

**CHELAN COUNTY BOARD OF COMMISSIONERS**  
**SEPTEMBER 18, 19, 2006 MINUTES**

**9:03 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 Melissa Scott.

**9:05 A.M. Moved** by Commissioner Walter, seconded by Commissioner Goehner, and carried that the Board approve the September 11, 12, 2006 minutes as corrected.

**9:13 A.M. Moved** by Commissioner Goehner, seconded by Commissioner Walter, and carried that the Board approve the Consent Agenda as follows (**adding**) items (**c**) and (**d**):

- Vouchers as submitted
- Payroll changes as follows:
  - a) Rosalie Richardson, Regional Justice Center, Extra Help
  - b) Gary Kraus, Public Works, Length of Service Increase
  - c) (**Added**) Mark Gilbertson, Fairgrounds, Temporary Help
  - d) (**Added**) Claudia Gonzalez, Farm Worker Housing Camp, Temporary Help

**9:16 A.M. BOARD DISCUSSION:**

- Resolution No. 2006-118 Combination of Parcel Numbers - Assessor Russ Griffith and Chief Appraiser Vicky Griffin present to discuss concerns regarding resolution

**9:27 A.M. Moved** by Commissioner Goehner, seconded by Commissioner Walter, and carried that the Board rescind resolution No. 2006-118. Commissioner Hawkins opposes the motion until the Board is presented with a solution. Resolution rescinded by adoption of the following:

**1. Resolution**

- a) Adoption of **Resolution No. 2006 - 122** rescinding Resolution No. 2006- 118 for the Combination of Parcel Numbers.

**9:29 A.M. Board Discussion Continues:**

- Grant Application for Fingerprint Equipment – Commissioner Hawkins signed an additional accompanying document September 15
- County Employee Parking

**ADMINISTRATIVE AGENDA**

**County Administrator, Cathy Mulhall**

**10:08 A.M. DISCUSSION ITEMS:**

1. Project Manager Robert Knowles regarding Project Updates, Change Order #1 with Mitchell Paving and Trucking for Alley Overlay Project (To be pulled at request of Project Manager)
2. Agreement with the City of Cashmere on Fairgrounds Sewer Hook Up
3. 2007 Humane Society Contract Extension

4. Rental of Office Space to Upper Columbia Salmon Recovery Board Director – It is **consensus** of Board to charge the rental price of \$12 per square foot for office rental space to outside agencies providing services to the County
5. Cost Allocation - Financial Services Manager Brad Posenjak will present the details regarding the structure of the cost allocation policy to the Jail Partnership at the next monthly meeting
6. Upper Columbia Salmon Recovery Board Interlocal Agreement for Formation of the Private Non Profit Organization
7. Budget Request/Auditor- Request for Purchase of Document Scanner
8. Community Action Council Appointment

**10:27 A.M. Moved** by Commissioner Goehner, seconded by Commissioner Walter, and carried that the Board approve the following action items (**pulling**) item **1(a)**, and **2(a)**:

**ACTION ITEMS:**

1. **Budget Request**
  - a) (**Pull**) Auditor Request to Purchase Document Scanner at a Cost of \$6200 from the Auditor's O&M Fund
2. **Contracts for Signature**
  - a) (**Pull**) Change Order #1 with Mitchell Paving and Trucking for Alley Overlay Project
3. **Misc.**
  - a) Recommendation to Appoint Diane Cook to the Chelan-Douglas Community Action Council Replacing Fredi Simpson 2006C8-171

**10:28 A.M. Board Discussion Continues:**

- NACO NFCSC Fly In – Commissioner Goehner shares information on the Washington DC Trip regarding National Forest and Secure Rural Schools and Communities
- Self Defense Courses – Commissioners to look at funding sources to offer to interested county employees on employee time

**10:48 A.M. Administrative Agenda Items Continue:**

- b) Executive Session – Personnel

**10:48 A.M. Moved** by Commissioner Walter, seconded by Commissioner Goehner, and carried that the Board move into 10 minute executive session pursuant to RCW 42.30.110(g) regarding personnel issues.

