

CHELAN COUNTY BOARD OF COMMISSIONERS
FEBRUARY 27, 28, 2006 MINUTES

9:00 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. Commissioner Hawkins welcomes WHS student Melanie Neff.

9:01 A.M. EMPLOYEE RECOGNITION AWARDS

Chairman Hawkins states that the Chelan County Commissioners, as representatives of the Citizens of Chelan County, are honored in presenting an exemplar of their appreciation for meritorious, exemplary, and dedicated service to the citizens of Chelan County and for upholding the ideals of public service through the years of serving the public, to the following employees:

Fred Stanfield	Juvenile Department	20 Years, Present
Cindy Grubb	Public Works Department	20 Years, Present
Teresa Wendell	Treasurers Office	10 Years, Present

9:06 A.M. Moved by Commissioner Walter, seconded by Commissioner Goehner, and carried that the Board approve the February 21, 2006 minutes as corrected.

9:08 A.M. Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried that the Board approve the Consent Agenda as follows (**adding**) item (**g**):

- Vouchers as submitted
- Payroll changes as follows:
 - a) Steven Black, Public Works, Lay Off
 - b) John Miklosh, Public Works, New Hire
 - c) Scott Burchett, Public Works, Temporary Help
 - d) Andrew Behler, Public Works, Temporary Help
 - e) Ron Martin, Sheriff's Dept, Extra Help
 - f) Tina Lisenbey, Auditor, Length of Service Increase
 - g) (**Added**) Ramona Morseman, Chelan County Fair, Resignation

BOARD DISCUSSION:

- Upper Columbia Salmon Recovery Board Update
- Café Concessionaire Agreement
- Possible Use of Café Space for Jail Administration Staff
- Michele Kammerer Meets with Board regarding Severance Agreement.

9:23 A.M. Moved by Commissioner Walter, seconded by Commissioner Goehner and carried that the Board sign the severance package for Michele Kammerer.

9:25 A.M. Board Discussion Continues:

- Dan Dietrich Meets with Board regarding Concerns for Process on Campbell Creek Reservoir
- Calendar Updates
- Update on Together for a Drug Free Youth Meeting
- Fairgrounds Update on Office Help and Irrigation Work
- Boundary Line Adjustment Process
- Forest Service Meeting regarding Campbell Creek Project, etc.
- Link Board Meeting Update

ADMINISTRATIVE AGENDA

County Administrator, Cathy Mulhall

10:00 A.M. DISCUSSION ITEMS:

1. Café Concessionaire Proposals, Decision on Use of Space Tomorrow
 - Norma Gomez, Proposal Interviews
 - Matthew Tilger, Proposal Interviews
2. Interview Process for Coroner's Position
3. Juvenile Part Time Position
4. Assessor Russ Griffith Meets with Board regarding GIS License Fees. Board recommends expenditure for licenses from Assessor's current budget

11:03 A.M. ACTION ITEMS:

Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried that the Board approve the following action items (**pulling**) item **2(a)** and (**pulling**) item **3(d)**:

1. Budget - Personnel

- a) Juvenile Request for Part Time Position 2006B4-28

2. Budget Requests

- a) (**Pulled**) Assessor's Transfer of \$18,600 for GIS License Fees

3. Contracts for Signature

- a) Hagel & Company Contract & Service Agreement for HR Software 2006A5-21
- b) DSHS Program Agreement Amendment #6 for DASA Funds 2006A5-22
- c) Interlocal Agreement with the City of Wenatchee for Justice Assistance Grant Program, (JAG) 2006A5-23
- d) (**Pulled**) Café Concession Agreement

4. Resolutions

- a) Adoption of **Resolution No. 2006 - 28** Joint Resolution/Proclamation Establishing May 15 as Peace Officers' Memorial Day
- b) Adoption of **Resolution No. 2006 - 29** Re appointing Robert Castrodale to the Planning Commission
- c) Adoption of **Resolution No. 2006 - 30** Re appointing Dennis Nicholson to the Planning Commission

NATURAL RESOURCES PROGRAM

Mike Kaputa, Natural Resources Project Coordinator

11:06 A.M. DISCUSSION ITEMS:

- Wenatchee Watershed Planning
- Critical Areas/Geo Hazard Update

11:26 A.M. Board Discussion Continues:

- Compilation of Coroner Position Interview Questions

11:45 A.M. Recess

NOON

DEPARTMENT OF CORRECTIONS

Director Gale Wick, Assistant Director Mark McCormick

1:31 P.M. DISCUSSION ITEMS:

- Current Population
- Lock Down Due to Safety Concerns
- Jail Maintenance Staff Begins Duties March 1, 2006
- Employment Testing
- Office Painting Work
- Possible Reopening of 42 Bed Annex
- Deposit Agreement for Jail Proceeds

