

**CHELAN COUNTY COMMISSIONERS
MINUTES OF OCTOBER 29, 30, 2007**

MONDAY, OCTOBER 29

9:04:54 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.

9:05:18 AM BOARD DISCUSSION:

- Tax Advisory Meeting – Letter to the Chelan County Lodging Tax Advisory Committee regarding the Hotel Motel Tax Allocation of Funds

9:06 A.M. Moved by Commissioner Hawkins, seconded by Commissioner Walter and carried unanimously that the Board accept the Hotel/Motel Allocation proposal. Final Hotel Motel Tax allocation to be decided at a later date. : 2007B4-145

9:07:21 AM APPROVAL OF MINUTES

Moved by Commissioner Walter, seconded by Commissioner Hawkins and carried unanimously that the Board approve the October 22, 23, 2007 minutes as corrected.

9:12:37 AM CONSENT AGENDA:

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

- Vouchers as submitted and listed
- Payroll changes:
 - a) Sergio Avila, District Court, Hired
 - b) Kate Foster, Community Development, Hired
 - c) Remie Murray, Forestry Ed. Program, Resignation
 - d) Delia Garcia, Juvenile, Promotion
 - e) Shannon Feeney, Superior Court, Hired
 - f) Manual, Cenicerros, Ohme Gardens, Lay-off End of Season
 - g) Amber Harris, Pest Control, End of Internship
 - h) Reed Carlson, Natural Resources, End of Temporary Position
 - i) Bradley Wollborg, Natural Resources, End of Temporary Position
 - j) Donald Brodie, Natural Resources, End of Temporary Position

9:14:44 AM BOARD DISCUSSION

- Letter of Application Requirements/Job Description for Jail Director
- Leavenworth Area Road Issues
- Upper Columbia Salmon Recovery Board Meeting Update

- Water/Septic Issues on Leavenworth Project
- Financial Policies Committee Update – Financial Policies and Employee Handbook Updates

10:04:00 AM ADMINISTRATIVE AGENDA

County Administrator, Cathy Mulhall

DISCUSSION ITEMS:

1. Project Manager Robert Knowles re: Contract with DOH Associates for Farm Worker Camp Restroom Project
2. Administrative Update
 - Prothman Profile

10:13:59 AM ACTION ITEMS:

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

1. **Contracts for Signature**
 - a) Change Order #1 to Blodgett Construction for Auditor Renovation 2007A5-238
 - b) Contract Amendment 0763-20237-01 DSHS-DASA 2007A5-239
 - c) Owner/Architect Agreement with DOH Associates for Farm Worker Camp Restroom Project 2007A5-240
 - d) Letter of Understanding with Howell at the Moon for Media Production Services 2007A5-241
2. **Budget Transfer**
 - a) Natural Resources to Transfer \$2,500 from Professional Services to Overtime 2007B4-146

10:15:04 AM BOARD DISCUSSION:

- County Governance and Financial Alternatives Committee Update

10:29:02 AM EXECUTIVE SESSION:

Moved by Commissioner Walter, seconded by Commissioner Hawkins, and carried that the Board move into 10 minute executive session pursuant to RCW 42.30.140(4b) to discuss contract negotiations.

10:37:38 AM REGULAR SESSION:

Board resumes regular session.

10:30 A.M. NATURAL RESOURCES DEPARTMENT

Mike Kaputa, Natural Resources Director

DISCUSSION ITEMS

1. Natural Resource Department 2008 Budget Discussion
2. Amendment No. 2 to Ecology Grant No. G0700263
3. Payroll Change Notice

ACTION ITEMS:

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

1. **Contracts/Agreements**
 - a) Amendment No. 2 to Ecology Grant No. G0700263 2007A5-242
2. **Payroll Change Notice**
 - a) (**Added**) Andrea Baker, District Court, Hire

