

**CLARK COUNTY BOARD OF COMMISSIONERS
MINUTES OF JUNE 25, 2013**

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

10:00 A.M.

PLEDGE OF ALLEGIANCE

The Commissioners led the Pledge of Allegiance.

INVOCATION

Pastor Aaron Knapp, Open House Ministries, delivered the invocation.

CONSENT AGENDA

Stuart stated they were pulling consent agenda item #1 for further discussion. Stuart read consent agenda item #2. Samantha Whitley, Community Services explained more on consent agenda item #2. Bob Nichols, Veterans Resource Group joined the discussion. Further discussion ensued. Stuart read consent agenda items #3- #5. Heath Henderson, Public Works responded. Stuart read consent agenda items #6 - #9.

ACTION: Moved by Mielke to **APPROVE** consent agenda items #2 - #9. Madore seconded the motion. Commissioners Mielke, Madore, and Stuart voted aye. Motion carried.

Pete Munroe, Community Services explained more on consent agenda item #1. Further discussion ensued. Madore stated his concerns with consent agenda item #1. Stuart inquired more. Munroe responded. Further discussion ensued. Bill Barron, County Administrator, joined the discussion. John Payne, Deputy Treasurer, also joined the discussion. Further discussion ensued.

ACTION: Moved by Madore to **AMEND** consent agenda items #1 to ensure the County will not liable in any respect of the loan. Mielke seconded the motion. Commissioners Mielke, Madore, and Stuart voted aye. Motion carried.

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

Stuart spoke about the rules and practices expected of those participating in the hearing.

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PUBLIC COMMENT

1. James E. Barber, Sr. spoke about property values.
2. Bruce Barnes spoke about hoof rot.
3. Ed Barnes spoke about the contract with CREDC.
4. Richard Ashenfelter spoke about jobs in Clark County.
5. Liz Campbell spoke about the interaction with our bedroom communities.
6. Bob Carroll spoke about jobs in Clark County.
7. Sharon Nasset spoke on the Economic Transportation Alliance and local government.
8. Lee Jensen spoke about Madore's actions.

PUBLIC HEARING: MEDICAL MARIJUANA COLLECTIVE GARDENS

Clark County currently has a moratorium in place on the siting of medical marijuana collective gardens. Such gardens are allowed under RCW Chapter 69.51A. The Board of County Commissioners (BOCC) asked the Clark County Planning Commission to consider two options for addressing medical marijuana collective gardens. The first option is a ban on such gardens anywhere in the county. The second is a proposal of where such gardens would be allowed and under what conditions. Included in the proposal could be such things as location criteria, signage, and hours of operation.

Axel Swanson, Senior Policy Analyst presented.

PUBLIC COMMENT ON MEDICAL MARIJUANA COLLECTIVE GARDENS

1. James E. Barber, Sr. stated his concerns with the proposals and suggested the Board to go back to the drawing board.
2. Tedine Roos stated her support of medical marijuana collective gardens.
3. Carol Levanen stated her concerns with marijuana.
4. Sharon Nasset stated her support of the many uses of marijuana.
5. Hanna Perez shared a personal story about her cousin and her support of medical marijuana.
6. Keith Bellisle stated his support of moving forward with creative thinking and focusing on family and protecting the children.
7. Daniel DeShane stated his support of medical marijuana.

Mielke stated his concerns as he took an oath to uphold laws on the Federal level. Chris Horne, Prosecuting Attorney provided further explanation on the proposals. Madore inquired on Clark County's involvement on federal crimes. Horne responded. Stuart stated his concerns with the language in the proposals. Horne responded. Further discussion ensued. Madore confirmed they were not changing the use of medical marijuana. Madore also spoke about upholding the federal laws.

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Further discussion ensued. Madore inquired more information about the two proposals. Horne responded. Swanson stated his recommendation. Mielke inquired about federal / state laws. Horne responded. Further discussion ensued. The Board stated the ordinance needs some clarification. Horne agreed. Further discussion ensued. Stuart stated they needed more clarification on the language in the two proposals and suggested they bring the item back next week. Madore asked Horne on his suggestion. Horne responded. Further discussion ensued.

