

**CHELAN COUNTY COMMISSIONERS
MEETINGS OF JULY 9, 10, 2007**

Monday, July 9

9:01:15 AM OPENING:

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

Deputy Prosecuting Attorney Doug Shae is present to discuss reimbursement to the courts by offenders. Amount to increase to \$450 per case in Superior Court on August 1st.

9:09:10 AM MINUTES:

Moved by Commissioner Walter, seconded by Commissioner Hawkins, and carried unanimously that the Board approve the July 2, 2007 minutes with corrections.

9:18:26 AM CONSENT AGENDA:

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

- Vouchers as submitted and listed
- Payroll changes:
 - a) Laurel Miller, Clerk, Length of Service Increase

9:20 A.M. EMERGENCY DECLARATION:

Moved by Commissioner Hawkins, seconded by Commissioner Walter, and carried unanimously to approve the following (added) action item:

1. Resolution

- a) Adoption of **Resolution No. 2007 - 102**, Emergency Declaration by One Commissioner regarding Easy Street Fire. Resolution signed on July 7th, at 3:35 P.m. by Commissioner Goehner, fully signed today. Follow up information will be provided at 1:30 p.m. on the Sheriff's agenda.

9:25:39 AM BOARD DISCUSSION:

- Council on Aging Update – There is a need for additional board members on the Wish Fulfillment Foundation under Council on Aging. Extra space in building to be leased soon.
- Manson Fireworks – Fireworks were moved from a barge on the lake onto shore, Commissioner Hawkins assisted with safety issues.
- Parking at Willow Point in Chelan - Two additional parking spots will be created.
- Chelan Boat Club Poker Run on Chelan Lake - Complaint by resident.
- Boating Noise regulated by DOE and Enforced by Sheriff's Department

9:44:01 AM DISCUSSION ITEMS:

- Possible Rescinding of Music Festival and Entertainment Permit Resolutions – Further discussion next week.
- Signage for 316 Building and County Administration Building. Staff will make further recommendations for county campus signage.
- Department of Corrections
- Water Requirements for Fruit Stand Fire Safety - Board to discuss regulations with Fire Marshall Rod Lasher.
- Monitor LUD Approved by the PUD - Public meeting on July 10th
- Fire District Areas – Landowners not inside a fire district not covered by Fire Districts but rather DNR for fire protection.

ADMINISTRATIVE AGENDA,

County Administrator, Cathy Mulhall

10:26:03 AM DISCUSSION ITEMS:

1. Payroll Change Notice (add on)
2. Grant Application from Regional Jail (add on)

10:28:40 AM ACTION ITEMS:

Moved by Commissioner Hawkins, seconded by Commissioner Walter, and carried unanimously that the Board approve the following actions items (**adding**) item **3(a)**, Payroll Change Notice, and (**adding**) item **4(a)** grant application:

ACTION ITEMS:

1. Notice of Hearing

- a) Supplemental Budget Appropriation
 - Non-Departmental - \$45,000
 - Facilities Maintenance - \$8,000
 - Fairgrounds Fund - \$5,000 2007H6-19

2. Contracts for Signature

- a) Interlocal Agreement with the City of Chelan for South Shore Urban Services and Facilities 2007A5-137
- b) Amendment #1 to Interlocal Agreement with Chelan County Conservation District, Changing the Name to Cascadia Conservation District 2007A5-138
- c) Amendment #1 to Interlocal Agreement with Chelan County Conservation District for Re-vegetation Services 2007A5-138
- d) Amendment #1 to Task #3 of Interlocal Agreement with Chelan County Conservation District, to Include County Fire Plan Services 2007A5-138

3. Budget-Payroll Change Notice

- a) Dora Lady, Juvenile, Extra Help

4. Grant Application

- a) Washington State Archives Grant Application by Regional Justice Center 2007A2-3

10:29:26 AM BOARD DISCUSSION CONTINUES:

- Joint Planning Commissioner/Board Workshop Tuesday, July 10 Cancelled
- Columbia Shores Water District Hearing July 10

10:37:35 AM RECESS

Board recessed until 11 a.m.

