

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

MONDAY, JULY 14

9:02:50 AM OPENING:

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

9:03:29 AM APPROVAL OF MINUTES:

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

9:19:07 AM CONSENT AGENDA:

Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried unanimously that the Board approve the consent agenda as follows:

- Vouchers as submitted and listed
- Payroll changes:
 - a) Mary Ellen Gormley, WSU Extension, Length of Service Increase
 - b) Jason Reinfeld, Sheriff, Length of Service Increase
 - c) Jennifer Tyler, Sheriff, Step Increase
 - d) Laura Trevino, Assessor, Step Increase

9:19:18 AM BOARD DISCUSSION:

- West Monitor Bridge Update – County received a letter of compliance on Friday July 11th in an email from the WSDOT. It is unclear if the County is still required to attend the CRAB Board meeting in Olympia on July 24, regarding compliance. Board discusses the sequence of events relation to non compliance which began this process. Public Works Director Greg Pezoldt was very proactive in reading the manuals and making the necessary repairs. 2008C8-172

9:29:48 AM EXECUTIVE SESSION:

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

9:35:05 AM REGULAR SESSION:

Board resumes regular session.

9:35:34 AM EXECUTIVE SESSION:

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board move into 25 minute executive session pursuant RCW 42.30.110(g) regarding the performance of a public employee.

9:41:00 AM REGULAR SESSION:

Board resumes regular session to receive a conference call from Walter Olson of the CRAB Board. Board is still scheduled to meet with the CRAB Board on Thursday, July 24.

9:48:48 AM EXECUTIVE SESSION:

Board resumes executive session for the remaining fourteen minutes.

10:07:20 AM REGULAR SESSION:

Board resumes regular session.

10:08:03 AM BOARD DISCUSSION:

- Contact with Commissioner Walter by East Wenatchee Sewer District Member Wayne Barnhart regarding possible Regional Sewer System

10:09:19 AM ADMINISTRATIVE AGENDA

DISCUSSION ITEMS:

1. Cashmere/Dryden Airport Manager Dan Stewart Regarding Additional Services Agreement. Deputy Prosecutor Susan Hinkle present for review comments on Additional Services Agreement. It is recommended the contracts be re-written. This item will be pulled.
2. Daycare Location at West End of Runway in Flight Pattern Air Space

10:31:40 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.

10:44:06 AM REGULAR SESSION. RECESS

10:47 A.M. BOARD DISCUSSION CONTINUES:

- Ruckelshaus Meeting Update – Issues discussed included: County needs, service under budget constraints, and critical areas work.

10:59:42 AM ACTION ITEMS:

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

1. **Contracts**
 - a) **(Pulled)** Additional Services Agreement Cashmere Dryden Airport
2. **Miscellaneous**
 - a) 2009 Budget Calendar

2008C-173

11:03:36 AM NATURAL RESOURCES DEPARTMENT

Mike Kaputa, Natural Resources Director

DISCUSSION ITEMS

1. RC&D Invoice – It was a consensus in 2007 not to pay dues to the RC&D. That will be reiterated by Commissioners in a letter to RC&D Board.
2. Consulting Services Agreement with Jones & Stokes for CMZ Site 12/13 Construction Inspection
3. Local Agency Standard Consultant Agreement with Skillings Connolly, Inc., for Chumstick Culvert Replacements
4. **Consensus** to Draft Letter to Chelan/Douglas Land Trust Regarding Land Swaps – Letter to Land Trust to remind Mr. Bugert of the Land Trust’s commitment to Chelan County
5. Partner Updates
6. Land Ledger
7. Bob Whitehall Permit for Summer Fishery
8. Comments from Natural Resources on CPA scheduled for today
9. Grade and Fill Issues
10. Don Booth Concerns regarding Boat Launch Near Wells Dam. Restroom and garbage service is taking place.

11:30:14 AM ACTION ITEMS:

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

1. Contracts/Agreements

- a) Consulting Services Agreement with Jones & Stokes for CMZ Site 12/13 Construction Inspection 2008A5-161
- b) Local Agency Standard Consultant Agreement with Skillings Connolly, Inc., for Chumstick Culvert Replacements 2008A5-162

11:30 A.M. FARM WORKER HOUSING CAMP

Edmundo Gonzalez, Manager

HOUSING CAMP ISSUES

1. Vendor Services Contracts for Farm Worker Housing Camp
2. Call for Bid for Purchase of Transportation Van
3. Credit Refund Coupon
4. Camp Occupancy
5. Barricades for Local Roads

11:55:27 AM ACTION ITEMS:

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

1. **Call for Bids**

- a) Bid Notice for Purchase of Transportation Van for Use by Farm Worker Housing Camp and Wenatchee River County Park 2008B1-55

11:57:14 AM WENATCHEE RIVER COUNTY PARK

Mike Redline, Manager

PARK ISSUES:

