

**CHELAN COUNTY COMMISSIONERS
FEBRUARY 26, 27, 2007 MINUTES**

MONDAY, FEBRUARY 26, 2007

9:01:07 AM SESSION OPENS:

Chairman Goehner opens session with Commissioner Walter and Commissioner Hawkins in attendance. Also present for session are County Administrator Cathy Mulhall and Clerk of the Board.

9:01:35 AM EMPLOYEE RECOGNITION AWARDS:

Chairman Goehner 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.

Phyllis Russell	Regional Justice Center 15 Years, Present
Gary Smith	Juvenile Department 15 Years, Present

9:03:14 AM MINUTES:

Moved by Commissioner Hawkins, seconded by Commissioner Walter and carried unanimously that the Board approve the February 20, 2007 minutes as corrected.

9:11:21 AM CONSENT AGENDA:

Moved by Commissioner Walter, and seconded by Commissioner Hawkins that the Board approve the following action items. **Motion tabled** until further documentation arrives regarding the maintenance length of service increases:

- Vouchers Submitted as Listed
- Payroll changes:
 - a) Terry Nowka, Noxious Weed, Length of Service Increase
 - b) Earl Griffith, Public Works, Length of Service Increase
 - c) Laren Lamb, Maintenance, Length of Service Increase
 - d) Ronald Babst, Maintenance, Length of Service Increase

9:22:21 AM BOARD DISCUSSION:

- Letter to Grant County PUD regarding March 20 Hearing for Vacation of Right of Way on Nason Creek 2007C8-38
- Forest Service Request for Access on River Road
- Speed Limits on Tigner and Binder Road

9:29:59 AM CONSENT AGENDA DISCUSSION CONTINUES:

Motion before the board at 9:11 a.m. **approved unanimously.**

9:31:02 AM BOARD DISCUSSION CONTINUES:

- Funding for RiverCom Radio Infrastructure, Juvenile Construction Bond Debt
- Calendar Updates
- Link Meeting Updates and Changes/New County Service Routes

ADMINISTRATIVE AGENDA

County Administrator, Cathy Mulhall

10:02:34 AM DISCUSSION ITEMS:

1. Juvenile Court Security - Present are Juvenile Department Director Phil Jans, Superior Court Judge TW Chip Small, and Facilities Maintenance Director Pat DuLac. Security proposal would be in place at a rate of 20 hours per week. It is **consensus** of Board to move forward with additional contract with Merchant Patrol for security in the Juvenile Department.
2. Executive Session Regarding Personnel Issue
3. Administrative Update
 - Salary Survey RFP

10:30:38 AM ACTION ITEMS:

Moved by Commissioner Walter, seconded by Commissioner Hawkins and carried unanimously that the Board approve the following action item (**adding**) item **4(b)** Program for Inmate Medical Claims:

1. **Budget Transfer**
 - a) District Court to Transfer \$500 from DC Supplies to DCP Supplies 2007B4-28
2. **Budget Issue - Out-of-State Travel**
 - a) Extension Employee Cory Stitt to Travel to AEE Conference in Maple Ridge BC Canada on March 22-25 2007B4-28
3. **Resolution**
 - a) Adoption of **Resolution No. 2007 - 35** Appointment of Lodging Tax Advisory Committee & Rescinding Resolution 98-57
4. **Miscellaneous**
 - a) Request for Proposals – Salary Survey 2007B1-6
 - b) (**Added**) WSAC Financial Services Corporation Inmate Medical Claims Administration Program 2007A5-47

10:31:11 AM EXECUTIVE SESSION:

Moved by Commissioner Hawkins, seconded by Commissioner Walter and carried that the Board move into 25 minutes executive session pursuant to RCW 42.30.110(g) regarding personnel performance.

10:57:53 AM REGULAR SESSION:

Board resumes regular session.

