

CHELAN COUNTY BOARD OF COMMISSIONERS
FEBRUARY 6, 7, 2006 MINUTES

9:04 A.M. Meeting called to order by Chairman Hawkins. Also present for session were Commissioner Walter, Commissioner Goehner, County Administrator Cathy Mulhall and Clerk of the Board. Board wishes Commissioner Walter a happy birthday.

9:05 A.M. Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried that the Board approve the January 30, 31, 2006 minutes as corrected.

9:08 A.M. Moved by Commissioner Walter, seconded by Commissioner Goehner, and carried that the Board approve the Consent Agenda as follows:

- Vouchers as submitted
- Payroll changes as follows:
 - a) Teresa Wendell, Treasurer's Office, Length of Service Increase
 - b) John Celeone, Public Works, New Hire
 - c) Ron Martin, Sheriff, Retirement
 - d) Vicki Hensley, Juvenile, Length of Service Increase
 - e) Tom West, Public Works, Resignation
 - f) Karen Elkins, Regional Justice Center, Reduction of Hours
 - g) Mark McCormick, Regional Justice Center, Promotion
 - h) Sean Larsen, Regional Justice Center, Promotion
 - i) Christopher Sharp, Regional Justice Center, Promotion
 - j) Earl Griffith, Public Works, New Hire
- Approval of January Payroll 2006B4-15

9:09 A.M. BOARD DISCUSSION:

- Upper Columbia Board Interviews for Director
- Senate Bill 6339 Changing Criteria for Transportation Enhancement Projects
- RSN Appeal of RFQ Successful
- Filing Fees Collected by Clerk's Office for Involuntary Commitments
- RV/Boat Storage Allowed in Commercial or Industrial Zoning Only – Permitted use change for this need is discussed
- Legislative Steering Meeting Information – Bill to aid counties in funding issues
- Expiration of Interim Regulations for Parking of Equipment/Trucks in RR Zones
- Flood Plain Issues
- Council on Aging will Receive 3.5% Cut Beginning July 1
- Lynx Habitat 2006C8-28
- Cougar Pilot Program
- County Building Policy on Daily Storage of Bicycles and Acceptance of Dogs on Premises
- Board to Meet with Jay Manning on Salmon Issues
- Board to Meet with Steve Buxbaum of DCTED on Farm Worker Housing Issues
- Senate Bill 2418 on Farmworker Housing Funds

- Big Y Interchange

ADMINISTRATIVE AGENDA

County Administrator, Cathy Mulhall

9:55 A.M. DISCUSSION ITEMS:

1. Administrative Update
 - Advertisement for Full Service Concessionaire – Commissioners’ office has also received questions on possibility of using vending machines for food service
 - Coroner Appointment Update – Republican Party to submit three names on February 27 to Commissioners
2. Project Manager Robert Knowles Meets with Board Regarding Fairgrounds Updates
 - Water Rights
 - New Fairgrounds Director
 - Asphalt Pathway to be Completed When Weather Permits
 - Pipkin Construction Replaces Coca Cola Sign on Legion Building
 - Pretreatment Design Moving Forward for On Site Sewer System

10:14 A.M. ACTION ITEMS:

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

1. **Notice of Hearing**
 - a) Emergency Budget Appropriation 2006H6-2
 - Juvenile (CASA) \$3,000
 - Non-Dept (Nat’l Resources) \$5,000
2. **Contracts for Signature**
 - a) City of Chelan Contract from Emergency Management Services 2006A5-12

10:15 A.M. Recess

NATURAL RESOURCES PROGRAM

Mike Kaputa, Natural Resources Project Coordinator

11:05 A.M. DISCUSSION ITEMS:

1. Critical Areas Update and Public Participation Plan Resolution
2. Amendment #1 to ECO-AIM Independent Contractor Agreement for Additional Habitat Project Management and Development Services
3. Amendment #8 to Jones & Stokes Services Agreement for Entiat Bridge-to-Bridge Permitting Services
4. Amendment to Service Agreement with NCW RC&D for Additional Salmon Recovery Planning Tasks
5. WVC/IRIS Habitat Farming Enterprise Update
6. Interviewing for Natural Resources Specialist

