

BEFORE THE WESTERN WASHINGTON
GROWTH MANAGEMENT HEARINGS BOARD

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)	
CLARK COUNTY CITIZENS UNITED,)	No. 16-2-0005c
INC., a Washington nonprofit)	
corporation,)	
)	
Petitioners,)	
)	
vs.)	
)	
CLARK COUNTY,)	
)	
Respondent.)	

VERBATIM REPORT OF BOARD OF COUNTY COUNCILORS COUNTYWIDE
 PLANNING POLICIES MEETING
 (FROM TAPED PROCEEDINGS)

Meeting date: July 15, 2015

Participants: Councilor Tom Mielke, Councilor David Madore,
Councilor Jeanne Stewart, County Manager Mark McCauley,
General Services Director Bob Stevens, Research Analyst/Policy
Assistant Peter Silliman

(Proceedings transcribed by: Adrienne Kuehl)

WHEREUPON, the following proceedings were had and done,
to wit;

1 COUNCILOR STEWART: Do we have no customers?

2 COUNCILOR MIELKE: (Inaudible) used to be.

3 COUNCILOR MADORE: Okay, this is Board time on
4 Wednesday, July 15th at 2:32 p.m.

5 COUNCILOR MIELKE: Okay.

6 MR. MCCAULEY: Could we have Mr. Chair jump the Dolle
7 Building to the top so Bob can leave?

8 COUNCILOR MADORE: Oh, sure.

9 MR. MCCAULEY: So I think Council --

10 COUNCILOR MADORE: Your lead, Tom.

11 COUNCILOR MIELKE: I did. I requested it to come back
12 on the Board, uh, having new information come before us
13 that indeed, we need an additional paper of research or --
14 what do I want to say -- consolidation of the information
15 that we received from the professionals that evaluated the
16 building and whatnot, under the scenario that was brought
17 before by the Board. Even though we've already done these
18 other studies, we don't need to do an additional study.
19 And because of that -- and I wanted to do what you guys
20 wanted to do, but to do it during the hearings. And so I'm
21 hoping -- in fact, I'd like to make to make the motion that
22 we put it on next week's hearing agenda.

23 COUNCILOR MADORE: Okay. Do we have the time to do
24 that? Is that enough notice?

25 MR. STEVENS: I'm working on the staff report now.

1 COUNCILOR MIELKE: Uh huh.

2 MR. STEVENS: Um, I don't -- I don't have the time to
3 get it onto next -- I mean, I've already missed the
4 deadline was today to get it on for next week.

5 COUNCILOR MIELKE: So you have an extra day. But my
6 point is also is that we don't need that report --

7 MR. STEVENS: Well, unless the report is going to be -
8 - is it's going to be a consolidation and a summarization
9 of things --

10 COUNCILOR MIELKE: Right.

11 MR. STEVENS: -- you already heard with just tiny
12 pieces of new information, such as our rate of return.
13 Quite honestly, it's not going to tell you whether you
14 should keep the building, or whether you should get rid of
15 the building.

16 COUNCILOR MIELKE: Uh huh.

17 MR. STEVENS: At this point, the building -- there's
18 logical arguments in both directions.

19 COUNCILOR MIELKE: Well, I guess in fairness to you,
20 the new information that we brought up was the policy and
21 existing ordinance as to identifying something as surplus.
22 And under the existing ordinance that we have, it says that
23 if it's brought up by staff and the manager, then they need
24 to do the summary report. If it's brought up by a board
25 member or by the Board of Commissioners or Councilors, they

1 don't need the final summary of reports. We could accept
2 the reports that we have to make that decision.

3 MR. STEVENS: Well, I think that even in the case of
4 the manager raising it that the first study would qualify
5 as a --

6 COUNCILOR MIELKE: Yeah.

7 MR. STEVENS: -- summary report.

8 COUNCILOR MIELKE: That's kind of my -- my point is
9 that -- and actually, I made the motion to put it on next
10 week's calendar with or without the -- the report.

11 MR. STEVENS: Well --

12 COUNCILOR MIELKE: To me it was an extra -- extra step
13 of work for staff that wasn't necessary.

14 COUNCILOR MADORE: Well, Tom, why don't we do this,
15 because I -- I get that you want to be able to move -- we
16 all want to move, at least, should I say, anytime we have
17 any County business, we want to make sure that we don't,
18 um, not move it along. So in order for the work to be
19 done, and for us to be able to give proper notice, would
20 you entertain a motion to put it on the 28th of July agenda?
21 That's a week from Tuesday. And to invite staff to provide
22 any relevant information along with that.

23 MR. STEVENS: Well, even if we don't do the report,
24 you still have to create some kind of document to vote on.

25 COUNCILOR MADORE: Yeah. Yes.

1 MR. STEVENS: So we still have to pull together a
2 staff report.

3 COUNCILOR MIELKE: No, we don't need a document to
4 vote on. We can -- we can put it --

5 MR. STEVENS: Well, you need something to go on the
6 consent agenda. You just can't pull --

7 COUNCILOR MIELKE: Well, we have the report. We -- we
8 put the summation, identifying it as surplus. And we put
9 in there the reports that we have, that we have -- we can't
10 put the real estate person's report in there because we --
11 we can't give up the cost of that.

12 COUNCILOR MADORE: Yeah, you don't want to disclose
13 the appraisal.

14 COUNCILOR STEWART: I don't -- I don't recall us ever
15 agreeing that that property was surplus. I know you
16 believe it's surplus, and you put that forward. Have we
17 ever taken a vote? I wish Chris was here.

18 COUNCILOR MADORE: Well, that's what the agenda item
19 is.

20 MR. STEVENS: No, you would vote during the -- the
21 public hearing.

22 COUNCILOR MADORE: Uh huh. This is to consider it.

23 MR. STEVENS: But you would -- but you would then have
24 information --

25 COUNCILOR STEWART: Well, I --

1 MR. STEVENS: -- at your disposal to make a decision.

2 COUNCILOR STEWART: Why take it to a public hearing to
3 consider it. Um, why not get the report to us so we can
4 determine if we want it to go forward.

5 COUNCILOR MIELKE: Well --

6 MR. STEVENS: Well, we've brought property forward to
7 ask you to declare it surplus before, and we -- we put it
8 on a consent agenda --

9 COUNCILOR STEWART: Well --

10 MR. STEVENS: -- and then you get it in advance. You
11 know, we sit and go over it on a Monday. And then -- then
12 you vote on it Tuesday. So in that regard, this is
13 identical to what we've done in the past.

14 COUNCILOR STEWART: You know, I think this is
15 different.

16 MR. STEVENS: Well, this is a much more significant
17 asset.

18 COUNCILOR STEWART: Absolutely.

19 MR. STEVENS: It's a more consequential decision for
20 sure.

21 COUNCILOR STEWART: Absolutely.

22 COUNCILOR MIELKE: So it was brought before the Board
23 five weeks ago now for consideration. And every week, we
24 have brought additional documents to review. And -- and
25 last week, we said, well, we're going to hold it off

1 because we have to have a report from the manager. Well,
2 now we've found out we don't have to have a report from the
3 manager. And so I'm asking for it to be put on the next
4 hearing date.

