

**CHELAN COUNTY COMMISSIONERS  
MINUTES OF MARCH 24, 25, 2008**

**MONDAY, MARCH 24**

**9:04:37 AM OPENING:**

Chairman Hawkins opens session with Commissioner Walter and Commissioner Goehner in attendance. Also present for session are County Administrator Cathy Mulhall, Clerk of the Board, and WHS Students Sydnee Floyd, Burke Crawford, and Mitchel Bird.

**9:05:42 AM EMPLOYEE RECOGNITION AWARDS:**

Chairman Hawkins states that the Chelan County Commissioners, as representatives of the Citizens of Chelan County, are honored in presenting an exemplar of their appreciation for meritorious, exemplary, and dedicated service to the citizens of Chelan County and for upholding the ideals of public service through the years of serving the public, to the following employees:

Mark Sele	Public Works	20 Years, Present
Keith Newberry	Public Works	10 Years

**9:08:09 AM APPROVAL OF MINUTES:**

**Moved** by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board approve the March 17, 18, 2008 minutes as corrected.

**9:12:32 AM CONSENT AGENDA:**

**Moved** by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board approve the following action items (**pulling**) items (**d**) and (**e**) and (**adding**) item (**k**):

- Vouchers as submitted and listed
- Payroll changes:
  - a) Nathan Wooten, Public Works, Temporary Hire
  - b) Mathew Schwader, Public Works, Lay Off
  - c) Glenn LaRocque, Fairgrounds, Seasonal Help
  - d) (**Pulled**) Lilith Yanagimachi, Community Development, New Hire
  - e) (**Pulled**) Kristi DeLozier, Community Development, Promotion
  - f) Jenny Couch, Prosecuting Attorney, Resignation
  - g) Juan Covarrubias, Coroner, Lay Off
  - h) Terisa Worley, Juvenile, Promotion to Full Time
  - i) Mary Drussell, CCRJC, Amended Length of Service Increase
  - j) Steve McCormick, CCRJC, Amended Length of Service Increase
  - k) (**Added**) Terry Nowka, Noxious Weed, Deceased
- Donation of Annual Leave for Juvenile Employee - 48 hours

2008B4-28

**9:13:56 AM BOARD DISCUSSION:**

- Nason Creek Bridge Issues
- Public Works Road Standards Forum
- Contract Listing Courthouse on Historic Register
- Leavenworth Water Issue

**10:05:09 AM ADMINISTRATIVE AGENDA**

**County Administrator, Cathy Mulhall**

**DISCUSSION ITEMS:**

1. Consultant Steve Nolan, Prothman Co. Update on Jail Director Search. It is **consensus** of Board to review the options this fall for the continuation of director search.
2. LOTS Grant Award. Board will approve four items at this time. Commissioner Walter states his objection to the City of Leavenworth's inconsistent process of application of standards on the provisions for urban services. Mayor of Leavenworth Rob Eaton present.

**10:48:36 AM ACTION ITEM:**

**Moved** by Commissioner Goehner, seconded by Commissioner Hawkins, and carried that the Board approve the following Administration Agenda Action Item **3(a)** with a vote in the negative received by Commissioner Walter:

3. **Miscellaneous** 2008B4-29
  - a) LOTS Grants Award
    - The City of Wenatchee Regional Events Center \$195,000
    - Chelan County Public Works Dept. Peters Street Sidewalk \$ 75,000
    - City of Leavenworth Icicle Station Project \$ 50,000
    - Monitor PUD Water Service Area Project \$200,000

**10:53:28 AM ADMINISTRATIVE DISCUSSION ITEMS CONTINUE:**

Chief Deputy Auditor Skip Moore Present to Discuss the Following:

- Skip Moore as Cashmere City Councilman Skip Discusses City of Cashmere Easement for City Services without Compensation to Property Owners with Commissioner Walter
- Recording System Contract

**11:00 A.M. ACTION ITEMS**

**Moved** by Commissioner Walter, seconded by Commissioner Goehner and carried that the Board approve the following Administrative Agenda Items (**pulling**) items **1(a), 1(b), 1(f), 2(a)**, *noting item 3(a) was previously approved*, and (**adding**) item **4(a)** a Resolution for Inter-fund Loan:

**1. Contracts/Agreements**

- a) (**Pulled**) Agreement with Central Washington Hospital for Registered Dietitian Services
- b) (**Pulled**) Interlocal Agreement with the City of Port Townsend for the Housing of Inmates

- c) DSHS Long Term Payable Agreement 2008A5-50
  - d) Software License Agreement with Aptitude Solutions with Exhibits for Recording Software 2008A5-51
  - e) Software Maintenance Agreement with Aptitude Solutions for Recording Software 2008A5-51
  - f) **(Pulled)** GPS Equipment Rental and Services Agreement for Regional Jail
2. **Bid Award**
- (a) **(Pulled)** Approve Informal Bids for Cots at Farm Worker Camp
3. **Miscellaneous**
- a) *LOTS Grant Award (Previously Approved See 10:48 a.m.)*
4. **Resolution**
- a) **(Added)** Adoption of **Resolution No. 2008 - 59** Inter-fund Loan from County Equipment Rental to General Fund

**11:03:56 AM RECESS**

**11:23:22 AM NATURAL RESOURCES DEPARTMENT**

**Mike Kaputa, Natural Resources Director**

**DISCUSSION ITEMS:**

1. Consulting Services Agreement with Jones & Stokes for Nason Creek Channel Migration Zone Project Design, Engineering, and Environmental Compliance
2. Consulting Services Agreement with Jones & Stokes for BNSF Wenatchee Coordination Plan Phase II
3. Grant No. G0800493 with Department of Ecology for WRIA 45 Planning Unit Administrative Support
4. Sponsor/HCP Tributary Committee Agreement for Entiat Harrison Side Channel Project
5. Upcoming Meetings
6. Wild Sky Wilderness Proposal
7. Lake Chelan Regional Planning Steering Committee
8. Grant Money for Private Septic Systems Testing for Fecal Coli form in Mission Creek, No Name Creek, Brender Creek and the Chumstick
9. RFP for Outside Legal Services
10. Domestic Water Well Protection Area Issue

**11:55:21 AM ACTION ITEMS:**

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

1. **Contracts/Agreements**

- a) Consulting Services Agreement with Jones & Stokes for Nason Creek Channel Migration Zone Project Design, Engineering, and Environmental Compliance 2008A5-52
- b) Consulting Services Agreement with Jones & Stokes for BNSF Wenatchee Coordination Plan Phase II 2008A5-53

- c) Grant No. G0800493 with Department of Ecology for WRIA 45 Planning Unit  
Administrative Support 2008A5-54
- d) Sponsor/HCP Tributary Committee Agreement for Entiat Harrison Side Channel  
Project 2008A5-55

**12:02:04 PM RECESS**

**1:34:53 PM CHELAN COUNTY SHERIFF'S DEPARTMENT**

**Chelan County Sheriff Mike Harum, Under Sheriff Greg Meinzer,  
and Jail Interim Director Phil Stanley**

**DEPARTMENTAL ISSUES:**

- Bill 5167 DOC Corrections Funding – Work Release Facility and Re-Entry Program.  
Funds were not placed in Governor's Budget as originally planned for Re-Entry Program.
- Lake Chelan Poker Run Race
- Confluence State Park Cinco De Mayo Celebration
- Contract with City of Port Townsend for Housing Inmates
- Bob Stewart Update

**2:08:33 PM ACTION ITEMS:**

**Moved** by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board approve the following (**added**) action item previously pulled from the Administrative Agenda:

**1. Contracts/Agreements**

- a) (**Added**) Interlocal Agreement with the City of Port Townsend 2008A5-56

**2:12:09 PM FARM WORKER HOUSING**

**Edmundo Gonzalez, Manager**

**DISCUSSION ITEMS:**

1. Informal Bids for Sleeping Cots at Farm Worker Housing Camp
2. Emergency Housing Preparation

**2:14:21 PM ACTION ITEMS:**

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

**ACTION ITEMS:**

**1. Bid Award**

- a) Approve Informal Bids for Cots at Farm Worker Housing Camp to Camping Station  
in the Amount of \$6,480.00 2008B1-23

**2:36:59 PM RECESS**

Board recesses until Tuesday, March 25.