- Volley Ball Court Installed
- Faucets on Order
- Exercise Equipment/Room
- Park Signage
- Entrance Gate Replacement Request

(Commissioner Walter excused from session)

- Farm Worker Housing Camp Sewer System
- Looking for Backhoe Attachments for Tractor
- Electrical Concerns at Park - Commissioners request services of a certified electrician

(Commissioner Hawkins to PUD Meeting)

12:21:35 PM RECESS

NOON

1:29:53 PM CHELAN COUNTY SHERIFF'S DEPARTMENT

Sheriff Mike Harum, Under Sheriff Greg Meinzer,

Chief Civil Deputy Ron Hupp

DISCUSSION ITEMS:

1. Call for Bid for New Boat Replacement of Marine Three. Sheriff's Department not able to use Federal Bid List for Purchase
2. Collection of Boating Funds at State Level
3. Department of Corrections Meeting in Olympia
4. Sheriff's Office Received Grant Funding for Sex Offender Tracking Administrator Costs
5. Board Thanks Sheriff for Work on West Monitor Bridge Weight Restriction Enforcement

1:43:32 PM ACTION ITEMS:

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

1. **Bid Notice**

- a) Call for Bid for Marine Patrol Boat 2008B1-56

1:48:52 PM EXECUTIVE SESSION

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board move into 10 minute executive session pursuant to RCW 42.30.110(b) regarding acquisition of real property.

1:59:58 PM REGULAR SESSION:

Board resumes regular session.

2:00 P.M. RECESS

**2:02:37 PM COMP PLAN AMENDMENTS HEARING – CPA 2007-010;
CPA 2007-011; CPA 2007-012; CPA 2007-015; CPA 2007-016; CPA 2007-017; CPA
2007-018; CPA 2007-019; 2007-021; CPA 2007-023; CPA 2007 -028;
CPA 2007-031**

Commissioner Hawkins opens meeting. Required Public hearing notice was not published as required prior to the earlier hearing on March 4, 2008 therefore, it is necessary to re-hear the comp plan amendment applications.

In the appearance of fairness, Commissioner Hawkins will recuse himself (as done in previous hearing) on CPA's: 2007-017, 2007-018 and 2007-019. The petitioner in those matters is the business partner of Commissioner Hawkins at Valley Tractor.

Lilith Yanagimachi shares that the Planning Commission has reviewed all the proposals and sent a recommendation to the County Commissioners. All of the recommendations and the record of proceedings have been and are available. It was determined that the County Commissioners' Board hearing in March was not advertised. None of the facts or recommendations by Staff have changed. Therefore, the Planning Department has resubmitted the original planning staff and the original transmittal from the Planning Commission to the Board for today's hearing. No additional information is before the Board other than some additional items relating to the Hearing's Examiner Review.

Commissioner Hawkins notes letters and documents submitted since the last hearing. A letter dated June 23, 2008 from the City of Wenatchee; letter to Commissioners dated July 9 by Pat Tukey in regard to Comp Plan Amendments 2007-012 and 028; two letters by Donn Dimmitt regarding CPA 2007-010, 011, 012, and a second letter regarding CPA 2007-017, 018, and 019; another letter from the City of Wenatchee with an attachment; and a letter from Chelan County Natural Resources dated July 9, 2008 in response to City of Wenatchee's letter.

2:09:54 P.M. Comp Plan Amendment 2007-010

An application was submitted by Kevin Gates, owner for a Comprehensive Plan Land Use Map Amendment on approximately 400 acres of land. The proposal is to change the designation from Rural Residential Resource 20 (RR20), Rural Residential Resource 10 (RR10) and Rural Residential Resource 5 (RR5) to Rural Residential Resource 10 to Rural Residential Resource 5 and Rural Residential Resource 2.5. The subject property is located

adjacent to Whispering Ridge and Squilchuck Road, approximately 10 miles up the Squilchuck Road within section 9, Township 21N, Range 20, Washington. The property is also identified by Assessor's Parcels #212009300050, 212009400000, 212009140000, 212019100050, 212019240050, 212009110150, 212019110060 and 2120092110050.

Planner Lilith Yanagimachi shares the staff report for 2007 CPA-010. Planner Yanagimachi speaks about 2007 - 010 from the hearing notice and the items listed that are new to the record – July 9 Letter from Don Dimmitt, the GMA Appeal Notice, the Hearing Examiner Decision dated May 14, Notice of Decision dated May 19, Resolution rescinding 2008-94, Affidavit of Publication of the resolution rescinding, the notice of the Board Hearing, Letter to parties for Board Hearing and a draft resolution. Two exhibits which were previously before the Board for reference. The draft resolution has been reviewed by Counsel. The prosecuting attorney would like to add several comments to the resolution prior to finalization.

Martin Davy of Pacific Engineering Design speaks on the rezone. He is speaking on his own behalf as a land developer. He supports the rezone to get the best use of the land. The City has opposed the rezone contending it will stop urban developments through the slopes. The rezone is based upon the best and highest uses for a master subdivision which the rezone would maximize and preserve steep slopes which would enable development of the best areas. That land will never be useful for urban development.

