

CHELAN COUNTY BOARD OF COMMISSIONERS
JULY 21, 22, 2003 MINUTES

9:05 A.M. Meeting called to order by Chairman Hawkins. Also present for session were Commissioner Goehner, County Administrator Cathy Mulhall and Clerk of the Board. Commissioner Walter excused from session. Commissioner Hawkins states that a meeting occurred on Friday, July 18, 2003 with Commissioners Hawkins and Goehner, Sheriff Harum regarding fire danger and Forest Service Personnel David Knops and Paul Hart. Commissioner Hawkins was told an emergent situation was arising and plans were being made to put County Sheriff's Department in emergency status. Fire was suppressed and meeting closed.

9:09 A.M. Commissioner Hawkins shares with Board and staff the current dry conditions in area and the potential for disaster from fire. He also explained the challenges for Sheriff's Department in enforcing fire restrictions given the State and Federal Land rules do not coincide with Chelan County's restrictions.

9:12 A.M. Facilities Maintenance Director Pat DuLac meets with Board regarding payroll change notice and hire date for maintenance staff requested new hire.

9:14 A.M. Moved by Commissioner Goehner, seconded by Commissioner Hawkins, and carried that the Board approve the July 14, 15, 2003 minutes as corrected.

9:20 A.M. Moved by Commissioner Goehner, seconded by Commissioner Hawkins, and carried that the Board approve the Consent Agenda as follows:

- Vouchers as submitted
- Payroll changes as follows:
 - a) Jack Brown, Maintenance, New Hire, T010-1
 - b) Dana Vivian, Sheriff, New Hire, S061-4
 - c) Jason Reinfeld, Sheriff, New Hire, S121-1
 - d) Mary Ellen Gormley, Extension, Length of Service, A080-4
 - e) Andrew Behler, Public Works, Temp Summer, T010-1
 - f) Russell Bryan, Solid Waste, Length of Service, T083-3
 - g) Dick Cullinan, Public Works, Length of Service, T082-7
 - h) Mike Seguin, Wen River Park, Length of Serv, \$10.00 hr
 - i) Andres Busso, Farm Worker Camp, Promotion, \$9.00 hr
 - j) Guadalupe Carpio, Farm Worker Camp, Promotion, \$10.00 hr
- Claim for Damages
 1. Refer to Prosecuting Attorney **Claim #2003-38**, Robert Stewart, alleged personal injury 2003C9-60

9:22 A.M. BOARD DISCUSSION:

- Treasurer Dave Griffiths meets with Board regarding bond applications and ratings for proposed bonds

- Cashmere/Dryden Airport clean up and alleged damage Claim No. 2002-61 filed by Bert Paine
- “State of the County” report model used by other county entities
- Chelan County Fair Board Meeting and loading dock damage issues 2003C8-269
- Concerns voiced earlier by Monitor Park Manager Jerry Niebuhr in reference to upgrades on irrigation of the park and the effects on the operation of the park.
- Council of Government Meeting topics of storm water issues and fireworks concerns

ADMINISTRATIVE AGENDA

County Administrator, Cathy Mulhall

10:03 A.M. DISCUSSION ITEMS:

1. 2004 Budget Calendar
2. Discussion on request for two year budget cycle
3. EBA request from Probation Services
4. Leavenworth Chamber request for reporting format on hotel motel tax expenditures
5. Executive Session Re: Negotiations will be postponed
6. Administrative Update – County Administrator Schedule

10:34 A.M. ACTION ITEMS

Moved by Commissioner Goehner, seconded by Commissioner Hawkins and carried that the Board approve the following action items (**adding**) item **4(b)**

1. Budget Transfer

- a. Sheriff to transfer \$27,000 from wages to extra help and overtime
2003B4-151

2. Notice of Hearing

- a. Emergency Budget Appropriation – REET 1 \$200,000 2003H6-36
- b. Emergency Budget Appropriation Emergency Management \$4,482
2003H6-37

3. Contracts

- a. Statewide Rent-a-Fence Renewal for 12 months – Migrant Camp
2003C5-29

4. Miscellaneous

- a. 2004 Budget Calendar
2003B4-152
- b. (**Added**) Signing of letter to Robert King of Department of Community Trade and Economic Development regarding improvements at Farm Worker Housing Camp
2003C8-270

10:42 A.M. Board Discussion Continued:

- Building and Planning Director Larry Angell present to discuss planning issues and County Road Standards, Proposed Development Regulation Amendments. Manson Bay Moorage Project also discussed

NATURAL RESOURCES PROGRAM

Mike Kaputa, Natural Resources Project Coordinator

11:07 A.M. DISCUSSION ITEMS:

1. Architect Concept Departmental Spatial Program
2. Habitat Conservation Plans update next week
3. North Road Culvert Replacement Project
4. Wenatchee Foothills Planning Grant
5. Entiat and Wenatchee Watershed Planning Instream Flow discussions to begin
6. Pesticide Study and Fecal Choloform issue
7. EPA ruling on buffers for use of pesticides near streams
8. Coliform and chemical Tests show contamination where there is no use

11:34 A.M. Board Discussion Continues:

- Commissioner Hawkins announces the Governor's appointment of former Commissioner John Hunter to a six year term on the Washington State Department of Fish and Wildlife Commission.

11:40 A.M. Board recessed

CHELAN COUNTY SHERIFF

Chelan County Sheriff Mike Harum, Chief Civil Deputy Horaski

1:37 P.M. DISCUSSION ITEMS:

1. Landlord/tenant laws regarding Farm Worker Housing Camp
2. Western Avenue Fire Station proposal for Emergency Services
3. Marine One and trailer sold
4. Forest Service meeting regarding current fire conditions and possible restriction changes
5. Emergency Management position opening
6. Dispatch overtime issue

ACTION ITEMS:

2:25 P.M. Moved by Commissioner Goehner, seconded by Commissioner Hawkins and carried that the Board approve the following action items **(adding)** item **3(a)**:

1. **Contracts/Agreements**
 - a. Authorization for Sheriff to sign Motorola Radio Service Software License Agreement 2003C5-30
2. **Budget Requests – Payroll Change Notices/Personnel**
 - a. Sharon Mattoon, Sheriff Communications, Extra Temp Help \$14.89 hr
 - b. Gilbert Wheeler, Sheriff Emergency Management, S061 \$2987.60 per month 2003B4-153
3. **Budget Requests – Equipment Purchase**
 - a. **(Added)** Wavelength Program Del Computer Equipment 2003B4-154

DEPARTMENT OF CORRECTIONS

Regional Justice Center Director Dick Winn

2:15 P.M. DISCUSSION ITEMS:

1. Current inmate population at 279
2. Inmate safety issue
3. Drug dog status
4. Hearings and other related safety issues for inmates

2:42 P.M. ACTION ITEMS:

Moved by Commissioner Goehner, seconded by Commissioner Hawkins, and carried that that Board approve the following action items:

1. Contracts/Agreements

- a. Authorization for Director Winn to sign DOC Contract No. CMCN6088
for Canine Training 2003C5-31

2:55 P.M. Board Discussion Continues:

- DOE report pertaining to Earl Burts recycling conditional use permit Documents will be distributed at Health District Meeting. Mr. Burts present for session.
- Proposed budget issues for capital murder trials
- Manson tourism project
- County Road Administration Board allocations to Washington Counties

3:27 P.M. Moved by Commissioner Goehner, seconded by Commissioner Hawkins and carried that the Board recess until Tuesday, July 22, 2003. Board recessed.

Tuesday, July 22, 2003

(Commissioner Walter excused from session)

8:57 A.M. BOARD DISCUSSION:

- Department of Ecology site visit to recycling area
- (8:58 a.m.) Gary Riesen updates Board on Tort Claim matters. No loss has been placed on claims filed by Robert Stewart (which comprise of approximately half of County's outstanding Tort Claims)
- Cashmere/Dryden Airport clean up and alleged damage claim by Bert Paine Claim No. 2002-61
- Case opinion shared with Commissioners

9:23 A.M. Moved by Commissioner Goehner, seconded by Commissioner Hawkins and carried that that Board move into five minute executive session pursuant to RCW 42.30.110(i) (counsel present)

9:30 A.M. Board resumes regular session. Board recessed.

