

CHELAN COUNTY BOARD OF COMMISSIONERS
MAY 31, 2005 MINUTES

(Monday, May 30 – Memorial Day Holiday Observed)

9:06 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.

9:06 A.M. Moved by Commissioner Goehner, seconded by Commissioner Hawkins, and carried that the Board approve the May 23, 2005 minutes as corrected.

9:14 A.M. Moved by Commissioner Hawkins, seconded by Commissioner Goehner, and carried that the Board approve the Consent Agenda as follows:

- Vouchers as submitted
- Payroll changes as follows:
 - a) Authorization to Hire 32 Participants for 4-H Forestry Ed Program
 - b) Erin Powers, Forestry Ed Program, Temporary Hire
 - c) Sara Petter, Forestry Ed Program, Temporary Hire
 - d) Ryan Griffith, Forestry Ed Program, Temporary Hire
 - e) Traci Marang, Extension, Extra Help
 - f) Steve Corter, Regional Justice Center, Return from Military Leave
 - g) Bruce Blevins, Regional Justice Center, Length of Service Increase
 - h) Daron Trim, Regional Justice Center, Length of Service Increase
 - i) Aaron Seabright, Regional Justice Center, Length of Service Increase
 - j) Stanley Marr, Regional Justice Center, Length of Service Increase
 - k) Charles Hothan, Juvenile, Length of Service Increase
 - l) Joy Gere, Juvenile, Length of Service Increase
 - m) Fernando Ponce, Juvenile Length of Service Increase
 - n) Guadalupe Carpio, Farm Worker Housing, Extra Help
 - o) Mary Sanborn, Natural Resources, Length of Service Increase
 - p) Loren Clark, Public Works, Retirement
 - q) Stan DeVaney, Public Works, Retirement
- Claims for Damages, Refer to Prosecuting Attorney
 - a) Claim #2005-10, Filed by Robert Stewart, Various Allegations 2005C9-12
- Donation of Leave
 - a) Donation of 96 Hours of Annual Leave to Employee in Juvenile Dept
2005B4-77

BOARD DISCUSSION:

- County Employment/Supervision of Relatives Employed with County
- Response Letter to Gretchen Rohde from Commissioners, Response Letter to Gretchen Rohde from Commissioner Hawkins, Gretchen Rohde Letter 2005C8-173
- NACO (National Association of County Officials) WIR (Western Interstate Region) Meeting Update

- Solid Waste Meeting
- Public Lands Seminar
- Mari Devecchio Speaks with Board regarding Blue Grass Festival at Fairgrounds
(9:44 a.m. Commissioner Goehner excused to Paths and Trails meeting)

ADMINISTRATIVE AGENDA

County Administrator, Cathy Mulhall

9:48 A.M. DISCUSSION ITEMS:

1. Douglas Street Property Appraisal Update
2. Project Manager Robert Knowles Re: Ongoing Projects
3. Location for Borders Trial Decision Hearing

10:18 A.M. ACTION ITEMS:

Moved by Commissioner Hawkins, seconded by Commissioner Walter and carried that the Board approve the following **(pulling)** item **(g)**, and **(h)** Restroom Project Agreement and Notice to Proceed:

1. Budget Request

- a) Sheriff Request to Award Informal Bid for Purchase of Small SUV to Wenatchee Ford for \$22,996.42 Including Tax 2005B4-78
- b) Extend 316 Building Informal Bid for Additional Blinds to Floors To Go in the Amount of \$3,582.90 2005B1-41

2. Contracts for Signature

- a) Chelan County Fairgrounds Utility Improvement Project Agreement with Pipkin Construction 2005A5-143
- b) Chelan County Fairgrounds Utility Improvement Project Notice to Proceed to Pipkin Construction 2005A5-143
- c) Chelan County Fairgrounds Arena Electrical Project Award Informal Bid to Apple City Electric 2005A5-144
- d) Chelan County Fairgrounds Arena Electrical Project Issue Notice to Proceed to Lowest Responsive Bidder 2005A5-145
- e) Chelan County Auditorium Hazmat Abatement Agreement with IRS Environmental 2005A5-146
- f) Chelan County Auditorium Hazmat Notice to Proceed to IRS Environmental 2005A-5a
- g) **(Pulled)** Chelan County Fairgrounds Restroom Project Agreement for Construction with Whitebird Construction
- h) **(Pulled)** Chelan County Fairgrounds Restroom Project Notice to Proceed to Whitebird Construction
- i) Chelan County Fairgrounds Lot A Improvements Change Order #4 Deduct \$169.10 plus tax 2005A5-148
- j) Advertising Dollar Volume Agreement with the Wenatchee World 2005A5-149

NATURAL RESOURCES PROGRAM

Mike Kaputa, Natural Resources Project Coordinator

10:23 A.M. DISCUSSION ITEMS:

- Article re: Federal Court Ruling on Biological Opinion 2005C8-174
- Upper Columbia Salmon Recovery Meeting
- Lake Chelan Water Quality Issues

10:57 A.M. Commissioner Goehner returns. Recess

11:15 A.M. Deputy Auditor Skip Moore and Nissa Shaw of Elections Department Meet with Board re: Precincting Issues

12:07 P.M. Recess (Tape left running for voucher approval)

1:20 P.M. Board resumes session with all members present.

