

**CLARK COUNTY BOARD OF COMMISSIONERS  
MINUTES OF APRIL 13, 2010**

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

**9:45 A.M.**

**PROCLAMATION: NATIONAL VOLUNTEER WEEK**

Commissioner Stuart read a proclamation declaring the week of April 18 through 24, 2010 as National Volunteer Week in Clark County, Washington.

Donna Boyer, Probation Counselor, Juvenile Court, accepted the proclamation and said a few words.

**PROCLAMATION: CRIME VICTIMS' RIGHTS WEEK**

Commissioner Mielke read a proclamation declaring the week of April 18 through 24, 2010 as Crime Victims' Rights Week in Clark County, Washington.

Mary Todd, Victim Advocate, Prosecuting Attorney's Office, accepted the proclamation and said a few words.

**10:00 A.M.**

**PLEDGE OF ALLEGIANCE**

The Commissioners led the Pledge of Allegiance.

**BID AWARD 2543**

Reconvened a public hearing for Bid 2543 – 50' Trailer Mounted Boom Lift. Mike Westerman, General Services, read a memo recommending award of Bid 2543 to the lowest responsive bidder meeting all specifications.

Commissioner Boldt noted that Charley Masco, Public Works-Operations & Equipment, would be retiring soon. The Board and County Administrator Bill Barron expressed their appreciation to Mr. Masco for his 25 years of service.

**ACTION:** There being no public comment, moved by Mielke to **AWARD** Bid 2543 to Pape Material Handling of Portland, Oregon, in the total bid amount of \$49,104.53, including Washington State sales tax, and grant authority to the County Administrator to sign all bid related contracts. Commissioners Stuart, Mielke, and Boldt voted aye. Motion carried.

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**PUBLIC COMMENT**

- 1) Roger Cole, Vancouver, Sierra Club of Southwest Washington-Loo Wit Group, stated that coal fired power plants are the most significant threat to climate change, and that they are working on an active coal campaign in southwest Washington. He invited the board to a forum, Beyond Coal, scheduled for April 21, 6:30 p.m., Water Resources Education Center.

**CONSENT AGENDA: ITEMS 1-6**

**Discussion**

No board discussion.

**ACTION:** There being no public comment, moved by Mielke to **APPROVE** consent agenda items 1 through 6. Commissioners Stuart, Mielke, and Boldt voted aye. Motion carried.

**PUBLIC HEARING: HORSESHOE LAKE**

**Item Description:** To consider an ordinance relating to a body of water located in both Clark County and within the jurisdiction of the city of Woodland known as Horseshoe Lake – adding a new section to the Clark County Code, Chapter 16.12, entitled 16.12.110 “Horseshoe Lake.” The city council of Woodland has requested that Clark County adopt water safety regulations consistent Chapter 9.20 of the Woodland City Code for the implementation of water safety regulations to be consistent with the Woodland City Code.

**Department:** Prosecuting Attorney

**Staff Contact:** Curt Wyrick, Chief Deputy Prosecutor

**Staff Summary:**

Mr. Wyrick explained that the county had been approached by the City of Woodland requesting that they adopt an ordinance identical to their municipal code, which regulates activities on Horseshoe Lake. He said the proposed ordinance would add a new section to Clark County Code, Chapter 16.12, citing the city’s code for water safety regulation, Chapter 9.20.

Sergeant Fred Neiman, Sheriff’s Office, responded to questions from Commissioner Boldt. He stated that most of the laws regulating vessel traffic are set by the Coast Guard under Federal Law, and adopted by the states so that they are uniform.

**Comments from the public:**

- 1) Charles E. Blum, Mayor, City of Woodland, stated that state requires that they provide water quality for Horseshoe Lake, which is a man-made lake and has

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presented many jurisdictional issues. He said the City of Woodland appreciated the board addressing the issue; hopefully they would be able to resolve things.

- 2) Walter Church, Member, Horseshoe Lake Committee, referenced line 15 of the proposed ordinance – “is hereby adopted by reference *and hereafter* and its provisions shall apply.” Mr. Church stated that if Clark, Cowlitz, or the City of Woodland were to change their ordinance, then everybody would have to get in step. He said adding “and hereafter” to the ordinance would cover everyone forever.

Mr. Blum further explained the development of the ordinance.