Mr. Hawkins clarifies that the City of Wenatchee is not opposing this particular action. Commissioner Goehner questions if this is the property that touches the urban growth area right now. The response is no. The property location is described.

2:14:31 P.M. ACTION:

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried that that the Board approves CPA 2007-010 based upon the Planning Commission Recommendation, as well as the Conclusions of Law and Findings of Fact, noting the incorporation of the new materials for the record submitted today. Final action by way of resolution will be before the Board on Tuesday, July 22.

2:16:03 PM CPA 2007-011

Lilith Yanagimachi offers the staff report. The file of record has been expanded to include a letter from the City of Wenatchee dated June 23, a letter via email from Don Dimmitt dated July 9, a letter from Chelan County Natural Resource Department dated July 9, and a letter from FutureWise reviewed during the Planning Commission and the Board Hearing. FutureWise letter dated November 19, 2007, letters from Cindy Russell, Will Russell, Stephen Keene, Jim Bartelme, Joyce Phillips of CTED, Rick Smith from the City of Wenatchee, Cynthia McGlothorn with the Department of Transportation, Jill and Greg Clevenger, and Shelby Lockhart. Also added to the file were the GMA Appeal Notice of April 24, the Hearings Examiner Decision of May 14, the resolution rescinding 2008-94, an affidavit of publication of that resolution rescinding, and the BOCC Hearing Notice Legal

Advertisement. A draft resolution has been included for the Board consideration. Additional Findings of Fact that were not on the previous draft resolution for consideration indicating receipt of the letter from the Department of Natural Resources.

Commissioner Goehner shares that some letters in item number six do not necessarily relate to a specific parcel, but rather came as a package.

Brian Frampton of the City of Wenatchee addresses the Board and reads into the record a letter dated July 11 from Rick Smith, also of the City of Wenatchee. This letter applies to all of the comp plan amendments for purposes of expediency, and is as follows:

“In regards to the 2007 amendments to the Chelan County Comprehensive Plan that will be considered at your July 14, 2008 meeting, we are particularly concerned by six proposals that are located near the Wenatchee City Limits but outside of the designated urban growth boundary. All of the proposed amendments are requests for Comprehensive Plan changes that will allow for an increased number of residential lots on the properties. It is my understanding that under the provisions of the Chelan County Code, all of these properties can be developed as cluster subdivisions or planned developments, without public sewer, using the 200 percent density bonus. As such, we calculate the potential development if these six amendments are approved to be as follows:

CPA 2007-011 approximately 95 acres would turn out 38 lots and 59.44 would become 48 lots.

CPA 2007-012 approximately 47.5 would become 18 lots and approximately 300.55 acres would become 62 lots.

CPA 2007 017 approximately 135 acres would become 54 lots

CPA 2007-018 approximately 70 acres would become 30 lots

CPA 2007-019 approximately 505.94 acres would become 102 lots

CPA 2007-021 approximately 37.18 acres could become 30 lots.

The fundamental principal of planning under the GMA is a belief that urban development should be concentrated in relatively dense areas where the population can be efficiently served by public facilities and services in a cost effective manner. The concentration of people in urban areas is not only cost effective but preserves open space, farmland, orchards and wilderness area.

The approval of these six amendments seems to counter to this principle in that the effect would be to allow very low density residential development (sprawl) to consume over a

thousand acres of land outside the established UGA and even outside the proposed Sunnyslope Urban Growth Area expansion. Moreover, these amendments are particularly troubling in that they hinder and perhaps even block further expansion of the UGA and city limits. As a practical matter it would not be possible for the City to leapfrog these low density developments to provide urban services. The City would in essence be landlocked and there would be no mechanism to develop or serve higher density developments. Chelan County will eventually be characterized by hundreds of small clusters of homes which would be difficult to provide with such services as school transportation, police and fire protection.

If developed under the proposed rezoning these six properties would have to be served by septic systems rather than public sewer. On-site septic systems, which will likely fail in 20 or so years, are not a modern sustainable means of ensuring public health. As I am sure you are aware the Washington State Department of Ecology has identified septic systems as a potential source of the high fecal coliform bacteria levels found in the Wenatchee watershed. DOE further notes that the high concentration of individual and large community on-site septic systems along the length of the Wenatchee River may be contributing to the nutrients causing dissolved oxygen and pH exceedances in the river. Approval of these developments will exacerbate what is already a serious public health issue.

We respectfully ask that Amendments CPA 2007-011, 012, 017, 018, 019 and 021, be rejected as inconsistent with GMA Planning goals related to urban growth, reduction of sprawl, efficient transportation, housing affordability, preservation of open space, environmental protection and efficient delivery of public services (see RCW 36.70A.020)."

