

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

**Monday, March 26**

**9:04:20 AM OPENING:**

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.

**9:07:58 AM APPROVAL OF MINUTES:**

**Moved** by Commissioner Walter, seconded by Commissioner Hawkins and carried unanimously that the Board approve the March 19, 20, 2007 minutes as corrected.

**9:13:26 AM CONSENT AGENDA:**

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

- Vouchers Submitted as Listed
- Payroll changes:
  - a) Stephanie Wilder, Auditor, Length of Service Increase
  - b) Brian Robinson, Regional Justice Center, Length of Service Increase
  - c) Christopher Wright, Sheriff, Length of Service Increase
  - d) Patric Hautenne, Public Works Department, Retroactive Pay for Cost of Living Increase
  - e) Patric Hautenne, Public Works Department, Layoff
  - f) Jeremy Osborn, Public Works Department, Discharge
  - g) David Scott, Public Works Department, Retroactive Pay for Cost of Living Increase
  - h) Mark Brent, Public Works Department, Retroactive Pay for Cost of Living Increase
  - i) John Baker, Public Works Department, Retroactive Pay for Cost of Living Increase
  - j) Doria Lady, Juvenile, Length of Service Increase
  - k) Casey Headlee, Community Development, Promotion
  - l) Lisa Ogle, Community Development, Length of Service Increase
  - m) Donald Dreyer, Regional Justice Center, Length of Service Increase
  - n) Mariann Boyd, Regional Justice Center, Length of Service Increase
  - o) Joanne Schneider, Regional Justice Center, Length of Service Increase
  - p) Lynda Mikelson, Regional Justice Center, Length of Service Increase
  - q) Rosalie Richardson, Regional Justice Center, Length of Service Increase
  - r) Mark Bash, Regional Justice Center, Length of Service Increase

**9:04:32 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:

Marvin Mitchell	Public Works	10 Years
James (Ron) Andrews	Public Works	10 Years
Terry Nowka	Weed Board	15 Years (Present)
Michael Smith	CCRJC	15 Years (Present)
Mary Drussell	CCRJC	20 Years (Present)

**9:07:09 AM WELCOME:**

Commissioner Goehner welcomes guests, WHS students Sara Manzo and Sara Passmore.

**9:14:54 AM BOARD DISCUSSION:**

- Responses from NOAA on Recovery Plan
- Grant County Request for Road Vacation
- SSB 5883/HB 1409 Forest Practices
- Letter from Rick and Sandy Brown Re: Death in Douglas County
- Health District Meeting
  - West Nile Virus - Planning for heightened activity by Health District
  - Health District Management Team Organization
  - Digitization of Records
- Thank You Letters to be Prepared by Commissioners to Senator Maria Cantwell and Senator Patty Murray re: Secure Rural Schools Funding Work
- Letters and Field Notes - National Park Service Response on Stehekin River Work
- Pest Board Updates
  - Board Member Resignation
  - Internship Position
- Visioning Implementation

**ADMINISTRATIVE AGENDA**

**County Administrator, Cathy Mulhall**

**9:54:57 AM DISCUSSION ITEMS:**

1. Mark Botello, Cashmere Planning/Public Works Director Regarding LOTS Project
2. Farm Worker Camp Manager Edmundo Gonzalez Regarding Capital Improvements and Requests for Proposals. Former Manager Donn Etherington also present.

3. Administrative Update
  - Treasurer's Certificates of Delinquency
  - Surplus Property (Leavenworth Gravel Pit)

**10:45:19 AM ACTION ITEMS:**

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

**1. Bid Approval**

- a) Approval of Informal Bid of \$4482.00 by Community Glass to Install Safety Glass at the Sheriff's Office from Safety Committee Funds 2007B1-17

**2. Budget Issue – Out of State Travel**

- a) Deputy Patterson to Attend Resource Officer Training in Tualatin, OR ,  
August 13-17 2007B4-43
- b) Deputy McLeod to Attend Helicopter Training in Hillsboro, OR, April 1-3  
2007B4-43

**3. Resolution**

- a) Adoption of **Resolution No. 2007 – 51** Treasurer's Certificates of Delinquency

**4. Contracts for Signature**

- a) Vending Machine Placement Agreement – Coca Cola Enterprises, Inc, three  
equipment move orders 2007A5-61
- b) DSHS-DASA Contract Amendment No. 0563-73230-04 2007A5-62

