

**MINUTES
CLARK COUNTY BOARD OF COMMISSIONERS
AUGUST 18, 2009, 9:45 A.M.**

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

9:45 A.M.

GREATER CLARK PARK DISTRICT BOARD MEETING

[See separate minutes]

PROCLAMATION – CENTENNIAL ANNIVERSARY OF THE CITY OF RIDGEFIELD

Commissioner Boldt read a resolution from the Clark County Board of Commissioners to commemorate the Centennial Anniversary of the City of Ridgefield.

Ron Onslow, Mayor, City of Ridgefield, accepted the resolution and invited folks to attend the festivities scheduled for all day, August 22, 2009.

Justin Clary, City Manager, City of Ridgefield, provided the city's web site address for more information on the Centennial Celebration.

10:00 A.M.

PLEDGE OF ALLEGIANCE

The Commissioners led the Pledge of Allegiance.

CONSENT AGENDA

Discussion

Item 1: Request for approval of First Amendment to Memorandum of Understanding between Clark County and Clark County Public Facilities District with respect to the Exhibition Center Project.

Commissioner Boldt asked staff to further explain.

Mark McCauley, Director, General Services, stated that the proposed staff report would essentially authorize the Public Facilities District (PFD) to move some of its funds to cover certain operational costs of the Exhibition Hall at the Fairgrounds site. He said if this year's County Fair surplus is larger than projected, they may not need the monies from the PFD. He said they were asking the board to authorize a transfer of up to \$215,000 a year for 2009-2010 in the event they need it.

Boldt asked if the board would see how much money comes from the PFD.

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McCauley said they could let the board know what the specific amount is before asking for it.

ACTION: Moved by Stuart to **APPROVE** consent agenda items 1 through 5. Commissioners Boldt, Stuart, and Mielke voted aye. Motion carried.

PUBLIC COMMENT

Sharon Nasset, Citizen of Portland, commented on the Columbia River Crossing (CRC) project and thanked Commissioner Mielke for asking the RTC board to look into questions she has about the CRC and the Bridge Influence Area. She said now that they have on record what the CRC says their Bridge Influence Area is and they have a map that they can compare to the data that came from the 6-month study of the I-5 Task Force. She said if it's the right project it can go through comparison as the NEPA law requires and she added that she hoped the board would compare the data.

PUBLIC HEARING: ORDINANCE EXTENDING FOR SIX MONTHS CERTAIN LAND USE APPROVALS

Item Description: To consider adoption of an ordinance, including findings of fact, extending for six months certain land use approvals that otherwise would have expired from June 1, 2009 through November 30, 2009. The ordinance was previously adopted on an emergency basis by the Board of Commissioners in a public meeting held June 23, 2009.

Department: Department of Community Development

Staff Contact: Chris Horne, Prosecuting Attorney's Office

Staff Summary: Mr. Horne stated that during an open session on June 23 the board adopted an emergency ordinance to provide an extension for development applications that were filed in 2004 and 2005. He explained that without some relief they would expire and be subject to reapplication under circumstances where the developers, due to the economy, would be unable to get financing or complete their projects in a timely fashion due to drop in demand. He said today's hearing was simply to review the matter the board took up on June 23 to confirm or enter the findings upon which their actions are based.

Discussion: Commissioner Stuart said they were looking at a situation where significant time and cost to both developers of projects and to the county would produce little to no benefit to the public. He said promoting the extensions was the right thing to do because of the extenuating economic circumstances and because they wouldn't be doing anything that would negatively impact the public on this limited basis. He said the question came up about how they phrased the emergency ordinance, that they had not only limited it in time to a year, but also to certain projects within the code and certain project applications, which are covered under the basic rule—single phase development proposals. He

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proposed a second subsection to development applications that are phased. He referenced page 4, subsection entitled Extension, line 144, where it lists the projects that are covered under 45.100.010(b)(1), and said if you took out the (1) he believed that would then cover phased development approvals as well as the basic rule.

Horne said it would cover the basic rule of approvals, extensions under sub (2) and it would also cover developer agreements. He said it might be easier to just say 1 and 2 because there shouldn't be any need to include developer agreements.

Stuart said he didn't see a reason why developer agreements would need to be included, but they would be hearing public testimony.

Commissioner Mielke wanted to make sure they didn't make it so tight that they have to interpret every project.

Comments from the Public:

- 1) Randy Printz, 805 Broadway, Vancouver, expressed support for the ordinance. Regarding the developer agreement issue Mr. Printz said they typically have a vesting provision and most of them would probably be fine, although he could only speak for himself.

Commissioner Stuart stated that given the board didn't have a full list of which developer agreements or phased developments were done five years ago, it seemed appropriate to include subsections 2 and 3 so they are covered.

ACTION: Moved by Stuart to **AMEND** Ordinance 2009-08-07, on page 4, line 144, under 45.100.010(b)(1) to add (2) and (3). Commissioners Boldt, Stuart, and Mielke voted aye. Motion carried.

ACTION: Moved by Stuart to **APPROVE** Ordinance 2009-08-07, as amended. Commissioners Boldt, Stuart, and Mielke voted aye. Motion carried.

Bill Barron, County Administrator, noted that they would bring the amended ordinance back on consent for the board's approval and they would have to put findings relative to the amendments.

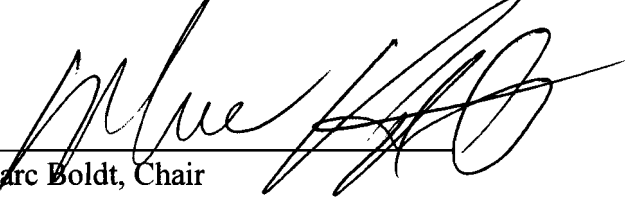
COMMISSIONER COMMUNICATIONS

- There were no comments.

Hearing adjourned

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BOARD OF COUNTY COMMISSIONERS



Marc Boldt, Chair



Steve Stuart, Commissioner

Tom Mielke, Commissioner

ATTEST:



Jennie Richards
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)