

**BOARD OF COUNTY COUNCILORS
BOARD TIME
MINUTES OF AUGUST 31, 2016**

The Board convened in Conference Room 698, 6th Floor, Public Service Center, 1300 Franklin Street, Vancouver, Washington. Chair Marc Boldt, Councilor Jeanne E. Stewart, Councilor Julie Olson, Councilor David Madore and Councilor Tom Mielke present.

1:32 p.m.

Approval of minutes for August 24, 2016

ACTION: Moved by Stewart to **APPROVE** the minutes for August 24, 2016. Olson seconded the motion. Chair Marc Boldt, Councilors Stewart, Olson, Madore, and Mielke voted aye. Motion carried.

Department of Revenue Proposed Sales Tax Legislation

Mark McCauley, County Manager presented. **He stated they were pulling the item off of the agenda as the State is not moving forward on the item.**

Councilor Reports

Stewart presented two letters written to Secretary Anthony Foxx with the United States Department of Transportation.

She presented the first letter regarding Federal Docket #FHWA-2013-0054 regarding comments on the draft rules for assessing performance on the National Highway System, Freight movement on the Interstate System, and the Congestion Mitigation and Air Quality Improvement Program.

She also presented the second letter regarding Federal Docket # FHWA-2016-0016 regarding comments on the draft regulation for promoting efficient and effective regional transportation planning and the review of the benefits of unified regional transportation planning. Chris Horne, Deputy Prosecuting Attorney, joined the discussion. Further discussion ensued. Stewart spoke about more letters going to the legislators. Further discussion ensued. Madore spoke about getting signatures from the full Board. Further discussion ensued.

Mielke spoke about the Oil Train Fire in Mosier.

Boldt spoke briefly about the 5th Plain Creek project. Further discussion ensued.

Madore inquired about the emergency interim zoning ordinance relating to land use, suspending exemptions to the Concurrency Standards under CCC 40.350.020. Horne responded. Further discussion ensued. Madore stated he wanted all of the information so he could confirm all of the calculations were correct. Further discussion ensued.

Stewart praised Chris Horne.

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The Board adjourned Board Time at 2:10 p.m. and convened for Executive Session re: Pending Litigation scheduled for about ½ hour. Action will be taken after. Adjourned Executive Session. Reconvened for Board Time at 2:40 p.m.

Moving forward with the recall petition appeal

ACTION: Moved by Olson to **AUTHORIZE** the County to defend the council members that are named in the recall petition appeal. Mielke seconded the motion.

Further discussion ensued. Jane Vetto, Prosecuting Attorney, joined the discussion. Further discussion ensued. Madore stated his concerns. Further discussion ensued. Madore referenced RCW 4.96-041.

ACTION: Moved by Madore to **AMEND** the motion to include the condition that public funds would only be authorized if the court finds the accused acted in good faith. Veto spoke about the Clark County Code 2.95.090. Further discussion ensued. Horne joined the discussion. *Motion died to the lack of a second.*

ACTION: Moved by Madore to **AMEND** the motion to include the condition if the Supreme Court finds sufficient evidence for recall then the public funds expended in the defense of the offending Councilors shall be repaid by the same. Mielke seconded the motion. Veto joined the discussion. Further discussion ensued. Councilor Mielke and Madore voted aye. Chair Boldt and Councilors Stewart and Olson voted nay. **Motion failed.**

Madore referenced RCW 4.96-041. Further discussion ensued with the Board and legal staff.

ACTION: Chair Boldt and Councilors Stewart, Olson, and Mielke voted aye to **AUTHORIZE** the County to defend the council members that are named in the recall petition appeal. Councilor Madore voted nay. Motion carried.

ACTION: Moved by Olson to **AUTHORIZE** the County to expend public funds on defense of council members that are named in the recall petition appeal. Stewart seconded the motion.

ACTION: Moved by Madore to **AMEND** the motion to include the condition if the Supreme Court finds sufficient evidence for recall then the public funds be reimbursed. Mielke seconded the motion. Further discussion ensued. Councilor Mielke and Madore voted aye. Chair Boldt and Councilors Stewart and Olson voted nay. **Motion failed.**

ACTION: Chair Boldt and Councilors Stewart, Olson, and Mielke voted aye to **AUTHORIZE** the County to expend public funds on defense of council members that are named in the recall petition appeal. Councilor Madore voted nay. Motion carried.

Adjourned Board Time at 3:05 p.m.

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Note: The audio recording for the August 31, 2016 Board Time meeting can be accessed on the county website (clark.wa.gov/thegrid) on The Grid.

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Marc Boldt, Chair

Jeanne E. Stewart, Councilor

Julie Olson, Councilor

David Madore, Councilor

Tom Mielke, Councilor

ATTEST:

Rebecca Tilton, Clerk of the Council

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