10:35 A.M. BUDGET MEETING – NATURAL RESOURCES PROGRAM

Director Mike Kaputa, Administrative Assistant Kathy Bangs

11:22:28 AM COMMUNITY DEVELOPMENT

John Guenther, Director

DISCUSSION ITEMS

1. Payroll Change Notice
2. Permit Tracking Grant Agreement Signature - \$35,000
3. Contract for Wenatchee Valley Dispute Resolution Center – Hulk Deputy Discussion
4. Notice of Hearing – 2:00 p.m. November 19, 2007
 - a) Short and Long Term Mineral Extraction
 - b) Food and Beverage Service
5. MOU with Port and PUD (Next Joint Meeting January 15 at 1:30 p.m.)
 - a) MOU Signature
 - b) Consensus of Value Statements and Guiding Principals
 - c) Consensus on Working Group Terms of Reference
6. Discussion Re: December 11 Meeting with City of Leavenworth Council at 10:15 a.m.

11:51:33 AM ACTION ITEMS:

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

1. **Contracts/Agreements**
 - a) OFM Grant Agreement for \$35,000 for Permit Tracking 2007A5-243
 - b) Wenatchee Valley Dispute Resolution Center for Hulk Deputy Discussion \$1125.00
2007A5-244
 - c) MOU Agreement Signature on Modified Agreement between the Port and PUD, Values
and Principals Document 2007A5-245
2. **Notices of Hearings**
 - a) Short and Long Term Mineral Extraction 2007H6-31
 - b) Food and Beverage Service 2007H6-31

11:55 A.M. Recess (Recording continues for voucher approval)

(12:25-Vouchers Complete – Recording ends)

1:15 P.M. PUBLIC WORKS DEPARTMENT

Public Works Director Greg Pezoldt

DISCUSSION ITEMS:

1. Agreement for the Acquisition of Right of Way for Adamson Family, LLC
2. Agreement for the Acquisition of Right of Way for Michael A. Willet, Stephen F. Willet and Larry C. Willet
3. Agreement for the Acquisition of Right of Way for Michael A. Willet, Stephen F. Willet and Larry C. Willet
4. Agreement for the Acquisition of Right of Way for Michael A. Willet, Stephen F. Willet and Larry C. Willet
5. Agreement for the Acquisition of Right of Way for Byron L. Newell and Leesa A. Broker
6. Agreement for the Acquisition of Right of Way for Byron L. Newell and Leesa A. Broker
7. Agreement for the Acquisition of Right of Way for William Newell
8. Agreement for the Acquisition of Right of Way for William R. Newell
9. Agreement for the Acquisition of Right of Way for Newell Family, LLC
10. Agreement for the Acquisition of Right of Way for John Forest Mounsey Jr. and Susan K. Mounsey
11. Temporary Agreement for Access and Construction Easement from Stephen F. Willet, Michael A. Willet, and Larry C. Willet
12. Temporary Agreement for Access and Construction Easement from Robert A. and Janet M. Sward
13. Temporary Agreement for Access and Construction Easement from Bruce S. and Micki L. Shaw
14. Temporary Agreement for Access and Construction Easement from Byron L. Newell and Lessa A. Broker
15. Temporary Agreement for Access and Construction Easement from Newell Family, LLC
16. Title 15 Mitigation Workshop
17. Speed Limit Reduction on North Dryden Road

2:12:38 PM ACTION ITEMS:

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

1. **Agreement for Signature**
 - a) Agreement for the Acquisition of Right of Way between Chelan County and Adamson Family, LLC for Chiwawa Loop Road, County Road Project No. 559 (CRP 559)
2007A5-246
 - b) Agreement for the Acquisition of Right of Way between Chelan County and Michael A. Willet, Stephen F. Willet and Larry C. Willet for Chiwawa Loop Road, County Road Project No. 559 (CRP 559)
2007A5-246