**TUESDAY, MARCH 25**

**9:05:04 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. Westside High School Students Amanda Zaraguza and Mick Rivera present.

**9:05:19 AM CHELAN COUNTY EXPO CENTER**

**Marsha Clute, Director**

**EXPO CENTER ISSUES:**

- Fairgrounds State Audit Complete With No Findings
- Fair Event Vendor Space Applications Distributed
- Bid for Concrete Slab for Compactor
- Letter to Sportsplex regarding Damages
- Vendor Offer to Fair Board to Construct Beef Barn
- Concrete Pavers for Parking Area
- Fairgrounds Signage
- Water at Pedestals in Campground

**9:26:50 AM BOARD DISCUSSION:**

- Request for Advertising Funds for Bluegrass Festival
- Letter to DOE regarding Water at Fairgrounds

**9:27:22 AM (ADDED) ACTION:**

**Moved** by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board approve the request by the Bluegrass Festival for advertising funds from the Hotel Motel Tax Funds in the Amount of \$1000.

2008B4-30

**9:31:01 AM PUBLIC WORKS DEPARTMENT**

**Public Works Director Greg Pezoldt, Kingsley Berg and Engineer Jolene Gosselin Present**

**BID OPENING: Crushed Aggregate for Seal Coat (Chip Rock)**

**9:31:23 AM CLOSE RECEIPT OF BIDS:**

Commissioner Hawkins states that receipt of bids is now closed. Bid submittals are read by Public Works Administrative Assistant Penny Goehner as follows:

<b>Seal Coat Rock:</b>	<b>Per Ton</b>	<b>Per Ton</b>	
<b>Central Wa Asphalt</b>	<b>FOB Contractor Sites</b>	<b>County Sites</b>	<b>Amount</b>
Cashmere Shop (2100 tons)	\$15.25	\$18.50	\$38,850
Chelan Shop (1300 tons)	\$15.25	\$21.75	\$28,275
25 Mile Creek (2200 tons)	\$15.25	\$23.75	\$52,250

Leavenworth Shop(1000 tons)	\$15.25	\$20.50	\$20,500
Sand Pile Plain (1500 tons)	\$15.25	\$26.00	\$39,000
Squilchuck (2600 tons)	\$15.25	\$20.25	\$52,650
Malaga (2400 tons)	\$15.25	\$21.00	\$50,400

<b>Seal Coat Rock:</b>	<b>Per Ton</b>	<b>Per Ton</b>	
<b>Central Wa Concrete</b>	<b>FOB Contractor Sites</b>	<b>County Sites</b>	<b>Amount</b>
Cashmere Shop (2100 tons)	\$10.50	\$17.50	
Chelan Shop (1300 tons)	\$10.50	\$19.50	
25 Mile Creek (2200 tons)	XXXX	XXXX	
Leavenworth Shop (1000 tons)	XXXX	XXXX	
Sand Pile Plain (1500 tons)	XXXX	XXXX	
Squilchuck (2600 tons)	XXXX	XXXX	
Malaga (2400 tons)	\$10.50	\$17.50	

<b>Seal Coat Rock:</b>	<b>Per Ton</b>	<b>Per Ton</b>	
<b>Granite NW</b>	<b>FOB Contractor Sites</b>	<b>County Sites</b>	<b>Amount</b>
Cashmere Shop (2100 tons)	\$10.00	\$15.45	\$32,445
Chelan Shop (1300 tons)	\$10.00	\$18.45	\$23,985
25 Mile Creek (2200 tons)	\$10.00	\$22.45	\$49,390
Leavenworth Shop (1000 tons)	\$10.00	\$17.25	\$17,250
Sand Pile Plain (1500 tons)	\$10.00	\$20.65	\$30,975
Squilchuck (2600 tons)	\$10.00	\$15.95	\$41,470
Malaga (2400 tons)	\$10.00	\$17.05	\$40,920

