

CHELAN COUNTY BOARD OF COMMISSIONERS
JANUARY 31, FEBRUARY 1, 2005 MINUTES

9:02 A.M. Meeting called to order by Chairman Walter. Also present for session were Commissioner Hawkins, Commissioner Goehner, County Administrator Cathy Mulhall and Clerk of the Board.

9:02 A.M. Moved by Commissioner Goehner, seconded by Commissioner Hawkins, and carried that the Board approve the January 24, 25, 2005 minutes as corrected.

9:05 A.M. Moved by Commissioner Goehner, seconded by Commissioner Hawkins, and carried that the Board approve the Consent Agenda as follows (**Pulling**) item (**q**) for further information and evaluation and (**Adding**) item (**r**):

- Vouchers as submitted
- Payroll changes as follows:
 - a) Brian Kelly, Assessor, Length of Service Increase
 - b) Sally Taylor, Commissioners, Change to $\frac{3}{4}$ Time
 - c) Gary Loth, Sheriff, Length of Service Increase
 - d) Bryan Jones, Sheriff, Length of Service Increase
 - e) Curt Varner, Sheriff, Length of Service Increase
 - f) Chris Foreman, Sheriff, Length of Service Increase
 - g) Mike Langford, Sheriff, Length of Service Increase
 - h) Joe Walden, Sheriff, Length of Service Increase
 - i) Mike McLeod, Sheriff, New Hire
 - j) Jeffrey Aldrich, Regional Justice Center, Length of Service Increase
 - k) James Bangs, Regional Justice Center, Length of Service Increase
 - l) James Brown, Regional Justice Center, Length of Service Increase
 - m) Billye Hope, Regional Justice Center, Length of Service Increase
 - n) Terry Parker, Regional Justice Center, Length of Service Increase
 - o) Timothy Parks, Regional Justice Center, Length of Service Increase
 - p) Tommy Van Lith, Regional Justice Center, Length of Service Increase
 - q) (**Pulled**) Michael Kaputa, Natural Resources Program, Stipend
 - r) (**Added**) Ryan Walker, Building/Planning Reclassification by Committee and Reevaluation by Commissioners

9:16 A.M. BOARD DISCUSSION:

- Correspondence from Marjie Stewart regarding Airport Fuel Storage Issue
2005C8-17
- Public Lands Meeting Update
- Wenatchee Watershed Meeting Update

9:51 A.M. Recess

ADMINISTRATIVE AGENDA

County Administrator, Cathy Mulhall

Public Hearing on Assessment Roll for Mosquito Control District

9:59 A.M. Public Hearing opened by Chairman Walter to discuss Assessment Role for Chelan County Mosquito Control District Number 2 (Leavenworth Mosquito Control District). Present for hearing is Tom Guthrie, President of Chelan County Mosquito Control District. On January 10, 2005 the Board of Commissioners approved Resolution No. 2005-10 for the Open Assessment Role for the Chelan County Mosquito Control District Number 2. There were no changes to those assessments and roles are accurate. It was **consensus** of Board to reaffirm Resolution No. 2005-10. Hearing closed.

10:01 A.M. DISCUSSION ITEMS:

1. Robert Knowles, Project Manager, Partial Substantial Completion Documents 316 Building. It was recommended by Project Manager Robert Knowles to approve the partial substantial completion certificate and execute a letter to GG Richardson identifying all items to be completed on Change Order Number 5. Occupancy is to begin approximately February 18.

10:13 A.M. Moved by Commissioner Hawkins, seconded by Commissioner Goehner and carried that the Board accept recommendation and approve Certificate of Partial Substantial Completion of 315 Building (*Administrative Agenda Item 3(a)*) and **consensus** to approve letter from Robert Knowles to GG Richardson on close out requirements.

