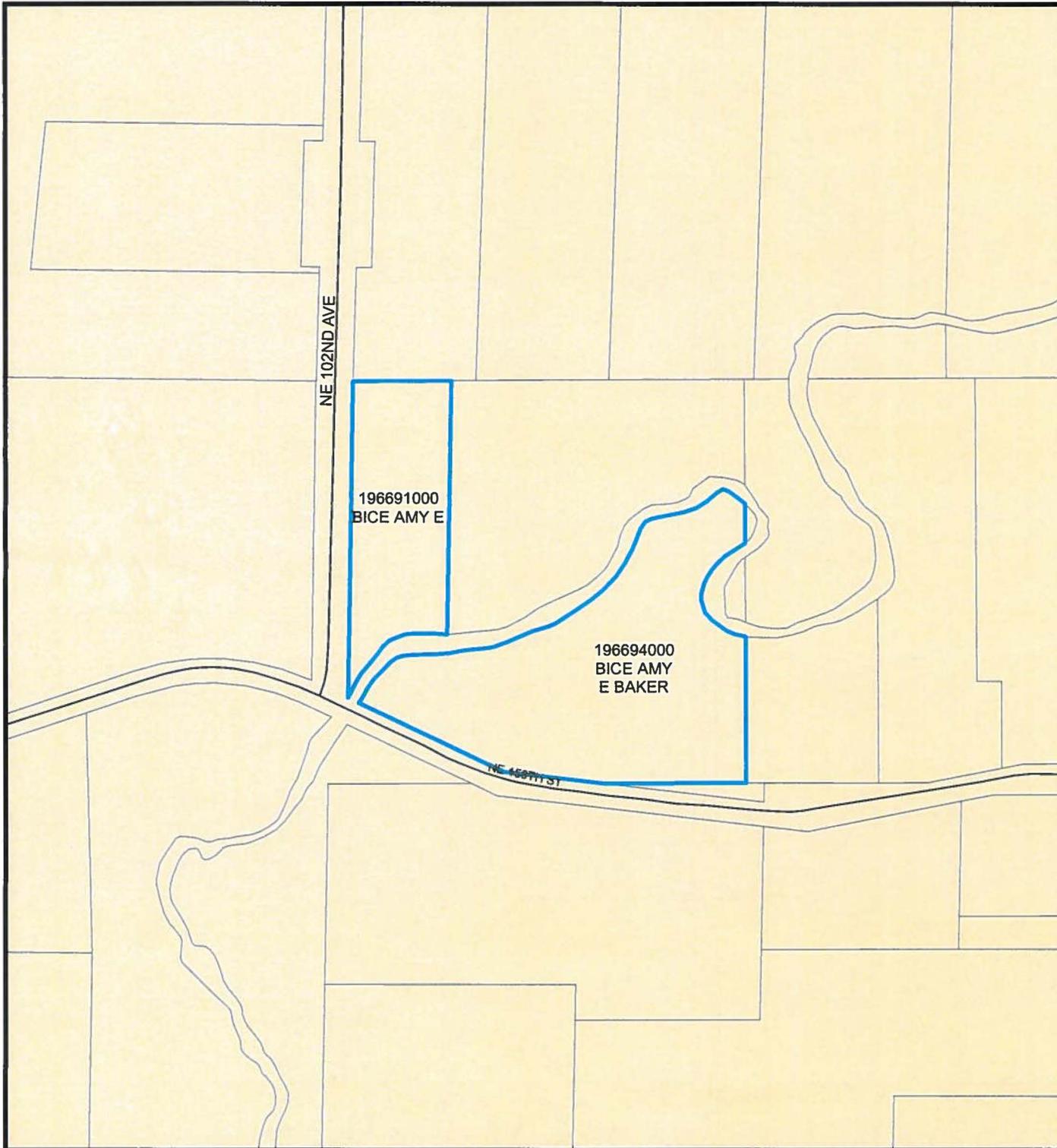
  
 Heath H. Henderson, PE  
 Public Works Director/County Engineer

**APPROVED:** \_\_\_\_\_  
**CLARK COUNTY, WASHINGTON**  
**BOARD OF COUNTY COUNCILORS**

DATE: \_\_\_\_\_

SR# \_\_\_\_\_

**APPROVED:** \_\_\_\_\_  
**Mark McCauley, Acting County Manager**  
 DATE: \_\_\_\_\_



KEY

1:2,836



*proud past, promising future*

**CLARK COUNTY**  
WASHINGTON Geographic Information System

Information shown on this map was collected from several sources. Clark County accepts no responsibility for any inaccuracies that may be present

Printed On: Jul 15, 2015  
Project: G:\RealPropEdit\RealPropEditing\_m20.mxd ( danie )

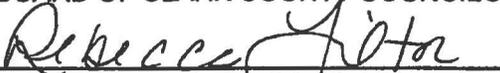
**CORRECTED**  
NOTICE OF HEARING

The Clark County Board of Councilors will hold a public hearing on the 21<sup>st</sup> day of July, 2015 at 10:00AM in the Councilors' Hearing Room, 6th floor, Public Service Center, 1300 Franklin Street, Vancouver, Washington to consider: a request from Clark County Public Works Department to declare the Brush Prairie Bridge #201, capital road project CRP #332322 a "Public Use and Necessity" and to direct the Prosecuting Attorney's office to proceed onto Superior Court with Eminent Domain proceedings. Parcel Number 196691-000, property owners Jason C. Bice and Amy E. Bice; Parcel Number 196694-000, property owner Amy E. Baker Bice.

More information concerning this matter may be obtained from Clark County Department of Public Works, Real Property Services Department, 1300 Franklin Street, Vancouver, Washington, Steve Hansen, telephone (360) 397-6118 extension 4370.

Any person wishing to give testimony in this matter should appear at the time, date, and place above stated.

