

CHELAN COUNTY COMMISSIONERS  
MINUTES OF DECEMBER 13&14, 2021

**Monday, December 13, 2021**

9:00 A.M. **Opening – Pledge of Allegiance**

Chairman Bugert calls the meeting to order. Present for session are Commissioners Overbay and Gering, County Administrator Cathy Mulhall and Clerk of the Board Carlye Baity

9:01:52 A.M. **Consent Agenda**

Upon motion and second by Commissioners Overbay and Gering, the Commission unanimously approves the consent agenda as follows:

1. Vouchers as submitted and listed
2. Payroll Changes:
  - 1) Lisa Dowling, Natural Resources, Step Increase
  - 2) Glenn LaRocque, Expo Center, Lay Off
  - 3) Dee Middleton, Juvenile Probation, Retirement
  - 4) Mathew Barnes, Sheriff, Step Increase
  - 5) Brian Bender, Sheriff, Step Increase
  - 6) Jerrod Biggar, Sheriff, Step Increase
  - 7) Zachary Brunner, Sheriff, Step Increase
  - 8) Garrett Churchill, Sheriff, Step Increase
  - 9) Daane Martin, Sheriff, Step Increase
  - 10) Chris Eakle, Sheriff, Step Increase
  - 11) David Flick, Sheriff, Step Increase
  - 12) Matt Franklin, Sheriff, Step Increase
  - 13) Mark Hegberg, Sheriff, Step Increase
  - 14) Tristen Jurgensen, Sheriff, Step Increase
  - 15) Austin Key, Sheriff, Step Increase
  - 16) Micah Kwiat, Sheriff, Step Increase
  - 17) Mike Lamon, Sheriff, Step Increase
  - 18) Jeremy Mannin, Sheriff, Step Increase
  - 19) Lucas McComas, Sheriff, Step Increase
  - 20) Mike McLeod, Sheriff, Step Increase
  - 21) Ryan Moody, Sheriff, Step Increase
  - 22) Michael Morrison, Sheriff, Step Increase
  - 23) Dominic Mutch, Sheriff, Step Increase
  - 24) Paul Nelson, Sheriff, Step Increase
  - 25) Brad Norton, Sheriff, Step Increase
  - 26) Daniel Ozment, Sheriff, Step Increase
  - 27) Brett Peterson, Sheriff, Step Increase
  - 28) James Peterson, Sheriff, Step Increase
  - 29) Carlos Rodriguez, Sheriff, Step Increase
  - 30) Aaron Seabright, Sheriff, Step Increase
  - 31) Ernie Senseney, Sheriff, Step Increase

- 32) Aaron Shepard, Sheriff, Step Increase
- 33) Robert Soreano, Sheriff, Step Increase
- 34) Ian Sutton, Sheriff, Step Increase
- 35) Jacob Smith, Sheriff, Step Increase
- 36) Jerid Sutherland, Sheriff, Step Increase
- 37) William Tuengel, Sheriff, Step Increase

9:03:11 A.M. **Board Discussion**

- Capital Round of LTAC Applications
- Funding of Leavenworth events – MRSC

9:14:30 A.M. **Recess**

9:29:38 A.M. **Continued Board Discussion**

- Health District Subcommittee
- Representative Schrier meeting Re: Forest Products & Stock Water
- PUD Letter Re: Growers water management
- Boundary Review Board Members
- Ohme Gardens succession planning

10:00 A.M. **County Administrator Cathy Mulhall**

10:00:05 A.M. **PUBLIC HEARING:** Flood Control Zone District  
Chairman Bugert opens the public hearing. Members of the public join via Zoom. Public Comment period is closed.

10:03:57 A.M. **Action**

Upon motion and second by Commissioner Gering and Overbay, the Commission unanimously approves the action items as follows:

1. Resolution #2021-141 of Chelan County Flood Control Zone District Adopting the 2022 District budget and authorizing improvements

10:04:00 A.M. **PUBLIC HEARING:** Chelan County 2022 Budgets

Chairman Bugert opens the public hearing. Members of the public join via Zoom. Public Comment period is closed.