<b>Seal Coat Rock:</b>	<b>Per Ton</b>	<b>Per Ton</b>	
<b>Tunnel Hill Granite</b>	<b>FOB Contractor Sites</b>	<b>County Sites</b>	<b>Amount</b>
Cashmere Shop (2100 tons)	XXXX	XXXX	XXXXXX
Chelan Shop (1300 tons)	\$13.50	\$16.50	\$21,450
25 Mile Creek (2200 tons)	\$13.50	\$22.50	\$49,500
Leavenworth Shop (1000 tons)	XXXX	XXXX	XXXXXX
Sand Pile Plain (1500 tons)	XXXX	XXXX	XXXXXX
Squilchuck (2600 tons)	XXXX	XXXX	XXXXXX
Malaga (2400 tons)	XXXX	XXXX	XXXXXX

<b>Seal Coat Rock:</b>	<b>Per Ton</b>	<b>Per Ton</b>	
<b>Two Rivers Sand &amp; Gravel</b>	<b>FOB Contractor Sites</b>	<b>County Sites</b>	<b>Amount</b>
Cashmere Shop (2100 tons)	\$ 9.44	\$19.28	\$40,488
Chelan Shop (1300 tons)	XXXX	XXXX	XXXXXX
25 Mile Creek (2200 tons)	XXXX	XXXX	XXXXXX
Leavenworth Shop (1000 tons)	\$ 9.44	\$16.32	\$16,320
Sand Pile Plain (1500 tons)	\$ 9.44	\$15.36	\$23,040
Squilchuck (2600 tons)	XXXX	XXXX	XXXXXX

Malaga (2400 tons)

XXXX

XXXX

XXXXX

**9:42:00 AM BID SUBMITTAL:**

**Moved** by Commissioner Walter, seconded by Commissioner Goehner and carried that the Board approve the bid submittals to be forwarded to the County Engineer for bid award next week. 2008B1-24

**9:43:27 AM PUBLIC WORKS DISCUSSION ITEMS:**

- Valley High Roads Deterioration
- Trailer Tagged on Road Right of Way Not Removed at this Time
- Three Lakes Stormwater Issue

**9:50:13 AM BID RECOMMENDATION: Chelan Transfer Station Tipping Slab**

Three bids were presented on March 18, at 9:30 a.m. After review by the Public Works Department insuring that bids meet specifications, it was recommended that the Board accept the bid proposal from Franklin Pacific Construction in the amount of \$409,207.25 for the Chelan Transfer Station Tipping Slab.

**9:50:29 AM BID AWARD ACTION:**

**Moved** by Commissioner Goehner, seconded by Commissioner Walter and carried that the Board award the bid for the Chelan Transfer Station Tipping Slab to Franklin Pacific Construction in the amount of \$409,207.25. It is also noted that the Bid from TW Spears is \$434,654.96 was changed from the original bid amount of \$434,923. However, after the change the bid is still not the low bidder. 2008B1-25

**9:51:39 AM EXECUTIVE SESSION:**

**Moved** by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board move into 15 minute executive session pursuant to RCW 42.30.110(i) regarding potential litigation with Counsel Lou Chernak present.

**10:03:46 AM REGULAR SESSION:**

Board resumes regular session.

**9:51:21 AM DISCUSSION ITEMS:**

1. Digital Submittal Certification – County Road Administration Board
2. Order of Examination to Vacate a Portion of County Road Right of Way Petition by Tuttle Property Management Co., LLC
3. Commissioners' Notice of Hearing for Road Vacation of a Portion of County Road Right of Way Petition by Tuttle Property Management Co., LLC
4. Federal STP(R) Project Priorities
5. Timeline for Title 15 Approval. Commissioner Walter shares his concerns with the current outline. Board has **consensus** to allow Commissioner Walter to make suggest edits to the document to go before Citizens Group and the Planning Commission.