9:38 A.M. Presentation by Lake Chelan Chamber Members Colleen Crawford-Davis and Emmit Aston on Hotel Motel Tax Expenditures

PUBLIC WORKS DEPARTMENT

Public Works Director Greg Pezoldt

10:07 A.M. DISCUSSION ITEMS

1. Temporary Access Agreement for Jeffrey L. and Mellany Pagel
2. Temporary Access Agreement for Lance A. and Mary I. Luczynski
3. Call for Bids for Dryden Transfer Station Landfill Cover (to be pulled at department's request)
4. Department of Natural Resources – County Road Easement
5. CRAB Assessments
6. County Road Standards
7. Secondary Access Roads

10:48 A.M. ACTION ITEMS:

Moved by Commissioner Goehner, seconded by Commissioner Hawkins and carried that the Board approve the following items **pulling** item **2(a)** as requested by the Public Works Director:

1. **Agreements for Signature**
 - a. Temporary Agreement for Access and Construction Easement between Chelan County and Jeffrey L. and Mellany Pagel for Chumstick Highway, CRP 525 2003A5-101
 - b. Temporary Agreement for Access and Construction Easement between Chelan County and Lance A. and Mary I. Luczynski for Chumstick Highway, CRP 525 2003A5-102
2. **Call for Bids**
 - a. **(Pulled)** Dryden Transfer Station Landfill Cover
3. **Easement for Signature**
 - a. County Road Easement between Chelan County and State of Washington Department of Natural Resources 2003R1-8

BUILDING/PLANNING/FIRE SAFETY

Planning Director Larry Angell, Assistant Director Deanna Walters

10:50 A.M. DISCUSSION ITEMS

(Hank Manriquez of the Cascade Farmland Association present for discussion)

1. Request refund of \$1030.00, receipt #013520, to Todd Jackson, agent for property owner Barry Eberhardt for SDP 2003-015, a Shoreline Substantial Development Permit to construct a private boat dock and reinforce a pier. The property is located at 1190 South Lakeshore Road, Chelan. Mr. Jackson's client has decided to withdraw his application. The Planning Department has not yet begun the processing of this application; therefore, we request a full refund of the application fees.
2. Request for Shoreline/Common Line Setback Waiver by Mr. Roger Taylor. Mr. Taylor has requested a waiver to the Common Line Setback requirement of

the Chelan County Shoreline Master Plan to be allowed, placing his structure approximately 29 feet from the ordinary high water mark in lieu of the required 41 foot Common Line Setback.

3. Archival Grant Application

11:14 A.M. ACTION ITEMS:

Moved by Commissioner Goehner, seconded by Commissioner Hawkins and carried that the Board approve the following (**pulling**) item **1(b)**

1. **Budget Requests/Refunds**

- a. Request refund of \$1030.00, receipt #013520 2003B4-155
- b. (**Pulled**) Request for Shoreline/Common Line Setback Waiver by Mr. Roger Taylor

11:17 A.M. Board Discussion Continues:

- Letter from Elisha Schmidt regarding financing issues associated with dwellings/mobile homes
- Commission packets for Public Hearing to follow.

**11:31 A.M. EMERGENCY BUDGET APPROPRIATION
Department of Natural Resources - \$47,500**

11:32 A.M. ACTION ITEM:

Moved by Commissioner Goehner, seconded by Commissioner Hawkins and carried that the Board approve the following:

1. **Resolution**

- a. Adoption of **Resolution No. 2003-88** for an Emergency Budget Appropriation for Department of Natural Resources in the amount of \$47,500.00

11:32 A.M. Board Discussion Continues:

- Public hearing agenda for adoption of proposed development regulation amendments

12:06 P.M. Recessed

2:33 P.M. Board resumes session. Board Discussion:
(Chief Civil Deputy Mark Horaski present for discussion)

- 911 Vouchers for approval

2:34 P.M. ACTION ITEM:

Moved by Commissioner Goehner, seconded by Commissioner Hawkins and carried that the Board approve the following action item:

1. **Budget Request/Vouchers**

- a. E 911 Vouchers for Verizon Northwest and Qwest in the amount of \$81,518.21 which are 100% reimbursable from 911 state funds.

2003B4-156

2:35 P.M. Recessed

3:00 P.M. PUBLIC HEARING (Chelan County Auditorium, 400 Douglas Street)

Re: Adoption of proposed development regulation amendments

(Tape July 22, 2003-1/0)

3:02 P.M. Hearing Called to Order by Commissioner Hawkins. All Commissioners present for hearing. Also present is Clerk of the Board. County Staff present is Building and Planning Director Larry Angell, Assistant Director Deanna Walters, Senior Planner David Grimes, Planner II Cliff Wavra, and Code Enforcement Officer Ryan Walker. (See attendance roster) Letters submitted by Hank Manrriquez and Steve and Jill Gustafson are read on record.