BOARD OF CLARK COUNTY COUNCILORS

  
\_\_\_\_\_  
Rebecca Tilton, Clerk of the Board

Approved as to Form Only:

ANTHONY F. GOLIK  
Prosecuting Attorney

By   
\_\_\_\_\_  
Chris Horne  
Civil Deputy Prosecuting Attorney

Please publish: July 8 and July 15, 2015

County Road Project #332322

Persons requiring auxiliary aids or special arrangements in order to participate in this hearing should call (360) 397-2232, Commissioners Office, or TDD (360) 397-6032, Human Resources Dept., at least two days prior to the scheduled meeting.

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Clark County, Washington

By:   
Heath H. Henderson, P.E.  
Director of Public Works

Approved as to Form Only:

ANTHONY F. GOLIK  
Prosecuting Attorney

By:   
Chris Horne  
Civil Deputy Prosecuting Attorney

Please publish: July 7 through July 21, 2015

County Road Project #332322

Persons requiring auxiliary aids or special arrangements in order to participate in this hearing should call (360) 397-2232, Commissioners Office, or TDD (360) 397-6032, Human Resources Dept., at least two days prior to the scheduled meeting.

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Clark County, Washington

By: Heath H. Henderson for  
Heath H. Henderson, P.E.  
Director of Public Works

Approved as to Form Only:

ANTHONY F. GOLIK  
Prosecuting Attorney

By: Chris Home  
Chris Home  
Civil Deputy Prosecuting Attorney

Please publish: July 7 through July 21, 2015

County Road Project #332322

Persons requiring auxiliary aids or special arrangements in order to participate in this hearing should call (360) 397-2232, Commissioners Office, or TDD (360) 397-6032, Human Resources Dept., at least two days prior to the scheduled meeting.



