

**CHELAN COUNTY COMMISSIONERS
MINUTES OF DECEMBER 17, 18, 2007**

MONDAY, DECEMBER 17, 2007

9:01:56 AM OPENING:

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

9:02:09 AM APPROVAL OF MINUTES:

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board approve the December 10, 11, 2007 Minutes as Corrected.

9:11:31 AM CONSENT AGENDA:

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

- Vouchers as submitted and listed
- Payroll Changes:
 - a) Joni Brown, District Court, Step Increase
 - b) Jeffrey Stroup, Extension, Layoff
 - c) Deborah Carlson, Extension, Resignation
 - d) Jennifer Marquis, Extension, Hourly Pay Increase
 - e) Araceli Bedolla, Prosecuting Attorney, Resignation
 - f) Ramjua Vasquez, Sheriff, Resignation
 - g) Dan Love, Public Works, Discharge

9:13:30 AM BOARD DISCUSSION:

- Sheriff Mike Harum Present to Discuss Hulk Deputy Position
- Sheriff to Meet with Project Manager Robert Knowles and Interim Jail Director Phil Stanley regarding Re-entry Program
- Superior Court Clerk Request for File Repair – Change order for capital project to be completed
- Hotel/Motel Tax Funding
- Energy Bill/Secure Rural Schools
- WDFW/NOAA Meeting regarding the White River and Entiat Fishery
- Dispute Resolution Sunset Date
- County Governance Summary

2007C8-233

10:03:05 AM ADMINISTRATIVE AGENDA

County Administrator, Cathy Mulhall

DISCUSSION ITEMS:

1. Cashmere City Council Member Skip Moore Regarding Recycling. Brenda Harn of County Solid Waste also present. City of Cashmere to consider contract with Waste Management for garbage service in city which would discontinue recycling program for County residents. Brenda Harn speaks on concerns with the County infrastructure and funds currently in place for Cashmere Recycling Center.
2. Project Manager Robert Knowles Regarding Farmworker Housing Restroom Project Call for Bids. Budget figures are discussed.
3. Farm Worker Camp Manager Edmundo Gonzalez with Farm Worker Advocate Meeting Update
4. Farm Worker Camp Manager Edmundo Gonzalez with Camp 2007 Review
5. Executive Session

10:48:50 AM ACTION ITEMS:

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

1. Budget Transfer

- a) Sheriff to Transfer \$18,125 from Extra Help to Non-Dept Extra Help for Pilot Salaries 2007B4-168

2. Contracts for Signature

- a) Service Agreement with Armada Corp for District Court Collection Services 2007A5-276
- b) Homelessness Grant Assistance Program (HGAP) Specific Terms and Conditions for Capital Projects 2007A5-277

3. Resolutions

- a) Adoption of **Resolution No. 2007 - 170** for County Financial Policies
- b) Adoption of **Resolution No. 2007 - 171** for County Employee Handbook
- c) Adoption of **Resolution No. 2007 - 172** Authorization for Collecting Property Taxes – Current Expense
- d) Adoption of **Resolution No. 2007 - 173** Authorization for Collecting Property Taxes – County Roads
- e) Adoption of **Resolution No. 2007 - 174** Authorization for Collecting Property Taxes – Mental Health
- f) Adoption of **Resolution No. 2007 - 175** Authorization for Collecting Property Taxes – Veteran’s Relief
- g) Adoption of **Resolution No. 2007 - 176** Re-appointment of Larry N. Johnson and Patricia Maupin to the Brae Burn Mosquito Control District
- h) Adoption of **Resolution No. 2007 - 177** for Chelan County Policy regarding Animals/Pets in County Buildings
- i) Adoption of **Resolution No. 2007 - 178** Treasurer’s’ Cancellation of Personal Property Taxes for 2004, 2005, 2006, 2007

4. Invitation to Bid

- a) Construction of Wenatchee River Park Restroom Facilities 2007B1-77

10:49:19 AM EXECUTIVE SESSION:

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

11:04:38 AM REGULAR SESSION:

Board resumes regular session.