10:09:01 A.M. **Action**

Upon motion and second by Commissioner Overbay and Gering, the Commission unanimously approves the action items as follows:

2. Resolution #2021-142 RE: Adoption of Chelan County 2022 Budgets

**Discussion**

1. Animal Control Contract

10:29:42 A.M. **Action**

Upon motion and second by Commissioner Gering and Overbay, the Commission unanimously approves the action items as follows:

1. Resolution #2021-143 RE: Re-Appointment of Rev. Joanne Coleman Campbell to the Housing Authority
2. Data Access Subscription Agreement with Wargin Law Re: District Court Public Documents (clerk) 20211213A5-1
3. Animal Care & Control Services Agreement 2022-2024 20211213A5-2
4. Notice of Hearing – Supplemental Budget Appropriation 20211213H6-1
5. Resolution #2021-144 RE: Authorization for Collection of Property Taxes – Current Expense
6. Resolution #2021-145 RE: Authorization for Collection of Property Taxes – County Roads
7. Resolution #2021-146 RE: Authorization for Collection of Property Taxes – Flood Control
8. Resolution #2021-147 RE: Re-Appointment of Shon Smith to the Regional Events Center Public Facilities District Board
9. Request to Carryover vacation hours for Juvenile Detention Worker 20211213B4-2

10:30:09 A.M. **Executive Session**

Upon motion and second by Commissioners Overbay and Gering, the Commission unanimously approves to move into a 10 minute Executive Session Pursuant to RCW 42.30.110(g), performance of a public employee.

**Extend Executive Session by 10 minutes – Public Notified**

10:50:36 A.M. **Move back to regular session**

11:00 A.M. **Natural Resources Director Mike Kaputa**

**Discussion**

1. Nason Creek Project Presentation by Yakama Nation
2. Consulting agreement with David Evans and Associates, Inc., for Eagle Creek fish barrier designs

11:43:02 A.M. **Executive Session**

Upon motion and second by Commissioners Gering and Overbay, the Commissioners unanimously approve to move into a 5 minute executive session pursuant to RCW 42.30.110(b) to consider the selection of a site of the acquisition of real estate by lease of purchase.

11:48:48 A.M. **Move back to regular session**

11:50:53 A.M. **Action**

Upon motion and second by Commissioner Overbay and Gering, the Commission unanimously approves the action items as follows:

1. Consulting agreement with David Evans and Associates, Inc., for Eagle Creek fish barrier designs 20211213A5-3

11:51:32 A.M. **Continued Natural Resources Discussion**

- ARPA Funding
- Lands Dialogue
- PUD Malaga Park Presentation

12:05:59 P.M. **Recess**

1:00 P.M. **PUBLIC HEARING:** Discussion of a Public Official - Deputy Prosecutor Marcus Foster

Chairman Bugert opens the public hearing. Numerous members of the public are present. Deputy Prosecutor Marcus Foster reads allegations. Chelan County Building Official Chris Young provides testimony. Chelan County Senior Planner Jamie Strother gives testimony. Jim Brown speaks and provides a video. Ryan Kelso gives testimony. The following individuals provide testimony regarding the allegations of the public official: Mikael Martinez and Phil Vallerand.

2:00 P.M. **PUBLIC HEARING:** Chelan County Fire Code

Chairman Bugert opens the public hearing. Public Hearing will be continued at 3:00 P.M.

2:07:55 P.M. **CONT. PUBLIC HEARING:** Discussion of a Public Official

Ryan Kelso gives further testimony. The following individuals provide testimony: Curtis Helton; Wendy Priest; Greg White; Shane Covey; Amy Gustin; Mikael Martinez; Jeffrey Story; Dan Beardslee; Sean Lynn; Dave Dormier; Karen Merritt; Vicky Malloy; Tim McDonald; Jim Newberry; Carl Blum; Clay Gatens; Dustin Christensen and Tim Larson.

3:00:47 P.M. **PUBLIC HEARING:** Chelan County Fire Code

Chairman Bugert opens the public hearing. Public Hearing will be continued on Tuesday, December 14<sup>th</sup> at 2:00 P.M.

3:01:15 P.M. **CONT. PUBLIC HEARING:** Discussion of a Public Official

Public Hearing will be continued on Monday, December 20<sup>th</sup> at 10:00 A.M.

3:14:35 P.M. **Board recesses until Tuesday session.**

**Tuesday, December 14, 2021**

9:00 A.M. Chairman Bugert calls the Tuesday meeting to order. Present for session are Commissioner Overbay, County Administrator Cathy Mulhall and Clerk of the Board Carlye Baity. *Commissioner Gering is excused from session.*

9:00:44 A.M. **Mental Health Diversion Program Manager Ana Gonzalez**

**Discussion**

1. Agreement for Provision of Services by and between Beacon Health Options, Inc. and Chelan County

9:09:40 A.M. **Action**

Upon motion and second by Commissioner Overbay and Bugert, the Commission unanimously approves the action items as follows:

1. Agreement for Provision of Services by and between Beacon Health Options, Inc. and Chelan County

9:10:25 A.M. **Continued Discussion RE: Mental Health Diversion in CCRJC**

9:30:45 A.M. **Public Works Director Eric Pierson**

**BID OPENING:** Knowles Road Project Phase II, County Road Project 725 (CRP 725)  
Bid Opening closed to further bids by Chairman Bugert. Three bids received as follows;