**10:59 A.M.** Board resumes regular session. Recess

**NATURAL RESOURCES PROGRAM**

**Alan Schmidt Habitat Program Manager**

**11:07 A.M. DISCUSSION ITEMS:**

1. Bureau of Reclamation Contract
2. Notice to Proceed – Pipkin Construction Fish By-Pass Project (Contract not available at this time, pull until 1:30 p.m.)
3. Grant Documentation Reviews – Grant documents for upcoming projects receiving positive review evaluations.

**11:13 A.M. ACTION ITEMS:**

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

**1. Contracts/Agreements**

- a) Bureau of Reclamation Contract 2006A5-168
- b) (**Pull**) Notice to Proceed Issued to Pipkin Construction for Skinny Creek Fish Passage Project

**11:19 A.M. Recess**

**CHELAN COUNTY SHERIFF**

**Undersheriff Greg Meinzer, Chief Criminal Deputy Clyde Foreman,  
Chief Civil Deputy Mark Horaski**

**11:30 A.M. DISCUSSION ITEMS:**

1. Designation of Applicant’s Agent (To be pulled for changes)
2. Crisis Management Exercise at Alcoa
3. Chief Criminal Deputy Clyde Foreman Retiring from Chelan County to Take Position in Business Security Industry
4. Fire Update – Fire Level at Stehekin Lowered to Level One
5. Sheriff’s Department Vehicle Parking – Sheriff vehicles will park in lower lot when paving is complete

**11:45 A.M. ACTION ITEMS (Pulled by consensus of Board):**

**1. Resolution**

- a) (**Pulled**) Adoption of Resolution Designation of Applicant’s Agent

**11:45 A.M. Recess**

**1:29 P.M.** Commissioner Hawkins opens session. Natural Resources Habitat Program Manager present with previously pulled action item.

**1:29 P.M. Moved** by Commissioner Walter, seconded by Commissioner Goehner, and carried that the Board approve the following:

**1. Contracts/Agreements**

- (b) Notice to Proceed Issued to Pipkin Construction for Skinny Creek Fish Passage Project 2006A5-169

**1:30 P.M. COMP PLAN HEARINGS**

2006P1-32

Commissioner Hawkins opens the hearing with all Commissioners present.

## **I. CITIZEN REQUESTED COMPREHENSIVE PLAN LAND USE AND ZONING MAP AMENDMENT**

### **1:32 P.M. A. CPA 2006-007 and ZC 2006-007**

Commissioner Walter recuses himself from the hearing. Commissioner Hawkins states that he has had business dealings with the applicants in 2006-007 and 2006-012 but he does not feel it will affect his ability to make a fair decision in the matter. No one from the members of the public voice opposition to his participation.

The application was submitted by Deanna Walter, of Premium Developments, on behalf of John McQuaig and Waterworks Properties. The proposal is to change the designation from Rural Residential/Resource 5 (RR 5) to Rural Waterfront (RW). The subject property is generally located at 17300 SR97A, Entiat, WA.

Planner Brian Frampton gives staff report on the three lot application and states that letters from FutureWise and Chris Parsons of WDFW are included in the application information. The matter was before the Planning Commission on August 28, 2006 with a unanimous recommendation for denial with two recusals and one absence. Planner Frampton states that the Planning Commission looked at development prior to the application in their decision for recommendation for denial.

Deanna Walter, as agent, states there are actually four parcels with two parcels identified by the same parcel number. She states that there are three issues in question. The first issue is that there is only one home on the site. This is the same situation as the property (Harris) to the north. The second issue that the Planning Commission discussed is the proposed lot sizes are too big. However, again, the Harris property was determined in 2000 to be of sufficient size and they are lots that are larger than the proposed lots.

Commissioner Hawkins questions the lot size of Rural Waterfront designation and Deanna Walter states the minimum lot size is 12,000 square feet but it is dependent on Health District requirements.

Deanna Walter also states a concern is the original planning map. It shows that the Water Works LLC property was given designation in original 2000 zoning map but appears to be excluded here. She feels this must have been an oversight.