1. **Contracts/Agreements:**

- a) Substantial Completion Documents 316 Building 2005A5-23

10:19 A.M. Administrative Discussion Items Continue:

2. Autopsy Funding

10:21 A.M. ACTION ITEMS:

Moved by Commissioner Hawkins, seconded by Commissioner Goehner and carried that the Board approve the following action items (**pulling**) item **3(a)** *previously approved (see 10:13 a.m.)*

1. **Budget Transfer**

- a) Coroner to Transfer \$30,509.00 from Autopsies to Autopsy Stipend 2005B4-18

2. **Budget Request**

- a) DIS to Purchase 1 Dell Powervault Network Tape Drive, \$3,950.00 2005B4-19

3. **Contracts for Signature**

- a) (**Pulled** Previously Approved) Substantial Completion Documents 316 Building
- b) Clerk Data Access Agreement with Shepard Law Office 2005A5-24
- c) Clerk Data Access Agreement with Fuller & Associates 2005A5-25
- d) Clerk Data Access Agreement with John Kutscher of Seattle 2005A5-26
- e) Clerk Data Access Agreement with Ogden, Murphy and Wallace 2005A5-27

- f) Dental Benefits Contract between Chelan County and Washington Dental
2005A5-28
- g) Agreement for Emergency Services between Chelan County Emergency
Management and the City of Chelan
2005A5-29

4. Hearing Notices

- a) Emergency Budget Appropriation for Regional Jail Partnership, \$1,780,546.00
Jail Expansion Project
2005H6-5
- b) Request for Vendors for 2005
2005H6-6

10:22 A.M. Recess

10:49 A.M. Board Discussion Continues:

- Letter to Congressman Doc Hastings Requesting Continued Funding for Senator
George Sellar Bridge West Side Improvement Project
2005C8-18
- Public Guidelines for ZC/CPA Public Hearing
- 2005 Planning Commission Appointments
- Courthouse Preservation Grants - Current project does not meet grant requirements
- Feb 11 Canvassing Board
- Fairview Recycling – 2004 report submitted by Earl Burts showing 5.1 million
pounds of recycled metal through Fairview Recycling alone
2005C8-19
- Possible Recycling Grant for Metal Baler
- Attorney Notification - Regressive Bargaining Claims Dropped by Union
- Department of Ecology Letter to Robert Stewart regarding Pollutants In and Near
Mission Creek
2005C8-20

11:00 A.M. BID OPENING – Chelan County Fairgrounds Lot “A” Improvements

Bid Opening for Chelan County Fairgrounds Lot A Improvements Project by
Commissioners’ Office with Robert Knowles as Project Manager. Bid Opening Closed
to Further Bids by Chairman Walter.

Bid opening proceeds with three bids submitted as follows:

	<u>Base Bid</u>	<u>Total w/ Addendum</u>
Bremmer Excavation	\$33,000	\$606,409.00
J&K Excavation	\$29,000	\$661,557.00
Pipkin Construction	\$40,000	\$597,453.00

11:12 A.M. Board accepts the bids as submitted. Bid to be awarded on Tuesday, February 1,
2005 at 11:00 a.m. after review by Project Manager Robert Knowles to insure bids meet
bid criteria.
2005B1-7

11:18 A.M. Board Discussion Continues:

- Public Guidelines for ZC/CPA Public Hearing

NATURAL RESOURCES PROGRAM

Mike Kaputa, Natural Resources Project Coordinator

11:32 A.M. DISCUSSION ITEMS:

1. Department of Ecology Grant Agreement #G0500100 re: Roses Lake Weed Management
2. Roses Lake Association Interlocal Agreement re: Roses Lake Weed Management
3. US Forest Service Collection Agreement re: Entiat Salmon Recovery
4. Chelan County Interlocal Agreement re: Entiat Salmon Recovery
5. Land Use Incentive Programs
6. Pulled Payroll Change Notice Consent Agenda Item (q)
7. Miscellaneous

11:57 A.M. Moved by Commissioner Hawkins, seconded by Commissioner Goehner and carried that the Board approve the following **(Added)** action items:

1. **Contracts/Agreements**
 - a) **(Added)** Department of Ecology Grant Agreement #G0500100 re: Roses Lake Weed Management 2005A5-30
 - b) **(Added)** Roses Lake Association Interlocal Agreement re: Roses Lake Weed Management 2005A5-31

11:58 A.M. Recess until Tuesday, February 1, at 8:45 a.m.