Commissioner Hawkins reads in the letter from Mike Kaputa of the Chelan County Natural Resources Department dated July 9, 2008 referencing the City of Wenatchee comments on the 2007 Chelan County Comprehensive Plan amendment.

"I have reviewed the comments made by the City of Wenatchee on the 2007 Chelan County Comprehensive Plan Amendments. The City has expressed concerns that the proposed amendments would negatively impact water quality in the Wenatchee watershed and "exacerbate what is already a serious public health issue." In general, the City does not make a scientific or otherwise compelling case that the proposed amendments would affect water quality issues in the Wenatchee watershed for the reasons outlined below.

1. The amendments are largely outside the Wenatchee watershed and other sensitive surface water and groundwater areas. For those limited portions of the amendments that are within the Wenatchee watershed but not within a reasonable distance to surface water, there is likely no significant hydraulic continuity to groundwater that would present a water quality issue.
2. Soils in the area simply do not allow for transfer of materials via groundwater even if the septic systems were designed to fail in 20 or so years." I should point out that the City has presented no information about the life expectancy of septic systems.

3. The City appears to be making the case that septic systems are the primary cause of water quality issues in the Wenatchee watershed. If that were true then the absence of septic systems would largely make these water quality issues go away, which we know from the work of the Wenatchee Water Quality Subcommittee is not the case. Point sources, non-point sources, and background levels, among other things, all contribute to water quality issues.
4. The main stem Wenatchee River is not identified as exceeding fecal coliform standards, although certain reaches of Mission and Chumstick Creeks are; that said, a significant amount of the fecal coliform comes from non-human sources as identified in recent studies.
5. The City is participating in the Wenatchee Regulatory Strategy to address phosphorus in the Wenatchee watershed and knows from this process that pH/DO issues are caused by point source dischargers (Leavenworth, Cashmere, PUD-Peshastin); possibly caused by the Dryden drain field pending sampling efforts later this year; natural background conditions; and some limited septic system contribution. The septic system issue the City identifies is not the major source of the issue in the Wenatchee watershed but is nonetheless being considered in the Regulatory Strategy.
6. There is no “serious public health issue” in water quality terms in the Wenatchee watershed.

Reference materials are noted:

- Soil Survey: Chelan area, Wash., parts of Chelan and Kittitas Counties. United States Agriculture Department, Soil Conservation Service. 1097
- Wenatchee River Basin Fecal Coliform Bacteria Total Maximum Daily Load Study. Washington State Department of Ecology. December 2005
- Wenatchee River Temperature, Dissolved Oxygen, and pH Total Maximum Daily Load. Washington State Department of Ecology. July 2002.
- Fecal Coliform/Microbial Source Tracking in Mission, Brender and Chumstick Creeks. Wenatchee Water Quality Subcommittee. January 2008.
- Minutes and Proceedings of the Wenatchee Water Quality Subcommittee and the Wenatchee Watershed Planning Unit. January 2000 to July 2008.

Please let me know if I can provide any additional information.”

No one from the public wishes to speak on the matter.

2:31 26 P.M. ACTION ON CPA 2007-011

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board approve CPA 2007-011 based on the finding of facts and the conclusions of law and other public testimony. Final action will be taken on Tuesday, July 22, 2008 by resolution.

2:33:00 CPA 2007-012

Since the last review of the file, Planner Lilith Yanagimachi notes letters or documents submitted: A letter dated June 23, 2008 from the City of Wenatchee; a letter via email from Don Dimmitt dated July 9, a letter from Chelan County Natural Resources Department dated July 9, 2008, letter to Commissioners dated July 10 by Pat Tukey, a letter from FutureWise which you previously reviewed dated November 19, 2007, and the same packet of letters read into the packet as in 2007-011. Also in the previous hearing was a letter from Charles Zimmerman dated Nov 19, 2007. New to the packet is the hearing examiner decision dated May 14, resolution of rescinding 2008-94, affidavit of publication for same, notice of board hearing, copy of the legal ad for this board hearing, and letters to parties related to this board hearing. The draft resolution is at the end of the packet for your consideration. It also includes the letter from Natural Resources and includes the statement about proposed amendments do not constitute a specific land action or development but have been reviewed and found consistent with Comp Plan Amendment Criteria. Future site specific land development will be reviewed to meet all state and applicable county codes.

No one wishes to speak on the matter.

Brian Frampton re-iterates his previous testimony.

Commissioner Hawkins reads a letter from Pat Tukey referencing CPA 2007-012 and 028.

“To whom it may concern. CPA 2007 – 012 this piece of land is beautiful with very steep hillsides and some awesome rock cliffs. I believe that is was zoned the way it is because it is certainly not conducive to smaller lot sizes and still be able to maintain the integrity of the steep land mass. I have ridden and hiked on this land all my life and have seen the effects of water and snow as it is. If houses are allowed on smaller land increments, I believe it will have some real issues after the land has been majorly moved to support those homes and we have wind, rain and snow erosion.”