Commissioner Goehner asks about development in a LAMIRD and Planner David Grimes states that the RCW requires existing development.

Mr. John McQuaig, owner, states his concern that the property directly north is designated as rural waterfront and down river is even higher density in Entiat. He questions why this was not zoned rural waterfront in the previous designation.

Calvin White of Premium Developments speaks on the frustration of the issues before the Board. He states his concerns with the designation of the Harris property and states there needs to be a time for these application to be approved for conforming uses. Commissioner Hawkins feels the Columbia River properties in Chelan County should be looked at collectively, at a separate sub area plan.

**1:56 P.M. Moved** by Commissioner Goehner, seconded by Commissioner Hawkins, and unanimously carried that, based upon the findings of fact, conclusions of law, and the recommendation of staff, to deny the application CPA 2006-007 and ZC 2006-007 with a notice of decision to be signed next week on Monday, September 25, 2006. **Application denied.**

**1:57 P.M. B. CPA 2006-008 and ZC 2006-008**

The application is submitted by Norm Nelson, on behalf of Paul and Debbie Volkmann, owners for a Comprehensive Plan Land Use Map and Zoning Map Amendment on approximately 8.0 acres of land. The proposal is to change the designation from Rural Residential/Resource 5 (RR 5) to Rural Village (RV). The subject property is located at 874 Majestic View Drive, Wenatchee, WA.

Mr. Cliff Wavra of the Planning Staff gives the staff report. The Planning Commission recommended denial. He further states that this area is to be considered for the Sunnyslope Urban Growth Area. Planner Wavra also states this would be considered a new LAMIRD.

Mr. Norm Nelson, as agent for the owner states the owner recently purchased the property and plans to build on the lower lot and divide the rest of the property. He informs the Board that a 50 lot subdivision is being put in above and that the Eagle Rock area is quite built out. There is additional property below that is less than ½ acre. These properties will be on septic and drain field systems. There is water in the area.

Commissioner Goehner asks about covenants on the property and if the covenants would restrict this type of development. Mr. Nelson does not know the intent of the covenants.

Commissioner Walter states that there is a preferred alternative and that is the Sunnyslope UGA. If this is in the accepted UGA, sewer services will be planned in the area. Commissioner Walter would like to see the matter continued.

Planner Wavra states that he feels this property is in the proposed Urban Growth Boundary. The decision to be made tomorrow regarding the Sunnyslope UGA could trump any decision on designation made today and we would adopt their designations into our urban growth area. He also states that aside from the question whether this goes into the UGA or not, the Planning Commission felt this is not infill for an incomplete LAMIRD and did not meet the criteria for rural village.

**2:16 P.M. Moved** by Commissioner Walter to continue the hearing for CPA 2006-008 and ZC 2006-008. No second on the motion.

**2:17 P.M. Moved** by Commissioner Goehner, seconded by Commissioner Hawkins, and carried that the Board deny the application for CPA 2006-008 and ZC 2006-008. Commissioner Walter votes in the negative to deny the application. A notice of decision is to be signed next week on Monday, September 25, 2006. **Application denied.**

**2:18 P.M.** Mr. Larry Schrader gives history on the split of the property.

**2:20 P.M. C. CPA 2006-010 and ZC 2006-010**

The application was submitted by Jay Kehne, owner, for a Comprehensive Plan Land Use Map and Zoning Map Amendment on approximately 5.02 acres of land. The proposal is to change the designation from Rural Residential/Resource 5 (RR5) and Rural Village (RV) to Rural Village (RV). The subject property is located at 525 Division St., Manson, WA.

Planner David Grimes gives a staff report and informs the Board that he has sent notice to the applicant Jay Kehne with no response. The new owner, Kathy Branch has signed the document for the change. The Community Development staff has recommended approval. The Planning Commission voted to approve the application with a vote of 6-2. The applicant is not present to comment and no one from the public wishes to comment.