10:58:09 AM RECESS

NATURAL RESOURCES DEPARTMENT

Mike Kaputa, Natural Resources Director

11:07:39 AM DISCUSSION ITEMS:

1. Critical Areas Presentation. Community Development Director John Guenther also present.

12:17 PM RECESS

1:06 PM (Tape left running for Voucher Approval)

1:29:56 PM CONTINUED PUBIC HEARING - FEE CHANGES:

Hearing opened by Chair Goehner to discuss Community Development's proposed fee changes. Director John Guenther and Planner Nathan Pate discuss updated fee schedule with the Board and the public. (See sign in list for attendees). Accessing funds for file archiving is a priority for Community Development.

The Board of Commissioners discussion the changes to be addressed in the proposed fee schedule. An archival plan will be completed by June 1 for the collection of \$4.00 per building design fee. The Commissioners will be notified before "no permit" fines are imposed. Additional fees for fire inspections will be in place for gated communities. Commissioner Goehner closes Public Hearing for further comment.

2:24:38 PM Moved by Commissioner Walter, seconded by Commissioner Hawkins and approved to adopt the fee schedule with the changes discussed to be incorporated into the final resolution which will be submitted for adoption on March 6, 2007. The new Community Development fees will be imposed beginning April 1, 2007.

CHELAN COUNTY SHERIFF'S DEPARTMENT

Sheriff Mike Harum

2:30:19 PM DISCUSSION ITEMS:

1. National Guard Building
2. Senate Bill 1099 and Senate Bill 5015 - Sheriff Harum met with Governor Gregiore to discuss Senate Bill 1099 and Senate Bill 5015. SB5015 which would shift authority to DNR during fire emergencies. Commissioners' and Sheriff are opposed to transfer of authority.
3. Legislative Issues – Proposed bill regarding law enforcement off Tribal Lands, would grant tribal authority under state patrol.

4. Emergency Management Contract Renewal with Cities - Discussion with Chief Civil Deputy Mark Horaski and Undersheriff Greg Meinzer. City of Wenatchee will not be added to EM Contract. Extensive discussion regarding funding of Emergency Management Program. County Administrator will assist with the project.

3:02:04 PM EXECUTIVE SESSION:

Moved by Commissioner Hawkins, seconded by Commissioner Goehner and carried that the Board move to executive session for 40 minutes to discuss interviews for the Farm Worker Housing Manager position pursuant to RCW 42.30.110(g). Commissioner Walter votes in the negative.

3:42:00 PM REGULAR SESSION:

Board resumes regular session.

3:33:00 PM. RECESS

Board recesses until Tuesday February 27, 2007.

TUESDAY, FEBRUARY 27, 2007

9:04:20 AM OPENING:

Chairman Goehner resumes session with Commissioner Walter and Commissioner Hawkins in attendance. Also present for session are County Administrator Cathy Mulhall and Clerk of the Board.

FACILITIES MAINTENANCE

Pat DuLac, Director

9:04:32 AM DISCUSSION ITEMS:

- Campus Remodeling Update - Remodeling for Assessor's office has begun, Assessor's staff has temporarily moved to previous Commissioners' Office area, Civil Prosecutors to previous Public Works offices
- Campus Security Update
- Juvenile Detention Metal Detector
- Superior Court Area Carpet Project
- Draft Pet Policy

9:28:33 AM BOARD DISCUSSION:

- Department Head – Commissioner Weekly Meeting

PUBLIC WORKS DEPARTMENT

Public Works Director Greg Pezoldt

9:34:32 AM DISCUSSION ITEMS:

1. Greg Pezoldt Introduces Jolene Gosselin, New County Engineer

2. Contract with Coleman Oil (North Central Petroleum) for 2007 Fuel
3. Payroll Change Notice for Margaret Turner Assistant Accountant (to be added)
4. Douglas County Engineering Work
5. Manson Blvd Update
6. Additional Road Sign for Malaga Fire Station
7. Tigner and Binder Roads Intersection and Speed Limit Signage
8. Malaga Area Property Access Right of Way Corridor
9. Resolution for Closure of Roads for Ridge to River Relay on April 14, 2007
10. Agreement for the Acquisition of Right of Way for Charles R. Garton
11. Call for Bids – Crushed Aggregate for Seal Coat
12. Call for Bids – Liquid Asphalt
13. Call for Bids – Low Profile Flat Bed Truck

