

**CLARK COUNTY BOARD OF COMMISSIONERS
MINUTES OF MAY 25, 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.

CONSENT AGENDA: ITEMS 1-8

Discussion

There was no discussion.

ACTION: Moved by Mielke to **APPROVE** consent agenda items 1 through 8. Commissioners Stuart, Mielke, and Boldt voted aye. Motion carried.

PUBLIC COMMENT

- 1) Sylvia Duncan, Cindy's Townhomes, expressed several concerns about the proposed Hazel Dell Sports Complex.
- 2) Mr. Duncan, Cindy's Townhomes, expressed concerns with the Hazel Dell Sports Complex.
- 3) Paul Edgar, Oregon City, Oregon, expressed opposition regarding the Columbia River Crossing (CRC) project.
- 4) Valerie and John Dewitts, 2720 NE 175th Street, expressed concerns and asked the county for help in regards to the Velveteen Meadows subdivision being developed at the west end of 175th Street and use of their private road during the construction.
- 5) Shirley Schaefer echoed concerns regarding use of the neighborhood's private road during construction of the Velveteen Meadows subdivision. [There was brief discussion between the board and staff regarding the private road, and direction for staff to follow-up.]
- 6) Sharon Nasset commented on a recent meeting of the CRC Independent Review Panel. She stated that there weren't many in attendance and it wasn't televised, which it should be. She noted that the next meeting was scheduled for June 1 and 2.
- 7) Chuck Miller, Washington Citizens for Responsible Government, commented on the following issues: Home Rule Charter; E-Verify System; and opposition to giving raises in the county.

**CLARK COUNTY BOARD OF COMMISSIONERS
MINUTES OF MAY 25, 2010**

**PUBLIC MEETING: CERTAIN DELINQUENT CODE ENFORCEMENT FEES
COLLECTION**

Item Description: To consider a resolution adopting a program for the collection of certain delinquent Code Enforcement fees for Clark County by creating a period of time during which delinquent fees may be paid for a percentage of the actual amounts owed.

Department: Community Development

Staff Contact: Marty Snell, Director

Staff Summary:

Mr. Snell summarized that they have had code enforcement action taken out on certain cases—they have hundreds that are outstanding, pending, in process, etc. He said there were 27 cases, the oldest dating back to 1994, and they have been technically closed because the properties came into compliance. At the same time, they were also placing liens on property for the number of violations per day over a course of up to 15 years. Total lien amounts for the 27 cases were \$3.7 million, with the least amount being about \$1,200-\$2,000 and the most being about \$764,000. Snell explained that the proposed program would charge administrative fees of \$85 to \$90 to remove the liens and then they would look at 6% of the total lien amount due to clear the liens. Snell said if successful, half of the money received would go to the General Fund and half would go to the Abatement Fund.

Discussion:

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

ACTION: Moved by Mielke to **APPROVE** Resolution 2010-05-12. Commissioners Stuart, Mielke, and Boldt voted aye. Motion carried.

PUBLIC MEETING: STORMWATER FEE COLLECTION

Item Description: To consider a resolution adopting a program for the collection of certain delinquent stormwater fees for Clark County by creating a period of time during which delinquent fees may be paid without interest and penalties.

Departments: Environmental Services

Staff Contact: Kevin Gray, Director

Legal Staff: Bronson Potter

Staff Summary:

Mr. Gray summarized that the resolution before the board would facilitate the collection of past due clean water fee accounts, provide homeowners some relief from penalties and interest, facilitate the clean up of property titles and cleaner property transactions. He said they have about 2,220 past due accounts totaling about \$429,000, with \$92,000 of that due in penalties and interest. He said they would notify each property owner by letter outlining the terms of the program and providing them the opportunity to respond.

**CLARK COUNTY BOARD OF COMMISSIONERS
MINUTES OF MAY 25, 2010**

Discussion:

Commissioner Stuart noted that WSDOT owed the county nearly \$400,000 and Gray said that was about 85% of the total amount of past due accounts.

Mr. Potter explained why the county was only addressing stormwater and code enforcement and not other types of financial obligations, for example relief on school district portions of property types. He said they are addressing programs that the board has the authority to adjust.

Comments from the public:

- 1) Doug Lasher, Treasurer, asked for clarification in how to address taxpayers who may call his office with questions pertaining to this program. Commissioners Mielke and Stuart responded.

ACTION: Moved by Mielke to **APPROVE** Resolution 2010-05-13. Commissioners Stuart, Mielke, and Boldt voted aye. Motion carried.

PUBLIC HEARING: GREEN BUILDING STANDARDS

Item Description: To consider adopting a voluntary Green Building reference standard, the current edition of the National Green Building Standard ICC/700.