Tuesday, February 1

8:47 A. M. Conference Call from Jim Potts Legislative Liaison Re: Legislative Issues

9:01 A.M. Board Discussion:

- Secretary of State Letter regarding Proposed Changes in Election Procedures 2005C8-21

**9:10 A.M. Facilities Maintenance Director Pat DuLac
DISCUSSION ITEMS:**

1. Extra Help for Project Oversight at Fairgrounds
2. Superior Court Parking Space Request for Jurors
3. Employee Injury Status
4. Departmental Storage Requests
5. District Court Courtroom Roof Repair

9:21 A.M. Board Discussion Continues:

- Charlie Olinghouse Discusses Building Permit Issues.

(9:23 A.M. Commissioner Goehner excused to Planning Department)

- 2004 Ending Fund Balance/Year End Financial Report
- Request for Out of State Travel from Sheriff's Office and Payroll Change Notice from Elections

9:25 A.M. Moved by Commissioner Hawkins, seconded by Commissioner Walter and carried that the Board approve the following **(Added)** Action Items:

1. Budget Request/Out of State Travel

- a) **(Added)** Out of State Travel Request for Jason Matthews and Jeff Dilks to Travel to Rancho Cordova, CA Feb 8-18 for Clandestine Laboratory Investigation Training 2005B4-20

2. Payroll Change Notice

- s) **(Added)** Lindsey Kelly, Elections, Extra Help New Hire

9:26 A.M. Recess

9:32 A.M. Greg Pezoldt, Public Works Department

(Commissioner Goehner returns to session)

BID OPENING - Police Vehicles – Seven New Full Size Pursuit, 4 door sedan

Bid Opening for Police Vehicles Purchase by Public Works/Motor Pool Department. Bid Opening Closed to Further Bids by Chairman Walter.

Bid opening proceeds with one bid submitted as follows:

Joe Welty Ford (now DBA as Wenatchee Ford) \$179,442.27 Total \$25,634.61 (One)

Further information on State Bid Contract will be provided for comparison.

9:32 A.M. Board accepts the bid as submitted and will review State Contract Figures. Bid to be awarded on Tuesday, February 7, 2005 after review by Public Works/Motor Pool to insure bid meets bid criteria. 2005B1-8

9:35 A.M. DISCUSSION ITEMS:

1. Resolution for Emergency Winter Road Restrictions
2. Call for Bids for Cold Mix Asphalt
3. Call for Bids for Crushed Aggregate for Seal Coat for Cashmere, Entiat and Wenatchee Districts
4. Call for Bids for Crushed Aggregate for Seal Coat for Chelan District
5. Call for Bids for Crushed Aggregate for Seal Coat for Leavenworth District
6. Courthouse Recycling Program – It was **consensus** of Board to change recycling position from volunteer position to a paid position.
7. Manson Sidewalk Enhancement Project
8. Cowlitz County Brush Cutter Information

9:52 A.M. ACTION ITEMS:

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

1. Resolution

- a) Adoption of **Resolution No. 2005 - 15** Emergency Winter Road Restrictions

2. Call for Bids

- | | |
|---|----------|
| a) Call for Bids for Cold Mix Asphalt | 2005B1-9 |
| b) Crushed Aggregate for Seal Coat for Cashmere, Entiat and Wenatchee Districts | 2005B1-9 |
| c) Crushed Aggregate for Seal Coat for Chelan District | 2005B1-9 |
| c) Crushed Aggregate for Seal Coat for Leavenworth District | 2005B1-9 |

9:53 A.M. Recess

10:15 A.M. Larry Angell, Building/Planning/Fire Safety Director

DISCUSSION ITEMS:

- Pre-Annexation Agreement with City of Leavenworth
- Possible Partial Permit Issuance for Charlie Olinghouse
- Staffing Update
- Training/Education Sessions for Staff
- RFP for Sunnyslope Area Planning
- Council Susan Hinkle present to Discuss Comp Plan Amendments and Zone Change Hearing Information
- Swearing In for Public for Quasi Judicial Hearing
- City of Leavenworth Pre-Annexation Agreement

10:58 A.M. Recess

11:08 A.M. Board Discussion:

- Robert Knowles Meets with Board to Recommend Notice of Intent to Award Bid

BID AWARD – Chelan County Fairgrounds Lot A Improvements

Three bids were presented on Monday, January 31, 2005. After review by Robert Knowles insuring that bids meet specifications, it was recommended that the Board accept the bid proposal from Pipkin Construction as low bidder at \$597,453.00.