2:37:21 PM CPA 2007-012 ACTION:

Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried unanimously that the Board approve CPA 2007 – 012 based upon the recommendation of the Planning Commission and the findings of fact. Final approval action will be held on Tuesday, July 22, 2008 by resolution.

2:37:58 PM CPA 2007-015:

Lilith Yanagimachi shares staff report. This application has a new property owner, Mason Camburn. New also to the record is the Hearing Examiner’s decision dated May 14, 2008, the notice of the decision May 19, Resolution 2008 -94 of rescinding, affidavit of publication of that resolution, notice of the BOCC Board hearing, a copy of the advertisement for the Board hearing and letters to interested parties. A draft of the resolution is attached for your consideration. A finding of fact number 10 relating to Mike Kaputa’s letter that may or

may not apply to this application. Commissioner Hawkins states the previous statements are pertinent to the record. She states that an application was submitted by Paul Chase, owner with contacting agent Norm Nelson for a Comprehensive Plan Land Use Map Amendment on approximately 13 acres of land. The proposed change is to re-designate from a Rural Residential Resource 5 to a Rural Residential Resource 2.5.

No one from the public wishes to speak on the matter.

Commissioner Goehner notes that this zone change is certainly consistent with the adjacent properties in the surrounding area.

2:41:05 P.M. ACTION ON CPA 2007 – 015

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried that the Board approve CPA 2007–015 based upon the Planning Commission recommendation, staff report, and the findings of fact and conclusions of law. Final approval action will be held on Tuesday, July 22, 2008 by resolution.

2:41:37 PM CPA 2007 – 016:

This application was submitted by the State Department of Fish and Wildlife with the acting agent of Don Benson and the contact person Ron Fox for a Comprehensive Plan Land Use Amendment on approximately 182 acres of land and the redesignation would be from Rural Residential Resource Land 5 to Rural Public Land and Facilities. New to the record since the last review is the Hearing Examiner Decision dated May 15, the resolution of rescinding, 2008–94, and affidavit of publication of the resolution, a notice of today’s Board Hearing, a copy of the legal advertisement and a letter to parties related to today’s hearing. A draft resolution is also attached for Commissioner review.

2:43:02 P.M. ACTION ON CPA 2007 – 016

Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried unanimously that the Board approve CPA 2007 – 016 based on Planning Commission recommendation and incorporation of the recent testimony, letters, and findings of fact and conclusions of law. Final approval action will be held on Tuesday, July 22, 2008 by resolution.

2:43:30 P.M. Commissioner Hawkins recuses himself and is excused from session until the completion of the hearings for CPA 2007 - 017, 018, and 019. Commissioner Walter will now act as Chair protem for CPA 2007 - 017, 018, and 019 hearings.

2:44:58 PM CPA 2008 - 017

The application is submitted by Brian Nelson for approximately 135 acres to be considered for a redesignation from Rural Residential Resource 10 to Rural Residential Resource 5. New to the file of record since the last review is a letter dated June 23 from the City of Wenatchee, a letter via email from Don Dimmitt dated July 9, a letter from Chelan County

Natural Resources dated July 9, a letter from Stephan Anderson dated May 7, 2007, which was part of the previous record, as is a letter from Don Dimmitt dated May 2, 2007. Also new to the file is a letter from Don Dimmitt dated July 2, 2008, February 27, 2008 with exhibit #1, an email from Barb and Bob Alexander, dated November 16, 2007, letter September 20, 2007 Department of Ecology, letter September 26, 2007 from Ray Smith, previously read, and new to the file is Hearing Examiner Decision dated May 15, 2008, Resolution 2008-94 Rescission, Affidavit of Publication of Resolution 2008-94, notice of Commissioners' Hearing for today, Copy of legal advertisement for BOCC Hearing, Letter to parties of record, and a draft resolution. This draft resolution includes notation of the letter of the Department of Natural Resources and findings related to land specific actions and future development.

Brian Frampton of the City of Wenatchee reiterates the previous testimony regarding relation to the application.

Commissioner Goehner asks if this property is contiguous with the UGA. Planner Frampton states that is correct, that is it not contiguous.

2:48:12 P.M. ACTION ON CPA 2007 – 017

Moved by Commissioner Goehner, seconded by Commissioner Walter and carried that the Board approve CPA 2007 – 017 based upon the recommendation of the Planning Commission, incorporation of new documents and the findings of fact and conclusions of law. Final approval action will be held on Tuesday, July 22, 2008 by resolution.