1:54 P.M. ACTION ITEMS:

Moved by Commissioner Walter, seconded by Commissioner Goehner, and carried that the Board approve the following action item (**adding**) item **1(b)**:

1. Budget Request

- a) Approval of Supplemental Jail Budget for Reopening of 42 Bed Jail Annex
2006B4-27
- b) (**Added**) Release of Escrow for 66 Bed Jail Annex
2006B4-27

1:55 A.M. Board Discussion Continues:

- Mayor Johnson and Commissioner Walter Met and Recommend that Café Space Will Not be Used by Jail Staff at the Present Time
- Board to Meet with Jail Director Tomorrow at 8 a.m. Due to Cancellation of Maintenance Agenda

1:57 P.M. CHELAN COUNTY CORONER INTERVIEWS

1:57 P.M. Coroner Candidates Interview – Donald R. King

Commissioner Goehner recuses himself from interview process based upon family relationship with a finalist. Commissioner Goehner excused from session for remainder of day. Commissioner Hawkins clarifies salary for position is \$54,800 as adopted by resolution in January 2006. 2006C8-49

2:45 P.M. Interview Completed. Recess

3:00 P.M. Coroner Candidates Interview – Wayne Harris

Commissioner Hawkins clarifies salary for position is \$54,800 as adopted by resolution in January 2006.

3:47 P.M. Interview Completed. Recess

3:49 P.M. Coroner Candidates Interview – Dwight Goehner.

Commissioner Hawkins clarifies salary for position is \$54,800 as adopted by resolution in January 2006.

4:16 P.M. Interview Completed

4:16 P.M. Moved by Commissioner Walter, seconded by Commissioner Hawkins and carried that the Board move into 15 minute executive session pursuant to RCW 42.30.110(g) regarding evaluation of qualifications for employment.

4:23 P.M. Board resumes regular session. Recess.

4:39 P.M. Board resumes session with the three candidates present.

4:40 P.M. Commissioner Walter thanks all three candidates for their participation and the Republican Party for their hard work in providing three highly qualified candidates for the position. **Moved** by Commissioner Walter, seconded by Commissioner Hawkins, and carried that the Board appoint Wayne Harris to fill out the remained of the term of County Coroner.

4:42 P.M. Recessed until Tuesday, February 28.

Tuesday, February 28

8:30 A.M. Chelan County Coroner Oath of Office

District Court Judge Thomas Warren present for swearing in. Judge Warren explains the experience he has encountered as appointed interim Coroner.

8:34 A.M. Wayne Harris solemnly swears to support the Constitution and the Laws of the United States of America and the constitution and the Laws of the State of Washington, and will to the best of his judgment, skill and ability impartially perform the duties of the office of Coroner, in and for Chelan County, Washington, according to the law, to the best of his ability. 2006C8-50

8:35 A.M. Recess

(9:00 a.m. Maintenance Agenda Cancelled)

9:00 A.M. Jail Director Meets with Board regarding Pending Issues

- Assault on Inmate – Victim to Hospital
- Café Space will Not be Used by Jail at this Time

9:02 A.M. Moved by Commissioner Goehner, seconded by Commissioner Walter and carried that the Board move into 10 minute executive session pursuant to RCW 42.30.1109g) regarding personnel issues.

9:07 A.M. Board resumes regular session.

9:07 A.M. Jail Discussion Items Continue:

- Jail Cooking Area
- Mayor Johnson of Wenatchee Requests Jail Tour with City Council Members
- Commissioner Walter and Mayor Johnson Tour Library for Possible Future Expansion
- 14 of 21 Applicants Pass Written Entrance Exam

9:12 A.M. Board Discussion Continues:

- Concessionaire Proposal

9:12 A.M. Moved by Commissioner Walter, seconded by Commissioner Goehner and carried to award the Contract for a one-year renewable lease with Matt Tilger to operate the café located in the Chelan County Law and Justice Building. 2006B1-6

PUBLIC WORKS DEPARTMENT

Public Works Director Greg Pezoldt

9:34 A.M. OPEN BIDS:

Asphalt Concrete Class “A” and “G”

Bid Opening for Class A and Class G Asphalt Concrete by Public Works Department.
Bid Opening Closed to Further Bids by Chairman Hawkins

Bid opening proceeds with two bids submitted as follows:

<u>Bidder</u>	<u>Class A</u>	<u>Class G</u>	<u>Tax</u>	<u>Total</u>
Basin Asphalt	\$29.80	\$29.80	\$73,904	\$ 997,704.00
Mitchell Paving	\$33.79	\$33.79	\$83,799.20	\$1,131,289.20

Board accepts the bids as submitted. Bid to be awarded on March 7, 2006 after review by Public Works Director to insure bids meet bid criteria. 2006B1-7

