

**CHELAN COUNTY COMMISSIONERS
MINUTES OF JANUARY 14, 15, 2008**

MONDAY, JANUARY 14

9:12:03 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. Board congratulates Commissioner Walter on the birth of two new additional family members – a son born to Jenny and Tyson McGinnis and brother Nolen is baby Stowe McGinnis and also a daughter born to JB and Ashley Walter is baby Saige Walter. Congratulations.

9:17:03 AM APPROVAL OF MINUTES:

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board approve the January 7, 8, 2008 minutes as corrected.

9:19:47 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) Paul Nelson, Community Development, Transfer to Sheriff's Dept
 - b) Audra McDaniel, Prosecuting Attorney, Hourly Wage Increase
 - c) Michael Bryant, Sheriff's Dept, Length of Service Increase
 - d) Kent Sisson, Sheriff's Dept, Length of Service Increase
 - e) Chris Foreman, Sheriff's Dept, Length of Service Increase
 - f) Michael McLeod, Sheriff's Dept, Length of Service Increase
 - g) Cindy Grubb, Public Works, Length of Service Increase
 - h) Jason Smith, Public Works, Out of Class Pay
 - i) Marlane Gurnard, Horticulture, Length of Service Increase
 - j) Larry Tobiska, PACSD, Length of Service Increase

9:22 A.M. BOARD DISCUSSION

- January 22 Scheduling (Commissioner Walter will be absent)
- Jail Director Final Interview Dates
- Jail Remodel/Expansion
- WVTC Update
- Commissioner Hawkins' Meeting with Senator Parlette regarding Stehekin Management Plan
- Jail Issue on Temperature in Cell Block 3I – Issue has been resolved
- Chelan County Lands Dialogue Group Update

- WDFW Beebe Springs Surplus Property. It is **consensus** of the Board to proceed with process of acquisition of surplus property at Beebe Springs
- Complications of Knee Surgery for Commissioner Dane Keane

10:03:16 AM ADMINISTRATIVE AGENDA

County Administrator, Cathy Mulhall

DISCUSSION ITEMS:

1. Executive Session – Negotiations

10:03:16 A.M. EXECUTIVE SESSION:

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried that the Board move into 15 minute executive session pursuant to RCW 42.30.140(4) regarding labor negotiations.

10:19:35 AM EXECUTIVE SESSION:

Board extends session for an additional 3 minutes pursuant to RCW 42.30.140(4) regarding labor negotiations.

10:22:03 AM REGULAR SESSION:

Board resumes regular session.

10:22 A.M. ADMINISTRATIVE DISCUSSION ITEMS CONTINUE:

2. LOTS Grant Program

10:24:44 AM ACTION ITEMS:

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

1. Public Notice

- a) Vendor Notice

2007H6-2

10:25:26 AM EXECUTIVE SESSION:

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board move into 5 minute executive session pursuant to RCW 42.30.110(b) regarding the acquisition of property.

10:31:53 AM REGULAR SESSION:

Board resumes regular session.

10:32:32 AM BOARD DISCUSSION CONTINUES:

- PUD/Port/Tri Commission Working Group
- Boating Regulations on Wenatchee River – It is **consensus** of Board to allow Commissioner Goehner to work with Prosecuting Attorney on possible regulations on river.

- Concerns Voiced by Resident regarding Warehouse Road (in the Town of Monitor)
- Tuscan Village Meeting Update
- RiverCom Meeting Update
- Realtors' Meeting

11:02:48 AM NATURAL RESOURCES DEPARTMENT

Mike Kaputa, Natural Resources Director

DISCUSSION ITEMS:

- Shoreline Master Program Update
- Susan Driver Replaces Lisa Parks as City of Entiat Planner
- Wenatchee Water Quality Meeting
- Public Lands Dialogue Meeting
- Forest Service Acquisition Ledger Update
- Stemilt Partnership Plan
- Grant Funding Prospects for Elk Research Project
- WRIA 40A Priority Funding