11:04:58 AM RECESS

11:11:21 AM NATURAL RESOURCES DEPARTMENT

Mike Kaputa, Natural Resources Director

Departmental Issues

- Interlocal Agreement with Chelan County and WDFW
- Shoreline Master Program Update
- Interlocal Agreement with Cities for Shoreline Agreements
- Request for Qualifications for Inventory and Phases of Shoreline Master Program
- Critical Areas, Shoreline, and Ag Uses
- Proposed Schedule of Stehekin River Corridor Implementation Plan
- Stemilt Partnership Meeting
- Lake Chelan Water Quality Meeting – Ron Duff in Attendance at Meeting
- Meeting with WDFW Meeting on Jan 8

11:31:54 AM EXECUTIVE SESSION – Current Pending Litigation

Natural Resources Executive Session Regarding Critical Areas

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board move into 30 minute executive session pursuant to RCW 42.30.110(i) regarding pending litigation with Counsel Susan Hinkle present.

12:00:42 PM EXECUTIVE SESSION:

Board extends executive session for an additional ten minutes.

12:12:20 PM REGULAR SESSION

Board resumes regular session.

12:12:35 PM RECESS

NOON Disability Board (Commissioner Goehner)

1:30:32 PM CHELAN COUNTY REGIONAL JUSTICE CENTER

Interim Director Phil Stanley, Mark McCormick Assistant Director

DISCUSSION ITEMS

1. ICE Review Jan. 17-18, 2008

2. Bid Process - Reassignment of Staff
3. Executive Session to Discuss Personnel Issue

1:37:21 PM ACTION ITEMS:

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

1. Contract Approval

- | | |
|---------------------------------|------------|
| a) DOC Bed Rental for 2008 | 2007A5-278 |
| b) Swank Movie Rental Agreement | 2007A5-279 |

1:39:10 PM EXECUTIVE SESSION:

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

1:48:25 PM REGULAR SESSION:

Board Resumes Regular Session.

Discussion Items Continue:

- Jail Partnership Issues
- Museum Funding Request

1:56:47 PM RECESS

TUESDAY, DECEMBER 18

9:08:10 AM OPENING:

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

9:08:38 AM CHELAN COUNTY FAIRGROUNDS AND EXPO CENTER

Marsha Clute, Director

FAIRGROUNDS ISSUES:

- Water Rights at Fairgrounds
- Chelan County Code regarding Fairgrounds and Fair Board

9:24:55 AM BOARD DISCUSSION CONTINUES:

- Wenatchee Watershed Ag Caucus Update
- RiverCom Update

9:34:45 AM PUBLIC WORKS DEPARTMENT

Public Works Director Greg Pezoldt

DISCUSSION ITEMS:

1. Notice, Acknowledgement, Waiver, Release, Indemnification and Encroachment Agreement with Robert J. and Caryn L. Knauss
2. Agreement for the Acquisition of Right of Way for William Burgess, Bradley I. Burgess, William T. and Jean J. Burgess, Jeffrey W. Burgess and Lauri A. Jones
3. Agreement for the Acquisition of Right of Way for William T. and Jean Burgess
4. Agreement for the Acquisition of Right of Way for William T. and Jean Burgess

5. Temporary Agreement for Access and Construction Easement with William T. and Jean Burgess
6. Agreement for the Maintenance and Operation of US 2 Big Y County Road Undercrossing GM-1483
7. Local Agency Agreement Supplement No. 2 with the Washington State Department of Transportation for the Manson Sidewalks (CRP 623)
8. Local Agency Federal Aid Project Prospectus with the Washington State Department of Transportation for the Manson Sidewalks (CRP 623)
9. Resolution for Request for Qualifications for On Call Services for 2008/2010
10. Increased Calls Received on Snow Plowing in Leavenworth Area
11. Selection Process for Transpo Group
12. Nason Creek Update
13. Stehekin Valley Road Documents
14. Discussion Items for Meeting with Commissioner Goehner, Aide to Senator Linda Evans Parlette Shiloh Burgess and Derek Sandeson of the Dept of Ecology.