10:07:34 AM ACTION ITEMS:

Moved by Commissioner Walter, seconded by Commissioner Hawkins and carried unanimously that the Board approve the following action items (**adding**) item **4(a)** payroll change for Public Works Assistant Accountant:

1. Resolution

- a) Adoption of **Resolution No. 2007 – 36** Road Closure for Ridge to River Relay Race on Saturday April 14, 2007

2. Agreement for Signature

- a) Agreement for the Acquisition of Right of Way between Chelan County and Charles Garton for Manson Boulevard County Road Project No. 572, (CRP 572)
2007A5-48

3. Call for Bids

- a) Crushed Aggregate for Seal Coat 2007B1-7
- b) Liquid Asphalt 2007B1-7
- c) Low Profile Flat Bed Truck 2007B1-7

4. Miscellaneous/Payroll Change Notice

- a) (**Added**) Margaret Turner, Public Works, New Hire

COMMUNITY DEVELOPMENT

John Guenther, Director

10:12:16 AM DISCUSSION ITEMS

- Request for Commissioner Sponsored Comp Plan Amendment - Graham Simon and Nathan Pate present to discuss Fish and Wildlife request for Commissioner sponsored Comp Plan Amendment near Beebe Bridge (see letter from Fish and Wildlife dated Feb 12, 2007)
- Electronic Permitting - IT Director Fred Hart present to discuss electronic permit tracking demonstration and results

10:37:26 AM PUBLIC HEARING – PROCEDURAL UPDATES

- Chairman Goehner opens public hearing with Lisa Parks of Alliance Consulting present. Procedural updates to the Chelan county Code Chapter 13.04 State Environmental Policy Act. See Attendance Sheet.

11:31:17 AM SUPPLEMENTAL BUDGET APPROPRIATION HEARING

Commissioner Goehner opens hearing. No public comment on the matter.

11:34:23 AM SBA ACTION ITEM:

Moved by Commissioner Hawkins, seconded by Commissioner Walter and carried unanimously that the Board approve the following action item:

1. Resolutions

Adoption of **Resolution No 2007 – 37** Supplemental Budget Appropriation

- Juvenile - \$22,219, Sheriff - \$51,173

11:35:43 AM Public Hearing Continues – Procedural Updates

Hearing resumes on Planning Procedural Updates

11:45:14 AM Moved by Commissioner Walter, seconded by Commissioner Hawkins, and carried that the Board continue the public hearing until Tuesday, March 13, 2007 at 10:00 a.m.

11:47:29 AM RECESS

Board recesses until 1:30 p.m.

1:29:35 PM PUBLIC HEARING - COMPREHENSIVE PLAN LAND USE AND ZONING MAP AMENDMENTS

1. 2006 Comprehensive Plan and Development Regulation Amendments

A) Amend the Chelan County Comprehensive Plan and Amendments to the Land Use Designation Map

Commissioner Goehner opens the public hearing. John Guenther addresses the public process. The Planning Commission forwarded a recommendation for the adoption of the Comprehensive Plan and Amendments to the Land Use Designation Map.

This is a mandate according to the Growth Management Act. Staff is introduced including Planners Cliff Wavra and Matt Hansen as well as consultant Lisa Parks. See Attendance Sheet. Staff reports will be addressed separately.