**J&K Earthworks:** group (1) \$1,764,880.10 group (2) \$183,023.80 group (3) \$250,030.00  
group (4) \$379,862.25 group (5) \$551,718.11 group (6) \$456,214.29 group (7) \$118,412.00  
group (8) \$39,475.30

**Hurst Construction:** group (1) \$2,071,264.25 group (2) \$227,867.00 group (3) \$141,210.00  
group (4) \$304,868.83 group (5) \$488,307.37 group (6) \$465,874.11 group (7) \$114,145.00  
group (8) \$41,009.50

**Selland Construction:** group (1) \$2,201,540.50 group (2) \$193,290.00 group (3) \$220,393.50  
group (4) \$570,626.74 group (5) \$601,509.03 group (6) \$539,342.66 group (7) \$123,801.00  
group (8) \$26,801.00

**Engineers Estimate:** group (1) \$1,424,489.60 group (2) \$128,514.80 group (3) \$181,765.10  
group (4) \$379,829.76 group (5) \$507,003.20 group (6) \$385,537.17 group (7) \$65,470.00  
group (8) \$17,738.00

Bid documents referred to Public Works Department to ensure bids meet specifications.

9:41:26 A.M. **Action**

Upon motion and second by Commissioners Overbay and Bugert, the Commission unanimously approves to accept the bids as presented, bid to be awarded on Monday, December 27<sup>th</sup> at 9:00 A.M.

**Discussion**

1. Commissioners Notice of Hearing for the Vacation of an Access Road Easement Known as Pine Crest Vista Plat, Block No. 2 for by Casey Sutherland
2. Supplement No. 6 to Agreement No. 2017-04 with David Evans & Associates, Inc. for West Cashmere Bridge Replacement Project, County Road Project 693 (CRP 693)
3. Supplement No. 3 to Agreement No. 2019-08 with Tetra Tech, Inc. for Ski Hill Basin Flood Analysis
4. Bridge Inspection Agreement No. GCB 3624 with Washington State Department of Transportation
5. Interlocal Agreement with the City of Wenatchee for Construction of Knowles Road and School Street Sanitary Sewer and Storm Drain Improvements, Knowles Road Project Phase II, County Road Project 725 (CRP 725)

**9:43:57 A.M. Action**

Upon motion and second by Commissioner Overbay and Bugert, the Commission unanimously approves the action items as follows:

1. Commissioners Notice of Hearing for the Vacation of an Access Road Easement Known as Pine Crest Vista Plat, Block No. 2 for by Casey Sutherland
2. Supplement No. 6 to Agreement No. 2017-04 with David Evans & Associates, Inc. for West Cashmere Bridge Replacement Project, County Road Project 693 (CRP 693)
3. Bridge Inspection Agreement No. GCB 3624 with Washington State Department of Transportation
4. Interlocal Agreement with the City of Wenatchee for Construction of Knowles Road and School Street Sanitary Sewer and Storm Drain Improvements, Knowles Road Project Phase II, County Road Project 725 (CRP 725)

**9:45:00 A.M. Flood Control Zone District Administrator Eric Pierson**

**Discussion**

1. Supplement No. 3 to Agreement No. 2019-08 with Tetra Tech, Inc. for Ski Hill Basin Flood Analysis

**9:50:41 A.M. Recess**

**9:56:29 A.M. Executive Session**

Upon motion and second by Commissioners Overbay and Bugert, the Commission unanimously approves to move into a 10 minute Executive Session Pursuant to RCW 42.30.110(g), performance of a public employee.

**10:11:41 A.M. Move back to regular session**

**9:45:28 A.M. Action**

Upon motion and second by Commissioner Overbay and Bugert, the Commission unanimously approves the action items as follows:

1. Supplement No. 3 to Agreement No. 2019-08 with Tetra Tech, Inc. for Ski Hill Basin Flood Analysis

10:15 A.M. **Community Development Assistant Director Catherine Lorbeer**

10:20:30 A.M. **PUBLIC HEARING:** 2021 Comprehensive Plan Map and Text Amendments: Chairman Bugert opens the public hearing. Members of the public join via Zoom. Assistant Director Catherine Lorbeer gives staff report. Dave Dormier provides testimony on File No. CPA 21-071. Dan Beardslee, Lacey Price and Katherine Degel (via zoom) give testimony on File No. CPA 21-078. Darlene and Katrina (via zoom) comment on File No. CPA 21-118. Lisa Grueter with Berk Consulting and Chelan County Natural Resources Director Mike Kaputa join and provide comments on File No. CPA 21-084. Public Comment period is closed.