PUBLIC WORKS DEPARTMENT

Public Works Director Greg Pezoldt

1:20 P.M. DISCUSSION ITEMS

1. Resolution to Temporarily Reduce the Speed Limit on Chumstick Highway
2. Resolution to Change the Name of Humphrey's Road to Everhart Road
3. Order For Examination Petition by Dale Grubb
4. Commissioners' Notice of Hearing for Dale Grubb
5. Order For Examination Petition by Dale Grubb and Duane Colwell
6. Commissioners' Notice of Hearing for Dale Grubb and Duane Colwell
7. SB 5177 – Modifying Transportation Benefit District Provision
8. Public Works Interviews

1:41 P.M. Moved by Commissioner Hawkins, seconded by Commissioner Goehner and carried that the Board move into five minute executive session pursuant to RCW 42.30.110(g) regarding personnel.

1:47 P.M. Board resumes regular session.

1:49 P.M. ACTION ITEMS:

Moved by Commissioner Hawkins, seconded by Commissioner Goehner and carried that the Board approve the following **(pulling)** item **1(b)** for further information about history of current road name:

1. Resolution

- a) Adoption of **Resolution No. 2005 - 58** To Temporarily Reduce the Speed Limit on Chumstick Highway During Construction Project at Mile Post 1.86 to Mile Post 3.33
- b) **(Pulled)** Change Name of Humphrey's Road in Fish Lake to Everhart Road

2. Road Vacation

- a) Order of Intent to Vacate a Portion of an Unnamed County Road Right of Way Petition by Dale Grubb 2005V1-8

- b) Commissioners' Notice of Hearing for the Road Vacation of an Unnamed County Road Right of Way Petition by Dale Grubb 2005V1-
- c) Order of Intent to Vacate a Portion of an Unnamed County Road Right of Way Petition by Dale Grubb and Duane Colwell 2005V1-8
- d) Commissioners' Notice of Hearing for the Road Vacation of an Unnamed County Road Right of Way Petition by Dale Grubb and Duane Colwell 2005V1-8

BUILDING/PLANNING/FIRE SAFETY

Planning Director Larry Angell

2:05 P.M. DISCUSSION ITEMS

1. Malaga Sub Area Planning Project Consultant Selection. It was **consensus** of Board to approve Hiring of Alliance Consulting for Malaga Sub Area Planning Project 2005P1-11
2. Process for Boundary Line Adjustment Decisions
3. Long Range Planning Personnel to Help in Permit Area Due to Back Log in Applications

2:39 P.M. Terry Nowka of Noxious Weed Control Discusses Chemical Bids with Board

(Steve Gear, Chelan County Fair Director not available for session)

2:39 P.M. Recess

3:30 P.M. PUBLIC HEARING

**Non Exclusive Cable Franchise to Provide Cable Service
Communications Infrastructure Right of Way Use Agreement**

3:30 P.M. Public Hearing Opened by Commissioner Walter. Present from the Chelan County PUD are Counsel Karen Wiggum, and John Smith and David Nelson. Present from Genext is Scott Daniels and Mark Sullivan of LocalTel Communications. Present from Chelan County are Counsel Lou Chernak and Susan Hinkle, and Public Works Director Greg Pezoldt.

Communications Infrastructure Right of Way Use Agreement

Public Utility District No. 1 of Chelan County

3:30 P.M. Communications Infrastructure Right of Way Use Agreement portion of hearing begins with PUD Staff Attorney Karen Wiggum defining the two agreements before the Commissioners. The right of way use agreement would be a 17 year agreement to coincide with the termination/renewal date of current contract between Chelan County and the PUD taking into consideration current code provisions for construction and subject to FCC requirements. Commissioners address errors in contract under 3.3 (b) and indemnification issues. Counsel Wiggum states she would be required to send any changed document back to PUD for re-signing.

3:54 P.M. Moved by Commissioner Hawkins, seconded by Commissioner Goehner and carried that the Board continue the Communications Infrastructure Right of Way Use Agreement Hearing until Tuesday, June 7 at 9:30 a.m. to correct the errors in section 3.3 and to remove the statement regarding the County responsibility to give notice of claim or the District shall waive their obligations with respect to such action.

3:59 P.M. PUBLIC HEARING CONTINUES:

Non Exclusive Cable Franchise to Provide Cable Service
Max Glide, Inc. dba Firefly
Genext, LLC
Computer 5*, Inc. dba LocalTel Communications

3:59 P.M. Scott Daniels of Genext explains process with Genext and other providers. The Franchise agreement is a shared network and does not include any infrastructure but merely allows the providers to use PUD infrastructure to supply communications to users. A third and separate agreement will be made between the providers and the PUD.

4:18 P.M. Moved by Commissioner Goehner, seconded by Commissioner Hawkins and carried that the Board approve the following after the approval and signature of Counsel Lou Chernak:

1. Resolution

- (a) Adoption of **Resolution No. 2005 – 59** granting non exclusive cable franchises to provide cable service in the county of Chelan and setting forth conditions accompanying the grants of the Franchise.

4:19. P.M. Commissioner Walter thanks all those who have worked to put this agreement together and that continues to work until its completion.

4:19 P.M. Moved by Commissioner Hawkins, seconded by Commissioner Goehner and carried that the Board adjourn until Monday June 6. Adjourned.

Vouchers Approved for Payment

2005B4-79

Current Expense	\$ 78,334.37
All Other Funds	<u>215,304.93</u>
Total All Funds	\$293,639.30

BOARD OF CHELAN COUNTY COMMISSIONERS
RON WALTER, CHAIRMAN

JANET K. MERZ, Clerk of the Board