5 COUNCILOR MADORE: Can I clarify something here? And
6 that is that the process that we go through does not
7 presume the outcome. We could guess at --

8 COUNCILOR MIELKE: Correct.

9 COUNCILOR MADORE: -- the outcome. And it's
10 optimistic, it sounds like, that the outcome would be
11 foreseeable. But we don't -- we cannot guarantee it. This
12 is a process to consider it. And in that consideration,
13 whatever relevant data that -- report, another package you
14 -- what else you want to include in that package will be
15 brought forward as part of the agenda item. And then we
16 will consider that information, and we have time between
17 now and then, to do any other one on one, or any other
18 background information in order to inform us so that we can
19 make an informed choice at that time.

20 So if -- if -- if Tom, your motion is to prepare any
21 relevant documents and request staff to prepare any
22 relevant documents that would be useful for us, and to
23 include those documents in the July 28 agenda of our BOCC
24 meeting, then between -- and also, to make those documents
25 available to each of us, and we also have one on ones

1 between now and then, to consider that item on that agenda,
2 then we have a clear path forward.

3 Now, let me simplify that. Create the documents, put
4 it on the 28th -- July 28 agenda.

5 COUNCILOR MIELKE: So we're five -- five weeks into
6 the request.

7 COUNCILOR MADORE: It takes one more patience week to
8 (Inaudible).

9 COUNCILOR MIELKE: And we're looking at two more, so
10 that's going to be seven weeks --

11 COUNCILOR MADORE: July 28.

12 COUNCILOR MIELKE: -- of the request and one report.
13 So --

14 COUNCILOR MADORE: Is that a motion to put it on the
15 agenda and create the documents for July 28th?

16 COUNCILOR MIELKE: I made the motion and I'll accept
17 it (Inaudible) the amendment. But I think it needs to be
18 clear that we could beat this dead horse as much as we want
19 for as long as we want.

20 COUNCILOR MADORE: Yeah. Okay. So --

21 COUNCILOR MIELKE: So it comes to the point of either
22 with the information that we have before us that it's
23 either good, or it's bad. Yes or no.

24 COUNCILOR MADORE: Yes.

25 COUNCILOR MIELKE: And if we go seven weeks on every

1 piece of what I believe through evidence to be surplus
2 property --

3 COUNCILOR MADORE: Uh huh.

4 COUNCILOR MIELKE: -- we might get two of these done
5 this year.

6 COUNCILOR MADORE: So let me -- let me restate what I
7 think the motion is as you communicated, the intent behind
8 it.

9 COUNCILOR MIELKE: Yeah.

10 COUNCILOR MADORE: Staff put together whatever
11 relevant information you think is helpful to us, and
12 include that packet, and put it on the July 28 BOCC agenda.
13 Is that a consent item, by the way, Mark?

14 MR. MCCAULEY: It would be.

15 COUNCILOR MIELKE: So my motion -- you'll have to
16 amend my motion.

17 COUNCILOR MADORE: Actually, that wasn't seconded, so
18 you're making a fresh motion.

19 COUNCILOR MIELKE: Oh, okay. So you want to make that
20 motion?

21 COUNCILOR MADORE: All right. Uh, the motion is I
22 move that we put the Dolle Building and all relevant
23 documents that would be created between now and then -- or
24 compiled between now and then -- on the July 28 BOCC
25 consent item agenda.

1 COUNCILOR MIELKE: I'll second.

2 COUNCILOR MADORE: Okay. All right. Any more
3 discussion? Okay. All in favor?

4 COUNCILOR MIELKE: Aye.

5 COUNCILOR MADORE: Aye. Any no's?

6 COUNCILOR STEWART: No.

7 COUNCILOR MADORE: Okay.

8 COUNCILOR MIELKE: You're a no for the 28?

9 COUNCILOR STEWART: The no is because I think it's
10 premature to take it to a public hearing until we get a
11 full report that tells us what all the implications are. I
12 would think we would take that report, we would review it,
13 and then we would decide if it goes on a public hearing.
14 Not just for this parcel, but any substantial asset that
15 we're gonna sell. So that's my --

16 COUNCILOR MIELKE: Okay. So my --

17 COUNCILOR STEWART: -- view.

18 COUNCILOR MADORE: And after you -- after we vote on
19 something --

20 COUNCILOR MIELKE: Yeah.

21 COUNCILOR MADORE: -- that closes the discussion on
22 that one and we move on to the next item.

23 COUNCILOR MIELKE: I have a statement.

24 COUNCILOR MADORE: So between now -- between now and
25 then, there's opportunity for us each --

1 COUNCILOR MIELKE: Yeah.

2 COUNCILOR MADORE: -- to do individual one on one
3 homework and other -- that's what, two weeks away.

4 COUNCILOR STEWART: I don't want one on one. I want
5 everything on the record. And I want reports that are on
6 the record.

7 COUNCILOR MIELKE: Those were given to you three weeks
8 ago now.

9 COUNCILOR MADORE: All right. So moving on.

10 COUNCILOR MIELKE: The reason I ask that, because I
11 want to make sure that we go back and we follow the
12 policies that --

13 COUNCILOR MADORE: Thanks, Bob.

14 COUNCILOR MIELKE: -- we have in place today as we go
15 forward to address any other considerations of properties.

16 COUNCILOR MADORE: All right. Moving on to --

17 COUNCILOR MIELKE: That's just a statement that I
18 think is -- needs to be said because we're bending over
19 backwards to delay this stuff. And if we're not going to
20 support it, then I guess we'll just forget it.

21 COUNCILOR MADORE: It's on -- it's coming.

22 COUNCILOR MIELKE: So -- okay.

23 COUNCILOR MADORE: It's on July 28th.

24 COUNCILOR STEWART: Mr. Chair?

25 COUNCILOR MADORE: Yes, ma'am?

1 COUNCILOR STEWART: I know you're trying to move on.
2 Um, I believe it was yesterday Mr. Mielke brought me a copy
3 -- a section of the code which he believes says we don't
4 need County Manager approval, or review, or recommendation
5 before we, um, surplus and -- and, um, sell property.

6 I really want a legal opinion on that. I understand
7 that's how you're reading it, and when I --

8 COUNCILOR MIELKE: How did you read it?

9 COUNCILOR STEWART: -- read it --

10 COUNCILOR MIELKE: I gave you -- I gave you the page
11 there.

12 COUNCILOR STEWART: Yes, you gave me the past. I want
13 a legal opinion because previously, we had a legal opinion
14 that said reports were required and so on. Mr. Mielke is
15 making a distinction between what the three of us dream up
16 ought to be sold, versus what the County Manager
17 recommends. I think we need to get that cleared up because
18 I don't think any three commissioners should be deciding
19 which asset should be purged. And I don't believe we would
20 have that -- logically, I don't believe we would have that,
21 um --

22 COUNCILOR MIELKE: That's the way we've done it for
23 the last 35 years.

24 COUNCILOR STEWART: -- prerogative. Well, I just --

25 COUNCILOR MIELKE: So.

1 COUNCILOR STEWART: -- I would like to get an opinion
2 from Chris about that. Because it doesn't seem --

3 COUNCILOR MADORE: Okay.

4 COUNCILOR STEWART: -- logical to me.

5 COUNCILOR MADORE: Well, uh, in point -- point is
6 understood. Uh, Chris Horne does a good job keeping us all
7 out of trouble and making sure that anything we do is
8 kosher, or he'll notify us that we've got to change
9 something. So it's on -- on the right path. He'll
10 automatically inform us if there's a path correction that's
11 necessary. Can we move on to one --

12 COUNCILOR STEWART: No. I want an opinion. I want --
13 I'm requesting a legal opinion from him.

14 COUNCILOR MADORE: (Inaudible) --

15 COUNCILOR STEWART: I don't want him to come to us if
16 he thinks we're on the wrong path because this -- we'll be
17 revisiting this over and over.