11:36:07 AM RECESS

11:39 A.M. REGULAR SESSION RESUMES

NCW History Presentation, Nancy Warner representing Initiative for Rural Innovation & Stewardship, IRIS 2008C8-5

11:58:25 AM RECESS

NOON

1:17:34 PM CHELAN COUNTY SHERIFF'S DEPARTMENT

Sheriff Mike Harum, Chief Civil Deputy Ron Hupp

DISCUSSION ITEMS:

1. NOVA Resolution ORV Noise Enforcement
2. Staffing Update
3. Budget Amendment for Hulk Deputy Position
4. Payroll Change Notices to Move Employees to Correct Line Items
5. Re-Entry Program Meetings
6. Proposed Tribal Enforcement Legislation
7. National Parks Service Law Enforcement Legal Case
8. Warehouse Road Citizen Concern

1:45:06 PM ACTION ITEMS:

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board approve the following action items (**adding**) certification of levies of 2007 for the 2008 tax year:

1. **Resolution**

- a) Adoption of **Resolution No. 2008 – 02** Authorizing Application for funding Assistance for a Non Highway and Off Road Vehicle Activities Program (NOVA)
- b) **(Added)** Adoption of **Resolution No. 2008 – 03** Certification of 2007 Levies for 2008 Year

1:47:15 PM CHELAN COUNTY FIRE DIST. # 1/COMMUNITY DEVELOPMENT

RE: Inter-Local Agreement, and Administrative Operating Procedure between the County and Fire District #1

Present for Discussion are Fire Marshall of Fire District #1 Randy Johnson, Fire District #1 Commissioner Mike Compton, Community Development Director John Guenther, and Chelan County Building Inspector Doug Lewin.

2:18:20 PM ACTION ITEM:

Moved by Commissioner Goehner, seconded by Commissioner Hawkins, and carried that the Board **(pull)** the following action item for further corrections and contract finalization.

1. **Contract/Agreement**

- a) **(Pulled)** Inter-Local Agreement, and Administrative Operating Procedure between the County and Fire District #1

2:18:58 PM RECESS

2:22:17 PM HORTICULTURE/PEST BOARD

**Pest Control Agent Marlane Gurnard Present with Pest Board Members
Bruce Reathaford, Bob Bossen, Phil Gutzwiler, and Tom Griffith**

BOARD UPDATE/ISSUES:

- Show Cause Hearing for Pest Management Enforcement - Commissioner Hawkins and Pest Board Chair will contact Prosecuting Attorney regarding legal proceedings
- Filing Fee for Orchard Removal
- Pending Litigation with Pest Board

2:48:50 PM RECESS

TUESDAY, JANUARY 15

9:05:43 AM OPENING:

9:05:56 AM CHELAN COUNTY FAIRGROUNDS AND EXPO CENTER

Marsha Clute, Director

FAIRGROUNDS ISSUES

- Possible Use of Monitor Park Facility Trailers at Fairgrounds
- Snowplowing at Fairgrounds

- Fair Board Nominations and Committee Chairs

9:14:56 AM RECESS

9:33:18 AM 9:30 A.M. PUBLIC WORKS DEPARTMENT

Public Works Engineer Jolene Gosselin

BID OPENING - Gas and Diesel for 2008

Commissioner Goehner opens and reads bids as submitted as follows:

Bidder:	Supreme Unleaded	Dyed Diesel #2	
Coleman	\$2.9199	\$2.6223	
	55,000 gal	150,000 gal	
Wenatchee Petroleum	\$172,205 (total)	\$390,000 (total)	2008B1-1

9:35:45 AM ACTION:

Commissioner Walter **moves** to accept the bids as presented and to forward the bids to the Public Works Department to insure compliance with bid specifications.

9:37:12 AM PUBLIC HEARING - Surface and Storm Water Management Utility

Paula Cox presents staff report. Shaun Pigott Associates LLC, consultant for Chelan County to assist in funding evaluations, as well as several citizens task force members also present.