9:59:31 AM ACTION ITEMS:

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board approve the following action items (**pulling**) items **1(f)** and **1(h)**:

1. **Agreements for Signature**
 - a) Notice, Acknowledgement, Waiver, Release, Indemnification and Encroachment Agreement between Chelan County and Robert J. and Caryn L. Knauss for Short Plat No. 2006-179 2007A5-280
 - b) Agreement for the Acquisition of Right of Way between Chelan County and William Burgess, Bradley I. Burgess, William T. and Jean J. Burgess, Jeffrey W. Burgess and Lauri A. Jones for Chiwawa Loop Road Improvement Project, County Road Project No. 559 (CRP 559) 2007A5-281
 - c) Agreement for the Acquisition of Right of Way between Chelan County and William T. and Jean Burgess for Chiwawa Loop Road Improvement Project, County Road Project No. 559 (CRP 559) 2007A5-281
 - d) Agreement for the Acquisition of Right of Way between Chelan County and William T. and Jean Burgess for Chiwawa Loop Road Improvement Project, County Road Project No. 559 (CRP 559) 2007A5-281
 - e) Temporary Agreement for Access and Construction Easement between Chelan County and William T. and Jean Burgess for Chiwawa Loop Road Improvement

- Project, County Road Project No. 559 (CRP 559) 2007A5-281
- f) **(Pulled)** Agreement for the Maintenance and Operation of US 2 Big Y County Road Undercrossing GM-1483 between Chelan County and the Washington State Department of Transportation
- g) Local Agency Agreement Supplement No. 2 between Chelan County and Washington State Department of Transportation for Manson Sidewalks, County Road Project No. 623, (CRP 623) 2007A5-282
- h) **(Pulled)** Local Agency Federal Aid Project Prospectus between Chelan County and Washington State Department of Transportation for Manson Boulevard, Phase II, County Road Project No. 623 (CRP 623)

10:02:58 AM BOARD DISCUSSION CONTINUES:

- PUD/Port Working Group Meetings Bi Commission/Tri Commission Meetings – It is consensus of Board that Tri Commission meetings are sufficient at this time
- Wenatchee Valley Transportation Council Update

10:07:56 AM RECESS

10:12:24 AM COMMUNITY DEVELOPMENT

John Guenther, Director

DISCUSSION ITEMS:

1. End of December Agenda Items
 - a) Archiving and Digitization Contract
 - b) Organizational Structure and Process Improvements
 - c) Proposed Fee Structures and Client Review
2. Update Reports for 2007 and Work Programs for 2008
 - a) Building Permits and Inspections – Karen Peele and Doug Lewin
 - b) Customer Service and Training – Frank Cone and John Guenther
 - c) Planning – Long Range and Current – Nathan Pate and Graham Simon
 - d) Code Enforcement – Angel Hallman
 - e) Department Report – Summary and Work Programs
3. Tuscan Village Update
4. Staff Report

11:27:19 AM RECESS

11:31:09 AM (ADDED) ACTION ITEM:

Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried unanimously that the Board approve a manual warrant for purchase of property through HGAP Grant in the amount of \$169,364.33 for the Women’s Resource Center.

2007B4-169

11:31:58 AM PUBLIC HEARING – Authorizing Filing Fee Surcharge to Support Wenatchee Valley Dispute Resolution Center (DRC)

Commissioner Hawkins opens hearing to discuss the collection of service charges for each District Court Filing Fee in the amount of \$10 for civil fee and \$15 to be added to each District Court Small Claims Filing Fee.

Ty Duhamel of Columbia Legal Services speaks in support of the dispute resolution program. The dispute resolution center has received the full endorsement of the Equal Justice Project. Several years ago he requested financial support fees for DRC from the Superior Court. He further states that at the time Judge Cone was in opposition to the funding but later apologized after he had a better understanding of the fee and the support for equal justice. Some of the funding is going to have to be through user fees.

Chairman of the DRC Board Chuck Moser states this would be a positive, cost- effective approach which will allow the courts to be more effective. Communities are also changed due to the mediation training which teaches members to interact with others.

Community Member Bob Bauer speaks in favor of the DRC. He shares the State Legislature has provided funding for DRC throughout the state. Funding matches are also made by the state. The DRC provides a peaceful and non stressful opportunity to settle in a different scenario.