PROSECUTING ATTORNEY | ANTHONY F. GOLIK

SCOTT D. JACKSON  
Chief Deputy

CAMARA L. J. BANFIELD  
Chief Criminal Deputy

CHRISTOPHER HORNE  
Chief Civil Deputy

SHARI JENSEN  
Administrator

June 25, 2015

CERTIFIED MAIL: 7013 1090 0002 1381 7542

Amy Bice  
PO Box 374  
Brush Prairie WA 98606

Dear Mrs. Bice:

Enclosed please find *Notices of Hearing* with the Clark County Board of Councilors scheduled for July 21, 2015 at 10:00 a.m. At that time, the Board will take up the questions of the public use and necessity of the condemnation of your property, Parcel Nos. 196691-000 and 196694-000, in order to facilitate the Brush Prairie Bridge project.

Please attend this hearing, during which you may give testimony if you wish.

Sincerely,

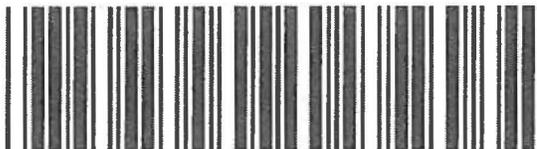
Jane E. Vetto  
Deputy Prosecuting Attorney

Enclosure

cc: Board of Councilors  
Jean Singer, Public Works

### Clark County - Vancouver WA Ship Request Form

Ship Request #: 114615



**Sender**

**Name:** Kremer, Thelma  
**CC #:** PA - 0001.000.270.515302.422.000000  
**Phone:** 4762  
**Email:** Thelma.Kremer@clark.wa.gov  
**Mail Stop:**  
**Building:**  
**Floor:**  
**Department:**

**Recipient**

**Attn To:** AMY BICE  
**Company:** AMY BICE  
**Address:** PO BOX 374  
  
**City:** BRUSH PRAIRIE  
**State:** WA  
**Zip:** 98606  
**Country:** US

**Shipping Instructions**

CERTIFIED MAIL: 7013 1090 0002 1381 7542

**Items**

Units	Description	Code	Origin	Unit Value	Total Value
0 00					



PROSECUTING ATTORNEY | ANTHONY F. GOLIK

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SCOTT D. JACKSON  
Chief Deputy

CAMARA L. J. BANFIELD  
Chief Criminal Deputy

CHRISTOPHER HORNE  
Chief Civil Deputy

SHARI JENSEN  
Administrator

June 25, 2015

CERTIFIED MAIL: 7013 1090 0002 1381 7535

Jason Bice  
PO Box 374  
Brush Prairie WA 98606

Dear Mr. Bice:

Enclosed please find *Notices of Hearing* with the Clark County Board of Councilors scheduled for July 21, 2015 at 10:00 a.m. At that time, the Board will take up the questions of the public use and necessity of the condemnation of your property, Parcel No. 196691-000, in order to facilitate the Brush Prairie Bridge project.

Please attend this hearing, during which you may give testimony if you wish.

Sincerely,

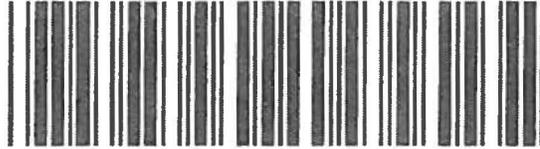
Jane E. Vetto  
Deputy Prosecuting Attorney

Enclosure

cc: Board of Councilors  
Jean Singer, Public Works

### Clark County - Vancouver WA Ship Request Form

Ship Request #: 114614



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**Sender**

**Name:** Kremer, Thelma  
**CC #:** PA - 0001.000.270 515302 422 000000  
**Phone:** 4762  
**Email:** Thelma.Kremer@clark.wa.gov  
**Mail Stop:**  
**Building:**  
**Floor:**  
**Department:**

**Recipient**

**Attn To:** JASON BICE  
**Company:** JASON BICE  
**Address:** PO BOX 374  
  
**City:** BRUSH PRAIRIE  
**State:** WA  
**Zip:** 98606  
**Country:** US

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**Shipping Instructions**

CERTIFIED MAIL: 7013 1090 0002 1381 7535

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**Items**

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0.00					