**10:34:35 AM ACTION ITEMS:**

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

1. **Miscellaneous:**

- a) Digital Submittal Certification – County Road Administration Board – Reports  
for 2007 2008R1-4

2. **Road Vacation**

- a) Order of Examination to Vacate a Portion of County Road Right of Way Known as a Portion of South Lakeshore Road Petition by Tuttle Property Management Co., LLC  
2008V1-5
- b) Commissioners’ Notice of Hearing for the Road Vacation of County Road Right of Way Known as a Portion of South Lakeshore Road Petition by Tuttle Property Management Co., LLC  
2008V1-5

**10:35:09 AM COMMUNITY DEVELOPMENT**

**John Guenther, Director**

**DISCUSSION ITEMS:**

- 1. Fire District 1 Chief Randy Johnson Present to Discuss Annexation Agreement with City of Wenatchee
  - 2. New Fire Marshall Update from Chief Randy Johnson
  - 3. Record of Decision
    - a) Denial of the City of Wenatchee’s Urban Growth Expansion, Comprehensive Plan and Map Amendments for the Squilchuck Road Area
  - 4. Resolutions
    - a) CPA 2007-029 – Rushton for 2.2 acres
    - b) CPA 2007-017 – Brian Nelson for 135 acres
    - c) CPA 2007- 018 – Brian Nelson for 70 acres
    - d) CPA 2007-019 – Brian Nelson for 505.94 acres
    - e) Amendments to the City of Wenatchee’s Urban Area Comprehensive Plan and Maps
  - 5. Contract
    - a) For Alliance Consulting to Rewrite of Title 11 and 12 of the County Code
  - 6. Updates
    - a) Policy Review for Farm Worker Housing Use of Recreational Vehicles
    - b) Mineral Resource Lands and Uses Update
    - c) Public Presentation – Land Use to Building
    - d) Community Outreach Strategy – Dryden, Plain, Howard Flats, and Sunnyslope
    - e) Tri-Commission Draft Agenda
- (Board Notes Capital Facilities Hearing will be postponed until after Planning Agenda)
- f) Archiving Project
  - g) Kaehler Glen Avalanche and Report



**11:17:00 AM ACTION ITEMS:**

**Moved** by Commissioner Goehner, seconded by Commissioner Walter, and carried that the Board approve the following information, noting Commissioner Hawkins will not be signing Resolutions 2(b) and 2(c) and 2(d) due to his recusal in this matter, and Title 16 **(adding)** item **3(a)** approval of policy for Ag housing and **4(a)** Approval of Farm Worker Housing Policy:

**1. Record of Decision**

- a) Approval of **Record of Decision No. 2008P1-4** Denial of the City of Wenatchee's Urban Growth Expansion, Comprehensive Plan and Map Amendments for the Squilchuck Road Area as Noted in the Attached Map, Exhibit "1" Subset Map "1" Excluding Urban Growth Expansion at Circle Street. 2008P1-4

**2. Resolutions Adopting:**

- a) Adoption of **Resolution No. 2008 - 60** CPA 2007-029 – Rushton for 2.2 acres  
b) Adoption of **Resolution No. 2008 - 61** CPA 2007-017 – Brian Nelson for 135 acres  
c) Adoption of **Resolution No. 2008 - 62** CPA 2007- 018 – Brian Nelson for 70 acres  
d) Adoption of **Resolution No. 2008 - 63** CPA 2007-019 – Brian Nelson for 505.94 acres  
e) Adoption of **Resolution No. 2008 - 64** Amendments to the City of Wenatchee's Urban Area Comprehensive Plan and Maps Adopting The Extension to the Urban Growth Areas in the Foothills Area as Noted in the Attached Map – Exempting Out the Squilchuck Road Urban Growth Expansion as Contained in the Record of Decision.