11:12 A.M. Moved by Commissioner Goehner, seconded by Commissioner Hawkins and carried, that the Board follow recommendation to sign the Intent to Award Bid for the Fairground Lot A Improvement Project to Pipkin Construction at a bid amount of \$597,453.00

2005B1-10

11:18 A.M. Board Discussion Continues:

- Mike Kaputa Meets with Board regarding Revised US Forest Service Collection Agreement re: Entiat Salmon Recovery and the Revised Chelan County Interlocal Agreement re: Entiat Salmon Recovery

11:19 A.M. Moved by Commissioner Goehner, seconded by Commissioner Hawkins and carried that the Board approves the following **(Added)** Amended Action items *(Previously Pulled from Natural Resources Program Agenda)*:

1. Contracts/Agreements

- a) **(Added)** US Forest Service Collection Agreement re: Entiat Salmon Recovery
2005A5-32
- b) **(Added)** Chelan County Interlocal Agreement re: Entiat Salmon Recovery
2005A5-33

11:20 A.M. Board Discussion Continues:

- Earl Burts Meets with Board regarding Possible Grant for Metal Baler
- Susan Hinkle Meets with Board on CPA and ZC Hearing Issues

11:44 P.M. Board recesses until 1:30 P.M. in Chelan County Auditorium.
(Cassette Tape Recording System to be Used).

1:30 P.M. Public Hearing to Consider Citizen Requests for Comprehensive Plan Map Amendments and Related Zoning

Comp Plan Amendment 2004-003 and Zone Change 2004-003

An application submitted by Roland L. Chipman and Pamp G. Maiers on behalf of Wenatchee Rock Products for a Comprehensive Plan Land Use Map and Zoning Map Amendment on approximately 55.6 acres. The proposal is to change designation from Rural Residential / Resource 5 (RR 5) to Commercial Mineral Lands (MC). The site address is 7600 Chelan Highway 97 A, Wenatchee, WA, within SW 1/4 Section 24, Township 24 North, Range 20 E.W.M, Chelan County, Washington.

Hearing opened by Chairman Walter. All Commissioners present. Other staff members are as follows: Deputy Prosecuting Attorney Susan Hinkle, Planning Director Larry Angell, Planner Brian Frampton, Planner Cliff Wavra, and Clerk of the Board Janet Merz and Deputy Clerk Sally Taylor. See Attendance Roster. Chairman Walter outlines hearing protocol and schedule.

Commissioners receive testimony from attorney for applicants John Beuhler, attorney for proponent James Carmody, applicant Roland Chipman, Pamp G Maiers, from the public and from staff members Brian Frampton, Larry Angell and Susan Hinkle. On December 7, 2004 the Planning Commission forwarded a no decision recommendation.

Moved by Commissioner Hawkins to deny the application based upon Findings of Fact, legal documentation and the testimony before Commission, seconded by Commissioner Walter, opposed by Commissioner Goehner. **Application for Comp Plan Amendment 2004-003 and Zone Change 2004-003 denied.**
2005P1-1

Public Hearing Concluded. Board recessed until Wednesday, February 2.
Commission Tape 2005-1 (0-end) through 2005-2 (0-4180)

Wednesday, February 2

1:39 P.M. Public Hearing to Consider Citizen Requests for Comprehensive Plan Map Amendments and Related Zoning

Comp Plan Amendment 2004-001 and Zone Change 2004-001

An application submitted by Norman Nelson with Northwest GeoDimensions on behalf of Danial Mogan for a Comprehensive Plan Land Use Map and Zoning Map Amendment on approximately 10.6 acres. The proposal is to change designation from Rural Residential / Resource 5 (RR 5) to Rural Village (RV). The property is located in the Manson area, WA, within Section 26, Township 28 North, Range 21 E.W.M, Chelan County, Washington. Parcel # 282126608075

Hearing opened by Chairman Walter. All Commissioners Present. Other staff members are as follows: Planning Director Larry Angell, Planner Brian Frampton, Planner Cliff Wavra, Clerk of the Board Janet Merz. It was reported by Planner Brian Frampton that application **CPA 2004-001 and ZC 2004-001 was removed from consideration by applicant. No decision by Commissioners.**