**2:24 P.M. Moved** by Commissioner Walter, seconded by Commissioner Goehner, and unanimously carried that the Board approve the application for CPA 2006-010 and ZC 2006-010 with a resolution approving the application to be signed on Monday, September 25, 2006. **Application approved.**

**2:24 P.M. D. CPA 2006-011 and ZC 2006-011**

The application was submitted by Jim Robertson, of Robertson Ranch Inc, owners for a Comprehensive Plan Land Use Map and Zoning Map Amendment on approximately 26.02 acres of land. The proposal is to change the designation from Rural Residential/ Resource 5 (RR5) to Rural Residential/Resource 2.5 (RR2.5). The subject property is generally located at the intersection of Pioneer and Hinman Rd, Cashmere, WA.

Commissioner Goehner discloses that the applicant, Jim Robertson, is his neighbor but does not feel this would affect his decision. Mr. Robertson has no concerns in this regard.

Planner Cliff Wavra gives a staff report on the application of the 26.2 acres of land. The Community Development Staff gave a recommendation of approval to the Planning Commission which heard the matter on August 28, 2006. The subject land is in rural village and is surrounded in all directions by a pattern of development.

The Planning Commission recommends approval with one recusal and one member opposed. Mr. Wavra also states that an email from Sydney McComas of FutureWise, CEPA documents and a Determination of Non Significance was included in the information.

Mr. Jim Robertson, owner, echoes staff comments that rural village has moved out this far (to the subject property) and feels the change in designation is appropriate.

**2:30 P.M. Moved** by Commissioner Goehner, seconded by Commissioner Walter, and unanimously carried that the Board approve the application for CPA 2006-011 and ZC 2006-011 filed by Jim Robertson. A resolution will be presented and signed on September 25, 2006. **Application approved.**

**2:31 P.M. E. CPA 2006-012 and ZC 2006-012**

An application was submitted by George Schultz and Huldrich Schmid, owners, with agent Dick Armbruster for a Comprehensive Plan Land Use Map and Zoning Map Amendment on approximately 65.6 acres of land. The proposal is to change the designation from Rural Residential/Resource 5 (RR5) to Rural Residential/Resource 2.5 (RR2.5). The subject property is located at and near 25251 Greentree Rd., Chelan, WA.

Community Development staff Cliff Wavra gives report on the application as filed. Adjacent to the property to the south is the UGA for the City of Chelan. The designation next to UGA is suggested to be RR5 which allows for future roads and infrastructure. It was also the staff's opinion that does not meet the size requirement and the property is surrounded by larges parcels. Staff reviewed the application a forwarded a recommendation to the Planning Commission to deny. The Planning Commission noted that the surrounding slopes did not allow for future infrastructure and voted in favor of approval of the application with a vote of 5-1 with two Planning Commissioners recusing themselves, one absent and one voting against the application.

Commissioner Goehner states that staff stated they used the adjoining parcel sizes as a determining factor in their decision even though they are in the UGA. There is the potential for higher density even though the parcels presently may be larger. Planner Wavra says yes that is the case but that staff felt rural criteria should be considered and should be referenced as rural development. Commissioner Walter looks at the property (map) in reference as it lies near the hospital.

Mr. George Schultz, owner, speaks on the application and shows how only about half of the property could be developed into anything due to the slopes and the cost of infrastructure in a steep area such as this. He also believes you would not be able to develop as many lots as allowable due to the terrain. Planner David Grimes also states that a FutureWise letter and a letter from the Department of Fish and Wildlife are included in the staff report.

**2:42 P.M. Moved** by Commissioner Walter, seconded by Commissioner Goehner, and unanimously carried that based upon the Findings of Fact, Conclusions of Law, and the recommendation of the Planning Commission the Board approve the application for CPA 2006-012 and ZC 2006-012 with a resolution to be submitted and signed on September 25, 2006. **Application approved.**

**2:46 P.M. Moved** by Commissioner Goehner, seconded by Commissioner Walter and carried that the Board recess until Tuesday, September 19, 2006. Board recessed.

