

**CLARK COUNTY BOARD OF COMMISSIONERS
MINUTES OF JULY 23, 2013**

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

10:00 A.M.

PLEDGE OF ALLEGIANCE

The Commissioners led the Pledge of Allegiance.

INVOCATION

Tim Crownover, Pastor, Eutyclus Ministries, delivered the invocation.

CONSENT AGENDA

Mielke read consent agenda item #1. Bill Barron, County Administrator, spoke on consent agenda items #2 and #3. Further discussion ensued. Mielke spoke on consent agenda items #4 - #7.

ACTION: Moved by Madore to **APPROVE** consent agenda items #1 - #7. Mielke seconded the motion. Commissioners Mielke and Madore voted aye. Motion carried.

PUBLIC COMMENT

1. Jeff Stanton spoke about citizenship.
2. Bruce Barnes spoke about hoof rot. *Further discussion ensued.*
3. Ed Barnes spoke about parks. He also inquired about recruitment for recent departed county employees.
4. Carol Levanen spoke about the lease to Tesoro and Savage for the purpose of crude oil transportation by rail.
5. Jack Davis talked about the chairs in the Public Service Center. He also spoke about Clark County employees.
6. Carolyn Crain spoke about economic growth in the county.
7. Richard Ashenfelter spoke about businesses relocating to Clark County.
8. Gary Gouger, Ridgefield stated he would like the wineries to be included at the Clark County Fair.
9. Sharon Nasset spoke about fair practicing of presenting alternatives of the bridge.
10. Lee Jensen, Battle Ground, spoke about the bridge.
11. Michele Bloomquist spoke about a recent event in Battle Ground that featured only local wine.

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PUBLIC HEARING: VETERANS ELIGIBILITY

To consider amendments to Clark County Code 2.29.050 pertaining to Eligibility for Veterans aid.

Pete Munroe, Community Services presented.

PUBLIC COMMENT ON THE PUBLIC HEARING: VETERANS ELIGIBILITY

1. Bob Nichols, Chair of the Clark County Veteran's Assistance Fund, stated their support of the ordinance.

ACTION: Moved by Madore to **APPROVE** Ordinance 2013-07-10. Mielke seconded the motion. Commissioners Mielke and Madore voted aye. Motion carried.

PUBLIC HEARING: WINERIES ORDINANCE

To reconsider amendments to the Wineries Ordinance. The Board of County Commissioners approved, but did not execute, Ordinance 2013-06-22 amending Section 40.260.245 at a public hearing on June 25, 2013. Ordinance 2013-06-22 contains changes to what noise standards should apply to wineries and how wineries should be able to operate in part as food service establishments. The Board will reconsider each of the amendments on this date and may reconsider the attendance conditions for events.

Gordy Euler, Community Planning, presented. Axel Swanson, Senior Policy Analyst joined the discussion.

PUBLIC COMMENT ON THE PUBLIC HEARING: WINERIES

1. Gary Gouger, Gouger Cellars & Winery stated Clark County is a great region for wineries and stated his support of the ordinance.
2. Frank Mason, neighbor of Rusty Grape, stated his support of the winery.
3. Jeff Carothers, Mayor, Yacolt stated his support of local wineries and the ordinance.
4. Judy Koch Smith, local entertainer / musician stated her support of wineries and coffeehouses. She also spoke about the sound levels.
5. Julie Syverson inquired more on Section B.3 in regards to rural lands. ***Euler responded. Further discussion ensued.*** She also spoke about wineries following home business rules. ***Further discussion ensued.***
6. Eric John Kaiser, musician stated his support of music at the wineries.
7. Julie Kuni, Village Vineyards, commented on the proposed hours of use. She also commented about the number of people at events.
8. Patrick Sparks stated his support of the local wineries.
9. Greg Weber, Confluence Winery, explained the difference between a vineyard and a winery. ***Further discussion ensued.***
10. Carol Levanen shared her concerns with wineries and suggested a very stringent ordinance.

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11. Michele Bloomquist, Heisen House Vineyards stated her support of wineries and appreciation to the Board for hearing more on the proposed ordinance. She shared her proposals of the ordinance. *Further discussion ensued.*

Further discussion ensued regarding licensing.

12. Norman Banks commented about all the benefits of having local wineries in the area.
13. Jeremy Brown, Rusty Grape Vineyards thanked all the supporters of local wineries and spoke about his business. *Further discussion ensued.*
14. Vivian Ashworth, Battle Ground stated her support of Rusty Grape.
15. Steve Profovo stated his support of Rusty Grape.
16. Tracey Bone stated her support of local wineries.
1. Joe Millea, Moulton Falls Winery, spoke about local wineries at the fair and appreciation to the Board for taking public comment.
17. Pat Rowe stated her support of local wineries.
18. Norman Banks shared his proposals to the ordinance.
19. Heather Brown, Rusty Grape Vineyards, spoke about their business and noise complaints.
20. Carol Levanen stated her support of Rusty Grape.
21. Lee Jensen spoke about consummation at wineries.
22. Pete Schafer spoke about other people's testimony who aren't in attendance.

