

**CHELAN COUNTY COMMISSIONERS
MEETINGS OF SEPTEMBER 8, 2008**

MONDAY, SEPTEMBER 8

9:04:04 AM OPENING – PLEDGE OF ALLEGIANCE:

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. Visitor Jackie Carmichael leads in the Pledge of Allegiance.

9:04:56 AM BOARD DISCUSSION:

- Jackie Carmichael is present regarding the Peters Street Sidewalk Project. She begins by sharing a correction in a letter from her attorney that referenced herself and her husband as Petersons rather than Carmichael. She reads a letter she has written to the County Commissioners into record regarding concerns of agricultural driveway egress and ingress. Ray Faini of WSU Extension is present to share the involvement of a Sunnyslope Classroom, including his grandson, in the project. It is **consensus** to address the design to accommodate the current use. 2008C8-221

9:21:22 AM APPROVAL OF MINUTES:

It is **moved** by Commissioner Walter, and seconded by Commissioner Goehner, that the Board approves the minutes of September 2, 2008 with corrections. Board will continue corrections at a later time before final approval of motion.

9:22:53 AM CONSENT AGENDA:

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

- Vouchers as submitted and listed
- Payroll changes:
 - a) Lacey Skalisky, Superior Court, New Hire
 - b) Joy Juelson, Natural Resources, Step Increase
 - c) Christee Neely, CCRJC, New Hire Extra Help
 - d) David Fowler, CCRJC, Begin Military Leave
 - e) Rusty Gibbs, Extension, New Hire Part Time
 - f) Nicholas Farline, Extension, New Hire
- Approval of August Payroll 2008B4-91

9:23:23 AM CONTINUATION OF APPROVAL OF THE MINUTES:

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board continue the corrections of the minutes as time allows.

9:48:45 AM BOARD DISCUSSION:

- Public Works Project Engineer Paula Cox is present as requested by Chairman Hawkins to discuss the Peter's Street Sidewalk Project. This discussion has been proposed by the land owner of the 25 feet access to straddle carriers and agriculture use. The current project moves away from that. Project Engineer Cox shares that this proposal was a place holder only. A compromise was discussed. In that compromise there would be improvements that would need to be made on the owner's property. It is an unsafe entry position as it is now. Commissioner Hawkins wonders since this access has been there for a long time can it be left there? Can we leave it in place, restrict a change in the access in the future, and put something up as a flag or sign indicating farm use? Commissioner Walter has not specifically viewed the site but he differs on the issue. He would like to grant the current use but not restrict it in the case of further construction. She has an existing access to that lot now. If Commissioner Walter looks at it after this and it is a safety issue he will change his position. Paula Cox shares this is right on the curb return and this road will become much busier. She feels it is a safety issue. Commissioner Goehner feels that today we are allowing the current activity to continue. Other considerations may happen at a later date. The activity and use of the access is limited at this time. The support is to continue to allow the current use. Harvest activity is only for ten days. This issue will be put before the County Engineer upon her return from vacation. There will also be an issue of maintenance of the sidewalk. There is no requirement because this is outside of the city and in the UGA.
- Malaga Connectivity Issues

10:06:47 AM ADMINISTRATIVE AGENDA

County Administrator, Cathy Mulhall

DISCUSSION ITEMS:

1. Hotel Motel Discretionary Funds Request by Mid Columbia Winery Alliance.
Commissioner Goehner is supportive but has concerns for funding outside of Chelan County. Commissioner Walter is concerned that we have obligated most of our funds already and ongoing commitments for 2009. Hank Manriquez of the Foothills Farmland Association shares that the Mid Columbia Winery Alliance has gotten a commitment from the Port and is requesting funds from other entities. It is **consensus** that we do not have the funds to commit at this time. 2008C8-222
2. Executive Session

10:19:25 AM EXECUTIVE SESSION REGARDING LABOR NEGOTIATIONS:

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

10:40 A.M. EXTENSION OF EXECUTIVE SESSION:

Board extends executive session pursuant to RCW 42.30.140(4) regarding contract negotiations for an additional five minutes.

10:45 A.M. REGULAR SESSION:

Board resumes regular session.