2:48:27 P.M. CPA 2008 – 018:

Planner Liliith Yanagimachi states this application was submitted by Brian Nelson for a Map Amendment on approximately 70 acres of land out of a total parcel size of 140 acres. The proposal is to change the designation from Rural Residential Resource Land 10 to Rural Residential Resource 5. New to the file since the last review is a letter from the City of Wenatchee dated June 23, 2008, a letter via email from Don Dimmitt dated July 9, a letter from Chelan County Natural Resource Department dated July 9, and the following letters were in your previous packet and included in the full file of record: Email dated November 16, 2007 from Bob & Barbie Alexander, Letter January 2, 2008 from Donald Dimmitt, Cindy Russell letter dated 10-03-07, Will Russell letter dated 10-04-07, Stephen Keene dated 10-05-07, Jim Barthelme letter dated 10-22-07, correspondence from Joyce Phillips of CTED on 10-23-07, Rick Smith letter from the City of Wenatchee dated 10-24-07, Cynthia McGlothorn Dept of Transportation letter dated 10-25-07, Jill & Greg Clevenger letter of 10-25-07, and a letter from Shelby Lockhart with a date of 11-07-07. New to the record is the GMA Appeal Notice of April 24, 2008, the Hearing Examiner Decision dated May 14, 2008, the Resolution 2008-94 of Rescission, Affidavit of Publication of Resolution 2008-94, Notice of BOCC Hearing, Copy of legal advertisement for BOCC Hearing, Letter to parties for BOCC Hearing, and draft resolution. Staff has nothing further to add on this application.

Planner Brian Frampton speaks again on matter by reiterating the position stated earlier.

Commissioner Walter adds that the letter from Chelan County Natural Resources will also be reiterated in this case also.

2:51:05 P.M. ACTION ON CPA 2007-018

Moved by Commissioner Goehner, seconded by Commissioner Walter and carried that the Board approve CPA 2007-018 based upon the Planning Commission recommendation, conclusions of law and findings of fact and incorporation of the new documents. Final action by resolution will be on Tuesday, July 22, 2008.

2:51:42 PM COMP PLAN 2007-019

Planner Lilith Yanagimachi offers staff report. The application was presented by Brian Nelson for a comprehensive map amendment on approximately 506 acres of land. The proposal is to change the designation from Rural Residential Resource 20 to Rural Residential Resource 10. New to the file since the Commissioners last reviewed the file is a letter from the City of Wenatchee dated June 23, 2008, letter via E-mail July 9, 2008 from Donald Dimmit, letter from Chelan County Natural Resources dated July 9, 2008, and the following letters previously reviewed and included in the file of record, Email November 16, 2007 by Bob & Barbie Alexander, Letter January 2, 2008 from Donald Dimmit, letter of November 19, 2007 by Charles Zimmerman, and the packet of letters previously stated of Cindy Russell 10-03-07, Will Russell letter of 10-04-07, Stephen Keene letter dated 10-05-07, Jim Barthelme letter written on 10-22-07, Joyce Phillips letter from CTED 10-23-07, Rick Smith of the City of Wenatchee 10-24-07, Cynthia Mc Glothern letter from Dept of Transportation on 10-25-07, Jill & Greg Clevenger letter of 10-25-07, and letter from Shelby Lockhart 11-07-07. New to the file is the GMA Appeal Notice dated April 24, 2008, Hearing Examiner Decision dated May 14, 2008, Resolution 2008-94 Rescission, Affidavit of Publication of Resolution 2008-94, Notice of BOCC Hearing, Copy of legal advertisement for BOCC Hearing, letter to parties of interest for BOCC Hearing, and a draft resolution for Commissioners consideration. An earlier item of a letter dated November 19, 2007 from Futurewise is also included. No further staff comments.

Mr. Brian Frampton of the City of Wenatchee reiterates the City's position earlier stated. Commissioner Goehner speaks to CPA 017, 018, 019 requests, and the smallest request is for RR5. Commissioner Goehner states that typically urban planners would like to see at least the 5 acre on the outer fringes of the urban growth area, and from a planning perspective this is typically what you would see. No lots are smaller than 5 acres so that it does allow for potential urban development growth management. Planner Frampton states that this is true with some provisions of the County Code. Commissioner Goehner shares that what is referenced is the 200% bonus density, as Planner Frampton was part of crafting that document and is well aware of the restrictions in order to achieve that density. The intent here is done with the idea of good planning. Cluster development is the intent to preserve open space which can be developed at a later date but also in achieving the bonus density and

allowing for greater densities within that development, there are some inner connectivity which plays right into urban development, the bike paths, green space, and all of the things that are good solid planning practices. Planner Frampton responds that the City's perspective on this is that at five acres, individual ownership is easier to deal with than multiple owners of the required open space. Many people are less likely to give it up once they have it. That is the City's stance when it comes to blocking for expansions. Commissioner Goehner reiterates that the smallest we have here is 5 acres with the exception of any bonuses that may be given development.

Commissioner Goehner states there were specific references to FutureWise, but the reply is a form letter.

No further comments or questions.

2:57:32 P.M. ACTION CPA 2007-019:

Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried unanimously that the Board approve CPA 2007-019 based upon the incorporation of the new testimony and documents and the recommendation of the Planning Commission findings of fact and conclusions of law. Final action by resolution will be on Tuesday, July 22, 2008.