18 MR. MCCAULEY: Right. An opinion from Chris will be
19 easy to obtain.

20 COUNCILOR STEWART: Thank you.

21 MR. MCCAULEY: The section of the Clark County Code
22 2.33A.120, Surplus Property Disposition. It's a two-step
23 process. The, um -- the property manager, or the County
24 administrator, whoever, um, shall advise the board, making
25 appropriate recommendation, for the possible use, sale,

1 lease or other disposition of such property. That's step
2 one.

3 Step two is if based on the information provided by
4 the County administrator, the board concludes that the
5 property is surplus, it will be declared such. So it's a
6 two-step process.

7 COUNCILOR STEWART: Yeah.

8 COUNCILOR MADORE: Nowhere in here --

9 MR. MCCAULEY: Actually, as -- as I read that, those
10 are two separate --

11 COUNCILOR MIELKE: (Inaudible).

12 MR. MCCAULEY: If --

13 COUNCILOR MADORE: In any case, we don't need to dive
14 into the details.

15 COUNCILOR STEWART: There's a -- see -- see, there is
16 a dispute --

17 COUNCILOR MADORE: Councilor? Councilor?

18 COUNCILOR STEWART: -- about the --

19 COUNCILOR MADORE: Please don't interrupt. I have the
20 floor. Uh, the -- certainly, the transparency, and the
21 openness, and all of the information being presented in
22 Board time is something we never want to move away from.
23 That is how we do the County business together.

24 But each one of us also have the freedom, and I
25 believe the responsibility to do our individual homework by

1 probing staff, by probing the Prosecuting Attorney, that
2 supplements and satisfies our own unique concerns. This is
3 some -- I highly recommend that if any of us has any
4 questions, and we want to be able to talk to the
5 Prosecuting Attorney, that we pick up the phone, we call
6 Chris, or we walk down to Chris's office, and say, "I've
7 got some questions. Let's have a conversation." And those
8 will allow us each to make sure all those concerns are
9 addressed.

10 We do not only allow staff or Prosecuting Attorney
11 Office to inform us in a public meeting. We also, I think,
12 can move things along one on one conversations. We have
13 the access to staff to inform us so that we can make -- we
14 can move things along.

15 So okay, now can we move to 1.1?

16 COUNCILOR STEWART: Mr. McCauley, was my request
17 clear?

18 MR. MCCAULEY: Uh, it is.

19 COUNCILOR STEWART: Thank you.

20 COUNCILOR MADORE: Okay. Uh, 1.1, approval of minutes
21 for July 7. I'll entertain a motion.

22 COUNCILOR MIELKE: I'll make a motion that we approve
23 the minutes of July 7th, 2015.

24 COUNCILOR MADORE: '15, yeah. Councilor?

25 COUNCILOR STEWART: Second.

1 COUNCILOR MADORE: Okay. Any more discussion?

2 COUNCILOR MIELKE: No.

3 COUNCILOR MADORE: All in favor?

4 COUNCILOR MIELKE: Aye.

5 COUNCILOR STEWART: Aye.

6 COUNCILOR MADORE: Okay. The minutes for July 7 are
7 approved.

8 1.3, TIF Study. Who's leading that, Mark?

9 MR. MCCAULEY: Me.

10 COUNCILOR MADORE: Okay. You got it.

11 MR. MCCAULEY: Um, some time ago, Matt Herman
12 (phonetic) visited with each of you on a Monday. I was out
13 of town that Monday, so I didn't participate. Each of you
14 were briefed on the state of the TIF study that's underway.
15 And during Matt's one on one with Councilor Mielke, he
16 asked that the consultant look at an additional option,
17 which would be to have to three TIF districts. And three
18 would be created by combining Mount Vista and Hazel Dell.

19 And we got a quote from a consultant, and we need an
20 additional \$2,800 or so in budget authority to get that
21 work completed. And since this requires an expenditure of
22 additional resources, I need another councilor to support
23 his request.

24 COUNCILOR MADORE: Okay. Okay. Thank you for that.

25 I have a question. I assume that our staff and the

1 consultant have already discussed the possibility of that -
2 -- of that successful outcome. Is there -- does it look
3 like it could very well be successful, or does it look like
4 it's just documenting how it would not be successful?

5 COUNCILOR MIELKE: Let me help.

6 COUNCILOR MADORE: Okay.

7 COUNCILOR MIELKE: I was in the same meeting. So I
8 asked the question, well, why did you do four and not the
9 two, because you looked at the two and the four. He said,
10 "Because we never looked at the three." Simple as that.

11 COUNCILOR MADORE: So it's worth exploring?

12 MR. MCCAULEY: Well, um, the thing about -- about
13 these -- these impact fees is that there has to be a nexus
14 between the fees collected and --

15 COUNCILOR MADORE: Yes, I get that.

16 COUNCILOR STEWART: -- where they're spent. And the
17 larger the districts become, the more potential there is to
18 have money spent in an area where the impact is not
19 generated.

20 So studying it is a worthwhile endeavor, but there is
21 the potential that they may come up with a conclusion of
22 that type, that the district's too large.

23 COUNCILOR MADORE: In other words, it is premature to
24 even have an inclination as to which way that will lean?

25 MR. MCCAULEY: Yeah, I don't know which way it'll go.

1 COUNCILOR MADORE: Okay. And you're not talking about
2 \$28,000. You're talking about \$2,800.

3 MR. MCCAULEY: Yeah, it's a minimal amount.

4 COUNCILOR MADORE: Okay. Do you want to make a
5 motion?

6 COUNCILOR MIELKE: Yeah. I'd like to make a motion
7 that we authorize the expenditure of approximately \$28,000
8 --

9 COUNCILOR MADORE: Hundred. Hundred.

10 COUNCILOR MIELKE: -- \$2,800 for the, um, additional
11 study on whether or not three TIF districts would be
12 workable.

13 COUNCILOR MADORE: Instead of four. Is there a
14 second?

15 COUNCILOR STEWART: Um, point of clarification. The
16 nexus that is required, is that not a state law that
17 requires --

18 MR. MCCAULEY: I-- I believe it is. I can't cite the
19 RCW.

20 COUNCILOR STEWART: It's not our own code.

21 MR. MCCAULEY: No.

22 COUNCILOR STEWART: It is a state law.

23 MR. MCCAULEY: Right. You can't -- you can't collect
24 money from a developer for an impact and then not use that
25 money to mitigate the impact.