10:45 A.M. ADMINISTRATIVE ISSUES

2. WSAC – FSC Inmate Medical Cost Study. This has been a program study. This is a medical pool for inmates. The data has been submitted. It is time to do an actuary study. It is **consensus** to continue participating in the study. 2008C-8a
3. Financial Discussions:
 - a) The Road Fund is in a negative cash position. There is intent to do an Interfund Loan from the ER&R Fund to the Road Fund. Payment of REET funds is also discussed.
 - b) Emergency Management is also in a negative cash flow. There is no way to determine when that will become in the positive funds. A request was made to put this under the Sheriff’s budget. If this is put under the general fund, it would still need to have a resolve to the issue. The expenditures have to fit the revenues.
4. Contract with Legislative Consultant Jim Potts. The consultant requests notification of meetings with the Legislative Officials.

11:06:51 AM ACTION ITEMS:

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

1. Notice of Hearing

- a) Supplemental Budget Appropriation 2008H6-24
 - \$14,288 – Extension/Eco Stewardship Program
 - \$1,000,000 – Community Development/CTED Monitor Water System Grant
 - \$310,000 – Tort Claims

(See 11:55 a.m. Tuesday, Sept 9 for revision)

2. Contracts

- a) Hearings Examiner Contract 2008A5-194
- b) Contract for Legislative Services of Jim Potts 2008A5-195

11:07:32 AM NATURAL RESOURCES DEPARTMENT

Mike Kaputa, Natural Resources Director

DISCUSSION ITEMS:

1. Chelan-Douglas Land Trust Meeting with Bob Bugert, Executive Director and Board Member Paul Hessburg, also a Research Scientist with the United States Forest Services Science Lab. The Board welcomes Mr. Bugert to his new position as Executive Director. The White River is the topic for discussion in reference to the transfer of the property from the Land Trust to the County and the transfer or exchange of that to the Forest Service. The SRF Board has discussed the issue with the Land Trust who is highly committed to the work. The Land Trust Deed of Right issue Obstacles need to be addressed and worked out. The challenge as the Land Trust see it is the language in the statute in that the Land Trust cannot seek assurance from the partners in the Forest Service in the protected elements. The Federal public money was obtained for the

protective element in the White River. They are comfortable in the transfer with Chelan County and the protective elements will be transferred as well. In the trade with between the County and the Forest we cannot have the same assurance. This is the removal of the Deed of Right which is specifically outlined in the statute. The assurance that the property will be retained to the extent feasible and putting the habitat protection in, is the challenge with the Forest Service. It was thought to be resolved. This very issue was addressed with the Legislation that Commissioner Walter and Senator Parlette established. The SRF Board was willing to subordinate the language over to allow the Forest Service to have its general management obligation. The problem with the Forest Service is the management of those parcels differently than their overall strategy plan. Commissioner Walter felt the legislative fix had been done. The Land Trust is willing to work this out and strongly committed to make it work. There are two conflicting pieces of legislation according to the Land Trust. When you get into the details it is where you find out we did not get to where we were trying to get. The County was expecting to receive the property. One issue is the interpretation of this and the other one is where the County and the Land Trust agree or disagree on where the property is going to go. The Land Trust is willing to work this out with everyone and wants to get this resolved as soon as possible. Maybe the resolution is that we can make this trade with another State agency that does not have this prohibition on encumbrances. The Land Trust and Commissioner Walter will meet with the Forest Service and will report back to the Commissioners.

2. Land Trust Credibility with Funding Entities – There is the possibility of the Land Trust assuming risk by the agreement that the County proceeds of sale at County Auction would be going to conservation in Chelan County or departmental funding for implementation of projects. Secure Rural Schools funding allow flexibility for Natural Resources to work outside of grant funding. That funding is in jeopardy. General Fund contributions need to be repaid also. The County has also taken risk in the last few years in private/public lands dialogue.
3. Eco-AIM Task Order 2008-01 – BPA and SRF Board Projects Work by Carolyn Pearson

11:29:23 AM ACTION:

Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried unanimously that the Board approve the following action items (**pulling**) item **1(a)** as no action is needed:

1. Contracts/Agreements

- a) (**Pulled**) Chelan-Douglas Land Trust Meeting with Bob Bugert and Board Members
- b) Eco-AIM Task Order 2008-01 2008A-5a

11:30:25 AM CHELAN COUNTY SHERIFF'S DEPARTMENT

Sheriff Mike Harum, Chief Civil Service Ron Hupp

DISCUSSION ITEMS:

Chelan County Deputies Association Contract Negotiations with Chelan County. Staff present are Dale England, Josh Mathena, Scott Lawrence, Brian Johnson, Carlos Rodriguez, Mitch Matheson, and Randy Lake.