11:48 A.M. ACTION ITEMS:

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

1. Resolutions:

- a) Adoption of **Resolution No. 2006 -16** Critical Areas Update and Public Participation Plan Resolution

2. Contracts/Agreements

- a) Amendment #1 to ECO-AIM Independent Contractor Agreement for Additional Habitat Project Management and Development Services 2006A5-13
- b) Amendment #8 to Jones & Stokes Services Agreement for Entiat Bridge-to-Bridge Permitting Services 2006A5-13
- c) Amendment to Service Agreement with NCW RC&D for Additional Salmon Recovery Planning Tasks 2006A5-13

11:51 A.M. Recess

(1:30 P.M. Mike Harum, Sheriff Cancelled)

2:01 P.M. Pat DuLac, Facilities Maintenance Director, Project Manager Robert Knowles, Architect Michael Beaman, and Contractor Ken Blodgett present to discuss the Auditorium Remodel Project.

2:15 P.M. Recess until Tuesday, February 7.

Tuesday, February 7

8:45 A.M. Commissioner Hawkins opens session with all Commissioners present.

8:45 A.M. Conference Call with Legislative Consultant Jim Potts

- Proposed Public Facility District – Positive comments and continuing to move forward
- House Bill 2418 Affordable Housing – Possible money for on-site farm worker housing
- House Bill 2938 Renewable Energy – Would set up lending for bio-diesel plants, etc
- Senate Bill 6339 Changes in Transportation Enhancement Program – Commissioners not in favor of this bill as it sets up universal criteria across the state
- Substitute House Bill 2607 – Information needed on this bill for vacation of county roads leading to bodies of water
- Growth Management Bills – Have not had positive results
- Sales Tax Streamlining – Opposed by Speaker Chopp

8:58 A.M. Board Discussion:

- Forest Service Proposal to Sell Lands to Finance New Proposal for Title II and III Funds
- Dispute Resolution Center Request for Establishment

CHELAN COUNTY FAIRGROUNDS

Marsha Clute, Chelan County Fairgrounds Manager

9:01 A.M. DISCUSSION ITEMS:

- Tillicum Riders Meeting – Request by TR for payment by Fair for gate ticket sales
- Robert Knowles Updates Manager on Current Projects
- On Site Housing – Commissioner Walter suggests connecting housing water to fairgrounds water system
- Surplus Shirts – Outdated items to be offered for sale, items not sold to be donated to charity
- Memorial Garden
- Maintenance Schedule Needed for Equipment

9:19 A.M. Moved by Commissioner Goehner, seconded by Commissioner Walter and carried that the Board move into ten-minute executive session pursuant to RCW 42.30.110(g) regarding personnel issues.

9:28 A.M. Board resumes regular session.

9:28 A.M. Fairgrounds Discussion Items Continue:

- Committee Meetings for Fair Event Preparations
- Contracts to Community Organizations for Gate Ticket Sales

PUBLIC WORKS DEPARTMENT

Public Works Director Greg Pezoldt

9:34 A.M DISCUSSION ITEMS:

1. Resolution for Adoption of Standard Specifications
2. Commissioners' Notice of Hearing for the Establishment of Cove Heights Road Petition by Cove Moorage Association – Consensus of Board for County Engineer to Provide Engineer Report on this matter
3. Out of State Travel for Brenda Harn (to be pulled at department request)
4. Fred Stehr Present to Discuss Motor Pool Radios
5. Summary of Miles Driven in County Vehicles
6. Flexible Work Schedules
7. Proposed Budget by President Bush Includes Reduction in Timber Receipts to County Road Fund
8. County Snow Plows Speed Limits

10:10 A.M. ACTION ITEMS:

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried that the Board approve the following (**pulling**) item **2(b)** as requested by department:

1. **Resolution**
 - a) Adoption of **Resolution No. 2006 17--** for Adoption of Road Standard Specifications for 2006
2. **Miscellaneous**
 - a) Commissioners' Notice of Hearing for the Establishment of Cove Heights Road as a County Road Petition by Cove Moorage Association