C-8a

1. COUNTY INITIATED REQUEST FOR INTERIM OFFICIAL ZONING CONTROLS FOR THE FOLLOWING DEVELOPMENT REGULATIONS TEXT AMENDMENT

Request from the County to add to Chelan County Code Chapter 11.30.040 providing for additional retail sales/service uses and activities in the Commercial Agriculture Zone District and adding a new section to Chelan County Code Chapter 11.93 establishing definitions and standards for retail sales activities

Resolutions

- a.* Based upon recommendation by staff it was **moved** by Commissioner Goehner, seconded by Commissioner Walter and carried to adopt **Resolution No. 2003 – 89** for County initiated request for interim official zoning controls for the following development regulations text amendments for additional retail sales/service uses and activities in the Commercial Agriculture Zone District and adding a new section to Chelan County Code Chapter 11.93 establishing definitions and standards for retail sales activities

(Tape July 22, 2003-1/3716)

Request from the County to add provisions to Title 11, Zoning Resolution for Home Based Businesses as a conditional use in Rural Residential Resource Zones.

Resolutions (Continued)

- b.* Based upon recommendation by staff it is **Moved** by Commissioner Walter, seconded by Commissioner Goehner and carried to adopt **Resolution No. 2003 – 90** County initiated request to add provisions to Title 11, Zoning Resolution for Home Based Businesses as a conditional use in Rural Residential Resource Zones

(Tape July 22, 2003-1/5118)

2. CITIZEN OR PUBLIC AGENCY REQUEST FOR THE FOLLOWING DEVELOPMENT REGULATIONS TEXT AMENDMENT

Request from the Public Utility District (PUD) No. 1 of Chelan County to consider a text amendment to Title 12, Subdivision Resolution to establish an alternative process for government entities to segregate property for public use and benefit.

Resolutions (continued)

- c. Based upon the recommendation by staff it was **moved** by Commissioner Goehner, seconded by Commissioner Walter and carried to adopt **Resolution No. 2003 – 91** text amendment to Title 12 Subdivision Resolution to establish an alternative process for government entities to segregate property for public use and benefit

(Tape July 22, 2003-1/5479)

COUNTY INITIATED REQUEST FOR THE FOLLOWING DEVELOPMENT REGULATIONS TEXT AMENDMENT

Request from the County to consider a text amendment to Title 11, Zoning Resolution, Chapter 11.89 Master Planned Resorts Overlay District (MPR), Section 11.89.050 Development Standards.

Resolutions (continued)

- d. Based upon the recommendation by staff it was moved by Commissioner Walter, seconded by Commissioner Goehner and carried to adopt **Resolution No. 2003 – 92** text amendment to Title 11, Zoning Resolution, Chapter 11.89 Master Planned Resorts Overlay District (MPR), and Section 11.89.050 Development Standards.

(Tape July 22, 2003-1/end through 2003-2/1025)

STAFF INITIATED REQUEST FOR THE FOLLOWING DEVELOPMENT REGULATIONS TEXT AMENDMENTS

TITLE 11, ZONING AMENDMENTS

- 1. Modifications to Chapter 11.04 Definitions: Mineral Extraction, Long Term and Mineral Extraction, Short Term.**
- 2. Allow Manufactured Home Sales as a permitted use under Chapter 11.26 Rural Industrial (RI), Chapter 11.50 Industrial (I), and Chapter 11.48 General Commercial (CG).**
- 3. Modified the current language in Chapter 11.96.020 Authorization to initiate amendments to be consistent with Chapter 14.14.030 Initiation of Amendments.**
- 4. Miscellaneous typographical errors**

5. Inclusion of Condition Use Permit criteria for Places of Public and Private Assembly.

Resolutions (continued)

- e. Based upon the recommendation by staff it was **moved** by Commissioner Walter and seconded by Commissioner Goehner to adopt **Resolution No. 2003 – 93** zoning amendments for definitions long term and short term mineral extractions; allowing manufactures home sales as a permitted use under 11.26 (RI), Industrial(I), and General Commercial (CG); modify language in Chapter 11.96.020 to initiate amendments to be consistent with Chapter 14.14.030

(Tape July 22, 2003-2/1390)