Deputy Dale England addresses the Board regarding ongoing contract negotiations with the County.

11:50:01 AM SHERIFF'S DISCUSSION ITEMS CONTINUE:

Bruce Kuennen and Steve Slover from the Washington Association of Sheriffs and Police Chiefs (WSPIC) are present to discuss the facilitation of upcoming Jail Partnership Planning.

Commissioner Hawkins feels the only sustainable model for continued operation of the jail partnership will be to constitute a legislative change for a separate entity from the jurisdictions with board members from each entity. Chelan County will look at another model as they do not feel that the model in place will work long term.

Mr. Kuennen feels there are models that work in other places. WSPIC has a corrections committee that can support the legislative portion of this program.

12:00:35 PM DISCUSSION CONTINUES:

Commissioner Hawkins excuses himself. Discussion continues through lunch with recording continuing.

12:36:46 PM RECESS

Board recesses until 1:30 p.m.

NOON

1:32:03 PM WENATCHEE RIVER COUNTY PARK

Mike and Marylee Redline, Managers

PARK ISSUES

- Request to Purchase Equipment at Auction – Park would like to get authorization to purchase a boom lift for park in the neighborhood of \$2500 to \$4500. The Board recognizes the need but the Commissioners feel that a purchase county wide would be more cost effective. Until that time a rental would be the best use of county funds and the purchase of used equipment is not approved.

1:41:54 PM FARM WORKER HOUSING CAMP

Edmundo Gonzalez, Manager

HOUSING CAMP ISSUES

- Rental Count - 28 family members 143 singles for a total of 179 renters and full capacity for pears
- Parks Continue to Look at Passenger Van – Commissioners authorize Park to expand search to outside of the area up to a cost of \$10,000

- No Update on Pangborn Continuation of Rental of Site.

1:49:15 PM CONTINUATION OF APPROVAL OF THE MINUTES:

Corrections complete with final approval of 9:21 A.M. motion to approve.

2:01:06 PM PESHASTIN SUB AREA PLANNING HEARING

Chairman of the Peshastin Community Council Steven Keene is Present.

Lilith Yanagimachi presents staff report. The Planning Commission recommended approval of the Sub Area Plan with a minor modification on one parcel. The recommendations are before the Board today. Chelan County's Consultant Lisa Parks of Alliance Consulting is present for report. Comments from Connie Krueger of the City of Leavenworth arrived shortly prior to this hearing. A comment also came in last Friday from the DOT. These comment letters are submitted for the record. A revised map (P-3) is enclosed in new documents. The previous map had changes recommended by the Planning Commission but also included a portion of a parcel is not owned by Mr. Boyd and not recommended by the Planning Commission. The revised map shows the Peshastin proposed zoning districts. This will be attached to the development regulations and would be a zoning map. This will be identical to the comprehensive land use map which is map (P-3) in the document. The recommendation from the Community Council included a strip of R2 residential. The Planning Commission, at the request of the Mr. Boyd, redesignated these two parcels, the entire parcels as highway commercial. On the map that you received there was some additional land that was actually currently zoned RC that was included on the map. However, the Planning Commission's recommendation was specific to Mr. Boyd's property. We did not hear specific requests from this property owner. It is corrected on the map that was given you today.

Commissioner Hawkins asks about map P-4. A study area is noted. This was identified as a basic planning area. The proposed urban growth area is also noted as it was submitted by the Community Council in 2006 with some modifications. There are areas in the study area that is currently outside of the proposed UGA that were also identified by the Community Council as potential areas and they are noted on the map. The Community Council has identified area that is part of the study area but not the Urban Growth Area. They did not make any proposed recommendations outside of the area that they had designated as an Urban Growth Area. Potential future UGA area determined by the Community Council is identified. But in order for it to go through a UGA it would have to go through a UGA amendment process and would have to re-do the land use analysis to justify the additional land and the ability to provide services. The study area was roughly 1200 acres and ended up as 610 acres. The sub area plan and the development regulations that go along with this, contain the definitions of the zoning areas. The Planning Commission made changes to the sub area plan which had been forwarded on. They did not make any changes to the development regulations which are part of this proposal. Those were not submitted before the Commission today, which is Chapter 11.22 Peshastin Urban Area. Copies are made. The majority of what is before the Board today is the additional technical information that the Community Council made their recommendation. The only substantive change with a cover memo that was based upon the