**10:45:38 AM Recess**

**NATURAL RESOURCES DEPARTMENT**

**Mike Kaputa, Natural Resources Director**

**11:07:28 AM DEPARTMENTAL ISSUES**

- Public Review Draft of Wenatchee Instream Flow
- Stehekin Flood Hazard Mitigation Application

**11:58:44 AM Recess** (Tape left running for voucher approval)

**NOON** Disability Board (Commissioner Goehner)

**CHELAN COUNTY SHERIFF'S DEPARTMENT**

**Sheriff Mike Harum, Under Sheriff Greg Meinzer,**

**Chief Criminal Deputy Jeff Middleton, and Chief Civil Deputy Mark Horaski**

**1:30:31 PM 1:30 P.M. DISCUSSION ITEMS:**

- Legislative Issues
  - Inoperability
  - HB 1030 Eluding
  - HB 1001 Auto Bill
  - Stolen Chelan County Vehicle, Recovery Costs

- SB 5089 Streamlining Tax
- HB 1651 Marine Patrol Bill
- Planning for Services Due to Department Growth and Service Needs (Organizational Structure)
- Spring Visit by Governor to Stehekin

**2:20:59 PM Dan Wood, Citizen Board Rep Meets with Board Re: Roadless and Wilderness Areas**

**3:05:08 PM BOARD DISCUSSION CONTINUES:**

- Letter to Senators regarding Rural Schools Funding Support

**3:06:20 PM RECESS:**

Recess until Tuesday, March 27, 2007.

**Tuesday, March 27**

**9:03:30 AM SESSION RESUMES:**

Chairman Goehner opens session with and Commissioner Hawkins in attendance. Also present for session is the Clerk of the Board. Commissioner Walter will join session shortly.

**9:03:30 A.M. BOARD DISCUSSION:**

- Thank You Letter to be Prepared by Commissioners to Senator Maria Cantwell and Senator Patty Murray on Secure Rural Schools Work.

**9:04:00 A.M. ACTION ITEM:**

**Moved** by Commissioner Hawkins, seconded by Commissioner Goehner, and carried that the Board approve the letter to Senators Cantwell and Murray thanking them for their work and support for Secure Rural Schools Funding. 2007C8-51

**9:06:55 AM BOARD DISCUSSION CONTINUES:**

*(Commissioner Walter and County Administrator join session.)*

- Public Hearings on Building/Planning Agenda Today (Commissioner Goehner to attend court as witness). Community Development Director John Guenther, Building Permit Supervisor Karen Peele present as well as Rudy Prey to discuss request for Prey's Fruit Stand. Request will be before the Board as a Reasonable Use Exemption.

**FACILITIES MAINTENANCE**

**Pat DuLac, Director**

**9:28:47 AM DISCUSSION ITEMS**

- Auditor/Elections/Prosecuting Attorney Offices Remodel

**9:31:10 AM CLOSURE OF ACCEPTANCE OF BIDS:**

Chairman Goehner closes the acceptance of bids for the Public Works Department for Trommel Screen, Dump Trucks, Cab and Chassis, and Distributor to be opened on the Public Works Agenda (which will be delayed until completion of the Facility Maintenance department discussion)

**PUBLIC WORKS DEPARTMENT**

**Greg Pezoldt, Public Works Director**

**9:36:29 AM BID OPENINGS: Trommel Screen**

Bid Opening for Trommel Screen by the Public Works Department.  
Bid opening proceeds with one bid submitted as follows:

Unlimited Resources	\$ 47,660.00 plus tax	2007B1-18
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**Moved** by Commissioner Hawkins, seconded by Commissioner Walter, and unanimously carried that the Board accept the bid as submitted. Bid to be awarded on Monday, April 2, 2007 after review by the Public Works Director/County Engineer to insure bids meet bid criteria.

**BID OPENINGS: Dump Trucks**

Bid Opening for Dump Trucks by the Public Works Department.  
Bid opening proceeds with one bid submitted as follows:

Kenworth Northwest	\$142,996 (one truck)	\$714,980 (five or more) tax incl.	2007B1-18
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**Moved** by Commissioner Hawkins, seconded by Commissioner Walter, and carried that the Board accept the bids as submitted. Bid to be awarded on April 2, 2007 after review by the Public Works Director/County Engineer to insure bids meet bid criteria.