This hearing is to review the information presented on the Stormwater Utility Development for the Unincorporated Greater Wenatchee Area. In 2006 the Board of County Commissioners directed Public Works Staff to evaluate alternatives for funding the requirements of the National Pollutant Discharge Elimination System (NPDES) permit for Stormwater as well as development of an on-going program for storm and surface water management. The program boundary would focus on the unincorporated urbanizing areas of greater Wenatchee consistent with the NPDES planning responsibilities of the County, and also be related to the Urban Growth Area and the “Wenatchee/East Wenatchee Urbanized Area” as designated by the Wenatchee Valley Transportation Council.

The recommendation by the task force is that Chelan County move forward to establish a Stormwater utility under RCW 36.89 for the unincorporated portion of the Greater Wenatchee urbanizing area. The boundary has been established to be consistent with the

National Pollutant Discharge Elimination System (NPDES) regulatory planning area as well as the Wenatchee Valley Transportation Council Boundary. The rate per equivalent residential unit (ERU) per month is recommended to be \$5.50 per month to generate \$343,000 annually. The boundary is noted to be larger than the current UGA. Credits against the storm water rate of up to 59% are recommended for non-single family residential customers to would include home owners' associations whose developed property has eligible storm water quantity or quality facilities on-site or has implemented applicable best management practices.

Member Karen Korner comments that the task force agrees with the recommendation. Shaun Pigott speaks about the public notification process.

Chet Slack of Lower Sunnyslope Road speaks about the boundary of the Stormwater district and the urban growth area differences. Discussions follow regarding the need to add these areas to the NPDES area but not the UGA (based upon population over a designated area as outlined by staff and the consultant). It is also stated that there is a requirement by statute and the area will be served by the end result. Commissioner Walter agrees with the comments by Mr. Slack and inquires if we can pass the storm water requirements by the Federal Regulations if we do not include this area south of Highway 2 in the district boundaries. The consultant shares concerns of consistency in the determination.

Paul Schmitt questions the need for this change. Federal regulation and ongoing stormwater problems are cited as the reasons for this district management. Mitigation and credits are also discussed.

Jackie Carmichael questions if a SEPA process is necessary in this study. A SEPA process is not required for the study portion. Mrs. Carmichael shares she has voiced her concerns in the past regarding developments and run off issues but does not feel it was addressed. She feels her property does not cause any run off because the property is flat and any excess water is absorbed into the 4 ½ acres.

Paul Schmitt speaks to the movement of earth and sediment running down and creating problems. He suggests this might be the time to address a mechanism for a grade and fill ordinance. Commissioner Hawkins states the issue has been discussed but would not be a part of this process.

Patrick Walker speaks to an area of Lower Sunnyslope Road and the potential for impact in the area by development if the area is not added.

10:19:56 AM HEARING CLOSED FOR FURTHER PUBLIC COMMENT

Commissioner Walter suggests the hearing be continued to allow staff and the consultant to go back and discuss the boundary in question earlier as discussed with Mr. Slack and Lower

Sunnyslope Road inclusion and determine a revised boundary. Commissioner Goehner would defer to the recommendation of the citizens group. Discussion on the issue continues.

10:24:53 AM ACTION:

Commissioner Goehner **moves** to approve the recommendation as presented by the citizens group. Commissioner Hawkins seconds the motion. Discussion continues on the questions of the boundary. Commissioner Goehner and Commissioner Hawkins vote in the affirmative with a vote in the negative cast by Commissioner Walter. Motion to approve the recommendation is approved by a vote of 2-1. 2008C8-6

10:33:44 AM DISCUSSION ITEMS:

1. Agreement for the Maintenance and Operation of US 2 Big Y County Road Undercrossing GM-1483
2. Local Agency Standard Consultant Agreement
3. Resolution for Adoption of Standard Specifications for 2008
4. Proposed Resolution for Latecomer's Agreement (hold over until next week)
5. Proposed Resolution for Road Vacation (hold over until next week)
6. Payroll Change Notice
7. Eagle Creek Open House January 24 Notice
8. Chelan Falls Viewing Area Gate Closure for Winter Months
9. Title 15 Road Standards without Section 10 Causes Concerns
10. Weight Restrictions on Squilchuck, Mission Ridge Road and Wenatchee Heights Due to Road Damage by Contractor

10:47:00 AM ACTION ITEMS:

Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried unanimously that the Board approve the following action items (**adding**) item **3(a)** payroll change notice for Public Works Employee:

1. **Agreement for Signature**
 - a) 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 2008A5-6
 - b) Local Agency Standard Consultant Agreement between Chelan County and the TransPo Group, Inc. for the Chelan County Transportation Element Update 2008A5-7
2. **Resolution**
 - a) Adoption of **Resolution No. 2008 – 04** Standard Specifications for 2008 and Rescinding Resolution No. 2006-17
3. **Miscellaneous**
 - a) (**Added**) Payroll change notice for Lauren Rejniak, Public Works Dept, New Hire

10:48 A.M. COMMUNITY DEVELOPMENT
John Guenther, Director

DISCUSSION ITEMS:

1. Addressing Group Update. Phil Moser of Chelan County Fire District and Millie Tirrapelle of RiverCom are present to update Board on addressing group work
2. Inter-Local Agreement, and Administrative Operating Procedure between the County and Fire District #1

11:11:37 AM (ADDED) ACTION ITEM:

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board approve the following action items (previously pulled on January 14):

1. Contract/Agreement

- a) **(Added)** Inter-Local Agreement, and Administrative Operating Procedure between the County and Fire District #1 for Fire Marshal Services 2008A-5a

COMMUNITY DEVELOPMENT DISCUSSION ITEMS CONTINUE:

2. Parks and Recreation Update
3. Manson Sub-Area Plan Update and Timetable
4. Updated Hearing and Meeting Calendar
5. Peshastin Sub-Area Plan Update and Timetable
6. Planning Commission Membership and Status 2008C8-7
7. Discussion of Staff Reports and Decisions

11:56:35 AM RECESS

1:33:46 PM TRI COMMISSION MEETING

**PUD/CHELAN COUNTY PORT DISTRICT/CHELAN COUNTY **

Commissioner Hawkins opens the PUD/Chelan County Port District/Chelan County Commission Meeting with Commissioner Walter in attendance. Attending the Tri-Commission Meeting are Dennis Bolz, Randy Smith, Ann Congdon, Melisa McPherren, Sheila Schneider, Jack Winter, Carol Wardell, Norm Gutzwiler, Werner Janssen, Wayne Wright, and Jeff Smith, of the Chelan County PUD, Mike Mackey, Craig Larsen, JC Baldwin, Mark Urdahl and Ron Johnston Rodriquez of the Port District, John Guenther and Mike Kaputa of Chelan County. Also present for session is the Clerk of the Board. Commissioner Goehner is excused from session this afternoon.

- Report on MOU Values and Guiding Principals 2008A5-9
- Meeting Schedules
- Peshastin Sub Area Plan and Process Presented by Lisa Parks
- Wenatchee Watershed Issues Presentation by Mike Kaputa and Ron Slabaugh
- Power Allocations by Randy Smith
- Legislative Agenda and Strategies

- Transportation Planning

3:16:48 PM ADJOURN

Moved by Commissioner Walter, seconded by Commissioner Hawkins, and carried that the Board adjourn until Tuesday, January 22, 2008. Board Adjourned.

Filed Correspondence:

Vouchers Approved for Payment (2007 Budget) 2008B4-8

Current Expense		\$145,192.99
All Other Funds		<u>452,584.70</u>
	Total All Funds	\$597,777.69

Vouchers Approved for Payment (2008 Budget) 2008B4-8

Current Expense		\$199,096.33
All Other Funds		<u>125,358.89</u>
	Total All Funds	\$324,455.22