

**CLARK COUNTY BOARD OF COMMISSIONERS
MINUTES OF APRIL 27, 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.

10:00 A.M.

PLEDGE OF ALLEGIANCE

The Commissioners led the Pledge of Allegiance.

PUBLIC COMMENT

- 1) Steve Yochum, 20716 NE 10th Avenue, Ridgefield, commented on the Discovery Sub-Area Plan, particularly the area of 199th Street north to 209th. Mr. Yochum said he had a meeting at his shop with some of the area property owners and they agreed that they didn't want the Office Campus Park zoning designation. He said that zoning puts them in a bind.
- 2) George Espinoza, 200801 NE 10th Avenue, Ridgefield, commented on the Discovery Sub-Area Plan. He stated that they were currently in urban holding and the previous zoning was AG Residential. He said they can't market the property as AG Residential and he knows of two sales that have failed. He said they've suffered an inverse condemnation and they should either be relieved so they can dispose of, or develop, their properties as they would like.
- 3) Jack Davis expressed numerous concerns regarding the Hazel Dell Sports Complex project. He also complained of the smell being created by compost piles at King's Way Church. Commissioner Stuart noted that a FAQ's page for the project had been created and posted on the county's web site: www.clark.wa.gov/parks-trails.com.
- 4) Sharon Nasset commented on the Columbia River Crossing (CRC) project. Ms. Nasset submitted a copy of a proposal by Michael Cunneen for transportation planning/engineering services associated with a Third Bridge Columbia Crossing Study. She asked for a letter of support from the board to do the further study.

CONSENT AGENDA: ITEMS 1-9

Discussion

Item 3: Request from Vancouver-Clark Parks & Recreation/Real Property to approve a Statutory Warranty Deed from Randy S. Wubben for the purchase of a 1.66 acre parcel in Parks District 6 for a future Neighborhood Park, tax parcel 106733-000.

Pete Capell, Director, Public Works, responded to Commissioner Boldt's question pertaining to the rental house and whether it would remain there. He said it would be awhile before the park was developed so the tenant would remain there for at least six months. When the park is developed, the house will be removed.

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Monica Tubberville, Vancouver-Clark Parks and Recreation, added that the footprint for the structure would give them the space for the play equipment when they develop the park outside of the BPA right-of-way.

Stuart suggested they pull item 3 from the consent agenda in order to clarify questions the board has regarding the existing house; BPA power line, height restrictions, and potential health hazards; partnering with Covington Middle School to provide additional acreage to have 5 acres; and parking.

Capell said they could schedule a work session in order to have further discussion.

ACTION: There being no public comment, moved by Mielke to **APPROVE** consent agenda items 1, 2 and 4 through 9. Commissioners Stuart, Mielke, and Boldt voted aye.
Motion carried.

PUBLIC HEARING: SUPPLEMENTAL APPROPRIATION

Item Description: To consider approval of the 2010 Omnibus Supplemental Appropriation in the amount of \$7,572,710.

Department: Office of Budget

Staff Contact: Jim Dickman

Staff Summary:

Mr. Dickman presented. He stated that they weren't proposing major changes to the budget approved by the board in December; revenues and expenses were tracking very close to the most recent forecast and the budget in effect. He said their financial situation was starting to improve, albeit very slowly. Dickman said they were scheduled to increase the General Fund balance by \$1.7 million by the end of the year and would meet that goal if conditions continued. He further explained. He said this has created breathing room in 2010 to restore earlier cuts that were too deep, including \$506,000 for Indigent Defense to meet constitutional and state mandates for appointed attorneys; \$50,000 for postage; \$75,000 to pay for the annual audit from the State Auditor's Office; \$140,000 to invest in improvements expected to pay for themselves through future rent payments on the county property at NE 78th Street. Dickman pointed out a correction to item 40, which should have listed an operational employee as tied to current grant revenues so it's neutral.

Comments from the public:

None

Discussion:

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

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ACTION: Moved by Mielke to **APPROVE** Resolution 2010-04-17 for the 2010 Omnibus Supplemental Appropriation. Commissioners Stuart, Mielke, and Boldt voted aye. Motion carried.

ACTION: Moved by Mielke to **APPROVE** the amendment to item #40 of the 2010 Omnibus Supplemental Appropriation, changing "Project Employee" to "Operational Employee." Commissioners Stuart, Mielke, and Boldt voted aye. Motion carried.

ACTION: Moved by Mielke to **APPROVE** Resolution 2010-04-17 for the 2010 Omnibus Supplemental Appropriation, as amended. Commissioners Stuart, Mielke, and Boldt voted aye. Motion carried.