2:59:07 P.M. Chairman Hawkins returns to the hearings.

2:59:14 P.M. CPA 2007-021

Lilith Yanagimachi offers the staff report. An application was submitted by Dalton Thomas owner with acting agent Gary Bates for a comp plan amendment on approximately 37 acres of land. The proposal is to change Rural Residential Resource 5 to Rural Residential Resource 2.5. The subject property is identified on the screen in chambers during the testimony. This is for eight parcels located off Knowles Road. New to the record is a letter from the City of Wenatchee dated June 23, a letter from Chelan County Natural Resources dated July 9, a map showing partial acreage, letters received for the previous hearing that were not noted in the file are a letter from FutureWise dated November 19 and the packet of letters read earlier. New to the file is the Hearings Examiner Decision dated May 15, Resolution 2008-94 rescission, an affidavit of publication of said resolution, notice of today's hearing, legal copy of advertisement, a letter for interested parties of today's hearing and a draft resolution for consideration.

Brian Frampton of the City of Wenatchee reiterates his previous testimony.

3:02:20 P.M. ACTION ON 2007-021

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board approve the Comp Plan Amendment 2007-021 based upon the staff report, the testimony from the City of Wenatchee, the Chelan County Natural

Resource Department, the Planning Commission Recommendation, the findings of fact and the conclusions of law. Final action by resolution will be on Tuesday, July 22, 2008.

3:03:16 PM CPA 2007-023

Staff reports this application was submitted by CRM orchards with acting agent Terry Miller for a Comp Plan Amendment on approximately 11 acres of land. The proposed change was a designation from Rural Residential Resource 5 to Rural Residential 2.5. New to the file since the last review is the Hearing Examiner Decision dated May 15, the Resolution 2008-94 rescinding, an affidavit of publication, notice of Board hearing for today, a copy of the legal advertisement to parties of interest for said hearing and a draft resolution for your consideration. This property is located off Campbell Road in Peshastin.

3:04:25 PM ACTION ON CPA 2007-023

Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried unanimously that the Board approve the CPA 2007-023 based upon the Planning Commission Recommendation and the finding of fact, conclusions of law and any newly incorporated documents. Final action by resolution will be on Tuesday, July 22, 2008.

3:05:58 PM CPA 2007-028

Lilith Yanagimachi presents the Staff report. The application was submitted by Davey Enterprises for a CPA on approximately 42 acres of land. The proposed change is from Rural Residential Resource 5 to a Rural Residential Resource 2.5. New to the file of record is a letter by Pat Tukey, the Hearing Examiner decision dated May 15, Resolution 2008-94 of rescission, affidavit of publication for resolution, notice of hearing for today's hearing, a copy of legal advertisement for today's hearing, a letter to parties of interest and a draft resolution for your consideration.

Mr. Martin Davy speaks in favor of his application. He would like to respond to Pat Tukey's letter about the site.

Commissioner Hawkins reads the letter into the record. "These parcels sit in the narrow neck of our canyon, again not in an area conducive to smaller land increments for many reasons traffic and fire issues just to name a few."

Mr. Davy responds to her comments. He shares that the parcels sit up above the canyon. There are some steep slopes on the side of the road and there are also some less steep walls. He feels this is an area more conducive to development. He would also note any future subdivision would include traffic studies, access studies. There is a 6 inch main for fire protection access. These concerns by Ms. Tukey will be addressed among others prior to any subdivision. The parcels sit above the low part of the canyon. Staff to correct the parcel number. The parcel is located on the map.

3:14:02 PM ACTION ON CPA 2007 – 028

Commissioners look at location on map. There are steep slopes as well as flatter areas. **Moved** by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board approve CPA 2007-028 based upon the recommendation of the Planning Commission, testimony by Mr. Davy, the conclusions of law, findings of fact and testimony before the Board. Staff will make a correction to the Resolution to reflect the correct parcel number. Final action by resolution will be on Tuesday, July 22, 2008.

3:14:42 P.M. CPA 2007-031

It is noted that Commissioner Hawkins is in Lions Club with Mr. Ross. He asks if there are objections to his hearing of the matter and there are no objections. Planner Lilith Yanagimachi offers the Staff Report. An application for CPA 2007-031 was submitted by Morgan Picton and Associates on behalf of Gerald Ross Owner for a map amendment on 9 acres of land. The proposed designation change is from Rural Residential Resource 5 to Urban Residential 1. New to the file of record is the Hearing Examiner Decision dated May 15, 2008, Resolution 2008-94 of Rescission, affidavit of publication of said resolution, notice of board hearing, copy of the legal advertisement, letters, and letters to the parties of interest and a draft resolution for consideration.

Commissioner Goehner asks what the status of the UGA Planning Process is in the Manson area, and was told it will be considered on July 22. Once the UGA line is established, this will give them UGA or LAMIRD status. No one is speaking in opposition to the application. The UGA line establishment will give either the UGA status or LAMIRD status over whatever the decision is here. If this application is approved, this would need to be incorporated into the sub area plan. It would have to be in the UGA to give it a UR1 zone. Commissioner Hawkins is confident that the Manson Community Council is going to approve this into the UGA.