1 COUNCILOR STEWART: Exactly.

2 MR. MCCAULEY: So now staff could ensure -- I mean,
3 they could come up with accounting mechanisms to track
4 where the money was collected, and they could ensure that
5 it would be spent in the appropriate place. But certainly,
6 the potential is greater that money would be misspent if
7 you have a very, very large TIF district.

8 COUNCILOR STEWART: So the transportation staff was
9 recommending four districts for the entire unincorporated
10 area; is that right?

11 COUNCILOR MADORE: Correct.

12 MR. MCCAULEY: Yes. Yes. Inside the urban growth
13 boundary and the rural area.

14 COUNCILOR STEWART: Yes. Okay.

15 COUNCILOR MADORE: Just because discussion of a motion
16 only follows the motion being put on the floor and
17 seconded, I will second the motion. And now we're in the
18 discussion part.

19 COUNCILOR MIELKE: Correct.

20 COUNCILOR STEWART: So and staff thought four
21 districts. I can see why they would think four districts,
22 because we're a fast growing county. And the money needs
23 to be used in proximity. It won't change the amount of the
24 fee, though, correct?

25 MR. MCCAULEY: Well, as I recall --

1 COUNCILOR MIELKE: Absolutely it does.

2 MR. MCCAULEY: -- as I recall, each of those two
3 districts, I think they were charged different fees. There
4 would be a blended rate if they were combined.

5 COUNCILOR STEWART: That's right. I remember seeing
6 that. If, um -- if staff's response was indeed two
7 districts or four districts and they hadn't thought about
8 three districts, um, I won't oppose spending \$2,800 to sort
9 that out.

10 COUNCILOR MADORE: Okay. The motion included the word
11 "Approximately"?

12 COUNCILOR STEWART: Yes.

13 COUNCILOR MIELKE: Uh huh.

14 COUNCILOR MADORE: Because I --

15 MR. MCCAULEY: Yes.

16 COUNCILOR MADORE: Maybe \$2,850 --

17 COUNCILOR MIELKE: It'll probably cost less.

18 COUNCILOR MADORE: -- and .32.

19 COUNCILOR STEWART: Yes.

20 COUNCILOR MIELKE: Or twenty-five.

21 MR. MCCAULEY: There's grace there. The intention
22 there is fine. And the intent for this is to seek a
23 successful outcome of a -- of a smaller number of TIF
24 districts. And I understand --

25 COUNCILOR STEWART: No, that's not the intent.

1 MR. MCCAULEY: Actually, that's my intent. And --

2 COUNCILOR MIELKE: Let me explain --

3 MR. MCCAULEY: -- I think that's Tom's intent.

4 COUNCILOR MIELKE: -- where we came from over the --
5 the years on this.

6 COUNCILOR STEWART: Well, Tom, we had transportation
7 impact areas in Vancouver.

8 COUNCILOR MIELKE: Yeah, and --

9 COUNCILOR STEWART: And I'm familiar with --

10 COUNCILOR MIELKE: Okay. I'm counting those. So what
11 happened, years ago, we questioned the amount we charged
12 for TIF and why do we have so many districts. I think we
13 had seven or eight. What was it?

14 COUNCILOR MADORE: I think it was seven.

15 COUNCILOR MIELKE: Seven -- seven districts. And we
16 tasked the staff to go back and reduce those -- those
17 districts for the purpose of what was going on was that we
18 would collect money in an area and they were much smaller
19 areas. And if we didn't spend that money there within six
20 or seven years, we had to give the money back.

21 COUNCILOR STEWART: Understand that complication.

22 COUNCILOR MIELKE: Far be it for the government to
23 give the many back, so they would go do a third rate
24 project they would never do. So that didn't help us. It
25 didn't help the district. It didn't help anybody.

1 Under the scenario -- and the state just says that we
2 have to have a district. It doesn't say that we cannot
3 have one. But it has to pass certain scenarios. So when
4 they came back and they said, "Well, we want -- we're
5 recommending four", I said, "Well, you haven't reduced it.
6 All you did was remove the three districts in Vancouver."
7 So they hadn't reduced it. And the purpose of reducing it
8 is to allow our staff to pick a project within that
9 vicinity that would be more useful than a project that
10 would not be of high -- high benefit factor.

11 COUNCILOR STEWART: So is the intent of this review to
12 have less districts at lower fees?

13 COUNCILOR MIELKE: The lower fees is going to be part
14 of it. In fact, that was recommended by staff. They said
15 by having fewer districts, that was obvious they could
16 lower the fees.

17 And the proposal that they came even with the four
18 were lower than what they are today.

19 COUNCILOR STEWART: When does this come back to us,
20 um, for some kind of formal review and oversight? Now, to
21 -- to, um, study, um, three districts instead of four,
22 we're agreeing to that. When does this overall, including
23 what the fee structure is -- what the old one was, and what
24 the new one is being proposed to be, do you have any idea
25 when we'll see that back before us?

1 MR. MCCAULEY: I don't know specifically, but I'd say
2 six to eight weeks.

3 COUNCILOR STEWART: Okay.

4 COUNCILOR MADORE: Can I say something here regarding
5 this? This is not simply a study. In order for us to
6 satisfy the legal requirements for TIF districts, and in
7 order to make sure that if anyone in the future is
8 dissatisfied with what they're being charged, and what
9 their funds are being used for, we need to provide a very
10 clear documentation basis that shows the objective way that
11 -- that was used to rationally make that work.

12 In other words, it's like our math teacher used to
13 say, show your work. And this is to not study it. This is
14 to create the document that serves as the foundation. The
15 objective criteria that will serve as the legally
16 defensible basis for anyone in the future to challenge, uh,
17 this fee structure and the fee district.

18 COUNCILOR STEWART: So it is to set up a system of
19 fees that are legally defensible, but really the purpose of
20 it is to mitigate impact caused by certain kinds of
21 development. And to do that in a way that a reasonable
22 enough fee is generated that it allows us to make needed
23 improvements for the benefit of the whole. That's the
24 whole idea of the TIF fees.

25 So it really needs to accomplish two things. And when

1 I hear that we're doing it to make a lower -- a smaller
2 number of districts and to make sure the fee is as low --
3 is reduced or whatever. That's not where I am on the -- on
4 the TIF. It's to be legally defensible and fair, and to
5 create a pool of money in a district that we can reasonably
6 expect to help mitigate traffic impact.

7 MR. MCCAULEY: Related to the development.

8 COUNCILOR STEWART: Related to the development.
9 That's right.

10 COUNCILOR MADORE: Let me also clarify something else.
11 The -- what we have is two ends of a spectrum. At one end
12 of the spectrum, we have too highly constrained districts.
13 The criteria for the funds is too highly constrained to be
14 useful. And, uh, we've got little pockets here, and you've
15 got development there. But it's impacting something else
16 someplace else. And you just can't fix it with that.
17 That's unworkable, and that's been the longer term history.