Planning Commission recommendation were changes to three of the tables in the first chapter, table 4, 5, 6 on pages 9, 11, and 12, as well as some minor language at the beginning in front of those tables. They struggled as to whether or not to show those changes but we wanted to maintain that with explanation so when the Community Council Members reviewed them they could understand what had been added and clarified. The changes in table 4, 5, and 6 were modifications that you see to the medium density residential and highway commercial are as a result of the map change that the Planning Commission recommended. The Council has not had a chance to review the wording after that change. It was not reviewed after the recommendation other than the changes that the Planning Commission recommended. This document before you is the document that has been out for the sixty day review. Commissioner Hawkins reads the later inclusions into the record from Connie Krueger and Washington State Dept of Transportation. A letter with questions from CTED also is read into the record. The response by Alliance Consulting was sent to CTED. The 2002 population projections were used as the 2007 allocation figures have not been amended. Those figures are being evaluated in the current county wide project. The UGA was noted to stand alone and will remain independent of Leavenworth. LAMIRDs and incorporation were discussed. There has been no decision on that as you first have to be an urban growth area before incorporation. As far as capital facilities, a summary was added of the information that was given to the subcommittee group when the agencies were there. The Department of Health notes in regard to the water district there are 598 allowable hook ups and there are currently 250 now. That is a supply of 348 connections available for the Peshastin Water District. The capital facilities question is a tough one for the County. Other than transportation and storm water and parks the County is not the purveyor of any of the capital facilities. This land use plan is being included in the land use plan in the transportation element. The TransPo group has met with Alliance Consulting and looked at the issue of access in, around and through that urban growth area based upon this draft plan. There are significant policy statements about development paying for the cost of infrastructure needed for development and those services be provided concurrently. You have to have the land use in place in order for the purveyors to do the planning that is going to happen. The PUD has the land in front of them now as far as waste water and they are now able to incorporate that into their regional study on waste water. The Peshastin Domestic Water Users Association is a community system; it is not a municipal district at this point. The water district now has the ability to look at this land use plan and plan accordingly. It is the first step. The purveyors were given an opportunity to be a part of the discussion. The comments are in the back of the draft. Some email exchanges are here. The responsibility for doing the capital facilities planning and incorporating the required waste water facility improvements to serve this population and the requirement to provide the water system improvements required to serve this land use population falls on the purveyor other than the County at this point. The comments of the City of Leavenworth are addressed in the document. If we do not respond it may leave this open. Consultant Parks will write a letter of response to the City of Leavenworth.

Commissioner Hawkins thanks the Council for their time and efforts on this plan.

Steven Keene speaks on behalf of the Peshastin Community Council. The Council shares that the work Lisa Parks has done was immensely helpful. The Community Council met again last week to discuss the Planning Commission changes. The Council would request that the Commissioners return this to what was recommended at the June 12 meeting. The area up on the hillside above the Old Blewett Pass Cutoff is orchard and residential area and gets up into the sight area of when you come into the valley. They do not wish to have highway commercial go up that high. They understand that Mr. Boyd wants to do a wine village in that area. However, if that does not come to fruition, that would open this area up to other things in the highway commercial area such as box stores and other retail. The community at large does not care to have that happen. It is hard to say what will happen with Mr. Boyd's property and they understand what he is trying to do. He should also understand what the public at large wants in keeping the area in somewhat a rural nature. They know the urban growth area to provide growth economically and physically with the sewer system and power, but they would like to maintain the quality of life they have now as much as possible. They would like the Commissioners to consider the map back to what they had after the June 12 meeting that was presented to the Planning Commission. The Council did receive the new maps and new documents that came from the Planning Commission on Friday and they were on the website to read them and it was noted they were available to look at. He has not heard back any comments that were detrimental. The numbers on the charts are enlarged from the charts before and were not drastic changes. Those changes pertain to the map changes. He spoke with the Department of Transportation and Mr. Dave Honsinger. Those concerns were mentioned earlier. If it is managed access there would most likely be a road improvement district created to build that frontage road so it would benefit several properties along there and that was understood. As far as the comments by the City of Leavenworth, signage is all contained in the plan. Traffic on Highway 2 is more determined by what Leavenworth is doing not Peshastin.