9:40 A.M. DISCUSSION ITEMS:

1. Resolution to Establish County Road Project No. 619
2. Resolution to Establish County Road Project No. 620

3. Contract for GIS Services
4. Local Agency Federal Aid Project Prospectus for Collector Highway Delineation
5. Local Agency Agreement for Collector Highway Delineation
6. Request to Prohibit Jake Brakes on Hiway 2/97. Commissioners do not support this request for safety reasons.
7. Request by Maintenance Department for Motor Pool Surplus Automobile
8. Difficulty by Property Owner to Meet Conditions of Approval for Subdivision and Request for Waiver of Fee. Planning Director Mike Cecka and Planner Nathan Pate present for discussion.
9. Right of Way Issue on Quetilquasoon Avenue in Manson

10:17 A.M. ACTION ITEMS:

Moved by Commissioner Walter, seconded by Commissioner Goehner, and carried that the Board approve the following action items (**pulling**) item **2(a)**:

1. **Resolutions**

- a) Adoption of **Resolution No. 2006 - 31** Establish County Road Project No. 619 (CRP 619) Collector Highway Delineation
- b) Adoption of **Resolution No. 2006 - 32** Establish County Road Project No. 620 (CRP 620) County Wide Guardrail

2. **Contract/Agreement for Signature**

- a) (**Pulled**) Contract for GIS Services between Chelan County and Erlandsen and Associates Inc. for Updating the County's GIS System to Allow the Incorporation of the Road Database
- b) Local Agency Federal Aid Project Prospectus between Chelan County and the Washington State Department of Transportation for the Collector Highway Delineation project 2006A5-24
- c) Local Agency Agreement between Chelan County and Washington State Department of Transportation for the Collector Highway Delineation project 2006A5-24

BUILDING/PLANNING/FIRE SAFETY

**Interim Planning Director Mike Cecka, Planner Nathan Pate,
Building Official Doug Lewin, Fire Marshall Rod Lasher**

10:15 A.M. DISCUSSION ITEMS

1. Fire Marshall Report/B & B Sprinkler Issue. Homeowner Tom Northam present to discuss issue

10:51 A.M. Moved by Commissioner Goehner, seconded by Commissioner Hawkins and carried that the Board move into 10 minute executive session pursuant to RCW 42.30.110(g) regarding potential litigation with Counsel Susan Hinkle present.

10:54 A.M. Board extends Executive Session pursuant to RCW 42.30.110(g) for an additional five minutes regarding potential litigation with Counsel Susan Hinkle present.

11:11 A.M. Board extends Executive Session pursuant to RCW 42.30.110(g) for an additional five minutes regarding potential litigation with Counsel Susan Hinkle present.

11:18 A.M. Board resumes regular session.

11:19 A.M. Cashmere/Dryden Airport Board to Discuss Future Airport Plans

Scott Morrison, Ken Goedde, Jon Skoglund, Bruce Graham, Donna Lee Moore, Mike Milliken, and Stan Allison, and Eric Johnson of the State DOT Aviation Division present. The Board of Commissioners supports these initial efforts to move forward with grant for adoption of minimum standards for airport expansion.

11:56 A.M. Board Discussion Continues:

- Zone Change and Comp Plan Amendment Applications

11:57 A.M. Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried that the Board extend the Zone Change and Comp Plan Amendment Application deadline to April 15, 2006.

11:59 A.M. Recess

1:29 P.M. Public Hearing – Zone Change Flood Overlay District Filed by WeavTel

Hearing opened by Commissioner Hawkins for a proposal for localized zone change to remove property from the frequently flooded overlay district. 2006P1-6

1:31 P.M. Additional Correspondence added to record as well as memo from Planner Brian Frampton with details of the CLOMA. 2006C8-51

1:31 P.M. Staff reports that this action is an application for a localized rezone technical matter for frequently flooded areas. This application is to remove that portion of the subject property above elevation 1106.5 feet mean sea level (msl) from the Frequently Flooded Areas Overlay District, chapter 11,84, title 11, Chelan County Zoning. This is a mapping issue only and does not have anything to do with the building project. The Public Works Director and the Planning Department have forwarded a recommendation of denial.

1:33 P.M. Commissioner Hawkins discloses there were assertions made that because Vince Ward had purchased Equipment from Commissioner Hawkins' business that this may be a conflict of interest. Because of his respect for the process he will not allow a perception of a conflict of interest to be a factor at this hearing so Commissioner Hawkins recuses himself from the hearing process and he leaves the Chambers. Commissioner Goehner assumes the role of Chairman for the hearing. Commissioner Goehner discloses his friendship with Robert Dodge and states this will not affect his decision in the matter.