18 And so what we are trying to do with the fewer
19 districts is to provide one thing: flexibility. So that
20 the -- the person who builds over here, if their traffic
21 impact has to go through an intersection that's further
22 away, but it's clear that that intersection is being
23 impacted by that development, this flexibility of having a
24 larger district would help us -- the funds to be applied
25 from that development to that district -- or to that other

1 location that's large enough to be able to mitigate the
2 effects of that development. So flexibility is the key.
3 That's the goal for having smaller, or fewer districts.
4 Okay. Any more discussion?

5 COUNCILOR MIELKE: No.

6 COUNCILOR MADORE: All in favor?

7 COUNCILOR MIELKE: Aye.

8 COUNCILOR MADORE: Aye.

9 COUNCILOR STEWART: Aye.

10 COUNCILOR MADORE: Okay. Motion passes unanimously.

11 MR. MCCAULEY: Thank you.

12 COUNCILOR MADORE: Okay, thank you. New business.

13 Tom?

14 COUNCILOR MIELKE: Um, we have some more parcels of
15 land coming up. I thought I'd let you know so seven weeks
16 away from now, you can fix it.

17 We have -- we do, um, very much scrutinized every
18 piece of parcel of land that we're looking at as --

19 COUNCILOR STEWART: And --

20 COUNCILOR MIELKE: -- a possibility of being surplus
21 property.

22 COUNCILOR MADORE: Uh huh.

23 COUNCILOR MIELKE: Um, we have -- the next one that's
24 coming up is the Paradise Park, identified as area of a 20
25 acre farm --

1 COUNCILOR MADORE: Uh huh.

2 COUNCILOR MIELKE: -- that we purchased. And across
3 the river from that, we're also looking at I think it's six
4 parcels on the north side of the East Fork that was --

5 COUNCILOR MADORE: Okay.

6 COUNCILOR MIELKE: -- probably a proposed road at one
7 time because the money was spent out of the public works
8 fund.

9 COUNCILOR MADORE: Uh huh.

10 COUNCILOR MIELKE: So, um, we're finding these and
11 we're going to be bringing them forward. And that's the
12 reason I get so, um, wrapped around a process of following
13 the rules and laws and our own ordinances instead of asking
14 for more than what's there. I think if you want to ask for
15 more than what's there, we should probably change our
16 ordinance.

17 COUNCILOR MADORE: Okay.

18 COUNCILOR MIELKE: So.

19 COUNCILOR MADORE: If I can recall correctly, the
20 history behind this is that we voted in the last meeting to
21 move this forward, but we did not specify a date.

22 COUNCILOR MIELKE: That's correct.

23 COUNCILOR MADORE: So what we can do in order to move
24 that one along so that we can consider that with all of the
25 relevant information --

1 COUNCILOR MIELKE: Uh huh.

2 COUNCILOR MADORE: -- we can entertain a motion to
3 take that property and put it on the July 28th, along with
4 the relevant documents as well.

5 COUNCILOR MIELKE: Yeah. I'll wait. I'll wait and
6 bring that to you next week when we have the packet put
7 together for everybody to look at.

8 COUNCILOR MADORE: Okay. How --

9 COUNCILOR MIELKE: Okay.

10 COUNCILOR MADORE: -- we doing with the document
11 package there, Mark?

12 COUNCILOR MIELKE: So I'm not adding anything to next
13 week's.

14 MR. MCCAULEY: I've got to defer to Peter. You were
15 working with (Inaudible).

16 MR. SILLIMAN: Yeah, we were looking at trying to
17 identify a replacement property for Paradise Park. That
18 was the one bought with legacy lands and estate grants.

19 MR. MCCAULEY: Okay.

20 MR. SILLIMAN: We were trying to identify a
21 replacement property, and we haven't fully investigated
22 that yet. Uh --

23 COUNCILOR MIELKE: And actually, I didn't want to go
24 there yet. Just like --

25 MR. SILLIMAN: Okay.

1 COUNCILOR MIELKE: -- like -- like the Dolle Building.
2 If we do sell that, I don't want to have to agree on where
3 we're going to spend that money until after we make that
4 sale. It may not sell --

5 UNIDENTIFIED MALE SPEAKER: Uh huh.

6 COUNCILOR MIELKE: -- for two years.

7 UNIDENTIFIED MALE SPEAKER: Doesn't the State need to
8 bless the replacement property before the sale?

9 MR. MCCAULEY: I'm not sure of the requirement to
10 bless it, or if they just need to be -- they just need to
11 be informed.

12 COUNCILOR MIELKE: I think someone ran that by them.
13 I don't -- I don't think that's correct.

14 MR. MCCAULEY: I can check into that.

15 MR. SILLIMAN: So here's a potential --

16 COUNCILOR MADORE: That would be part of Pat -- that
17 would be part of Pat Lee's (phonetic) report --

18 COUNCILOR MIELKE: Uh huh.

19 COUNCILOR MADORE: -- if (Inaudible).

20 MR. SILLIMAN: A potential way to move that forward
21 would be to declare that parcel surplus and require the
22 exchange property to be identified before it could be
23 actually sold.

24 COUNCILOR MIELKE: Well, see, there's other -- other
25 players here. There's also four or five parcels along the

1 river that we want to purchase on the south side. I think
2 we may have to purchase.

3 COUNCILOR STEWART: Who is "we"?

4 COUNCILOR MIELKE: Me. I have located these things
5 because staff couldn't find them. Four years ago, we asked
6 staff to go find these. And we're building trails. And we
7 want to connect the trails --

8 COUNCILOR STEWART: Tom --

9 COUNCILOR MIELKE: -- you've got to connect --

10 COUNCILOR STEWART: -- none of us alone do anything.
11 We do it as a team.

12 COUNCILOR MIELKE: Right. I'm bringing it back to
13 you. I'll bring it back to you. I'm not doing it. I'm
14 going -- I'm doing the footwork to go find it. If you --
15 you want to go do the footwork with me, you can. But I'm
16 not quite sure how we'd both do the same thing.

17 COUNCILOR MADORE: Okay. So --

18 COUNCILOR MIELKE: So.

19 COUNCILOR MADORE: -- in other words, you are
20 investigating that. You're --

21 COUNCILOR MIELKE: Yes.

22 COUNCILOR MADORE: -- pulling together the
23 documentation. You're not ready to move it forward --

24 COUNCILOR MIELKE: No.

25 COUNCILOR MADORE: -- to a particular date. You're

1 informing us of the process.

2 COUNCILOR MIELKE: Uh huh. And all this information -
3 -

4 COUNCILOR MADORE: Of what you're looking into.

5 COUNCILOR MIELKE: -- all this information is, um,
6 being provided from staff, and they're researching as to
7 when we bought it, what funds were used to buy it, and what
8 that revenue will come back in to purchase it. It has to
9 go back to purchase additional (Inaudible) areas. And
10 that's our intent --

11 COUNCILOR MADORE: Okay.

12 COUNCILOR MIELKE: -- to do that so we can connect our
13 trails instead of having trails to nowhere.

14 COUNCILOR MADORE: Okay.

15 COUNCILOR MIELKE: That's what we have to do.

16 COUNCILOR MADORE: Then you're just providing
17 information to us.

18 COUNCILOR MIELKE: That's all we're doing.

19 COUNCILOR STEWART: Do we -- do we all get copies of
20 all these reports, because --

21 COUNCILOR MIELKE: Absolutely.

22 COUNCILOR STEWART: When?

23 COUNCILOR MIELKE: As soon as I can. As I get
24 information --

25 COUNCILOR STEWART: So we're talking about surplussing

1 (phonetic) it --

2 COUNCILOR MIELKE: No.

3 COUNCILOR STEWART: Agreeing to surplus it?

4 COUNCILOR MIELKE: I'm talking about I will provide
5 you with information -- with a report. It'll probably come
6 from Pat Lee telling when and how much we paid for this
7 property and so on. And any other information we get from
8 staff.