Consultant Lisa Parks addresses the Board. She states the hearing is to consider the comp plans as they pertain to the development regulations. The changes addressed are in the text amendments since the plan was adopted in 2000. LAMIRDS would be included in these amendments as well as area wide map amendments. Four visioning meetings and workshops

were held throughout the county where items were addressed, listed and discussed and there was a review of those tasks. An advisory committee was formed, meetings were held and a public hearing as well. The Malaga area is a portion of the amendments. This rezone plan includes 35 acres to be de-designated from A/C to S\$2.5. The Planning Commissioner removed 20 acres from the de-designation based on Staff recommendations. Based on new information Staff recommends de-designation of the entire 35 acres. included in the plan includes 35 acres of re-designation in which the lower 20 acres of the 35 not be included in the de-designation. The information by Staff to the Planning Commission with no de-designation analysis with soil types showing prime or unique soils. The Planning Commission took only the staff recommendation rather than the additional information. The Board has a letter in the information before them. Information is given to the Board regarding the Mill Pond discussions during the Planning Commission meeting. The oversight committee recommended re-designation of the Mill Pond area. The Malaga Community Council voted to keep it in the rural industrial. The Planning Commission heard the proposal and left that in the current designation as rural industrial.

2:00:22 PM Chairman Goehner Opens Hearing to Public Testimony

Doug Morgan speaks on the issue representing the NCW Association of Realtors. The concern he shares is the affordability of housing in the area. Part of that issue is the availability of land in the County. He offers the SNAPSHOT which shows land availability according to price range.

Russ Andrews, Realtor also speaks supporting the comments of Doug Morgan stating the industry needs more availability and affordable housing.

Bob Kiesz addressed the Board on the Mill Pond and the rural residential planning of that area from the industrial property to residential property. He reads an editorial regarding affordable housing. He is advocating the change in the proposal to include this property.

Malaga Community Council member Rosalie Edwards joins the discussion. She is a development supporter and realtor. She requests that the Board consider that the community has gone through due process and would like to have the commissioners approve as recommended. She says the Community Council would like to keep this parcel in Rural Industrial. There are other properties that may be developed. They do not feel this land would be appropriate for homeowners given the flooding issues.

Rich Cole offers photographs to the Commissioners as he addresses the mill pond area flooding. A housing development should not be allowed due to the flooding issues and given that this property is in a flood plain. He offers flooding history on the property. He requests that the Board not approve this area for development. FEMA issues and mitigation are addressed.

Linda Pershall speaks on the mill pond property. She requests this Board consider the process the Council and Advisory Board has gone through. She feels the developer has two strikes; that this would not be an age restricted development, and the owner will not own the land the development sits on.

Aaron Young also offers testimony on the mill pond property and speaks on the laws that are in place that will address the concerns that were brought up today. There have been assumptions voiced on how the property will be used. The property that has been taken out of agricultural use in the past may mean it is not viable at this time for that designation. The Advisory Council worked hard on this and requests you consider the recommendation.

Kevin Overbay is the Chairman of the Malaga/Colockum Community Council and testifies before the Board. A lot of work and process went into the proposal as presented by the Council. The Mill Pond developers intended to put in an industrial park initially. The CUP states they are permitted to crush for one year and stockpile for four years. That time frame is coming to an end. The Council believe they followed the benefits and goals of the industrial uses in Malaga. This site is designed for industrial and that has been done. Any concerns about mitigation can be addressed through the code enforcement. It is best to leave it in the current zoning and if the property owner wishes to make a change he may go through the formal process down the road.

Stew Cusick requests that the 58 acres be put back in the zoning that was originally approved by the advisory board. They have gone through a process. He feels home sites will be a good use for the property in reference to what is surrounding the land. They would like to go through with a use that is good for the community rather than an eye sore. It is 45% open area and if developed will not have a crowded appearance. This is a protected location and will not affect the agricultural community around it. The population is coming to the community. He believes this discussion is about zoning and whether the land is used for pre-built manufactured homes should not be a part of the discussion.

Commissioner Hawkins asks if one or more of the lots in the compound has been sold. Mr. Cusick responds that it has and is used as a commercial use. Commissioner Hawkins responds that if you change the area designation to rural residential, and there is an industrial use in the middle, we are adding a non conforming use in the hub of the development. Lisa Parks states that the rrr classification is intensive development. No industrial provisions are found. Commissioner Hawkins voices concerns for the existing owner and the non conforming use that would apply if this were re-designated.