1:46 P.M. Attorney for the applicant, Robert Dodge reiterates that this is a non project action. Mr. Dodge also states it is a scientific inquiry which relies on FEMA Map Studies and does not challenge for areas designated at 1102 (msl). He asks that the Board adopt the recommendations by staff for denial of the application for removal of the property above elevation 1106.5 feet (msl) but, as written in the staff report to recommend approval of property above elevation 1108.24 feet (msl) to be removed from the Frequently Flooded Overlay District based upon the above findings and facts.

1:47 P.M. Commissioner Walter states that this application is for exclusion above 1106.05 feet (msl) not 1108.24.

1:51 P.M. Mr. Dodge requests that the Board address the procedural irregularity and approve the application under the 1108.24 designation for the sake of expedience.

1:53 P.M. Commissioner Goehner feels the application is very specific and to deviate from the process and change the application during the hearing would harm the process.

1:56 P.M. Commissioner Walter explains that the most important thing is to do what is right, not someone's timelines and to understand there can be ramifications down the road if the decision is motivated by convenience.

1:58 P.M. Mr. Dodge also states that he feels the Board will be making a mistake if they base the decision on resources other than FEMA for consistency throughout the County for practical reasons. The application was submitted based upon 1106.5 because FEMA said that.

2:01 P.M. Planning Director Mike Cecka states the basis for decision by the Board for Frequently Flooded Overlay District and this application may be subsequent studies shall constitute the best available science. He also states the Board may apply a more restrictive level but does not believe the Board can apply a less restrictive level.

2:04 P.M. County Engineer Greg Pezoldt agrees with the statements by Mr. Cecka. The Engineer also states that the PUD analysis was a more detailed study and feels they would have the most accurate gauges.

2:05 P.M. Mr. Bill Paleck and Jon Riedel of the National Park Service offer maps of the area and speak in opposition to the application. They note the property lays lower on the map and details show the Stehekin River higher than the proposed land in the not so distant past.

2:11 P.M. A letter from Senator Linda Evans Parlette is read into record. Senator Parlette also does not support the application when the land is in the flood plain and feels declassification would be negligent.

2006C8-51

2:15 P.M. Mr. Jim Clark, adjacent landowner, is opposed to the application. He states documentation shows that the 100 year flood plain is 1109 feet. He shares that the Hollingsworth property is at 1110 feet and showed 11 inches of water in the cabin. He questions whether the Commissioners would also be giving the same variance to the neighboring property.

2:17 P.M. Joe Seemiller is also an adjacent property owner. He does not have any scientific information. He states that in 1995 was the first flood he had after his purchase of the land. At that time his wood pile was washed away and a 30 lb chest was found ¼ mile downstream. He states that there is flood debris on his property from the 2003 flood and his property is higher than the subject property.

2:19 P.M. Tanya Barnhart states that phone service to the area would have a negative cultural impact on Stehekin and requests denial on the human side of the issue.

2:21 P.M. Judy Clark informs Board she has a letter from Bob Dodge from September 20, showing that a map panel from FEMA shows it is using 1981 data. She adds there have been many changes significant changes in the river since that time.

2:22 P.M. Hearing closed for public comment.

2:22 P.M. Moved by Commissioner Walter, seconded by Commissioner Goehner, and carried that the Board deny the application for the removal of the property 1106.5 feet (msl) from the Frequently Flooded Overlay District.

2:23 P.M. Hearing concluded by Commissioner Goehner. Commissioner Hawkins returns to session.

2:24 P.M. Moved by Commissioner Walter, seconded by Commissioner Goehner and carried that the Board approve the following **(added)** action item:

1. Payroll Change Notice

- a) **(Added)** Ernesto Terrazas, Coroner's Office, Deputy Coroner, New Hire

2:52 P.M. Board Discussion Continues:

- RV Serving as Permanent Residence

2:52 P.M. Moved by Commissioner Goehner, seconded by Commissioner Goehner, and carried that the Board adjourn until Monday, March 6, 2006. Board adjourned.

Filed Correspondence:

- Filed Pictures of 2003 Stehekin Flooding from Courtney Family 2006P1-5
- Superior Court Memorandum Decision Re: Summary Judgment Chelan County vs City of Cashmere 2006C8-52
- Letter to Matt Morrison from Ohme Gardens regarding Tree Removal 2006C8-53

- Letter to Commissioners from Superior Court Judges regarding Single Point Security Totals 2006C8-54

Vouchers Approved for Payment 2006B4-30

Current Expense	\$248,089.97
All Other Funds	<u>379,379.66</u>
Total All Funds	\$627,469.63

BOARD OF CHELAN COUNTY COMMISSIONERS
BUELL HAWKINS, CHAIRMAN

JANET K. MERZ, Clerk of the Board