9 MR. MCCAULEY: The other parcels that he referred to
10 is called Paradise Bluff. And they were six parcels that
11 Pat Lee actually brought to my attention a while back. And
12 we -- so we've involved Steve and real property services
13 because public works owns some of them as well. So we had
14 a meeting this morning and talked about those. And they
15 agreed that yes, we should bring -- they should bring that
16 to the Board's attention. And they plan to have them
17 appraised. We'll probably get that back -- back within 30
18 days. And within six weeks, they hope to have it brought
19 to the Board.

20 COUNCILOR MADORE: Okay, so --

21 MR. MCCAULEY: With a report and an evaluation for you
22 to decide if you want to surplus those properties.

23 COUNCILOR MADORE: So I appreciate --

24 COUNCILOR MIELKE: No, I (Inaudible) --

25 COUNCILOR MADORE: -- wait, wait. Just wait, please.

1 COUNCILOR MIELKE: Okay.

2 COUNCILOR MADORE: I appreciate Councilor Stewart's
3 concerns to make sure that we are careful, we're
4 thoughtful, we don't presume the outcome. And this is
5 informational to us, that just letting us know what's in --
6 potentially in the pipeline. You're pulling together
7 documentation that we will consider. And it's not ready
8 yet.

9 COUNCILOR MIELKE: Uh huh.

10 COUNCILOR MADORE: But when you bring the information,
11 then we'll consider the appropriateness of potentially
12 selling one property and exchanging it for the other, or
13 something like that.

14 COUNCILOR MIELKE: Uh huh. Absolutely.

15 COUNCILOR MADORE: That's okay.

16 COUNCILOR STEWART: And that -- that -- thank you for
17 the characterization. That's not quite what I'm getting
18 at. This is another enormously valuable asset. This is no
19 less important than the Dolle Building. In fact, in some
20 ways, it's more important. It's more important because
21 these are parcels in close proximity to the river, and in
22 close proximity or adjoining, um, conservation futures and
23 other things.

24 In that sense, these -- all of these parcels, in
25 conjunction with one another, have a much greater value for

1 the future of our community is how I look at the potential
2 for these. So it's not, um, just the exchange of these.
3 Although, I think we should have a discussion about if we
4 have policies that we preserve green space and open space,
5 or if we see it as marketable. Because that's what --
6 that's how I feel about what's happening with the farm. A
7 willing buyer and a willing seller with no other contingent
8 interest in the proximity and all the rest of that. That's
9 my concern about, um, this is getting its own feet under
10 it.

11 The case is being made to sell that. The case is
12 being made to surplus it without regard to this proximity
13 in the area around it and the potential future use of it.

14 COUNCILOR MIELKE: Well --

15 COUNCILOR STEWART: So that's -- on this parcel,
16 that's my concern. And, um, I'm also concerned that we are
17 having individually parcels brought to us that are
18 significantly valuable assets, and we're kind of
19 piecemealing it. And I don't feel like we've ever sat down
20 and said, um, here is a list in descending order of our
21 most valuable assets that are either land that we own or
22 Dolle Building. And what are we -- you know, based on the
23 reports for these individual parcels, what do we think
24 should be done with them.

25 COUNCILOR MIELKE: So we did do that. We started four

1 years ago doing that. And we said, please bring me a list,
2 just like you said, in that category -- way. And it never
3 came forward. And other than going down there and
4 punishing those people or beating them with a stick --

5 COUNCILOR STEWART: Well, nobody wants to do that.

6 COUNCILOR MIELKE: -- I don't know what you expect of
7 us. When we don't get something -- when we ask for
8 something, we should be given this. But when we have to go
9 out there and we -- we said -- and we get a map, and we
10 start looking at County-owned property, and we question why
11 we owned it -- let me finish. The stuff across the river
12 was bought with public works money. Was that for a road?
13 So we don't know. We are researching that to find out what
14 the purpose of that was.

15 How we got started in this, up there in the Five
16 Corners area, there was a -- a square block up there behind
17 a high density apartment building that we kept getting
18 complaints about because it wasn't taken care of. And so
19 we went to contact that owner to tell them to go clean up
20 their mess, and we found out that we owned it. And we had
21 bought it years ago for a road right of way and never used
22 it. And so it sat there, and sat there.

23 Staff never brought that to us and said, "Look at
24 this. We have this piece of -- one square block out here
25 and it should be surplus because we built a road someplace

1 else." So that's how we got onto doing what we're doing.

2 COUNCILOR STEWART: And I think if we ask for
3 something and we don't get it, we need to find either
4 another way to ask or whatever. Uh, to ask for a report
5 and not get it is a different matter. Because right now
6 we're -- I just want to bring the conversation back to the
7 riverfront property. Because that's sort of where we
8 sprang off onto the other issues.

9 So that's my point about that.

10 COUNCILOR MADORE: Well, let me ask you. What do you
11 suggest in its place? What solution do you offer?

12 COUNCILOR STEWART: I would offer that we consider
13 that in the value that it has in its proximity with what's
14 around it. And instead of seeing it as an asset to sell,
15 that we should think about maintaining those assets in
16 proximity to the river if we already own 'em, to look at
17 future park, or future expansion, or some kind of
18 comprehensive greenbelt.

19 COUNCILOR MADORE: Okay.

20 COUNCILOR STEWART: But not to piecemeal them at this
21 time.

22 COUNCILOR MADORE: Okay. Tell me if this is a good
23 summary of where you're going with that. That the
24 information that's being -- that will be brought forward to
25 us is not to be one-sided to presume to build the case to

1 sell one and buy the other. Instead, you want to be able
2 to make sure it's inclusive enough to include the other
3 potential other uses of that. Why would we keep it, what
4 would be the consequence of keeping it, or is there a
5 better use for it.