### **Tuesday, September 19**

**8:30 A.M.** Session opened by Commissioner Hawkins. All commissioners present and Deputy Clerk of the Board Sally Taylor. **Moved** by Commissioner Walter, seconded by Commissioner Goehner and unanimously carried that the Board move to 15 minute executive session pursuant to RCW 42.30.110(g) regarding personnel.

**8:39 A.M.** Board resumes regular session.

**8:40 A.M. Moved** by Commissioner Walter, seconded by Commissioner Goehner, and carried that the Board move into 15 minute executive session pursuant to RCW 42.30.110(g) regarding personnel.

**8:53 A.M.** Board resumes regular session. Board will recess until 9 AM.

### **WENATCHEE RIVER COUNTY PARK**

**Jerry Niebuhr, Manager**

#### **9:00 A.M. DISCUSSION ITEMS:**

- Additional On Site Services - Park Manager Jerry Niebuhr requests additional compensation due to extra work in Farmworker Camp. Board discusses various options for the extra work performed. **Consensus** of the board to approve a \$2,000 stipend for 2006, and increase Park Manager's base wage for next year by \$2,000. Wenatchee River Park Fund will bill the Farmworker Camp for the additional payment. Documents Filed 2006C8-172
- Park Revenue - County Park Revenue is up almost \$2,000 from the same time last year. Commissioners review comment sheets from RV campers, overwhelming majority of campers report the park as well-maintained and managed.

### **FARMWORKER HOUSING CAMP**

**Donn Etherington, Manager**

#### **9:30 A.M. DISCUSSION ITEMS:**

- Staffing Update - Formal notice from Farmworker Camp Manager Donn Etherington that he will be resigning after this year. Board discusses need to transfer management of the Farmworker Camp to another agency for oversight. Commissioner Walter will follow up with DCTED for their input regarding the lease agreement.



**PUBLIC WORKS DEPARTMENT**

**Public Works Director Greg Pezoldt, Assistant Director Gary Owen,**

**9:37 A.M. (CONT.) PUBLIC HEARING ON LATECOMER'S AGREEMENT**

**9:39 A.M. Moved** by Commissioner Goehner, seconded by Commissioner Walter, and carried that the Board again continue this hearing until October 3<sup>rd</sup> at 9:30. Public Works Department will deliver completed documents for signature on that date.

**9:49 A.M. PUBLIC WORKS DISCUSSION ITEMS:**

1. Agreement for the Acquisition of Right of Way for Robert and Pamela Holmes
2. Contract with Fairview Construction, Inc.
3. No Parking Resolution – Willow Point Park
4. Monolithic Curb/Gutter/Sidewalk
5. Eagle Creek Road Project - To be scheduled for next year
6. Sunnyslope UGA Meeting - Sub Area Plan for that area needs to be studied for approval
7. Sidewalk Safety Grant for Peters Street - Grant application will not be ready by deadline tomorrow. Other grant opportunities will be available for that project.
8. Enhancement Grant for Manson Sidewalk Project - Project will begin next spring.
9. Letter from Commissioner Hawkins to Jared Fors regarding Hook Up for Storm Water Sewer, 2006C8-173
10. **Consensus** of the Board to pursue PUD Supplied Lighting for bus stop on Dixie Lane at Bus Stop Area. Speeding concerns also to be considered.

**10:21 A.M. Moved** by Commissioner Goehner, seconded by Commissioner Walter, and carried that the Board approve the following action items, **adding (1c), (1d), and (2b).**

1. **Agreement/Contract for Signature**
  - a) Agreement for the Acquisition of right of way between Chelan County and Robert W. and Pamela K. Holmes for the Manson Boulevard Improvement project, CRP 572  
2006A5-170
  - b) Contract between Chelan County and Fairview Construction Inc. for the Chelan Shop Water Main Extension Public Works Project No. 889  
2006A5-171
  - c) **(Added)** E911 Contract with the Washington State Military Department;  
2006A5-172
  - d) **(Added)** Interlocal Agreement with Douglas County, Okanogan County, Yakama Nation, and the Colville Confederated Tribes for the Upper Columbia River Salmon Recovery Board  
2006A5-173
2. **Resolutions**
  - a) Adoption of **Resolution No. 2006-123** Willow Point Park No Parking
  - b) **(Added)** Adoption of **Resolution No. 2005-124**, rescinding Resolution #2006-121 re establishing Fire District #10/Stehekin and adding Board Member Elections to the Fire District Election.