**3. Contract**

- a) For Alliance Consulting to Rewrite of Title 11 and 12 of the County Code  
2008A5-58

**4. Miscellaneous Items**

- a) **(Added)** Approval of Policy for Agricultural Policy 2008A5-57

**11:19:14 AM DISCUSSION:**

- Burning in UGA Area
- Community Wildfire Protection Planning and Tour of Recent Rural/DNR Fire Areas
- Avalanche Damage Information

**11:23:55 AM PUBLIC HEARING – Proposed Amendments to Update to Capital Facilities and Transportation Elements in the Chelan County Comprehensive Plan 2008-2013**

Commissioner Hawkins opens the public hearing. Planner Matthew Hansen shares report. Chelan County is proposing amendments to the Chelan County Comprehensive Plan to revise the Capital Facilities and Transportation Element of the Plan to incorporate an updated Capital Financing Plan and related projects. The revision defines a new six-year time period (2008-2013) covered by the Capital Financing Plan and is coordinated with the revised Six Year Transportation Program and Six Year Transportation Program Revenue and Expenditure Analysis that will be incorporated into the Transportation Element. The Chelan County Planning Commission held a public hearing at its February 25, 2008 regular meeting

upon legal notice, took public testimony, considered the subject applications and forwarded a recommendation of approval to the Chelan County Commissioners. No one from the public is present to testify on the matter.

**11:29:50 AM ACTION ITEMS:**

Based upon the Planning Commission recommendation and the staff report Commissioner Walter **moves** to approve the update to the Capital Facilities Transportation Elements of the Chelan County Comprehensive Plan for 2008-2013 with discussion following on the Chelan County Fair Projects. The motion is seconded by Commissioner Goehner and is carried that the Board approve the Capital Facilities Transportation Elements of the Chelan County Comprehensive Plan for 2008-2013. Final Action will be before the Board by Resolution on April 1, 2009.

**11:31:30 AM SUPPLEMENTAL BUDGET APPROPRIATION HEARING - SBA**

\$9,018.00 Boating Safety Fund  
\$5,000.00 Master Plan Construction

Commissioner Hawkins opens the hearing with two items before the Board for approval. No one from the public is present for the hearing. Discussion continues on the funding line items.

**11:31:47 AM SBA ACTION:**

**Moved** by Commissioner Walter, seconded by Commissioner Walter, and carried unanimously that the Board continue the public hearing until 1:30 p.m. today for clarification of the funding sources.

**11:38:38 AM EXECUTIVE SESSION:**

**Moved** by Commissioner Goehner, seconded by Commissioner Walter, and carried unanimously that the Board move into 10 minutes to discuss personnel issues pursuant to RCW 42.30.110(g).

**11:45:52 AM REGULAR SESSION:**

Board resumes regular session.

**11:45 A.M. BOARD DISCUSSION:**

- Payroll Change notices previously pulled.

**11:48:54 AM ACTION ITEMS:**

**Moved** by Commissioner Walter, seconded by Commissioner Goehner, and carried that the Board approve the two payroll change notices changing the dates after step 4 to reflect five year increments and to base the elevation to step 4 for both employees to satisfactory performance in grade. The following previously pulled consent agenda items are approved

- Payroll Change Notices:
  - d) Lilith Yanagimachi, Community Development, New Hire

- e) Kristi DeLozier, Community Development, Promotion

**11:54:18 AM RECESS**

**NOON**

**1:31:41 PM SUPPLEMENTAL APPROPRIATION HEARING:**

Commissioner Walter is excused from session to attend the Ground Breaking Ceremony at Sage Hill Farm Worker Housing. The SBA Hearing was continued earlier today. The hearing is reopened by Commissioner Hawkins. It is **moved** by Commissioner Goehner, seconded by Commissioner Hawkins, and carried that the Board approve the resolution relating to the boating safety and master plan construction and also approving an additional item of invitation to bid for masonry restoration for the Chelan County Courthouse as follows:

1. **Resolution:**
  - a) Adoption of **Resolution No. 2008 – 65** for the Supplemental Budget \$9,018.00 Boating Safety Fund, \$5,000.00 Master Plan Construction for a total mount of \$14,018.00.
2. **Invitation to Bid:**
  - a) Invitation to Bid on Chelan County Courthouse Masonry Restoration Project  
2008B1-26

**1:31:18 PM PUBLIC HEARING – Proposed Amendments to the Chelan County Boating Regulation Pertaining to the Use of Motorboats on the Wenatchee River**

Chairman Hawkins opens the hearing with Commissioner Goehner and the Clerk of the Board in attendance. Commissioner Walter is excused from session to attend the dedication of the new Farm Worker Housing Camp in Malaga.