6 COUNCILOR STEWART: And I would assume all that should
7 be part of what the manager's report would provide.

8 COUNCILOR MIELKE: It's coming from staff.

9 COUNCILOR MADORE: And that's a reasonable request.

10 So --

11 COUNCILOR MIELKE: Staff is coming back with it.

12 COUNCILOR MADORE: -- we can do that, right?

13 MR. MCCAULEY: Any product given to the Board should
14 have pros and cons with it.

15 COUNCILOR MADORE: Yes. Okay. All right. So we
16 agree that that's the path forward? Okay.

17 COUNCILOR STEWART: For -- for that parcel and --

18 COUNCILOR MIELKE: Any parcel.

19 COUNCILOR STEWART: -- those parcels.

20 COUNCILOR MADORE: Sure. Any parcel.

21 COUNCILOR MIELKE: Any parcel.

22 COUNCILOR STEWART: Yeah.

23 COUNCILOR MIELKE: Any parcel being looked at.

24 COUNCILOR MADORE: Any other thing you want to include
25 in --

1 COUNCILOR STEWART: No. That point is made.

2 COUNCILOR MADORE: Okay. All right.

3 COUNCILOR STEWART: I think it's made.

4 COUNCILOR MADORE: All right. You got another point -
5 - another topic?

6 COUNCILOR MIELKE: No. No. That was -- that was the
7 benefit of the conversation --

8 COUNCILOR MADORE: So --

9 COUNCILOR MIELKE: -- and not cutting it off is that
10 we're not going out there. We're looking -- the policy
11 that we have in the County is that we use the County's
12 property to the best use.

13 COUNCILOR MADORE: (Inaudible).

14 COUNCILOR MIELKE: And if we purchase something for a
15 future park, that's what it is.

16 COUNCILOR MADORE: Uh huh.

17 COUNCILOR MIELKE: But we have to remember, we have to
18 maintain those.

19 COUNCILOR MADORE: Uh huh.

20 COUNCILOR MIELKE: And they're not being -- they're
21 just laying flat -- feral. And they can become a hazard.
22 So we need to recognize what we own, maintain what we own
23 and we're keeping and how we could better use this land.

24 And this kind of came about when we built the trail up
25 there by Battleground Lake. Because we built that one mile

1 trail to nowhere, uh, it cost us over a million dollars.
2 And we had no place for the cars to park. There was no
3 planning along the way. And that's what we're trying to
4 stimulate now is that we plan for parks and trails.

5 COUNCILOR MADORE: Okay. You have any new business?

6 COUNCILOR MIELKE: No, sir.

7 COUNCILOR MADORE: Any other?

8 COUNCILOR STEWART: None.

9 COUNCILOR MADORE: Uh, Peter, you have any new
10 business?

11 MR. SILLIMAN: No, sir.

12 COUNCILOR MADORE: Mark, you have any new business?

13 MR. MCCAULEY: Uh, I don't.

14 COUNCILOR MADORE: Okay. Uh, I don't. So motion to
15 adjourn.

16 MR. MCCAULEY: Well, we do have the two work session
17 requests. Sorry.

18 COUNCILOR MADORE: Oh, okay. You can lead on those,
19 Mark.

20 MR. MCCAULEY: Pardon?

21 COUNCILOR MADORE: You can lead on those.

22 MR. MCCAULEY: Okay. The first is, we've got to
23 update our storm water manual to incorporate changes at the
24 state level. And so the Board is being asked to entertain
25 DES staff so they can present that and receive guidance for

1 the Board so they can meet the submission deadline at the
2 end of the year.

3 COUNCILOR MIELKE: This is something different than
4 what we talked about. Yeah.

5 MR. MCCAULEY: This is the first one.

6 COUNCILOR MADORE: This is entirely new.

7 MR. MCCAULEY: This is the second one.

8 COUNCILOR MADORE: So you just need a green light from
9 us to say is that okay to schedule?

10 MR. MCCAULEY: It is. Yeah. That's what I'm asking
11 for, yes.

12 COUNCILOR MADORE: Okay. Do we have a consensus
13 that's okay?

14 COUNCILOR STEWART: Yes. Do we --

15 COUNCILOR MIELKE: I have a question.

16 COUNCILOR STEWART: -- have any idea when, though?

17 MR. MCCAULEY: Um, they're asking --

18 COUNCILOR STEWART: I didn't --

19 MR. MCCAULEY: -- they're asking for 19 August. And
20 Rebecca will determine whether or not that's a --

21 COUNCILOR STEWART: Okay.

22 MR. MCCAULEY: -- good date.

23 COUNCILOR MIELKE: So my concern or question what this
24 was goes -- isn't what I thought it might be. We have a
25 report coming with the sunset thing that we have to take

1 action about.

2 MR. MCCAULEY: Correct. 21st of July.

3 COUNCILOR MIELKE: Right.

4 MR. MCCAULEY: But that's not a work session. That'll
5 be on the (Inaudible).

6 COUNCILOR MIELKE: Right. Yeah. I didn't want to get
7 away from that.

8 MR. MCCAULEY: Okay. The second --

9 COUNCILOR MADORE: All right. So we have consensus,
10 yes, it's a green light.

11 MR. MCCAULEY: Yes. The second one is a request from
12 Community Planning. When we have the draft SEIS, I just
13 want to know whether the Board would like a work session
14 with Planning staff prior to the joint Councilor -- Board
15 of Councilors Planning Commission joint hearing that are
16 scheduled for the 1st and 3rd of September.

17 COUNCILOR MIELKE: So this is the next work session
18 from what we had today?

19 MR. MCCAULEY: Well, this will be the draft
20 environmental impact statement. That's an important
21 document.

22 COUNCILOR MIELKE: It's the EIS of our comprehensive
23 plan?

24 MR. MCCAULEY: Yeah.

25 COUNCILOR MADORE: Yeah. I have some feedback on

1 that. Like we experienced this morning, we had a work
2 session scheduled before any of us were clued in to the
3 overall, basic, most fundamental information that was to be
4 shared reveals in that -- in that. I would prefer that we
5 make sure that we are up to speed and we comprehend this EI
6 -- this DEIS before we schedule a formal time where we're
7 going to somehow sort it out.

8 I look at the lesson that was learned this morning.
9 I'm going to school here every day. And the lesson I
10 learned this morning is make sure that we have the time to
11 get up to speed first and the relevant documentations, and
12 especially this really big process, important steps that
13 we're taking. I want to make sure that we're up to speed
14 first.

15 MR. MCCAULEY: Yeah.

16 COUNCILOR MADORE: And we have -- only a part of that
17 notebook has been provided to us, the first four chapters.
18 There's more to come. S I don't want to schedule it yet
19 until we get through -- until we can do our homework.

20 COUNCILOR MIELKE: I have a question. Um, as we moved
21 along here, they had started an SEIS as, um, way back when.
22 And when we started saying, well, wait a minute; we're not
23 done looking at our comp plan, we're going to have to pay
24 more money now because the people we're paying to do that
25 environmental impact statement already took a look at what

1 we were doing. But now we have to go back and pay them
2 more because we've added something to it. So I don't want
3 to keep paying someone to do an environmental impact
4 statement until we have our program together.

5 COUNCILOR MADORE: Yeah, I think we're safe there.
6 This doesn't do this. All this does is schedule a time
7 when we take what they already should have wrapped up by
8 then and schedule a time for a work session for us to go
9 over it.

10 COUNCILOR MIELKE: They didn't have it today.

11 COUNCILOR MADORE: No, they didn't. And so I'm saying
12 don't schedule it until --

13 COUNCILOR MIELKE: Yeah.

14 COUNCILOR MADORE: -- we do have it. So okay. So we
15 delay it a little bit until we get --

16 MR. MCCAULEY: Okay, but -- but does -- we're asking
17 whether the Board is interested in having one.

18 COUNCILOR MADORE: Yes.

19 MR. MCCAULEY: If so, then we'll come back at the
20 appropriate time when we have the full product and the
21 Board's comfortable with their understanding of the
22 material.