2006H6-3

- b) **(Pulled)** Out of State Travel for Brenda Harn to Attend Solid Waste Association of North America (SWANA) Conference in Albuquerque, New Mexico

10:10 A.M. Recess

BUILDING/PLANNING/FIRE SAFETY

Interim Planning Director Mike Cecka

10:17 A.M. DISCUSSION ITEMS

1. Mark Botello Presents Current Planning Division Annual Report 2006C8-29
2. Sherry Meadows Offers Example of Efficiency Improvement in Mailings
3. Hearing Updates
4. Request to change Interim Home Based Business to Permanent Regulations

10:55 A.M. Moved by Commissioner Walter, seconded by Commissioner Goehner and carried that the Board approve the following **(added)** items:

1. **Miscellaneous:**

- a) **(Added)** Establish Deadline for Filing Land Use Designation Map Amendments as March 1, 2006 2006H6-4
- b) **(Added)** Establish Hearing Date of March 21, 2006 for Amendments to Title 12 Article VII Cluster Subdivision and Title 11 Planned Unit Development Overlay District (PDD) Standards and Requirement 2006H6-4
- c) **(Added)** Establish Hearing Date of March 21 for Amendments to Regulations of Title 11, zoning Resolution for Home Based businesses in rural Residential Zoning Districts 2006H6-4
- d) **(Added)** Payroll Change Notice for Ryan Walker, Code Enforcement Officer, Reclassification

11:04 A.M. Recess

11:30 A.M. Ohme Gardens Manager Mike Short Meets with Board re: Garden Issues

- Garden Manager to Meet with DOT regarding Attraction Directional Signs
- Garden Hillside Sign Variance Application
- It was **consensus** of Board to Approve the Following Garden Admission Savings Proposals:
 - Coupon Book Discounts for Garden Admission
 - Local School Passes for Admissions to Gardens
 - Group Discount Rates 2006B4-16
 - Request for Additional in Inmate Workers

12:02 P.M. Recess

1:15 P.M. Continued Hearing for City of Cashmere Land Use, Transportation, Capital Facilities Amendments (From January 10, 2006).

1:15 P.M. Commissioner Hawkins opens the continued public hearing with Lisa Parks, Contract Planner for the City of Cashmere. Planner Parks states she had three areas of concern voiced by the Chelan County Commissioners at the January 10, public hearing.

Issue #1: Clarify Term “new” in proposed policy changes in the Capital Facilities Element in the following Policy Definition: the City will make water service connections available to property within the established UGA. All new residential development and new multi family, commercial, industrial and other non-residential buildings and development will be required to extend and connect to the city’s public water system, and, The City will make wastewater service available to property within the establish UGA. All new residential development and new multi family, commercial industrial and other non-residential buildings and development will be required to extend and connect to the city’s public wastewater system.

Issue #2: What are the existing requirements for connection of utilities within city limits, and what will new requirements be if policies are adopted?

Issue #3: Description of areas within the UGA that are not currently served by City utilities, and the plans for serving those areas.

1:16 P.M. In reference to issue #1, Planner Parks states that she requested a legal opinion from Municipal Research as to the definition of “new”. MRSC responds their interpretation of the word “new” is intending new extends throughout the statement. This would not apply to a new single dwelling on an existing lot in the urban growth area.

1:25 P.M. In reference to issue #2, Planner Parks reads the current requirements and states that new regulations, with the specifics as to how the policy changes will be implemented, must be developed and adopted by the City and forwarded to the County for their consideration.

1:30 P.M. In reference to issue #3, Ms. Parks states that all areas of the City are served by the public water system, describes the current areas that are not included in the service areas. She explains the upgrades that may be required to meet new standards as new development occurs.

1:33 P.M. Commissioner Goehner states he is having difficulty with the requirement to hook up. He also voices his concerns about the interpretation of the reimbursement aspect. Ms. Parks responds that the policy is one step and the details are the second step and the reimbursement comes in each specific project. She adds that the City of Cashmere has adopted this and it is in place in the City of Cashmere but this outlines the requirements for the unincorporated urban growth area.

1:39 P.M. Planner Cliff Wavra states that Staff supports this issue.