Mr. Dennis Beich, WDFW Regional Director speaks on the proposed regulation. Mr. Beich initially brought this matter before the Board. He is glad to see this on the agenda and before the Board today. A potential problem of motorized craft on the Wenatchee River was brought before the Board approximately one year ago. The issue that he sees as a potential problem is that over the last ten years they have not had a Spring Chinook Season on the Wenatchee River. The rafting business has picked up dramatically. The white water rafting and the Spring Chinook Fishery will overlap. To avoid complications with the small river and the motorized craft, folks trying to fish, and rafters trying to raft, he and others feel it would be good to place a ban on motorized craft on the Wenatchee River to avoid conflicts that are foreseen. Last year was the first time for Steelhead Season on the Wenatchee and they are pushing to be able to open a Spring Chinook Fishery as well.

Commissioner Hawkins shares the proposed regulation which would eliminate the use of motor boats on the river except for public safety boats such as the Sheriff's boat or boats with electric trolling motors. Mr. Beich is in favor of the proposed regulation.

Commissioner Goehner speaks on the Boating Regulations and that it can be addressed how the fishing is done. He believes this is what happened with the Steelhead fishing and the conflict that could result is that there would be fisherman that would not be able to use motor boats but there could still be motorized water craft on the river. This will provide consistency in enforcement and it would be much easier to enforce the regulation that we have rather than trying to keep it confined to the Fishery itself.

Commissioner Hawkins shares there was some concern expressed to him that the Fish and Wildlife agenda goes beyond just removing motorized boats from the River but also outlawing or removing the legal authority to do other activities in the River. He asks Mr. Beich if he can respond to that comment.

Mr. Beich states he is not sure what the comments or concerns would have been and he states Fish and Wildlife does not have another agenda. He is not sure what the other activities are that would be restricted. Gold panning, mining and dredging are noted as concerns. This regulation would be based solely on the conflict between passive white water boaters and conflicts with speed boats.

Commissioner Goehner states that this has been brought before the Board not only as a request solely of the Department of Fish and Wildlife but private, non profit groups such as Trout Unlimited requested the restriction take place.

#### **1:39:59 PM PUBLIC TESTIMONY:**

Mr. Dave Graybill, resident of Leavenworth, speaks as an active angler, a member of Trout Unlimited, Wenatchee Sportsman's Association, Fly Club, and he has discussions with those various groups and discussed the meeting coming up today. He universally got comments 100% in favor of restrictions on the river and the primary concern is safety. They see improved conditions for fishing, recovery of fish in the river, potential for additional seasons, river ethics among the groups, but one of the primary concerns voiced by the members of the groups is safety. To have a powered vehicle navigating the river when there is drift boats and rafters there is concern. There are periods when it would be very difficult to anticipate the approach of a rafter. Another thing that was brought up was erosion. There have been enforcements put in place on other streams that he is aware of that restricted or eliminated motorized craft due to erosion. One concern that is particularly sensitive is the noise from the use of high power boats starting up and navigating the rivers. The people that he has spoken with are in favor of the regulations. He asks about the boundary of the footbridge. Commissioner Goehner explains that this was done to make consistency and point for clarity. The other areas do allow the electric trolling motor so that is why that is left in this also. Mr. Graybill talks about current and navigation issues at the confluence.

Kevin Winters, resident of Leavenworth, states reading over the proposal that he does not have anything in opposition to it specifically but from a practical standpoint of a person who fishes the Icicle, he does see conflicts there (on the Icicle). In his discussions he has heard