**BID OPENINGS: Cab and Chassis**

Bid Opening for Cab and Chassis by the Public Works Department.  
Bid opening proceeds with two bids submitted as follows:

Western Peterbilt	\$107,930.28 (one)	\$215,860.56 (two)
Kenworth Northwest	\$111,937.00 (one)	\$223,874.00 (two)
		2007B1-18

**Moved** by Commissioner Walter, seconded by Commissioner Hawkins, and carried that the Board accept the bids as submitted. Bid to be awarded on April 2, 2007 after review by the Public Works Director/County Engineer to insure bids meet bid criteria.

**BID OPENINGS: Distributor**

Bid Opening for Distributor by the Public Works Department.  
Bid opening proceeds with three bids submitted as follows:

Bear Cat Manufacturing	\$ 86,350.00 tax incl.	
Sahlberg Equipment Co	\$ 77,504.92 tax incl.	
Ingersoll Rand	\$ 88,242.22 plus tax	2007B1-18

**Moved** by Commissioner Walter, seconded by Commissioner Hawkins, and carried that the Board accept the bids as submitted. Bid to be awarded on April 2, 2007, after review by the Public Works Director/County Engineer to insure bids meet bid criteria.

**9:42:37 AM MAINTENANCE DEPARTMENT DISCUSSION ITEMS CONTINUE:**

- Door Upgrade Schedule, ADA Accessibility. It is **consensus** of Board to authorize Architect Michael Beaman to continue with the planning phase of the Courthouse Remodel Project

**9:56:36 AM PUBLIC WORKS DEPARTMENT AGENDA CONTINUES:**

**BID AWARDS: Asphalt Concrete – Class G**

Three bids were opened on March 20, 2007 for Asphalt Concrete Class G. After review by the Public Works Director, Greg Pezoldt, it is recommended that the Board award the bid for Asphalt Concrete to Central Washington Asphalt as low bidder.

**Moved** by Commissioner Hawkins, seconded by Commissioner Walter, and unanimously carried that the Board approve the bid for Asphalt Concrete Class G to Central Washington Asphalt as apparent low bidder in the amount of \$194,130.

2007B1-19

**BID AWARD: Cold Mix**

Three bids were opened on March 20, 2007 for Cold Mix Asphalt. After review by the Public Works Director, Greg Pezoldt, it is recommended that the Board award the bid for Cold Mix Asphalt to Basin Asphalt as apparent low bidder.

**Moved** by Commissioner Walter, seconded by Commissioner Hawkins, and unanimously carried that the Board approve the bid for Cold Mix Asphalt to Basin Asphalt as apparent low bidder in the amount of \$185,328.00. 2007B1-19

**9:59:18 AM DISCUSSION ITEMS:**

1. Agreement with Woodland Resource Services, Inc. for Chemical Applicator (to be pulled)

**10:00:38 AM ACTION ITEM:**

**Moved** by Commissioner Hawkins, seconded by Commissioner Walter and carried that the board (**pull**) item #1(a) Agreement with Woodland Resource Services until receipt of the contract later today.

**10:01 AM DISCUSSION ITEMS CONTINUE:**

2. Agreement for the Disposal of Scrap Metal and Household Appliances
3. Agreement for Bicycle Race Permit
4. Resolution Authorizing Condemnation Action for Mark E. and Patricia J. Cassell (Counsel Lou Chernak and County Engineer Jolene Gosselin present)

**10:11:37 AM EXECUTIVE SESSION:**

**Moved** by Commissioner Hawkins, seconded by Commissioner Walter, and carried that the Board move into five minute executive session pursuant to RCW 42.30.110(i) regarding litigation with Counsel Lou Chernak present.

**10:16 A.M. EXECUTIVE SESSION EXTENSION:**

Board extends executive session pursuant to RCW 42.30.110(i) regarding litigation for an additional ten minutes.

**10:25:11 AM REGULAR SESSION:**

Board resumes regular session.

**10:25:11 A.M. PUBLIC WORKS DISCUSSION ITEMS CONTINUE:**

4. Resolution Authorizing Condemnation Action for Mark E. and Patricia J. Cassell (Counsel Lou Chernak and County Engineer Jolene Gosselin present). (Recommended by Public Works Director Greg Pezoldt to pull item)
5. Resolution Authorizing Condemnation Action for Richard and Judy Johnson. (Recommended by Public Works Director Greg Pezoldt to pull item)
6. Annual Certification for Calendar Year 2006
7. Certification of Road Fund Expenditures for Fish Passage Barrier Removal
8. Certification of Road Fund Expenditures for Traffic Law Enforcement
9. Approval for Request for Proposals for Herbicides for 2007
10. White Goods Clean Up Day Notice