- a) File No. CPA 21-118: An application for a Comprehensive Plan Map Amendment was submitted to change the land use designations for the two (2) subject properties from Rural Residential/Recreational 5 acres (RR5) to Rural Industrial (RI) within Chelan County for the purpose of enhancing and supporting economic development in the rural Malaga area. Project Location: 5309 and 5351 Malaga Alcoa Hwy.; identified by Assessor's Parcel No(s): 22-21-35-100-071 and 22-21-35-100-072 respectively
- b) File No. CPA 21-070: An application for a Comprehensive Plan Map Amendment was submitted to change the land use designation for the subject properties from Urban Residential 3 (UR3) to Downtown Commercial (CD) within the Manson Urban Growth Area. Project Location: 316 Wapato Way, 324 Wapato Way, 306 Henry Gray St and 298 Henry Gray St, Manson, WA; and identified by Assessor's Parcel No(s): 28-21-35-696-257, 28-21-35-696-256, 28-21-35-696-255 and 28-21-35-696-259

10:38:01 A.M. **Action**

Upon motion and second by Commissioner Overbay and Bugert, the Commission unanimously approves the action items as follows:

- Resolution **#2021-149** File No CPA 21-070
- c) File No. CPA 21-071: An application for a Comprehensive Plan Map Amendment was submitted to change the land use designation for the subject properties from Rural Residential/Recreational 10 acres (RR10), Rural Residential/Recreational 20 acres (RR20) and Commercial Agricultural Lands (AC) to Rural Residential/Recreational 5 acres (RR5). Revised Project Location: NNA, Chelan, WA; and identified by Assessor's Parcel No(s): 28-22-34-440-050

10:45:02 A.M. **Action**

Upon motion and second by Commissioner Overbay and Bugert, the Commission unanimously approves the action items as follows:

- Resolution **#2021-150** File No CPA 21-071

- d) File No. CPA 21-078: An application for a Comprehensive Plan Map Amendment was submitted to change the land use designations for the subject properties from Rural Residential/Recreational 5 acres (RR5)/Rural Village (RV) to Rural Village (RV). Project Location: NNA Rank Road, Cashmere, WA; and identified by Assessor's Parcel No(s): 23-19-04-430-250 and 23-19-04-595-050

**10:55:57 A.M. Action**

Upon motion and second by Commissioner Overbay and Bugert, the Commission unanimously approves the action items as follows:

- Resolution **#2021-151** File No. CPA 21-078

**11:01:26 A.M. Action**

Upon motion and second by Commissioner Overbay and Bugert, the Commission unanimously approves the action items as follows:

- Resolution **#2021-148** File No. CPA 21-118

- e) File No. CPA 21-084: Chelan County has initiated the proposed Comprehensive Plan Text Amendment to integrate climate resilience strategies into the goals and policies, including updates to existing policies and new policy additions. Project Location: Chelan County

Public Hearing is closed.

**11:12:15 A.M. Executive Session**

Upon motion and second by Commissioners Overbay and Bugert, the Commission unanimously approves to move into a 10 minute Executive Session Pursuant to RCW 42.30.110(g), performance of a public employee.

**11:21:42 A.M. Move back to regular session**

**11:22:23 A.M. Recess**

**1:33:09 P.M. Executive Session Re: Grievance Hearing**

Upon motion and second by Commissioners Overbay and Bugert, the Commission unanimously approves to move into a 20 minute Executive Session Pursuant to RCW 42.30.110(g), performance of a public employee.

**Extend Executive Session by 5 minutes – Public Notified**

**1:58:43 P.M. Move back to regular session**

**2:00:39 P.M. CONTUED PUBLIC HEARING (12/13): Chelan County Fire Code**



Chairman Bugert opens the public hearing. Fire Marshall Stephen Rinaldi and Deputy Fire Marshall Bob Plumb give staff report.

**Action**

Upon motion and second by Commissioner Overbay and Bugert, the Commission unanimously approves the action items as follows:

- Resolution #2021-152 RE: Chelan County Fire Code & Resolution #2021-153 ZTA-530

Continued Discussion Re: Fire Marshalls meeting with Leavenworth

2:52:21 P.M. **Action**

Upon motion and second by Commissioner Overbay and Bugert, the Commission unanimously approves the action items as follows:

- December 5&6 Meeting Minutes

2:53:05 P.M. **Adjourn**

Board adjourns until Monday, December 20, 2021.

Weekly Voucher Approval for Payment	20211213B4-1
Current Expense	\$420,950.37
Other Funds	<u>\$1,257,018.06</u>
Total All Funds	\$1,677,968.43

BOARD OF CHELAN COUNTY COMMISSIONERS

BOB BUGERT, CHAIRMAN

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CARLYE BAITY, Clerk of the Board