- c) Agreement for the Acquisition of Right of Way between Chelan County and Michael A. Willet, Stephen F. Willet and Larry C. Willet for Chiwawa Loop Road, County Road Project No. 559 (CRP 559) 2007A5-246
- d) Agreement for the Acquisition of Right of Way between Chelan County and Michael A. Willet, Stephen F. Willet and Larry C. Willet for Chiwawa Loop Road, County Road Project No. 559 (CRP 559) 2007A5-246
- e) Agreement for the Acquisition of Right of Way between Chelan County and Byron L. Newell and Leesa A. Broker for Chiwawa Loop Road, County Road Project No. 559 (CRP 559) 2007A5-246
- f) Agreement for the Acquisition of Right of Way between Chelan County and Byron L. Newell and Leesa A. Broker for Chiwawa Loop Road, County Road Project No. 559 (CRP 559) 2007A5-246
- g) Agreement for the Acquisition of Right of Way between Chelan County and William Newell for Chiwawa Loop Road, County Road Project No. 559 (CRP 559) 2007A5-246
- h) Agreement for the Acquisition of Right of Way between Chelan County and William R. Newell for Chiwawa Loop Road, County Road Project No. 559 (CRP 559) 2007A5--246
- i) Agreement for the Acquisition of Right of Way between Chelan County and Newell Family, LLC for Chiwawa Loop Road, County Road Project No. 559 (CRP 559) 2007A5-246
- j) Agreement for the Acquisition of Right of Way between Chelan County and John Forest Mounsey, Jr. and Susan K. Mounsey for Manson Boulevard, County Road Project No. 572 (CRP 572) 2007A5-247
- k) Temporary Agreement for Access and Construction Easement between Chelan County and Stephen F. Willet, Michael A. Willet, and Larry C. Willet for Chiwawa Loop Road, County Road Project No. 559 (CRP 559) 2007A5-248
- l) Temporary Agreement for Access and Construction Easement between Chelan County and Robert A. and Janet M. Sward for Chiwawa Loop Road, County Road Project No. 559 (CRP 559) 2007A5-248
- m) Temporary Agreement for Access and Construction Easement between Chelan County and Bruce S. and Micki L. Shaw for Chiwawa Loop Road, County Road Project No. 559 (CRP 559) 2007A5-248
- n) Temporary Agreement for Access and Construction Easement between Chelan County and Byron L. Newell and Leesa A. Broker for Chiwawa Loop Road, County Road Project No. 559 (CRP 559) 2007A5-248
- o) Temporary Agreement for Access and Construction Easement between Chelan County and Newell Family, LLC for Chiwawa Loop Road, County Road Project No. 559 (CRP 559) 2007A5-248

2. **Resolutions**

- a) **(Added)** Adoption of **Resolution No. 2007 – 143** for Reduction in Speed Limit on North Dryden Road

2:12 P.M. PUBLIC WORKS DISCUSSION ITEMS CONTINUE

- Chelan Falls View Point
- Mission Ridge Road - Sledding Area/Garbage Dumping
- Hulk Vehicles on Chumstick Highway
- MOU for Hulk Vehicle Deputy
- Deviation Model Request for Road Standards

2:46:17 PM RECESS

Board recesses until Tuesday session.

TUESDAY, OCTOBER 30

8:02:40 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.

8:02 A.M. BUDGET MEETING – SUPERIOR COURT JUDGES

Chelan County Superior Court Judges Lesley Allan, TW Chip Small, John Bridges, Court Administrator Fona Sugg, Financial Services Manager and Brad Posenjak present.

8:59:15 AM BOARD DISCUSSION:

- Quarterly Taxes for Park and Fairgrounds

9:01:14 AM BUDGET MEETING – CHELAN COUNTY FAIRGROUNDS

Manager Marsha Clute and Financial Services Manager Brad Posenjak

9:31:59 AM COMMISSIONERS PUBLIC HEARING CONTINUATION

Road Vacation for Boleslaw/Jagla Road – Paul Volkmann

County Engineer Jolene Gosselin presents County Engineer's Report regarding the platted roadway on the continued hearing from October 9, 2007. Report is discussed and easements of the road reflected in the hearing are outlined. It is the finding of the Chelan County Engineer that the portion of the right of way as petitioned for vacation is not necessary for the county road system today, but may be a requirement for future developments of the area. If the right of way is vacated a request is made that a utility easement be preserved.

9:49:30 AM PUBLIC COMMENT:

Paul Volkmann, petitioner, speaks on the action requested, driveways, and roadways and the possible utilities mentioned in the September 27 letter submitted by the PUD.