NATURAL RESOURCES DEPARTMENT

Mike Kaputa, Director

11:02:01 AM DISCUSSION ITEMS

1. Stemilt Partnership Letter to Washington Department of Natural Resources
2. Discussion regarding Future of Property in Stemilt Owned by DNR
3. Land Exchange in Stehekin Basin
4. Park and Recreation Component of County Comp Plan

11:26:24 AM ACTION ITEMS:

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

1. Correspondence for Signature

- a) Stemilt Partnership Letter to Washington Department of Natural Resources
2007C8-106

11:26:38 AM RECESS

CHELAN COUNTY SHERIFF'S DEPARTMENT

Under Sheriff Greg Meinzer, Chief Criminal Deputy Jeff Middleton

1:32:53 PM DISCUSSION ITEMS

- Easy Street Fire Update
 - Fire currently 40% contained
 - Resolution declaring emergency will make the County eligible for FEMA reimbursement for fire fighting expenses.
 - Funding from the State may be possible.
 - Investigation continues regarding persons responsible for starting the fire.
 - Level 3 road restrictions in effect for Nahahum Canyon and Swakane Canyon. Further road restrictions needed, and consultation with the Forest Service.
 - Public Meeting tonight at 6:30 P.M. at Chelan County PUD Auditorium to discuss fire issues.
- Work Release Beds Needed - Letter from Department of Corrections regarding work release beds needed in Chelan County. Possible location on Level 1 of Justice Center

would require relocation of Sheriff's Department. Other locations will need to be investigated. 2007C8-107

- Boating on Lake Chelan - Noise complaints from citizens regarding cigar boat Poker Run racing. Possible implementation of noise ordinance, Sheriff's department will look at similar ordinances in other Counties.
- Liquor License Applications – Applications need to be reviewed by all departments within 20 days

WENATCHEE RIVER COUNTY PARK,

Jerry Niebuhr, Manager

2:02:38 PM DISCUSSION ITEMS

- Security Fencing – Fencing for Park will cost approximately \$13,900. Cost in the Farm Worker Housing budget for next year
- Farmworker Housing Camp Complaint – Complaint regarding BB gun used to shoot birds along the Wenatchee River near Monitor Park
- Water Systems
 - Department of Health water sample for park needs to be repeated
 - Clarification of Water Rights at Park

FARM WORKER HOUSING CAMP

Edmundo Gonzalez, Manager

2:15:44 PM DISCUSSION ITEMS:

- Informal Bid (Electrical) - Installation of electrical circuits needed to power air conditioning units, informal bids have been requested by Camp Manager.
- 2007 Interlocal Agreement with CTED for Operation of Farm Worker Camp

2:18:24 PM ACTION ITEMS:

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

1. Bid Award

- a) (**Added**) Award Informal Bid to Install Two Electrical Circuits to Apple City Electric in the Amount of \$18,684 2007B1-50

2. Contracts for Signature

- a) (**Added**) Fifth Amendment to Interlocal Agreement with CTED, #03-49300-719, for the 2007 Operating Agreement for the Farm Worker Camp 2007A5-139

2:23:29 PM BOARD DISCUSSION CONTINUES:

- **Farmworker Housing Needs** - Patrick Pleas representing the Northwest Justice Project and Robbie Scott representing Columbia Legal Services are present to discuss Farmworker Housing needs in Chelan County. Farm Worker Camp Manager remains for discussion. Board expresses frustration with State regulations which moved farm workers from the farms, without providing funding for other housing. Board would like to

build a coalition between agencies and farmers to find a lasting and comprehensive solution to the problem of seasonal worker housing in Chelan and Douglas Counties. Board will pursue this discussion with Douglas County Commissioners and at the State level. Donna Lee Moore present for discussion.

3:27:34 PM BOARD DISCUSSION CONTINUES:

- **Ninth Street Trailer Park Occupant Relocation** - Discussion regarding a site for manufactured homes for residents of the Ninth Street trailer park.

3:38:41 PM RECESS

Board recesses until Tuesday session.

Tuesday, July 10

8:00 A.M. DEPARTMENT HEAD MEETING

Meeting Room #1 Administration Building

- Healthiest State Campaign
- County Visioning
- Budget Update
- Easy Street Fire Update
- Salary Review Study

9:08:07 AM OPENING:

Chairman Goehner opens session with Commissioner Walter and Commissioner Hawkins in attendance. Also present for session is Clerk of the Board, Janet Merz.

FACILITIES MAINTENANCE

Pat DuLac, Director

9:08:26 AM DISCUSSION ITEMS:

- Proposals from Michael Beaman for District Court Security Wall.

9:16:10 AM ACTION ITEM:

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

1. Contracts/Agreements

- a) District Court Security Access Wall Design Deliverables with Michael Beaman,
Amendment #4 to Contract 2007A5-140

DISCUSSION ITEMS CONTINUE:

- Possible Move of Support Enforcement to County Facility
- Courtroom and Fairgrounds Audio Systems
- Multi Media System in Courtroom

9:28:13 AM ACTION ITEM:

Consensus of the Board to approve purchase of Six Multimedia Systems, 1 System for Meetings Room for Use by Planning and 5 Systems for Courtrooms, purchase to be funded from technology bond. Maintenance Director will provide further information at a later date.