1:39 P.M. Moved by Commissioner Walter, seconded by Commissioner Goehner and carried that the Board table the issue to a date uncertain until the issue between the County and the City of Cashmere is resolved.

1:41 P.M. CHELAN COUNTY - Adoption of Corrections Addressing Correlation of Chelan County Codes with Code Publishing Text

1:41 P.M. Planner Cliff Wavra states this hearing was initiated by the county and being presented directly to the Board of Commissioners. This hearing is to outline and correct errors in our code and resolve discrepancies between Code Publishing and the PDF format in the Planning Department.

1:42 P.M. Consultant, Deanna Walter states that two areas that need to be corrected are the conditional uses in general uses and the Leavenworth zones of low density residential which are amending chapters 11.54, 11.56, and 11.58.

1:48 P.M. Moved by Commissioner Walter, seconded by Commissioner Goehner, and approved that the Board table this proposal so that the correct documents are available and are before the Board. Hearing continued to Tuesday, February 14, 2006 at 11:30 a.m.

1:52 P.M. CITIZENS REQUESTS FOR COMPREHENSIVE PLAN LAND USE AND ZONING DESIGNATION AMENDMENTS:

CPA 2005-001 and ZC 2005-001: An application submitted by Jack and Joyce Day, for a Comprehensive Plan Land Use Map and Zoning Map Amendment on approximately 25.5 acres of land. The proposal is to change the Zoning and Comprehensive Plan Land Use Designations from Rural Residential/Resource 10 (RR10) to Rural Residential/Resource 5 (RR5). The subject property is identified as part of Assessor's Parcel # 232019927055. The property is located at 1513 Sleepy Hollow Rd., Wenatchee, Washington.

1:52 P.M. Planner Cliff Wavra presents staff report regarding the request to change the zoning from RR10 to RR5 near Sleepy Hollow Bridge. Staff forwarded a recommendation of approval to the Planning Commission which held its hearing on the matter on January 23, 2006. The planning Commission voted for approval by a vote of 5 to 1 with three members absent.

1:55 P.M. Dan Day, representing Jack and Joyce Day, speaks regarding compliance of the criteria and the desire of his parents to retire on the property. No further comment was presented.

1:59 P.M. Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried that the Board approve the following:

1. **Resolution:**

- a) Adoption of **Resolution No. 2006 -18** for the Adoption of Comprehensive Plan Amendment 2005-001 and Zone Change 2005-001 submitted by Jack and Joyce Day based upon findings of fact #1-31 and conclusion of law #1-9.

CPA 2005-002 and ZC 2005-002: An application submitted by Thomas and Sandra Denny, for a Comprehensive Plan Land Use Map and Zoning Map Amendment on approximately 1.5 acres of land. The proposal is to change the Zoning and Comprehensive Plan Land Use Designations from rural Industrial (RI) to Rural Waterfront (RW). The subject property is identified as part of Assessor's Parcel # 282123440155. The property is located at 3416 Wapato Lake Rd., in Chelan County, Washington.

2:00 P.M. Planner Cliff Wavra states this application is on 1.5 acres and requests to change from rural industrial to rural waterfront near Wapato Lake. The petitioners Tom and Sandra Denny (not present) would like to develop this property to a residential lot. Staff forwarded a recommendation of approval to the Planning Commission which held its hearing on the matter on January 23, 2006, and also forwarded a vote of 6-0 for approval with three members absent. Planner Wavra also states that this waterfront falls under LAMIRD (limited areas of more intense rural development) and is a logical extension of the infill of the waterfront. No further comments by public.

2:06 P.M. Moved by Commissioner Walter, seconded by Commissioner Goehner and carried that the Board approve the **following:**

1. **Resolutions (continued)**

- b) Adoption of **Resolution No. 2006-19** Comprehensive Plan Amendment 2005-002 and Zone Change 2005-002 submitted by Thomas and Sandra Denny based upon findings of fact #1-32 and conclusions of law #1-9

CPA 2005-003 and ZC 2005-003: An application submitted by Raye Corrigan, Agent, on behalf of Don & Lynn Holdings LLC, owner, for a Comprehensive Plan Land Use Map and Zoning Map Amendment on approximately 80 acres of land. The proposal is to change the Zoning and Comprehensive Plan Land Use Designation from Commercial Agricultural (AC) to Mineral Commercial (MC). The subject properties are identified as Assessor's Parcel #'s 282334330000, 282334340100, and 282334310050. The property is located on Howard Flats Rd. in Chelan County, Washington.