Kevin Gates also speaks on the right of way dedicated in 1912 which is 10-12 feet wide. He states that constructing a 20' road on the side slope of the hill would be very difficult and

quite costly. There are no utilities on the line except at the junction. Any sale of his property would require the establishments of easements. He believes Lovitt property has three access points off of Squilchuck Road. This area as well as below this area are going to need a road system. He is in favor of the vacation. He is in favor of development and does not feel this is a critical tie into the piece of land.

Commissioner Hawkins asks the applicant to state the reason for the petition and Mr. Paul Volkmann responds that he is requesting the vacation to limit the access through his property. His brother also has his home located on the corner of the access in the platted map which would be affected.

Loren Brown, as President of the Lovitt Mine speaks, on behalf of the Lovitt Mining Corporation. A previous vacation hearing was held before the Commissioners in 2002 for Mr. Kevin Gates for vacation of the northern, lower end of the platted roadway and it was agreed prior to the vacation that access to the Lovitt property would be retained from above as the perfect access point to the property. Mr. Brown states the amount of improvement would be minor on the current platted road with only about 40 feet that is not according to county grade. The current county road right of way is the best access to the property. He feels that it is not feasible to build a road from Squilchuck Road on the westerly boundary of the property due to the cost but minimal work would be required to access from the upper county road right of way and only one area of grading would be required. The legality of vacating a road easement is discussed.

Jim Volkmann speaks on the issue. The name of his mother Helen Volkmann, is not on the documents and his name is also not listed on the documents. She was the first owner. Mr. Jim Volkmann states the county vacated that section of the road when they placed their home on the property in 1991. He states he could not get a loan for the home until the road was vacated.

Kelli Volkmann also speaks on the recording of the right of way. It was her understanding that the bank pursued the vacation when they placed the home on the land which was required by the lending institution. She did not however, attend a vacation hearing. County Engineer Jolene Gosselin states the records show a vacation was recorded. Mr. Jim Volkmann speaks of utilities, mostly water and irrigation in the area. His irrigation line crosses that road three times.

Kim Shiflett speaks of the Jagla Road and the driving in the winter. She states she would not want to see any more traffic on that road due to the road being very steep. She drives the road every day. It is a very dangerous road. It would be a safer access from the Squilchuck Road side.

Paul Mayers, listing agent for the Lovitt Mining speaks in reference to the Lovitt property for which they are under contract with a developer on that property that could potentially be

landlocked. This is the most viable access to the property. It would devalue the property to change the value significantly. The property currently is zoned 20 acres.

Commissioner Hawkins is not in favor of vacating a road as a way of denying development. It is currently zoned as R20 and there is no guarantee and is now set up as one dwelling per 20 acres. Commissioner Hawkins does not believe that a road vacation hearing is the proper venue to discuss the pros and cons of development.

Mr. Paul Volkmann understands the cost of construction for a road would be the responsibility of the owner and the maintenance of the road would be the responsibility of the county. That would be a large expense to maintain that road.

Carol Standerfer, if there is other access is available why would they not use that access as opposed to wiping out her rental house.

The location of the right of way of the platted road would need to be established. Mr. Brown was granted an easement of the lower road in 2002 from the north, subject to granting easement and access to Lovitt. He agrees with Mr. Volkann that the road needs to be in a different location but feels that looking at the old charts and maps that it was originally in a different location and may bypass Jagla Road altogether away from the platted location.

Ray Standerford asks how the County can vacate a portion of a road. Commissioner Hawkins states that the vacation is from one defined point to another defined point and that a portion can be vacated. A vacation is filed by petition, typically by the owner of the property where the road is located, and that is what is considered in the vacation.

Kim Shiflett questions that if Lovitt needs to make access from Squilchuck for the other properties why don't they continue the access to that property. Commissioner Goehner states this is not a unique situation to vacate a road that has not been developed but is platted.

Paul Mayers states that this is a question of elevation and cost to build a road from the bottom. The previous vacation was agreed to as long as easement was provided on the upper portion of the road. The other issue is cost to put in a road from the bottom. There is a legal County platted right of way.

A letter is entered into the record from Jeffers, Danielson, Sonn and Aylward, Attorneys for the petitioner.