3:21:13 PM ACTION ON CPA 2007-031

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board approve CPA 2007-31 based upon the Planning Commission recommendation, the findings of fact and conclusions of law. Final action by resolution will be on Tuesday, July 22, 2008.

3:22:25 PM No further testimony or comments. The hearing is concluded.

3:25:21 PM BOARD DISCUSSION

- WVTC update – Direction of organization
 - North Wenatchee project study vs third bridge study. It is the **consensus** to do study to relieve congestion on North Wenatchee Avenue
- STP process

- Link Board Sales Tax and Fare Fuel Surcharge Increase Proposal
- Health District Finance Meeting
- Grade and Fill Ordinances

3:59:45 P.M. RECESS

Board recesses until Tuesday session.

TUESDAY, JULY 15

8:37:57 AM OPENING:

Chairman Hawkins opens session with Commissioner Walter and Commissioner Goehner in attendance. Also present for session is Clerk of the Board and Personnel Analyst Katie Small.

8:38:17 AM EXECUTIVE SESSION:

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried that the Board move into executive session for 20 minutes, pursuant to RCW 42.30.110(g) regarding the performance of a public employee.

8:57:58 AM EXECUTIVE SESSION EXTENSION:

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried that the Board extend executive session for an additional ten minutes pursuant to RCW 42.30.110(g)) regarding the performance of a public employee.

9:13:00 AM REGULAR SESSION:

Board resumes regular session.

9:14:20 AM CASCADIA CONSERVATION DISTRICT

Director Mike Rickel

DISCUSSION ITEMS:

- Entiat Watershed Planning Unit
- Washington State Conservation Commission Land Improvements
- RC&D Organization

9:29:37 AM BOARD DISCUSSION:

- Compliance Issues with West Monitor Bridge, Contact with Doc Hastings Office

9:33:53 AM PUBLIC WORKS DEPARTMENT

Public Works Director Greg Pezoldt, County Engineer Jolene Gosselin-Campbell

DISCUSSION ITEMS:

1. Application for Federal Assistance with the U. S. Department of Agriculture

2. Posting Notice to Farm Workers regarding Camping in Areas of High Fire Danger. It is consensus of the Board to post No Camping signs on Wenatchee Heights and Edgemont Roads.
3. Chelan Falls Signs
4. Signage for West Monitor Bridge
5. Larson Road Development in Peshastin will be in UGA
6. Transportation Administrative Interpretations to be Completed Prior to Completion of Peshastin UGA
7. Sight Distance Concerns on McEldowney Road. County Engineer will pursue the cost of solution such as moving road entrance.
8. Ivan Morse Road. Acquisition of Right of Way needed to fix corner. It is **consensus** to authorize Public Works to begin project feasibility estimate.
9. Guardrail Needs and Projects
10. Subdivision Review/Administrative Guidelines Minimum Off Site Roadway Width

10:38:28 AM ACTION ITEMS:

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

1. **Agreement for Signature**
 - a) Application for Federal Assistance between Chelan County and U. S. Department of Agriculture for Cooperative Forestry Assistance Grant for Collection and Chipping of Brush and Trees at Existing Sites in Chelan County 2005A5-163

11:00:31 AM RECESS

11:00 A.M. COMMUNITY DEVELOPMENT

John Guenther, Director

DISCUSSION ITEMS:

1. Notice of Rescission and or Modification of Administrative Interpretation No. 2008-005
Definition of a Winery
2. Post Avalanche Incident Investigation
3. Resolution to Rescind the Sunset Clause that Separates the Processing of Comprehensive Plan Amendments and Rezones. (The rezoning noticing procedure will be introduced at the comprehensive plan stage).
4. Agriculture and Land Use Discussion and Debrief
5. Expenditures vs. Revenues to July 2008
6. Calendar Update for BOCC Public Hearings
7. Cashmere/Dryden Airport Public Meeting – July 17 Public Meeting and August 18 – Joint Port/BOCC Meeting

12:03:54 PM ACTION ITEMS:

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

1. Resolution

- a) Adoption of **Resolution No. 2008 – 103** Rescinding the Sunset Clause that Separates the Processing of Comprehensive Plan Amendments and Rezones. (The rezoning noticing procedure will be introduced at the comprehensive plan stage).

12:09:01 PM ADJOURN

Board adjourns until Monday, July 21, 2008.

Vouchers Approved for Payment (2008 Budget)

		2008B4-73
Current Expense		\$162,008.50
All Other Funds		<u>199,741.46</u>
	Total All Funds	\$361,749.96

BOARD OF CHELAN COUNTY COMMISSIONERS
BUELL HAWKINS, CHAIRMAN

JANET K. MERZ, Clerk of the Board