**10:31:29 AM ACTION ITEMS:**

**Moved** by Commissioner Hawkins, seconded by Commissioner Walter, and carried unanimously that the Board approve the following action items (**pulling**) items **1(a)**, for contract arrival, **2(a)** and **2(b)** until April 2:

1. **Agreement for Signature**

- a) (**Pulled**) Agreement Between Chelan County and Woodland Resource Services, Inc. for Application of Chemicals Along Chelan County’s Right of Ways
- b) Agreement for the Disposal of Scrap Metal and Household Appliances Between Chelan County and Rowe’s Towing Services for the White Goods Event Scheduled for March 31, 2007 to April 13, 2007 2007A5-63
- c) Agreement for Bicycle Race Permit between Chelan County and Pazzo Velo Foundation for May 12<sup>th</sup> and 13<sup>th</sup>, 2007 2007A-64

2. **Resolution for Signature**

- a) (**Pulled**) Authorizing Condemnation Action for Mark E. and Patricia J. Cassell for Manson Boulevard, County Road Project No. 572 (CRP 572)
- b) (**Pulled**) Authorizing Condemnation Action for Richard and Judy Johnson for Manson Boulevard, County Road Project No. 572 (CRP 572)

3. **Miscellaneous**

- a) Annual Certification for Calendar Year 2006 2007R1-4
- b) Certification of Road Fund Expenditures for Fish Passage Barrier Removal 2007R1-4
- c) Certification of Road Fund Expenditures for Traffic Law Enforcement 2007R1-4
- d) Letter approving Chamberlin Distributing Company, Inc. for the Purchase of Herbicides for 2007 2007B1-20

**COMMUNITY DEVELOPMENT**

**John Guenther, Director**

**10:15 A.M. DISCUSSION ITEMS:**

(Order and Configuration of Items Changed from Draft Agenda Action Items)

- 1. Previously Discussed (9:00a.m.) Reasonable Use Exemption for Prey’s Fruit Stand to Advance the Application for a Bakery to the Building Permit Stage with No Land Use Action to Proceed to public hearing. Notice of Hearing Included

*(10:52:16 AM Commissioner Goehner excused for court hearing)*

- 2. Adoption of Comprehensive Plan Amendments to Complete the GMA Required 2006 Review and Update of LAMIRD Designations and Map Amendments for Monitor and Malaga and the Adoption of Rural Element Text Change to the Comprehensive Plan

**10:56:56 AM ACTION ITEMS:**

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

1. **Resolutions**



- a) Adoption of **Resolution No. 2007 - 52** Adoption of Comprehensive Plan Amendments to Complete the GMA Required 2006 Review and Update of LAMIRD Designations and Map Amendments for Monitor and Malaga and the Adoption of Rural Element Text Change to the Comprehensive Plan

**DISCUSSION ITEMS (CONTINUED):**

3. Development Regulation Amendments to Complete the GMA Required 2006 Review and Update for Forest Management

**ACTION ITEMS (CONTINUED):**

**Moved** by Commissioner Hawkins, seconded by Commissioner Walter, and carried that the Board approve the following:

- 1) **Resolution**

- (b) Adoption of **Resolution No. 2007 - 53** Adoption of the Regulation Amendments to Complete the GMA Require 2006 Review and Update to Include Forest Management

**DISCUSSION ITEMS (CONTINUED):**

4. Updated SEPA Procedures to Ensure Consistency with the State Environmental Policy Act

**ACTION ITEMS (CONTINUED):**

**Moved** by Commissioner Hawkins, seconded by Commissioner Walter and carried that the Board approve the updated SEPA procedures 43.21c and 197 of the WAC, noting to adopt legislatively the version presented last week and pursuing authorization to implement that policy

- 1) **Resolution**

- c) Adoption of **Resolution No. 2007 - 54** Amendments to Title 13 of the County Code Updated Procedures to Ensure Consistency with the State Environmental Policy Act (SEPA)

**DISCUSSION ITEMS (CONTINUED):**

5. Amendments to Title 14 Development Permit Procedures and Administration

**ACTION ITEMS (CONTINUED):**

**Moved** by Commissioner Hawkins, seconded by Commissioner Walter, and carried that the Board approve Title 14 permit procedures:

- 1) **Resolution**

- d) Adoption of **Resolution No. 2007 - 55** Amendments to Title 14 Development Permit Procedures and Administration

**DISCUSSION ITEMS (CONTINUED):**

6. Process for Reasonable Use Exemption Based on Chapter 11.97 for the Prey's Fruit Stand Bakery Use. Kyle and Linda Flick present for discussion. Hearing to be set for Tuesday, April 17 at 10:15 a.m.