Craig Larsen supports the request and speaks on the positive way this resolves disputes that are peaceful and those using the service support the outcomes. The whole county as well as the users will benefit from the DRC.

Judith Lurie feels strongly that the County would benefit from the DRS. There are five government funded civil attorneys for a five county area. There are not enough attorneys to hear the civil cases. Renters who in deplorable conditions cannot be represented and there are others that are in a huge gap that their needs cannot be met. Ms. Lurie encourages the County to adopt this resolution to fund the DRC.

Jesus Hernandez speaks to highlight the demographics. Despite the good economy in our area, the amount of low income families in our area is virtually the same each year. To those low income families we will be adding a large number of persons that will be leaving good paying jobs and entering the retirement community. He has had the opportunity to see several dispute resolutions at work and was pleased. The civil court cases can escalate to larger problems. The burden on public services is going to increase and this is an efficient way to help our community.

Jamie Wallace introduces herself as a new member of the advisory committee. The process brings in positive opportunities that are not available in the court system such as

understanding, training, and the learning process encourages the participant to a workable solution.

Mike Kaputa supports the filing fee. The Dispute Resolution Center will return in 2008 and 2009 to update the Board of the progress of the collection and disbursement of fees for the start up phase. There is a need to get information out regarding the service to the community.

No one from the community is present to speak in opposition.

11:48:08 AM Close of Public Testimony

Commissioner Goehner thanks those that have come to support the needs in the community for a Dispute Resolution Center. Commissioner Hawkins shares the proposed resolution content.

11:49:02 AM ACTION ITEM:

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

1. **Resolution**

- a) Adoption of **Resolution No. 2007 - 179** to Authorize the Collection of District Court Filing Fee Surcharges for the Partial Financial Support of the Wenatchee Valley Dispute Resolution Center in the Amount of Fees Collected of \$10 for District Court Civil Filing Fee and \$15 for District Court Small Claims Filing Fees.

11:49:30 AM HEARING CLOSED. RECESS

11:59:31 AM Management Assessment of The Regional Justice Center – Prothman Co.
2007C8-234

Commissioner meet for a working lunch with the Prothman Company and Regional Justice Center Partners to Discuss Regional Jail Operations.

Present are Steve Nolen and Lynn Stokesbary of the Prothman Company, Interim Director Phil Stanley, Douglas County Commissioners Dane Keane and Ken Stanton, Wenatchee City Mayor Dennis Johnson, and from Chelan County are Clerk of the Board Janet Merz, Personnel Analyst Katie Small, Commissioners Keith Goehner, Buell Hawkins, and Ron Walter, and County Administrator Cathy Mulhall.

Findings are outlined as well as a list of persons interviewed. Those areas were management and leadership, labor management relationships, organizing and staffing, performance and efficiency, financial and business practices, and recommendations noted by the Prothman Company.

12:51:47 PM CHELAN COUNTY REGIONAL JAIL DISCUSSIONS CONTINUE:

Candidate Pool for Jail Director Search is discussed.

1:03:02 PM EXECUTIVE SESSION:

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

1:17:59 PM REGULAR SESSION:

Board resumes regular session.

1:18:16 PM EXECUTIVE SESSION:

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board move into 12 minute executive session to discuss possible land acquisition negotiations pursuant to RCW 42.30.110(b).

1:29:35 PM REGULAR SESSION:

Board resumes regular session.

1:30:09 PM RECESS

1:38:06 PM PUBLIC HEARING –Road Standards Title 15 (cont. from November 27)

Public Works Director Greg Pezoldt and Shirley Berg offer progress to determine road standards proposal by the working group. Also present are Don Mounter, Jeff Kinzel, Al Hobart, Wendy Cowell, Rich Cole and Diane Parker.