Further Board discussion ensued.

ACTION: Moved by Madore to **AMEND** Ordinance 2013-07-11 to add the following language after the first Whereas -- "**WHEREAS, it is the intention of this ordinance to encourage and support the agricultural and winery economy that is neighbor friendly; and**" Mielke seconded the motion. Commissioners Mielke and Madore voted aye. Motion carried.

ACTION: Moved by Madore to **AMEND** Ordinance 2013-07-11 Section C. Definitions – Events, **by increasing the number from 100 to 200.**

Further discussion ensued on increasing the number to 150.

Moved by Madore to **AMEND** Ordinance 2013-07-11 Section C. Definitions – Events, **by increasing the number to 150.** Mielke seconded the motion. Commissioners Mielke and Madore voted aye. Motion carried.

Further Board discussion ensued regarding Section D. Development Standards, subsection 2.i, regarding amplified sound after a certain hour. Madore spoke about the Washington Administrative Code (WAC) noise rules and inquired more. Chris Cook, Deputy Prosecuting Attorney, joined the discussion.

ACTION: Moved by Madore to **AMEND** Ordinance 2013-07-11 **stating special event permits do not grant the permission to exceed the state standard for noise.** Mielke seconded the motion. Commissioners Mielke and Madore voted aye. Motion carried.

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Further discussion ensued about the difference between noise and amplified noise. Pete Schafer (from the audience) explained further.

ACTION: Moved by Madore to **AMEND Ordinance 2013-07-11** Section D. Development Standards, subsection 2.i, to read “Comply with the provisions of WAC Chapter 173-60 and Chapter 9.14 relating to public disturbance” and to **ADD “except that DBC rather than DBA mode is specified to ensure that low frequencies are included in the limitations and measurements.”** *(WAS NOT SECONDED)*

Mielke stated he would like to review the Washington Administrative Code (WAC). Further discussion ensued. Mielke stated his concerns with Madore’s motion. Cook joined the discussion. Further discussion ensued. Mielke stated he would be willing to talk about Madore’s motion if they limited the time to 9:00 p.m.

ACTION: Moved by Madore to **AMEND Ordinance 2013-07-11** Section D. Development Standards, subsection 2.i, **changing the time from 10:00 p.m. to 9:00 p.m.** *(WAS NOT SECONDED)*

Further discussion ensued. Madore stated he would like to stick to the WAC as it is written.

PUBLIC COMMENT ON THE PUBLIC HEARING: WINERIES

1. Julie Kuni, Village Vineyards, stated the wineries should follow the same rules as the States. She inquired about grandfathered rules.

ACTION: Moved by Madore to **AMEND Ordinance 2013-07-11** Section D. Development Standards, subsection 1.i, **changing the time to 9:30 p.m.** *(WAS NOT SECONDED)*

Further discussion ensued. Euler spoke about concerns the wineries had regarding already scheduled events.

PUBLIC COMMENT ON THE PUBLIC HEARING: WINERIES

1. Michele Bloomquist, Heisen House Vineyards, proposed changing operation hours of wineries.

Madore inquired about grandfathering rules. Cook responded. Further discussion ensued. Swanson joined the discussion. Further discussion ensued. Madore inquired about the timeline of their actions. Cook responded. Euler stated they would provide a new draft for the following week. Further discussion ensued.

ACTION: Moved by Madore to **AMEND Ordinance 2013-07-11** Section D. Development Standards, subsection 3.4 to **REMOVE** the language “on site” and **ADD** “within the limits of state law.”

Madore inquired about state rules. Cook responded.

Mielke seconded the motion. Commissioners Mielke and Madore voted aye.
Motion carried.

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ACTION: Moved by Madore to **CONTINUE** the Wineries hearing to Tuesday, July 30, 2013 at 10:00 a.m. Mielke seconded the motion. Commissioners Mielke and Madore voted aye. Motion carried.

COMMISSIONER COMMUNICATIONS

Madore and Mielke thanked staff. Madore shared it was his birthday.

Hearing Adjourned

BOARD OF COUNTY COMMISSIONERS



Steve Stuart, Chair



Tom Mielke, Commissioner

David Madore, Commissioner

ATTEST:



Rebecca Tilton, 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.cvttv.org).