**COMMUNITY DEVELOPMENT DEPARTMENT**

**John Guenther, Director**

**10:23 A.M. DISCUSSION ITEMS:**

1. Susan Hinkle, Deputy Prosecuting Attorney present to discuss Agreed Order for Zone Change 2006-038, filed by Westgate Communications, doing business as WeavTel. Commissioner Hawkins recuses himself from this action.

**10:24 A.M. Moved** by Commissioner Goehner, seconded by Commissioner Walter, and carried that the Board approve the following action items:

1. **Agreement/Contract for Signature**
  - a) Execution of Stipulation to Grant Westgate Rezone, ZC 2006-038, (WeavTel)  
2006A5-174

**10:36 A.M. Community Development Discussion Items Continue :**

2. Request to Set the Date of October 9, 2006, at 1:00 P.M. for a Public Hearing regarding Proposed Comprehensive Plan Land Use and Zoning Map amendments
3. Draft Handout for Recommended Surveys
4. Continuance of Galvan Refund Request
5. CTED GMA Grant Application (add to action items)
6. Staffing Issues - four ten hour shifts  
2006C8-174
7. Land Use Policies regarding Mineral Rights

**11:16 A.M. ACTION ITEMS:**

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

1. **Notice of Hearing**
  - a) Set Date of Oct 9, 2006, at 1:00 P.M. for a Public Hearing regarding Proposed Comprehensive Plan Land Use and Zoning Map Amendments. 2006H6-24
2. **Budget Request/Refund**
  - a) **(Denied)** Galvan Refund request denied, letter to applicant  
2006C8-175
3. **Grant Application**
  - a) **(Added)** CTED 2007 GMA Regional Collaboration Grant Application  
2006A2-3

**11:18 A.M. Moved** by Commissioner Walter seconded by Commissioner Goehner and unanimously carried that the Board move into five minute executive session regarding personnel pursuant to RCW 42.30.110(g).

**11:23 A.M.** Board extends Executive Session for an additional 25 minutes.

**11:44 A.M.** Board resumes regular session. Board Discussion Continues:

- Weekly meeting with Community Development Director
- DNR Land in Chelan County - Public hearings will be held regarding possible sale or trade of some of these properties.
- Meeting in Stehekin regarding Recent Fire Level Restrictions
- Link Board Meeting – Para-transit policy needs to be addressed
- Humane Society Issues - Commissioner Goehner will contact Humane Society Director Pam Baker

- Regional Jail Director Gale Wick present to request approval for out of state travel.

**12:03 P.M. Moved** by Commissioner Goehner, seconded by Commissioner Walter, and carried that the Board approve the following **(added)** action item:

**1. Budget Request**

- a) **(Added)** Out of State Travel Request for Officers to travel to Wyoming for training. 2006B4-129

**12:06 P.M. Moved** by Commissioner Walter, seconded by Commissioner Goehner, and carried that the Board adjourn until Monday, September 25, noting that Board Meetings will now be held at the new County Administration Building at 400 Douglas Street. Board adjourned.

**Filed Correspondence:**

- Letter to Commissioners from Paul Fielder regarding maintaining noxious weed control in Chelan County 2006C8-176
- Letter from Department of Ecology regarding Roses lake Milfoil Eradication Project 2006C8-177
- Letter from Sheriff Mike Harum regarding CEMP Meeting 2006C8-178

**Vouchers Approved for Payment** 2006B4-130

Current Expense		\$256,941.43
All Other Funds		<u>659,985.19</u>
	Total All Funds	\$916,926.62

BOARD OF CHELAN COUNTY COMMISSIONERS  
 BUELL HAWKINS, CHAIRMAN

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JANET K. MERZ, Clerk of the Board