9:29 A.M. DISCUSSION ITEMS CONTINUE:

- Trash Compactor Purchase and Location. Cost allocation for capital purchase for jail use. **Consensus** of the Board to pursue further bids for concrete pad and compactor.
- Fire Protection Alarm
- Commissioners' Chamber Microphones

PUBLIC WORKS DEPARTMENT

Public Works Director Greg Pezoldt, County Engineer Jolene Gosselin

9:40:30 AM COMMISSIONERS' PUBLIC HEARING - Petition for Road Vacation for Raven Wing Ranch, LLC

County Engineer Jolene Gosselin offers staff report. The petition was filed on behalf of Raven Wing Ranch for County Road No. 299. On September 12, 2006 a petition and bond was received from Ron Hubbard. This proposed road vacation is for a portion of road right of way and has been examined by the County Engineer and legal notice was provided. Access to the private property will not be affected. It appears that a deed signed by Coffin Brothers, Inc. in 1950 had a provision that Chelan County would vacate all the portions of the right of way but was not completed and no records were located. No one from public speaks on the matter.

9:49:43 AM ACTION ITEM:

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

1. **County Engineer Report**, Recommending approval of Vacation requested by Raven Wing Ranch for a portion of unnamed County Road No 299 2007R1-6

9:50:57 AM COMMISSIONERS' PUBLIC HEARING - Petition for Road Establishment for Crown Estates

County Engineer offers staff report. Petition was filed for Crown Estates by Ronald Crouse. A petition and bond was received on July 3, 2006 requesting the establishment of a 60' county road right of way. The County Engineer examined the petition and due legal notice was provided. An internal subdivision road will provide direct lot access from the stem. The County will not benefit by owning this right of way and would not be a benefit to the county road system.

9:58:05 AM Public Testimony Begins:

Dennis Webb who currently maintains the road speaks in favor of the project. He would like to see weed spraying and plowing of this road by the County. Commissioner Hawkins states the road would have to brought to County Road standards before the County would accept the road

into the road district. A road district could be established by the residents on the road. They are looking for some relief for weed spray and maintenance such as snow plowing.

Commissioner Walter asks if we accept the road establishment and require the improvements and standards, would the County be involved in the RID? That would be breaking new ground according to the County Engineer but we would not be a financial participant other than a pass through entity.

Earl Meyer speaks on the intent of the group to have an RID for the area. He states that in response to the comment that there is no benefit to the county road system, they are a part of the county. They are interested in paying for the relief in the maintenance working through the county. He would like to see this taken over by the county and assessed through the county.

Commissioner Hawkins says this is a testimony to why private roads need to be made to county road standards because at a later date it is difficult to maintain and the county is asked to come in and assume the road into the county system. Commissioner Goehner states that the county is held to higher standards than a private road as far as liability.

Herb Gardner states as a representative of the Malaga Water District he is here to support the County taking over this road to ease in their efforts regarding easements.

10:18:39 AM Public Testimony Ends.

10:18:48 AM ACTION:

Moved by Commissioner Walter, seconded by Commissioner Hawkins and carried unanimously that the Board approve the petition of Ronald Crouse for the establishment of Crown Lane as a County Road with the conditions as proposed by the County Engineer in the Engineers Report.

1. **County Engineer's Report**

2007R1-5

DISCUSSION ITEMS:

1. Dryden Transfer Station Tipping Fees (TO BE CONTINUED TO NEXT WEEK)

COMMUNITY DEVELOPMENT

John Guenther, Director

10:21:20 AM 10:15 A.M. Columbia Shores Water District Public Hearing

Graham Simon states that a SEPA review has not been performed. Mark Peterson states there is an applicable exemption to the review in regard to the SEPA review.

Mr. Calvin White states that Mr. and Mrs. Bell should be excluded. He responds that the Bells request would require that the resolution boundary description would need to be changed.

10:24:21 AM ACTION:

Moved by Commissioner Hawkins, seconded by Commissioner Walter that the Board deny the request at this time. Discussion on the motion continues with Mr. Calvin White stating that Mr. and Mrs. Bell would not be included therefore the resolution with the legal description before this board would be corrected. Commissioner Walter asks about the criteria needed to be in compliance with the RCW. The criteria to be met are as follows: (1) whether the request for the proposed action is in compliance with the development program in the area comp plan; (2) whether the proposed action is in compliance with the basin wide water and or sewage plan as approved by the Department of Ecology and the State Department of Social and Health Services; and (3) whether the proposed action is in compliance with the polices expressed in the county plan for water and sewer facilities. There are no issues in reference to the community utilities according to the Development Director. The Department of Ecology has given their opinion which was in the file last week in which there are water issues that they recommend correction in their letter. Compliance definitions and issues are discussed. Development Planning Director John Guenther states the application is not in compliance with the Department of Ecology requirements. There are no county wide utilities requirements to be met. The Water and sewer facilities have not been addressed but this Board understands there are issues with DOE and compliance. The applicants were to provide the indication that the area had to be defined, which is still up in the air, and that the majority of land owners of the area had to be party to the application and any conflicting or overlapping service areas be determined as a part of the establishment of the district. He feels other things can come later as a part of the Department of Ecology required waters supply. Commissioner Hawkins reminds the Board that if we deny this application at this point it would not preclude them from bringing this application forward when it is complete. He also reminds the Board that a request was made at the hearing last week to continue the hearing to allow the applicant a one time opportunity to get the necessary information to this board. Commissioner Hawkins feels he is not in favor of taking action on something that is not clear, is incomplete and not properly supported.