STAFF INITIATED REQUEST FOR THE FOLLOWING DEVELOPMENT REGULATIONS TEXT AMENDMENTS

TITLE 11, ZONING AMENDMENTS

Resolutions (continued)

- f. Based upon the recommendation by staff it was **moved** by Commissioner Walter and seconded by Commissioner Goehner and carried to adopt **Resolution No. 2003 – 94** zoning amendments to modify language in Chapter 11.32 Commercial Forrest Lands (FC) relating to setback requirements for dwellings and accessory

(Tape July 22, 2003-2/1733)

STAFF INITIATED REQUEST FOR THE FOLLOWING DEVELOPMENT REGULATIONS TEXT AMENDMENTS

TITLE 11, ZONING AMENDMENTS

Resolutions (continued)

- g. Based upon the recommendation by staff it was **moved** by Commissioner Walter, seconded by Commissioner Goehner and carried to adopt **Resolution No. 2003 – 95** zoning amendments to modify language in Chapter 11.88 Setback Provisions under Chapter 11L88 Supplementary Provisions and Accessory Uses addressing setbacks from easements

(Tape July 22, 2003-2/2444)

STAFF INITIATED REQUEST FOR THE FOLLOWING DEVELOPMENT REGULATIONS TEXT AMENDMENTS

TITLE 11, ZONING AMENDMENTS

Resolutions (continued)

- h. Based upon the recommendation by staff it was **moved** by Commissioner Goehner, seconded by Commissioner Walter and carried to adopt Adoption of **Resolution No. 2003 – 96** inclusion of two new sections (Section 11.93.390 Short Term Stockpiling of

Inert Waste including concrete, asphalt, earth and rock and section 11.93.400
Recycling of Inert Waste) to Chapter 11.93
(Tape July 22, 2003-2/2898)

TITLE 12, SUBDIVISION AMENDMENTS

- 1. Inclusion of a new section (Section 124 Aliquot Parts legal Descriptions) to Article I General Provisions.**
- 2. Include new language to Section 420.620 - Written Data.**

Resolutions (continued)

i. Based upon the recommendation by staff it was **moved** by Commissioner Walter, seconded by Commissioner Goehner and carried to adopt **Resolution No. 2003 – 97** inclusion of a new section (Section 124 Aliquot Parts Legal Descriptions) to Article I General Provisions and Include new language to Section 420.620 – Written Data
(Tape July 22, 2003-2/3428)

TITLE 14, DEVELOPMENT PERMIT PROCEDURES AND ADMINISTRATION

- 1. Modifications to the current language in Section 14.08.010 Pre-application meetings.**
- 2. Modifications to the current language in Section 14.10.040 Quasi-judicial review of applications.**
- 3. Modifications to the current language in Section 14.10.060 Notice of final decision.**
- 4. Modifications to the current language in Chapter 14.12 Appeals.**

Resolutions (continued)

j. Based upon the recommendation of staff it was **moved** by Commissioner Walter, seconded by Commissioner Goehner and carried to adopt **Resolution No. 2003 – 98** Development Permit Procedures and Administration for modifications to the current language in Sections 14.080.10 preapplication meetings; 14.10.040 Quasijudicial review of applications; 14.10.060 Notice of final decision; 14.12 Appeals
(Tape July 22, 2003-2/3880)

5:35 P.M. Moved by Commissioner Goehner, seconded by Commissioner Walter and carried that the Board adjourn until Monday, July 28, 2003. Board adjourned.
(Tape July 22, 2003-2/4074)

Filed Correspondence:

- Public records request from Robert Stewart and response 2003C8-271
- E mail correspondence from Bob Jankelson thanking Commissioners for Round Table Meeting 2003C8-272
- Letter from WSLCB for application of liquor license for Duffy's Tavern

- Letter from WSLCB for application of liquor license for High Cascade Friends of NRA
Special Occasion Permit 2003L1-27

Vouchers Approved for Payment

Current Expense		\$	
All Other Funds			27,219.67
Total All Funds	\$		27,219.67

Vouchers Approved for Payment

Current Expense		\$	347,999.54	2003B4-157
All Other Funds			846,089.08	
Total All Funds	\$		1,194,088.62	

BOARD OF CHELAN COUNTY COMMISSIONERS
 BUELL HAWKINS, CHAIRMAN

JANET K. MERZ, Clerk of the Board