1:41 P.M. Public Hearing to Consider Citizen Requests for Comprehensive Plan Map Amendments and Related Zoning

Comp Plan Amendment 2004-002 and Zone Change 2004-002

An application submitted by Patricia A. Deitrich on behalf of Dietrich Orchards LLC for a Comprehensive Plan Land Use Map and Zoning Map Amendment on approximately 9.8 acres. The proposal is to change designation from Rural Residential / Resource 10 (RR 10) to Rural Residential / Resource 2.5 (RR 2.5). The site address is 10295 Suncrest Drive, Leavenworth, WA, within Section 6, Township 24 North, Range 18 E.W.M, Chelan County, Washington. Parcel # 241806410400 and 241806863060.

Commissioners receive testimony from Cliff Wavra. Mr. Wes Potridge present for questions on behalf of applicant. On December 6, 2004 the Planning Commission forwarded a recommendation for approval.

1:49 P.M. Based upon the Finding of Fact and Planning Commissioner Recommendation it was **moved** by Commissioner Goehner, seconded by Commissioner Hawkins and carried to adopt the following:

1. CPA/ZC Resolution

- a) Adoption of **Resolution No. 2005 – 16** for approval of Comp Plan Amendment 2004-002 and Zone Change 2004-002.

1:51 P.M. Public Hearing to Consider Citizen Requests for Comprehensive Plan Map Amendments and Related Zoning

Comp Plan Amendment 2004-004 and Zone Change 2004-004

An application submitted by Norm Nelson with Northwest GeoDimensions on behalf of Scott Strutzel for a Comprehensive Plan Land Use Map and Zoning Map Amendment on approximately 1.8 acres. The proposal is to change designation from Rural Village (RV) to Rural Commercial (RC). The site address is 2968 Easy Street, Monitor, WA, within Section 14, Township 23 North, Range 19 E.W.M, Chelan County, Washington. Parcel # 231914140075.

Commissioners receive testimony from Cliff Wavra. On December 20, 2004 the Planning Commission forwarded a unanimous recommendation for approval.

2:00 P.M. Based upon the Finding of Fact and Planning Commission Recommendation it was **moved** by Commissioner Hawkins, seconded by Commissioner Goehner and carried to approve the following approval of Comp Plan Amendment, and also **Moved** by Commissioner Hawkins, seconded by Commissioner Goehner and carried to approve the following for approval of the following Zone Change:

1. CPA/ZC Resolution

- b) Adoption of **Resolution No. 2005 – 17** for Approval of Comp Plan Amendment 2004-004 and Zone Change 2004-004 with changes as listed.

2:02 P.M. Board Discussion:

- Cumulative Effects Analysis – Planning Staff determined that the scope and magnitude of the current application in CPA 2004-004 and ZC 2004-004 did not warrant the accumulative review due to the size of designation.
- Disclosures of Relationships with Applicants of CPA and ZC

2:21 P.M. Board recessed until Thursday, February 3.

Thursday, February 3, 2005

1:30 P.M. Public Hearing to Consider Citizen Requests for Comprehensive Plan Map Amendments and Related Zoning

Comp Plan Amendment 2004-005 and Zone Change 2004-005

An application submitted by Morgan Picton on behalf of owners Richard Johnson and Kamei Inc, for a Comprehensive Plan Land Use Map and Zoning Map Amendment on approximately 7.7 acres (part of parcel # 282122120050) to change the designations for 6.9 acres from Commercial Agricultural Lands (AC) to 2.7 acres of Rural Commercial (RC) and 4.2 acres of Rural Waterfront (RW) and .8 acres from Rural Residential / Resource 2.5 (RR2.5) to Rural Waterfront (RW); and to amend 3.6 acres (parcel # 282123613200) to change the designations for .7 acres from Commercial Agricultural Lands (AC) to Rural Waterfront (RW) and 2.9 acres from Rural Residential / Resource 2.5 (RR 2.5) to Rural Waterfront (RW). The site address is 5000 Wapato Lake Road, Manson, WA. The subject properties are located in Section 22 & 23, Township 28

North, Range 21 E.W.M, Chelan County, Washington. Parcel # 282122120050 and 282123613200.