Mr. Guenther also shares with the Board that the County is not the lead agency and therefore cannot coordinate the hearing as they would normally. Commissioner Walter agrees that the information and legal description before this Board has been a moving target. Mr. Guenther understands that the water right does not have to be perfected at the time of the formation. Commissioner Walter feels the homework should have been done by the applicant. He prefers to continue the hearing to allow the applicant to do that. This commission should not be expected to sit down and digest large amounts of information just prior to a hearing and decision based upon that new information.

The Board approves the motion to deny the petition for the formation of Columbia Shores Water District. Commissioner Goehner and Commissioner Hawkins vote to deny the application. Commissioner Walter votes against the motion. The application petition to form the Columbia Water District is denied. (**Filed** staff report and correspondence regarding water district proposal.

2007C8-108

10:32:25 AM COMMUNITY DEVELOPMENT DISCUSSION ITEMS:

1. Protocol for Hearings and Completion of Applications for the Formation of Water/Sewer Districts
2. Resolution to Rescind the City of Leavenworth Planning References from the County Code
3. Planning Director Introduces Permit Tech Bonnie Heitman
4. Administrative Interpretation regarding Vacation Rentals with Frank Kuntz present. He describes the problems with the vacation rental in his case.
5. Parks and Recreation Element in the Comprehensive Plan. Mike Kaputa of Natural Resources present for discussion regarding grants.

11:02:48 AM PUBLIC HEARING – Adoption of State Building Codes

Changes in Resolution are outlined by Community Development Director John Guenther.

11:16:56 AM ACTION:

Moved by Commissioner Walter, seconded by Commissioner Hawkins and carried that the Board approve the adoption of state building codes with the amendments as outlined in the discussion (timeline eighteen month period, the fee added is one half of the original fee, and the additional fee may be waived at the discretion of the building official):

1. Resolution:

- a) Adoption of **Resolution No. 2007 - 103** Revisions to Title 3 Building Regulations of Chelan County Code Adoption of State Building Code with Local Amendments

11:23:58 AM DISCUSSION ITEMS CONTINUE:

5. Archiving Grant Application
6. Quarterly Updates on Permit Activity, Code Enforcement and Planning, Budget Forecast (Continued to July 17)
7. Development Regulations Rewrite – Scope of Work and Timetable – July 17, 2007
8. Addressing – Next Steps – Report on July 17, 2007
9. Update on Sub-Area Plans for Sunnyslope, Peshastin and Manson (Continued to July 17)

11:26:09 AM EXECUTIVE SESSION:

Moved by Commissioner Hawkins, seconded by Commissioner Walter and carried that the Board move into 15 minute executive session pursuant to RCW 42.30.110(g) regarding performance of a public official.

11:36:01 AM REGULAR SESSION:

Board resumes regular session. Discussion Items Continue:

10. (Continued) Organizational Discussion. It is **consensus** to support the community development realignment.

2007C-8a

11:42:19 AM ACTION ITEMS:

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

1. Grant Application/Letter of Support

- a) Grant application and Letter of Support for Archiving Project 2007A2-4

2. Resolution

- a) Adoption of **Resolution No. 2007 - 104** To Rescind References to the City of Leavenworth Planning References from the County Code

11:43 AM DISCUSSION ITEMS CONTINUE:

- 11. Fruit Stand Standards

11:45:52 AM ADJOURN

Moved by Commissioner Hawkins, seconded by Commissioner Walter, and carried that the Board adjourn until Monday, July 16, 2007. **Board Adjourned.**

Filed Correspondence:

- Department of Fish and Wildlife Letter regarding Critical Area Update 2007C8-109

Vouchers Approved for Payment

2007B4-96

Current Expense	\$ 278,307.85
All Other Funds	<u>864,799.95</u>
Total All Funds	\$1,143,107.80

BOARD OF CHELAN COUNTY COMMISSIONERS
KEITH GOEHNER, CHAIRMAN

JANET K MERZ, Clerk of the Board