2:09 P.M. Planner Wavra states that this application was forwarded to the Planning Commission with a recommendation of approval by Staff. The Planning Commission met on January 23, 2006 and approved the CPA and ZC with a 6-0 vote with three members absent.

2:12 P.M. Mr. Fred Weise speaks on the application on behalf of Don and Lynn Holdings that application is to plan for future expansion.

2:13 P.M. Commissioner Goehner notes that although this is one of the changes that comes under close scrutiny but this petition is to move one critical resource to another. Commissioner Goehner **moves** to approve the Comp Plan Amendment 2005-003 and Zone Change 2005-003 submitted by Don and Lynn Holdings, LLC, motion seconded by Commissioner Walter, and carried to approve the following:

1. Resolutions (continued)

- c) Adoption of **Resolution No. 2005-20** Comprehensive Plan Amendment 2005-003 and Zone Change 2005-003 submitted by Don and Lynn Holdings, LLC based upon findings of fact #1-31 and conclusions of law #1-9

CPA 2005-004 and ZC 2005-004: An application submitted by Darrell Collins Family, LLC., for a Comprehensive Plan Land Use Map and Zoning Map Amendment on approximately 23.6 acres of land. The proposal is to change the Zoning and Comprehensive Plan Land Use Designations from Commercial Agricultural Lands (AC) to Rural Residential/Resource 5 (RR 5). The subject properties are identified as part of Assessor's Parcel # 231910410000 (12.6 Ac.) and #231910440160 (11.0 Ac.). The property is located east and north of Kelly Rd., Monitor, Washington.

2:14 P.M. Planner Wavra states this application is to change the land use designation on 23.6 acres of land from commercial at to RR5. The Staff sent a recommendation of approval to the Planning Commission. On January 23, 2006, the Planning Commission heard the matter and voted for denial with a vote of 5-1 with three members absent. Staff found that the property soil is classified as Terraced Escarpment.

2:23 P.M. Commissioner Hawkins discloses that the applicants have been customers of his in his business and would exclude himself if any members of the public feel he is not able to make an unbiased decision.

2:31 P.M. Applicant Darrel Collins adds documents into the record showing comparative production levels, average parcel yields, and real property value change notice from the Chelan County Assessor. Mr. Collins states his production on surrounding properties is producing well but not the subject properties. He also states there are natural boundaries for the property. He spoke on the issue of road concerns and he found that in comparison to surrounding like roads there would continue to be lower than the average of surrounding roads. Mr. Collins also addressed the water issue and it is his opinion that the water in the area would be sufficient. When asked questions on pack out and watering information of the parcels, he responded that there is about the same pack out with size being the variation and the watering in greater on the subject property. Mr. Collins also stated he would be the farmer adjacent to the property in question as far as spray drift concerns, etc.

2:49 P.M. Fern Kelly speaks in opposition to the application due to concerns regarding the water and the road issues.

2:54 P.M. Jack Pucel speaks in opposition due to water quality and quantity issues in the area. He feels if this is approved it will lead to a negative domino effect all the way around.

2:58 P.M. Mr. Collins answers to the question of assessments and states he was told by the Assessor's office that his land valuation did not go up due to the earlier sale of property.

2:59 P.M. Mr. Martin Roy's comments on the soil plan and that he finds it to be accurate. But if the property is sold for residential purposes, he is concerned about sewage coming down through the gravel on to his property.

3:00 P.M. Mr. Joe Rumble has a good relationship with Mr. Collins. Mr. Rumble believes that the GMA is to protect the farmer, but he has a concern when we come out into rural ag lands, the Right to Farm issue has no teeth in it. He understands Mr. Collins' dilemma when he cannot farm that property in its best use.