1:30 P.M. Hearing opened by Chairman Walter. All Commissioners Present. Other staff members are as follows: Planning Director Larry Angell, Planner Cliff Wavra, Planner Mark Botello, Clerk of the Board Janet Merz. Also present are Morgan Picton on behalf of owners Richard Johnson and Kamei, Inc. Commissioner Hawkins and Commissioner Walter disclose business and family relationship to Mr. Picton and stating they are able to make an informed and unbiased decision in this matter. There is no request for recusal of Board members. Board hears testimony from staff as well as Morgan Picton and Curt Epperson who is opposed to re-designation.

Planner Cliff Wavra presents staff report. On December 7, 2004 the Planning Commission forwarded a recommendation to deny the application with a vote of five to one.

2:39 P.M. Based upon Findings of Fact and Conclusions of Law Commissioner Hawkins **moves** to deny the application, seconded by Commissioner Goehner, motion opposed by Commissioner Walter. **Motion carried to deny Comp Plan Amendment 2004-005 and Zone Change 2004-005.**

2:44 P.M. Public Hearing to Consider Citizen Requests for Comprehensive Plan Map Amendments and Related Zoning

Comp Plan Amendment 2004-006 and Zone Change 2004-006

An application submitted by Morgan Picton on behalf of David Keeney for a Comprehensive Plan Land Use Map and Zoning Map Amendment on approximately 6.8 acres. The proposal is to change the designation from Rural Residential / Resource (RR 2.5) to Rural Waterfront (RW). The subject property is located at 1 Loop Ave, Manson within Section 21, Township 28 North, Range 21 E.W.M, Chelan County, Washington. Parcel # 282121612116.

Hearing opened by Chairman Walter. Commissioners again state relationship with Mr. Morgan Picton and they feel they are able to make an informed and unbiased decision in this matter. There is no request for recusal of Board members. Present are Morgan Picton on behalf of David Keeney.

Planner Cliff Wavra presents staff report. December 7, 2004 the Planning Commission forwarded a recommendation to approve the application with a vote of five to one.

2:55 P.M. Moved by Commissioner Hawkins, seconded by Commissioner Goehner, and carried that based upon the Findings of Fact and Conclusions of Law and the recommendation of the Planning Commission, the Board approves the following
1. Resolution (Cont.)

- c) Adoption of **Resolution No. 2005 – 18** for Approval of Comp Plan Amendment 2004-006 and Zone Change 2004-006 with changes as listed.

2:57 P.M. Public Hearing closed by Chairman Walter.

2:57 P.M. Moved by Commissioner Goehner, seconded by Commissioner Hawkins, and carried to add additional manual warrant to Vouchers for Approval:
Voucher for Payment to Chelan County PUD in the amount of \$3,626.00 for the Electrical Fees for Chelan County Regional Justice Center Expansion Project.

2:58 P.M. Moved by Commissioner Goehner, seconded by Commissioner Hawkins to adjourn until Monday, February 7, 2005. Board adjourned.

Filed Correspondence:

- Letter from Caitlin Jezek regarding DUSEL Project 2005C8-22
- Letter and Order of Dismissal in Martinson, et al. v. Chelan County 04-2-01222-4 2005C8-23
- Charter Communications Letter regarding Programming Changes 2005F8-3
- Notice and Order of Violation to Lauren McElroy from Code Enforcement Officer Ryan Walker 2005C8-24
- Letter from Superior Court to CASA Program Director Sue Baker Supporting CASA Efforts in Program 2005C8-25
- Letter from Deborah, Bill and Paul Hartl, Commending Superior Court Employee Nancy Munson 2005C8-26
- Ferry County Commissioners Letter to Robert Lohn of National Marine Fisheries Request to Extend Deadline 2005C8-27
- Entiat Watershed Coordinator Letter to Northwest Power Planning Council regarding Recommendation for Adoption 2005C8-28

Vouchers Approved for Payment 2005B4-21

Current Expense	\$306,670.47
All Other Funds	<u>362,206.91</u>
Total All Funds	\$668,877.38

BOARD OF CHELAN COUNTY COMMISSIONERS
RON WALTER, CHAIRMAN

JANET K. MERZ, Clerk of the Board