Department: Community Development

Staff Contact: Mike Selig; Jim Muir

Staff Summary:

Mr. Selig summarized that adoption of the National Green Building Standard on a voluntary basis provides a powerful tool for builders to produce cost-effective, healthy, efficient, and more marketable houses. The county would benefit as the number of green efficient homes grow because there would be relatively less demand for all resources. Lastly, Selig said Clark County would become even more livable as the number of safe efficient homes grow that are built to the National Green Building Standard.

Comments from the public:

- 1) Patrick Sughrue, Structures Northwest, encouraged the board to approve the green building standard and consider making it mandatory in the future.
- 2) Kent Mitchell, (inaudible) Energy Services, expressed support for the green building standard.
- 3) Mark Hughey, said it was a good program; however, he was puzzled as to why the county needed to adopt a volunteer program. Commissioner Stuart responded it would essentially give the county a better understanding so they can help support it.
- 4) Mike Bomar, Building Industry Association, 103 East 29th Street, Vancouver, expressed support for the program. He said the standard was important for county

**CLARK COUNTY BOARD OF COMMISSIONERS
MINUTES OF MAY 25, 2010**

staff when inspecting homes, as well as for builders in providing them an option to take on a standard. He also commented on the program being voluntary.

- 5) Ryan Zygar, Tamarack, 15109 NE 26th Court, Vancouver, expressed support for the program and suggested use of some sort of accountability form.
- 6) Timothy Buckley, Greenstone Architecture, expressed support of the program as a voluntary standard.

Discussion:

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

ACTION: Moved by Mielke to **APPROVE** Resolution 2010-05-14. Commissioners Stuart, Mielke, and Boldt voted aye. Motion carried.

PUBLIC HEARING: EXTEND PRELIMINARY APPROVAL

Item Description: To consider further extending the preliminary approval of various land use decisions including subdivisions, conditional use permits, and site plans. The proposed resolution would extend the covered permits until one year after adoption of the resolution.

Department: Community Development

Staff Contact: Marty Snell, Director

Legal Staff: Chris Horne

Staff Summary:

Mr. Snell stated that approximately one year ago the board approved a resolution to extend the 5-year deadline of preliminary plats and site plans for an additional 12 months. That resolution will expire in about a month and the resolution before the board would simply extend it. He pointed out a minor change on page 3, line 110, revising the timeframe to June 1, 2004 – June 1, 2006. Also, page 4, line 114, reflects that the extension is automatic and there is no application required nor staff review/approval.

Mr. Horne explained the changes to state law. He said the legislature attempted to provide an extension for plats and amended the state law granting a 5-year provision to 7 years; however, the legislature never spoke to the retroactive effect. The proposed change for the board's consideration would address what perhaps the legislature intended and would provide relief for existing projects. He reiterated that they included an additional year because 2004-2005 would need a full 2 years. He further explained. Horne pointed out a typo to the effective date "June 22" and stated that the official ordinance would reflect the correct date of June 2.

Comments from the public:

- 1) James Howsley, Miller Nash, 500 E Broadway, Vancouver, thanked the board and staff for their work on the resolution and getting it to what he felt was the legislature's intention. He recommended doing the extension from 5 to 7 years for future projects.

**CLARK COUNTY BOARD OF COMMISSIONERS
MINUTES OF MAY 25, 2010**

- 2) Mike Bomar, Building Industry Association, 103 E 29th, Vancouver, expressed support for the resolution and agreed with extending to 7 years in the normal review process.
- 3) Eric Golemo, SGA Engineering, 2005 Broadway, Vancouver, wanted to know why the county wasn't going with the 2-year statute and asked that they do that. Also, it was limited to projects from June 1, 2004 to June 2006. Mr. Horne responded to Mr. Golemo's questions.
- 4) Randy Printz, 805 Broadway, Vancouver, commented that this would help put people back to work and, in fact, he had several projects that would have expired or would expire soon were it not for the ordinance. Regarding the legislature's intent, he said the primary intent was to save projects that were expiring. He agreed with Mr. Horne that the bill didn't expressly provide for retroactivity, but he felt there was room for discussion on that point.

Discussion:

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

ACTION: Moved by Mielke to **APPROVE** Resolution 2010-05-15. Commissioners Stuart, Mielke, and Boldt voted aye. Motion carried.

COMMISSIONER COMMUNICATIONS

There were no comments.

Hearing adjourned

2:00 P.M. PUBLIC BID OPENING

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

BID OPENING CRP 371121

Held a public hearing for Bid Opening CRP 371121 – NE 159th Street Walkway. Priscilla Ricci, General Services-Purchasing, read bids and stated it was the Purchasing Department's intention to award Bid CRP 371121 on June 1, 2010 at 6:00 p.m. in the Commissioners hearing room, 6th floor, Public Service Center.

**CLARK COUNTY BOARD OF COMMISSIONERS
MINUTES OF MAY 25, 2010**

BOARD OF COUNTY COMMISSIONERS



Steve Stuart, Chair

Tom Mielke, Commissioner



Marc Boldt, Commissioner

ATTEST:



Louise 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).