PUBLIC HEARING: FIRE MARSHAL FEE

Item Description: To consider modifications to Clark County Code Chapters 6 and 15 related to existing business inspections performed by the Clark County Fire Marshal's Office. Modifications include: changing to an hourly rate for service from the current flat fee table; modifications to Clark County Code to allow for the collection of interest on fees left unpaid for greater than 3 months; and to clarify that possession of Fire Code operational permits is mandatory (where applicable) for such operations to be allowed to continue on a premises.

Department: Community Development

Staff Contact: Marty Snell, Director; Jon Dunaway, Fire Marshal

Staff Summary:

Mr. Snell made brief opening comments and thanked staff for their work.

Mr. Dunaway presented. He explained that the fees for inspections have changed over the years and in July of 2009 fees outlined in the fee table tripled to less than the program's cost dependency on the General Fund dollars. The primary complaint beyond the fees is the lack of perceived equity in the flat fee table system. He further explained. Dunaway said the outcome of the two work sessions has been to prepare an hourly rate for service for the inspections they do. He outlined the proposed changes.

Bill Barron, County Administrator, responded to concerns expressed by Commissioners Boldt and Mielke regarding the effective date of the ordinance. He stated that technically speaking whatever ordinance is in effect at the time is what one has to comply with. He said whatever the board decides in terms of an effective date, he would ask that they meet with the Prosecuting Attorney and Fire Marshal to work out a logical solution for those who are under the old ordinances and have or haven't paid and those who will come under the new ordinance on May 10, 2010.

Comments from the public:

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- 1) James Courtney, Amboy Grange, stated that the proposed \$130 hourly fee was too much. Mr. Dunaway clarified that they would charging for the time spent, not an hour for every aspect of the inspection.
- 2) Dave Johnson, Amboy Grange, commented on the mileage and bundling inspections, and eliminating the square footage part.
- 3) Lewis Cole stated that his business used to be located in Gasoline Alley and was never inspected. Now it's located on I-5 and he has to pay for inspections, although he was aware of businesses that aren't inspected. Mr. Cole said he felt bullied and asked why inspections were needed. Dunaway responded to Mr. Cole's comments.
- 4) Mark Caldwell commented that the county needed to go back to the drawing board in terms of the fee schedule. He said it penalizes people based on geography and he also didn't think the bundling scenario would work based on re-inspections being mixed in with original inspections. Mr. Caldwell suggested using technology to communicate when issues are resolved versus additional trips to re-inspect. His question about schools was answered: The Fire Marshal inspects schools and the school districts pay.

Discussion:

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

Mielke said it's a complicated issue, but they were getting there and he felt good about the direction they were going.

Stuart felt this was a good step toward giving people value for actual time spent. He agreed that they would have to keep track of travel time. He asked that the process continue to be better.

Boldt said he had confidence in the Fire Marshal. He said the fire insurance rates are based on the Fire Marshal's and Fire Districts' success.

ACTION Moved by Mielke to **APPROVE** Ordinance 2010-04-18 for the Fire Marshal Fee. Commissioners Stuart, Mielke, and Boldt voted aye. Motion carried.

COMMISSIONER COMMUNICATIONS

There were no comments.

Hearing adjourned

2:00 P.M. PUBLIC BID OPENINGS

Present at bid opening: Louise Richards, Board of Commissioners Office; Mike Westerman and Beth Balogh, General Services-Purchasing Department

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BID OPENING 2544

Held a public hearing for Bid Opening 2544 – Annual Crushed Aggregate. Mike Westerman, General Services-Purchasing, read bids and stated it was the Purchasing Department's intention to award Bid 2544 on May 4, 2010 at 6:00 p.m. in the Commissioners hearing room, 6th floor, Public Service Center.

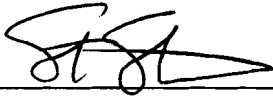
BID OPENING 2545

Held a public hearing for Bid Opening 2545 – Annual Asphaltic Concrete. Mike Westerman, General Services-Purchasing, read bids and stated it was the Purchasing Department's intention to award Bid 2545 on May 4, 2010 at 6:00 p.m. in the Commissioners hearing room, 6th floor, Public Service Center.

BID OPENING 2546

Held a public hearing for Bid Opening 2546 – Annual Sign Bid. Mike Westerman, General Services-Purchasing, read bids and stated it was the Purchasing Department's intention to award Bid 2546 on May 4, 2010 at 6:00 p.m. in the Commissioners hearing room, 6th floor, Public Service Center.

BOARD OF COUNTY COMMISSIONERS



Steve Stuart, Chair



Tom Mielke, Commissioner

Marc Boldt, Commissioner

ATTEST:



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).