23 COUNCILOR MADORE: I think it would be -- it's really
24 important that we do have work sessions on this. But I
25 don't want to put them on the schedule until --

1 MR. MCCAULEY: Sure.

2 COUNCILOR MADORE: -- we're up to speed, at least
3 ready for a work session.

4 MR. MCCAULEY: Sure.

5 COUNCILOR MADORE: Does that -- is that --

6 COUNCILOR STEWART: I agree. Um, and I would also
7 like to start that review when I have the whole product.

8 COUNCILOR MADORE: Uh huh.

9 COUNCILOR STEWART: The reason for that is context.

10 COUNCILOR MADORE: Uh huh.

11 COUNCILOR STEWART: I don't want to start picking at
12 it without --

13 MR. MCCAULEY: Right. Well, you were given the
14 partial product because another Councilor asked for it and
15 --

16 COUNCILOR STEWART: Okay.

17 MR. MCCAULEY: -- we wanted all three to have it.

18 COUNCILOR STEWART: That's fine. But when it comes
19 time to the work session, I really want to have the whole
20 product under my belt so I have the context because --

21 COUNCILOR MADORE: Right.

22 COUNCILOR STEWART: -- our participation is better
23 then.

24 COUNCILOR MADORE: I agree. Those work sessions
25 should not be a discovery process. We need to be able to

1 have the opportunity to discover first and then consider
2 what are we going to do with what we discovered during
3 those work sessions.

4 Great. Thank you.

5 MR. MCCAULEY: So you're gonna have -- you're gonna
6 have the draft on August 5th, which is three weeks before
7 this. For the work session, would you like maybe bullet
8 points of topics out -- that we're going to pull out of
9 that to discuss?

10 COUNCILOR MADORE: That DEIS is --

11 MR. MCCAULEY: Uh huh.

12 COUNCILOR MADORE: -- designed to inform us of the --

13 MR. MCCAULEY: Uh huh.

14 COUNCILOR MADORE: -- consequences of -- and the
15 possible mitigations, and the modifications that we ought
16 to make, based on what we have sent to them. And that
17 comprehension of that and us considering what can we do in
18 order to address those concerns in a realistic way, has to
19 happen before we move it to a next public process. So I
20 don't want to define --

21 MR. MCCAULEY: Yeah.

22 COUNCILOR MADORE: -- the bullet points yet or what to
23 follow. We haven't discovered it yet. It's premature.

24 MR. MCCAULEY: No, this is a (Inaudible) half hour
25 work session.

1 COUNCILOR MADORE: Yeah.

2 MR. MCCAULEY: I mean, it's going to take a lot of --
3 lot of work.

4 COUNCILOR MADORE: So at this point I'm not --

5 COUNCILOR MIELKE: (Inaudible) presentation as to
6 where we are.

7 MR. MCCAULEY: Well, the Board -- each Board member is
8 going to have to dig into this --

9 COUNCILOR MADORE: Yes.

10 MR. MCCAULEY: -- separately and understand it
11 individually, notwithstanding what staff might present.

12 COUNCILOR MADORE: So at this point we understand that
13 we need to be able to move the process along. Got that.
14 We can't be delinquent because we're dragging our feet.
15 But at the same time, we want to make sure we do it in a
16 thoughtful, have enough time to do our homework so we can
17 participate in a knowledgeable, more meaningful way --
18 fruitful way when we finally get to the public meetings on
19 this.

20 MR. MCCAULEY: Agreed totally.

21 COUNCILOR MADORE: And that is (Inaudible). Okay.

22 COUNCILOR MIELKE: (Inaudible) --

23 COUNCILOR STEWART: What I would like to see is for
24 all the money we're paying the DEIS consultant, I'm hoping
25 they will have a -- an executive summary, um, which can --

1 which can tell us -- kind of sum up what they think. We
2 may or may not agree with it. But I'd like to see an
3 executive summary by this company telling us where they see
4 the pitfalls, or revisions or whatever. I mean, whatever
5 they -- I have no idea what they might have to say. But --
6 and we may or may not agree with what's in their summary.

7 COUNCILOR MADORE: I would --

8 COUNCILOR MIELKE: I think we're ahead here.

9 COUNCILOR MADORE: Yeah.

10 COUNCILOR MIELKE: I think you're ahead of what we're
11 doing.

12 COUNCILOR MADORE: Yeah.

13 COUNCILOR MIELKE: This is them coming back to us with
14 a draft.

15 COUNCILOR STEWART: Yes.

16 COUNCILOR MIELKE: That we're going to submit to that
17 company.

18 COUNCILOR MADORE: Well, from the company.

19 COUNCILOR STEWART: Well, they're advising us how --

20 MR. MCCAULEY: Yeah, the company's preparing the
21 draft.

22 COUNCILOR STEWART: Yeah.

23 COUNCILOR MADORE: For us.

24 MR. MCCAULEY: That's what we're --

25 COUNCILOR MIELKE: After we put it together. We

1 haven't got it together yet.

2 COUNCILOR STEWART: No. Our consultant is preparing
3 the document. Staff is not preparing the document.

4 COUNCILOR MADORE: Right. In other words, the
5 notebook that's going to come from ESA -- the DEIS notebook
6 is coming to us to inform us and inform staff and their
7 citizens about the proposed --

8 MR. MCCAULEY: Alternatives or options.

9 COUNCILOR MADORE: -- alternatives. And then we have
10 the responsibility to --

11 MR. MCCAULEY: Magic.

12 COUNCILOR MADORE: -- magically put together the
13 recipe for the cake.

14 MR. MCCAULEY: The preferred alternative.

15 COUNCILOR MADORE: Yeah. Okay. So any more --
16 anything else to share from anyone?

17 MR. MCCAULEY: No.

18 COUNCILOR MADORE: Motion to adjourn?

19 COUNCILOR MIELKE: Make a motion to adjourn.

20 COUNCILOR MADORE: Second.

21 COUNCILOR STEWART: Second.

22 COUNCILOR MADORE: All in favor?

23 COUNCILOR MIELKE: Aye.

24 COUNCILOR STEWART: Aye.

25 COUNCILOR MADORE: We're adjourned. Thank you very

1 much.

2 (END OF RECORDING)

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C E R T I F I C A T E

STATE OF WASHINGTON)
) ss.
County of PIERCE)

I, the undersigned in and for the State of Washington,
do hereby certify:

That the foregoing Audio Transcription of the above
was transcribed under my direction; that the transcript is
a full, true and complete transcript of the proceedings,
including all questions, objections, motions and
exceptions; except for those portions shown as Inaudible,
if any;

That I am not a relative, employee, attorney or
counsel of any party to this action or relative or employee
of any such attorney or counsel, and that I am not
financially interested in the said action or the outcome
thereof; That I am herewith delivering the same to Heather
Burgess, Esq. for filing.

IN WITNESS WHEREOF, this 10th Day of November, 2016.

/s/ Adrienne Kuehl
Adrienne Kuehl, Residing
At Tacoma, Washington.