3:05 P.M. Mr. Wavra states the findings of fact were included in the information before the Planning Commission.

3:05 P.M. Commissioner Walter and Commissioner Goehner both state the complexity of the issue and the dilemma facing throughout the County but that the productivity is the key in this case.

3:08 P.M. Moved by Commissioner Walter, seconded by Commissioner Goehner, and carried (with an abstention from the vote by Commissioner Hawkins) that the Board approve the following:

1. **Resolutions (Continued)**

- d) Adoption of **Resolution No. 2006-21** for Comprehensive Plan Amendment 2005-004 and Zone Change 2005-004: submitted by Darrell Collins based upon the findings of fact #1-32 and conclusions of law #1-9, including the testimony of soil types and productivity records supplied by the applicant.

3:15 P.M. CHELAN COUNTY SPONSORED AMENDMENTS:

County sponsored Amendments to the Rural Village Zone District Regulations allowing Duplex and Multi-family Dwelling Unit Structures as Administrative Uses, Reducing Minimum lot size from 18,000 square feet to 12,000 square feet and Establishing review standards and criteria for Duplex and Multi-family Structures in the RV Zone District.

3:16 P.M. Planner Cliff Wavra files staff report to allow rural multifamily structures and minimizing lot size in rural village zones. Staff forwarded a recommendation of approval to the Planning Commission as it is consistent with current regulations. On January 23, 2006 the Planning Commission had before it his amendment and voted for approval with a vote of 6-0 with 3 members present. A letter from John Snyder opposing the proposal is presented into the record

3:18 P.M. Commissioner Goehner states there is a tie with the lots size and this will provide lot sizes that are consistent with the LAMIRD, RV and RW so it will be consistent. Commissioner Hawkins states that a pre-existing covenant would superceed this zoning designation.

3:20 P.M. Don Mounter asked what prompted this change. Mr. Wavra relates the dilemma of the landowner in Peshastin where there is no provision in the rural area for multifamily units and states this would introduce that opportunity to add this to our codes. Mr. Mounter adds he feels this would add to urban sprawl. Commissioner Hawkins explains that this is not an outright permitted use but rather an administrative use that would set this type of issue for public comment and criteria.

3:24 P.M. Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried that based upon the findings of fact #1-16 and conclusions of law #1-8 and the recommendation by staff, that the following shall be approved:

1. Resolutions (continued):

- e) **Adoption of Resolution No. 2006-22** Amending the Rural Village Zone District Regulations allowing Duplex and Multi-family Dwelling Unit Structures as Administrative Uses, Reducing Minimum lot size from 18,000 square feet to 12,000 square feet and Establishing review standards and criteria for Duplex and Multi-family Structures in the RV Zone District.

**3:25 P.M. 2005 COMPREHENSIVE PLAN AMENDMENTS
CAPITAL FACILITIES & TRANSPORTATION ELEMENT ANNUAL
UPDATE**

3:27 P.M. Planner Cliff Wavra states that staff recommends the approval of the proposal and forwarded that recommendation to the Planning Commission. On January 23, 2006 the Planning Commission forwarded a recommendation for approval with a vote of 6-0 with three members absent. It was also stated that further items to the six year plan could be added the following year. No one from the public is present to comment.

3:29 P.M. Moved by Commissioner Walter, seconded by Commissioner Goehner, and carried that the Board approve the following:

1. Resolutions (continued):

- (f) Adoption of **Resolution No. 2006-23** Amending the Comprehensive Plan for the Capital Facilities and Transportation Element by Annual Update

3:33 P.M. Moved by Commissioner Walter, seconded by Commissioner Goehner, and carried that the Board adjourn until Monday, February 13, 2006. Adjourned.

Filed Correspondence:

- Request for Proposals, Courthouse Café

2006C8-30

Vouchers Approved for Payment

2006B4-17

Current Expense	\$88,171.08
All Other Funds	<u>123,244.87</u>
Total All Funds	\$211,415.95

BOARD OF CHELAN COUNTY COMMISSIONERS
BUELL HAWKINS, CHAIRMAN

JANET K. MERZ, Clerk of the Board