10:17:05 AM ACTION:

Moved by Commissioner Walter, seconded by Commissioner Hawkins and carried that the Board extend the hearing until November 20, 2007 at 1:30 p.m. to hear the legalities of

vacating a platted road and verification of existing utilities and a written recap of vacation of roads since 1980 of the roadway.

10:19:51 AM BOARD DISCUSSION CONTINUED:

- Permit Tracking Agreement

10:24:33 AM (ADDED) ACTION ITEMS:

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

1. Contract/Agreement

- a) (**Added**) Professional Services and Software Contract with Engineering Mapping Solutions for Permit Tracking Contract 2007A5-249

2. Miscellaneous

- a) (**Added**) Approval of Manual Warrant for B&O Tax Payment for County Park and Fairgrounds. 2007B4-147

10:25 A.M. BUDGET MEETING – PUBLIC WORKS DEPARTMENT

Public Works Director Greg Pezoldt and Staff, Jolene Gosselin, Penny Goehner, Kingsley Berg, Don Hathaway, Brenda Harn.

(11:29:01 AM Commissioner Goehner excused from session.)

11:43:45 AM RECESS

Board recesses until 1:30 p.m.

1:30:36 PM PUBLIC HEARING – Parks and Recreation Planning Hearing

Building/Planning Department

Commissioner Goehner opens the public hearing. Community Development Director John Guenther and Consultant Bill Grimes of Studio Cascade offer the staff report. The first public visioning meeting was held on August 1, 2007. This hearing is to adopt a Comprehensive Parks and Recreation Plan to implement into the Chelan County Comprehensive Plan consistent with the Growth Management Act following the Recreation and Conservation Funding Board guidelines. The parks and recreation plan must be updated at least every six years to be eligible for Washington State Recreation and Conservation Office (RCO) Funding. Changes in the document are suggested by the County Commissioners.

2:18:28 PM PUBLIC TESTIMONY:

Patrick Walker thanks the County for the work that has been done on this plan. He has been involved in the process and feels that there is much more that can be done but also shares a lot of work was accomplished in a short period of time. This will be an important aspect to the comp plan. He offers assistance if needed.

Chuck Largent compliments the County and the huge step they have taken. He will participate in the process as it continues.

Carolyn Pearson is a pet owner and is interested in an unleashed dog park or a permitting system that allows pets to be off leash in public areas if they have been determined to be safe to do so. She offers assistance if needed.

Ilene Curl is present and is a certified pet dog trainer. She is speaking in reference to a publicly owned dog park and the rules and regulations that may be involved in the development. She also offers assistance if needed.

Bob Bugert affirms that the land trust is here for the long haul and states this is a great opportunity for an update on the trails systems. Acquisition is not the tool of choice but conservation is a more appropriate tool and other tools that are more appropriate are available.

2:38:36 PM ACTION:

It is **consensus** of board to approve the draft with the changes to be incorporated and the edited form as a resolution will be brought before the board on Tuesday, November 6 at 10:30 a.m. for signature by the Board.

2:42:06 PM HEARING CLOSED.

Commissioner Goehner closes the hearing.

2:42:14 PM RECESS

Board recesses until Wednesday, Oct 31 at 8:00 a.m.

THURSDAY, NOVEMBER 1

8:34:52 AM COMMISSIONERS' BUDGET WORKSHOP

Commissioner Goehner opens session. Commissioners outline priority needs.

9:26:45 AM EXECUTIVE SESSION:

Moved by Commissioner Hawkins, seconded by Commissioner Walter and carried unanimously that the Board move into 30 minute executive session pursuant to RCW 42.30.110(g) regarding the performance of a public employee.

9:49:52 AM REGULAR SESSION:

Board resumes regular session.

9:50:22 AM ADJOURN

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

Filed Correspondence:

- United States Dept of Interior Letter on Environmental Assessment Titled Convert Radio System to Narrowband Digital/Analog 2007C8-200

• Vouchers Approved for Payment	2007B4-148
Current Expense	\$ 264,350.78
All Other Funds	<u>891,573.06</u>
Total All Funds	\$1,155,923.84

BOARD OF CHELAN COUNTY COMMISSIONERS
KEITH GOEHNER, CHAIRMAN

JANET K. MERZ, Clerk of the Board