- 3) Scott Perry, 180 South Pekin Road, Woodland, spoke in support of the proposed ordinance and expressed concerns about safety on the lake.
- 4) Bill Eling, Woodland City Attorney, expressed support for the ordinance and noted that they have gone through an extensive hearing process with the opportunity for public comment. He stated that the lack of uniformity between the jurisdictions creates problems, including safety to the public and officers.
- 5) Jeff Sullivan, 130 South Pekin Road, Woodland, commented on safety and structural damage issues created by wake boarders.
- 6) Bill Dunlap, 110 South Pekin Road, Woodland, commented that he would prefer a no-wake provision. He said the dock he had professionally built was beginning to warp and bend because of the large wakes.
- 7) Marilee McCall, Council Member, City of Woodland, spoke in support of the ordinance and stressed the need for standardization. She commented that citizens have the opportunity to attend public hearings and the highest attended meetings they’ve had pertain to the lake. Ms. McCall said they have a lot of issues with erosion and water quality, property values, repair costs for property owners, and enforcement. She noted that if they were to go to a no-wake zone, they would hold many public hearings.

**Discussion:**

The Chair asked the board if they had any additional comments and/or a motion.

Commissioner Mielke said he looked forward to working with the City of Woodland on this issue.

Commissioner Boldt commented on the rules, which he thought could be confusing and difficult to enforce. Mr. Eling responded that he personally hasn’t seen any problems with enforcement in terms of determining dates, times, and speeds.

**ACTION:** Moved by Mielke to **APPROVE** Ordinance 2010-04-06 – Horseshoe Lake.  
Commissioners Stuart, Mielke, and Boldt voted aye. Motion carried.

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**PUBLIC HEARING: SOUTHWEST WASHINGTON HEALTH DISTRICT**

**Item Description:** To determine, pursuant to the provisions of RCW 57.90, whether or not any services had been provided within the previous consecutive five years by the Southwest Washington Health District and whether it is in the best interest of all persons concerned to dissolve the District.

**Department:** Public Health

**Staff Contact:** John Wiesman, Director

**Legal Council:** Curt Wyrick, Chief Deputy Prosecutor

**Staff Summary:**

Mr. Wyrick summarized that in June 2002 the then-board of County Commissioners had determined that it would be in the best interest of the citizens to form a health department. He said the Southwest Washington Health District was originally comprised of Clark, Skamania, and Klickitat counties. Klickitat County had withdrawn and so the Clark County Board of Commissioners thought it would be better to provide those services inside. A resolution was submitted to the district giving them 180 days notice of the intent to withdraw; Skamania County followed and on January 1, 2003, the district ceased to operate. Clark County then created a health department and entered into an interlocal agreement with Skamania County to provide services. Wyrick explained that per the provision in RCW 50.90, if the district sat inactive for five consecutive years, then the board could hold a hearing to determine whether or not the district has operated and whether or not it is in the best interest of citizens to dissolve the district.

**Comments from the public:**

None.

**Discussion:**

The Chair asked the board if they had any additional comments and/or a motion.

**ACTION:** Moved by Mielke to **APPROVE** Ordinance 2010-04-7 to dissolve the Southwest Washington Health District. Commissioners Stuart, Mielke, and Boldt voted aye. Motion carried.

**COMMISSIONER COMMUNICATIONS**

- Boldt commented on the swearing in ceremony for Judge Kelli Osler. Also, he said they held an event at the Public Service Center with Shared Hope regarding the trafficking of girls. He thanked staff for their assistance in coordinating the event.
- Mielke expressed frustration with trying to bring an advisory vote from the citizens of Clark County with regards to paying for a new bridge and light rail. He presented a resolution pertaining to the Board of Commissioners accepting the idea of an advisory

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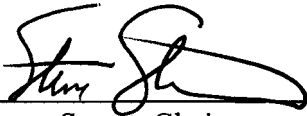
vote to get a sense of what people are feeling. Boldt said his understanding was that at this time they could go to voters within the C-Tran district for an up or down vote. Mielke wanted to know if the board would support that. Boldt said yes, as a C-Tran member.

Mielke also noted that Chuck Miller wished to comment about E-Verify.


Chuck Miller commented on E-Verify. He said \$1 million is out of line and everyone should have to comply, not just a few. He said in this difficult economic time, [elected officials] need to fight for every job they can for their citizens. He asked that E-Verify be used by every contractor and subcontractor, with no dollar limitation.

Hearing adjourned

**BOARD OF COUNTY COMMISSIONERS**



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Steve Stuart, Chair



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Tom Mielke, Commissioner

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Marc Boldt, Commissioner

ATTEST:



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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)).