other people are concerned also. The issue that he sees with our resolution is the inclusions of electric trolling motors which could be a problem on a 20 foot boat. He sees that some come in with some fairly large craft for that body of water. He has seen some boats in there that has some strong electric motors that are in the 20 foot plus length. It is unnerving when you are sitting on the corner of that river during high current flow and someone comes through there in the dark. You are concerned that they are not going to be able to go past without running in to you. He has had some close encounters up there. He would prefer to see no electric motors up there and on the Icicle as well as a number of people he has talked with and the fishing groups due to safety concerns. In the past that trolling provision was in place for a gentleman that was no longer able to row. That gentleman is no longer with us. Mr. Winters would recommend that you take a look at that one particular body of water. It is not restricted in terms of the proposal you have in front of you. If you look at the history of that particular stream that is fished when you have large boats on it (the Icicle)... He believes that resolution and he is in support of it and it will address some ethical and safety issues. There have been some safety issues on the body of water and in one case it did involve a lot of alcohol and one person did lose their life. They have made some improvements as to where the fishery actually starts but people who are at the mouth of the river that they have had problems with, have just moved up river. It is a one way fishery when they are fishing in oar boats of any type and everyone is going in the same direction and people are not turning their boats around and going upstream, but if you have people coming down in oar boats, rafts, kayaks or whatever, you have a conflict up with electric motors. It is a problem and he does not feel that any electric motor should be allowed on the Icicle.

Don Enright of Sunnyslope speaks. He did not know there was a problem on the Wenatchee with power boats. He has never seen any power boats so why pass the rule if it may not be a problem. He represents NCW Prospectors Club which dredges on the River and has a motor on a pontoon. The motor does not propel the boat but rather uses it for suction. That boat would not be restricted by the regulation according to Commissioner Hawkins and Commissioner Goehner in their interpretation. The state organization for the prospectors club has had problem with WDFW at the State and he wanted to make sure this was not the beginning of a ban of all boats.

Commissioner Goehner states this also came up at a meeting they had several years ago with many interests represented such as sport fishermen, white water rafters, and the whole gamut of river users were at the meeting. This conflict has been one of the concerns. At that point they did not enact anything. One reason we are here today is because of a result of that discussion.

Mr. Enright explains they do the dredging from Cashmere towards Wenatchee on the river around the Redd Season beginning July 1 and because of runoff you cannot do that until the end of July. Commissioner Goehner states that they do their dredging when the water is low and there is probably not a boat conflict. Mr. Enright shares that he has not seen any power

boats on the lower end of the River. He has seen jet skis as a public safety during the Ridge to River Race.

Oscar Pearson testifies. He shares that most of his questions have been answered. He was interested if this restriction involves the Columbia. That has been cleared in his mind.

Kevin Winters would like to address the questions of Jet Skis and power boats. He has seen Jet Skis and Wave Runners near Cashmere Park during high water where they were hitting the back ramp of a wave to catch air and on occasion they departed from their machine. He could only assume that would be a traffic hazard should there be an oar boat or raft on the other side of that ramp. He has seen power boats and water ski boats being launched in during high water in Leavenworth from the East Leavenworth Road Ramp in the summertime during high water. Mr. Winters was amazed someone would put in an inboard/outboard in that river and head upriver given all the underwater leftovers from the logging industry. There are general safety issues and the general public are not aware of them.

**1:57:03 PM ACTION:**

Commissioner Goehner **moves** to approve the amendment to the motor boat restrictions in the Chelan County Code (**adding**) regulation (7) that specifically states “the Wenatchee River upstream from the Wenatchee Confluence State Park Footbridge” which would restrict motor boats, Commissioner Hawkins seconds. Motion carried to approve the following:

**1. Resolution**

- a) Adoption of **Resolution No. 2008 - 66** Amending Chapter 7.20.190 of the Chelan County Code, Boating Regulations and Amending Resolution No. 2002-40(part), 85-36, 29-55(-part) 85-36, 79-120§

**2:02:11 PM BOARD DISCUSSION:**

Cooperative Extension Need for Additional Office Space. Weed Board space is suggested. The County Administrator will bring up discussion with the Weed Board which has two areas, one not in use.

**2:05:24 PM ADJOURN:**

**Moved** by Commissioner Goehner, seconded by Commissioner Hawkins, and carried unanimously that the Board adjourn until Monday, March 31.

**Vouchers Approved for Payment**

2008B4-31

Current Expense	\$ 61,817.01
All Other Funds	<u>338,614.29</u>
Total All Funds	\$400,431.30

BOARD OF CHELAN COUNTY COMMISSIONERS  
BUELL HAWKINS, CHAIRMAN

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JANET K. MERZ, Clerk of the Board