- Draft language on private roads and driveway access points is presented by Don Mounter as written by Randy Johnson and Mr. Mounter. Proposed language would include a home with a shared driveway to 3-4 lots shall be located within 150 feet of the access road. This roadway would have 20 foot easement, would be 12 feet in width and surfacing with six inches of compaction, 20 foot clear zone for sight distance, 12-14 % maximum grade. A deviation process would be available for any drives and roadways that do not meet these standards. A certificate on plat and/or title and may be required on those roads stating these areas may have limited services. If drive is longer than 1000 feet a pullout would be required. Commissioner Goehner suggests a turnout should also be in place every 500 feet. Reference the EVAR for a hammerhead turnaround for a drive over 1000 feet is also discussed. Addressing would be required for designation on access off of county road and each individual drive.
- Connectivity of County Roads and Secondary Accesses in new developments is not completed at this time. Working on those proposals are Dan Beardslee, Dennis Ashmore and John Torrence.

- Part Three has been completed on Design Elements but has not gone before the subcommittee.

Rich Cole Malaga asks about County maintenance on these roads but is reminded that the discussion here is regarding private roads which are not maintained by the County. This is for rural settings to allow growth and development with standards which would support area services.

Wendy Cowell speaks to RR5 and RR10 zoning and home access of 150 feet of the road. The road extension would then need to be at higher standards.

Rich Cole speaks on developments in rural areas. He informs the Commissioners he will be sending them a document on the issue. He states that road and development decisions need to be made with safety in mind. He feels these changes are being made only for the developers. He feels that many people are coming here from California and don't know about the roads and snow. He states the Commissioners need to consider the cost to the County for these developments in the rural areas.

Commissioner Goehner again states that this discussion is about private roads, not public roads. Services from the county are being met with a 12% standard. It is not just persons from California dividing the properties but people who have planned for many years to sell their property to live and retire. Chelan County does keep in mind the safety and rural feel. The county adopted the Code of the West in years passed for a reasonable balance.

Al Hobart speaks about private roads and the deviation process as well as County Road standards and county roads. However, new County Roads will not be deviated from current standards and we do not have the ability to change older County Roads that do not fit the current standards.

Commissioner Hawkins speaks to the need of land in Chelan County caused by limited land availability. This county is limited to 13% of all lands that are held in private ownership. The remainder is in State and Federal lands or tried up with water buffers, etc.

2:29:07 PM HEARING CONTINUATION:

Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried unanimously that the Board continue this hearing until Feb 15 at 2:15 p.m. with a road standards workshop to be held on Feb 4 at 2:15 p.m.

2:33:41 PM ADJOURN:

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried that the Board adjourn until Monday, December 24 for an action only session. Board adjourned.

Filed Correspondence:

- Letter from Jack Hooper regarding Short Plat of Property 2007C8-235
- Copy of Letter from Sheriff Mike Harum to James Bohn regarding Possible Alleged Violations of MOA by National Park Service 2007C8-236
- Letter from Larry Tobiska regarding Shooting Near Confluence 2007C8-237
- Letter from Tree Top regarding Mass Layoff at Cashmere Plant 2007C8-238
- Notice of Hearing Transportation Commission 2007C8-239
- Dept of Revenue Letter regarding Resolution No. 2007-88 2007C8-240
- Letter from Mid Point Place regarding Status of Opening 2007C8-241
- Humane Society 3rd Quarter Report 2007C8-242
- Broadstripe (Formerly Millennium Digital) Notice of Upgrade in Systems and Fee Increase 2007F8-4
- Recommendation of Writ of Execution Response by Philip McNut 2007C8-243
- Order on Stipulated Motion to Continue by Growth Management Hearings Board 2007C8-244
- Letter from Bob Eier regarding Trail Access Maintenance Along Lake Chelan` 2007C8-245
- Letter from Keith Vradenburg Commenting on UCR Recreational Fisheries 2007C8-246
- Wright-Wapato, Inc Leasehold Excise Tax Return 2007C8-247
- Letter from Manson Growers Cooperative re: Manson Blvd 2007C8-248

Vouchers Approved for Payment

2007B4-170

Current Expense	\$ 83,499.39
All Other Funds	<u>376,028.59</u>
Total All Funds	\$459,527.98

BOARD OF CHELAN COUNTY COMMISSIONERS
 BUELL HAWKINS, CHAIRMAN

JANET K. MERZ, Clerk of the Board