ACTION: Moved by Mielke to **CLOSE PUBLIC COMMENT** and **CONTINUE** the public hearing to July 2, 2013 at 6:00 P.M. Madore second the motion. Commissioners Mielke, Madore, and Stuart voted aye. Motion carried

PUBLIC HEARING: AMENDMENTS TO THE WINERIES ORDINANCE

The Board of County Commissioners (BOCC) adopted a wineries ordinance in October of 2010. The ordinance created Section 40.260.245 in the Special Uses chapter of the Clark County Code. This hearing will be to consider amendments to the ordinance. Specific issues that are the subject of the hearing relate to: 1) the definition of 'event'; 2) what noise standards should apply to wineries; and 3) how wineries should be able to operate in part as food service establishments.

Gordy Euler, Community Planning presented. Mielke inquired more information about Washington Administrative Code (WAC) noise rules. Marty Snell, Community Development Director, responded. Further discussion ensued. Mielke inquired about the number of events each winery could have per year. Euler responded. Stuart inquired about the deletion of building size. Mielke / Snell responded.

PUBLIC COMMENT ON AMENDMENTS TO THE WINERIES ORDINANCE

1. Julie Syverson, Battle Ground stated her support of wineries but would like them to follow the rules of home businesses.
2. Steve Syverson stated he would like to get rid of amplified sound. *Further discussion ensued.*

Steve Shea, Sheriff's office spoke on noise violations. Further discussion ensued.

CONTINUED PUBLIC COMMENT

3. Mark Levanen spoke about living next to a winery and appreciates working with his neighbor.
4. Jeremy Brown, Rusty Grape Vineyards spoke about his business. *Madore inquired about amplified noise. Further discussion ensued.*
5. Carol Levanen stated her concerns with wineries.
6. Patrick Nash stated his concerns with noise violations and stated his concerns of the multiple uses of wineries.
7. Roger Rezabek, Rezabek Vineyards, made some proposals to the ordinance.
8. Sean Chavez, PREVENT, The Substance Abuse Prevention Coalition of Clark County stated his concerns of the expansion of the wineries ordinance.
9. Lee Jensen spoke about amplified noise.

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Euler spoke on the proposed change to the definition of 'event.' Further discussion ensued. Stuart stated he would like to lower the number of people to 100 from 150 people. Further discussion ensued about amplified noise. Mielke stated he would like the amplified noise to stop at 7:00 PM. Euler spoke about vibration violations. Madore inquired more about WAC rules. Snell explained further. Madore spoke about WAC standards. Further discussion ensued regarding frequency and level of sound. Madore inquired further explanation from Horne regarding noise. Horne responded. Further discussion ensued. Stuart read the Planning Commission recommendation regarding food service. Further discussion ensued. Euler explained further on the options available. Stuart read back the proposed changes.

ACTION: Moved by Mielke to **AMEND** Ordinance 2013-06-22 changing the events definitions, changes to the noise, and changes to food service as well as adding back D.2a language indicated by the Board. Madore seconded the motion. Commissioners Mielke, Madore, and Stuart voted aye. Motion carried.

ACTION: Moved by Mielke to **APPROVE** Ordinance 2013-06-22 as amended. Madore seconded the motion. Commissioners Mielke, Madore, and Stuart voted aye. Motion carried.

COMMISSIONER COMMUNICATIONS

None

Hearing Adjourned

2:00 P.M. PUBLIC BID OPENING

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

BID CRP 312622 & 312422

NE 78th Street & Highway 99 Traffic Signal Optimization

Held a public hearing for Bid CRP 312622 & 312422– NE 78th Street & Highway 99 Traffic Signal Optimization. Priscilla Ricci, General Services-Purchasing, read bids and stated it was the Purchasing Department's intention to award CRP 312622 & 312422 on July 9, 2013 at 10:00 a.m. in the Commissioners hearing room, 6th Floor, Public Service Center.

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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.cvtv.org).