7. Reasonable Use Exemption for the Daniel Breard Buffer Width Averaging Application to Permit a Non-Ground Oriented Encroachment. Thom Vetter present on behalf of the applicant. Hearing to be set for Monday, April 16 at 2:00 p.m.

**ACTION ITEMS (CONTINUED):**

**Moved** by Commissioner Hawkins, seconded by Commissioner Walter and carried that the Board approve the following:

2. **Notice of Hearing**

- a) Notice of Hearing for a Reasonable Use Exemption Based on Chapter 11.97 for the Buffer Width Averaging Request by Daniel Breard in the Lake Chelan area set for April 16 at 2:00 p.m. 2007H6-11
- b) Notice of Hearing for Reasonable Use Exemption Based on Chapter 11.97 for the Prey's Fruit Stand Bakery for Tuesday, April 17 at 10:15 a.m. 2007H6-11

**DISCUSSION ITEMS (CONTINUED):**

8. Discussion on Zoning for Use of Land/Restrictive Covenants.

**11:27:18 A.M. EDD and RC&D Presentation**

Jay Kehne and Jennifer Korfiatis Offer Presentation to Board regarding Planning for Three County Area

**11:32:08 AM SUPPLEMENTAL BUDGET APPROPRIATION HEARING**

Moved by Commissioner Hawkins, seconded by Commissioner Walter and carried to approve the Emergency Budget appropriation for Carry Out Incentive Program

1. **Resolution**

- a) Adoption of **Resolution No. 2007 - 56** for Emergency (Supplemental) Budget Appropriation

**BOARD DISCUSSION (CONTINUED):**

**(11:42:40 AM** Commissioner Goehner returns to session.)

- Discussion Update for Commissioner Goehner regarding Zoning for Land Use and Restrictive Covenants
- Winesap Ridge Update
- Commissioner Goehner Updates on the Shorelines Hearings Board

**12:15 P.M. RECESS**

**1:33:32 PM PUBLIC FACILITY DISTRICT UPDATE**

Linda Haglund and Eric Granstrom Presenting Updated Information 2007C8-52

- Timeline from New Construction Group
- Increased Costs Due to Interest Rate Error

**2:04:04 PM BOARD DISCUSSION (CONTINUED):**

- Letter to NW Power Planning Council on Support of Funding Lake Rufus Woods Rainbow Supplementation and Monitoring Project Sponsored by the Colville Confederated Tribes. **Moved** by Commissioner Hawkins, seconded by Commissioner Walter and carried that the Board approve signature by Board
- Notification in SEPA Changes

**2:10:00 PM TITLE 15 WORKSHOP**

Chairman Goehner opens workshop. Present are County Public Works Director, Greg Pezoldt and Community Development Director, John Guenther.  
(3:50:00 p.m. (Commissioner Goehner excused from session))

**3:52:30 PM ACTION ITEMS:**

**Moved** by Commissioner Hawkins, seconded by Commissioner Walter and carried unanimously that the Board approve the following action items (previously pulled public works agenda item 1(a))

**5. Contracts/Agreements**

- a) Agreement with Woodland Resource Services, Inc. for Chemical Applicator  
2007A5-65

**3:56:12 PM ADJOURN**

**Moved** by Commissioner Hawkins, seconded by Commissioner Walter, and carried that the Board adjourn until Monday, April 2, 2007. Board adjourned.

**Filed Correspondence:**

- Notice of Billing by Robert Stewart 2007C8-53
- Letter from WSRB regarding Building Code Effectiveness Grading Schedule  
2007C8-54
- US Dept of Interior Letter regarding Revised Proposal by Westgate Communications (WeavTel) 2007C8-55
- Stipulated Order of Intervention by Turtle Rock Homeowners 2007C8-55
- Grant Co. PUD Letter regarding Day Street Road Vacation 2007V1-1
- Letter from Don White regarding Drainage at Leavenworth Mini Storage and billing for invoices. 2007R1-6
- Malaga LAMIRD Vision Plan Letter from Community Council 2007C8-55

**Vouchers Approved for Payment** 2007B4-44

Current Expense	\$ 53,044.36
All Other Funds	<u>215,116.93</u>
Total All Funds	\$268,161.29

BOARD OF CHELAN COUNTY COMMISSIONERS

KEITH W. GOEHNER, CHAIRMAN

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JANET K. MERZ, Clerk of the Board