Commissioner Walter questions if development agreements as outlined in Title 14 would be involved in this issue. Community Development Director John Guenther responds.

Chuck Garvey of the Malaga Community Council speaks. He believes that in 2000, the property owner took the County to court to allow for a gravel extraction and won. He also believes that the land was to revert back to rural industrial.

Herb Troxel feels that the Mill Pond development and flooding potential needs to be given some thought. He states the recent article on local water shows an aquifer from drainage on that property. Run off would go right to the water table. The property does not hold water.

Phil Gutzwiler owns orchard land which is addressed in the plan for re-designation. This was accepted by the community council and the people in the area were happy with the plan. The soil classification maps are correct in the sandy loam property. He is surrounded by people building on their property. He has housing around him. He does not want to be an island in the middle of this. The de-designation line is on a parcel line currently.

Herb Gardner speaks as a past member of the community council. Approximately 12 years ago this property was requested for a rezone. He encourages the Commission to accept the plan as presented and indicating that the hearing has talked about 90 acres when there are many more acres in the plan that have been given consideration.

Rich Cole thanks Lisa for the work she has put in on development of this plan.

2:49:45 PM CLOSE OF PUBLIC TESTIMONY

Chairman Goehner concludes public testimony portion of hearing.

Areas of the plan are outlined by Consultant Lisa Parks including the Malaga plan, text amendments, map changes, rural text changes for LAMIRD provisions, as well as the Monitor LAMIRD boundary.

Commissioner Walter feels we have not spent much time going over the open space corridors, and wetland delineations (technical changes). He has questions on the tables such as Table 10 of the Malaga area in the County census division. Consultant Parks explains they are different boundaries. The Board compares other tables within the document. The Monitor area map is discussed along with the Monitor rural visioning statement.

3:00:41 PM Moved by Commissioner Walter, seconded by Commissioner Hawkins, and carried to approve the Malaga Vision Plan, including the de-designation of the Gutzwiler property as an amendment to the Chelan County Comprehensive Plan according to the Malaga Community Council Plan, which includes the re-designation of the Gutzwiler property, and the mill pond property remains designated as rural industrial.

Commissioner Goehner thanks those involved for their time and efforts in the process.

3:15:10 PM RECESS

The Board takes a brief recess.

3:19:25 PM HEARING RESUMES

Commissioners review the information presented in packets. Technical updates in the report are addressed.

4:20:48 PM Commissioner Walter **moves** to approve the modified technical amendments as outlined in pages 1-20, Commissioner Hawkins seconds, and carried unanimously with a resolution to be approved on Tuesday, March 6.

4:34:14 PM Moved by Commissioner Hawkins, seconded by Commissioner Walter and carried to continue the remaining portion of the hearing regarding Developmental Regulations until March 20, at 10:15a.m.

4:34:33 PM ACTION ITEM (ADDED)

Moved by Commissioner Hawkins, seconded by Commissioner Walter, and carried that the Board approve a voucher to Abby Carpets, for Superior Court Carpeting in the amount of \$15,603.84. 2007B4-29

4:35:01 PM BOARD DISCUSSION CONTINUES:

- Individual Permitting for Cottage Creek Development
- Upcoming Public Meetings
- Constituent Concerns regarding Lack of Snow Plowing between West Malaga Road and Alcoa Highway.
- Upper Columbia Salmon Recovery Board Meeting and Funding for Watershed Recovery

4:50 P.M. ADJOURN

Moved by Commissioner Walter, seconded by Commissioner Hawkins, and carried that the Board adjourn until Monday, March 5, 2007. Board adjourned.

Filed Correspondence:

- Notice to Commissioners from Robert Stewart 2007C8-39
- Public Health Emergency Contact Number 2007C8-39

Vouchers Approved for Payment 2007B4-30

Current Expense	\$147,043.79
All Other Funds	<u>232,284.58</u>
Total All Funds	\$379,328.37

KEITH W GOEHNER, CHAIRMAN

JANET K. MERZ, Clerk of the Board