Commissioner Goehner thanks Mr. Keene and also commends Kathy Springer for her three year commitment. He appreciates the diligent work that went into the analysis and work that went into the technical aspect.

Commissioner Goehner asks if in regard to Bob Boyd's property, the Council is asking that it be left as was suggested as rural commercial as opposed to the highway commercial that is being requested. What are the differences? You cannot have rural commercial in an urban growth area is the first issue. Mr. Boyd was somewhat forced as a result of the interchange to reconsider how he was going to use his land. Rural commercial has specific guidelines as to what type of development could be there then and what it is the difference to what would be if it were not to be zoned highway commercial.

Lisa Parks shares that the way the Peshastin Community Council presented it as the upper half of the property would be residential to medium density residential which would be up to 8 units per acre and it does allow for some level of commercial facilities. The R2 allows for

convenience stores, cultural and historical facilities by CUP, personal services, pet services, professional services, repairs video rental and also for a whole series of residential type uses including full time condominium ownership as wells as assisted living. It does not specifically allow for hotels and motels in that area. The allowance of tourist accommodations would be allowed in the degree of the limited densities, and those listed above.

Commissioner Hawkins questions is there a concern for the wine village type development somewhat of a pedestrian type commercial concentration or it is the fear if this goes through with the zoning that it would open it up to box stores? Mr. Keene states the concern is more for the possibility of the box store coming in.

Commissioner Hawkins asks is there the possibility of a PD or a change to the zone text that would enable the project that he has defined to go through without designating it as highway commercial would that be an accepted use? The council could support that. However, wineries are designated as an accessory use in the R2 zone.

Lisa Parks states that Mr. Boyd's property is zoned half and half. Half of it is R2 and half is already highway commercial. His request was to make it all highway commercial. He has the advantages with both of those designations as proposed by the Community Council. However, if the whole piece is zoned highway commercial it would move the potentially more intensive commercial activity up the hill where as south and north of that upper area is zoned for the R2.

Commissioner Goehner states that part of the concern is the critical mass and the size of the parcel. If the project goes through, he needs the whole of the parcel to be zone appropriately.

The concern is what might be the outgrowth if that does not go through.

Commissioner Walter would rather come up with that fix when we adopt rather than have to do a txt amendment due to the time it takes to do that and the process that it involves. There is no problem as far as the Council is concerned for a wine village being in a different place under R2? No is the answer by the Chairman of the Council.

Commissioner Goehner asks if all of Larson road is included and Mr. Keene states it is. Only one parcel is Campus Industrial. That is the Port of Chelan Property. Is the Peshastin Domestic Water Users Association on the Timberline side? It is. Is there a plan to join the Peshastin Water District? They are currently looking at it as well as funding. There is temporary service to for 11 places and would like to expand but need funds to research that.

Mr. Bob Boyd speaks on his winery proposal and what has taken place in history from his perspective. He initially spent the money and the Planning Commission changed his property to commercial zoning. He and some of the partners subsequently tried to determine what they

could do with the property and the obvious was the county is really growing in the wine industry and this being in the junction it made a lot of sense. With a wine village there can be a lot of boutiques, hairdressers, massage, and commercial industry. This project all depends on who gets involved. This project can be even larger than the Bob Jankelson project. The conceptual plan has a restaurant and included a hotel. The hotel was on the bottom of the land but then was changed to the top of the plan due to the views. In the state it is today, there is not as much interest until everything gets settled down (in the current economic environment).

Commissioner Hawkins questions if Mr. Boyd has a firm plan or concept to follow or are you asking for maximum flexibility to develop a plan? Mr. Boyd responds he has a site plan, but it is only conceptual.

Community Development Director John Guenther shares that the planned development allows for some flexibility for siting and it may be with his recessed vision it could be cleared up with some land use. That is what the Tuscan plan was - almost a specific zone. The plan seems to be a moving target. It does not sound like a mix and may be a tough fit with the R2 to do what he wants there.

Lisa Parks shares that it is about half and half that way. There is a whole, separate planned development permit process for the Peshastin Urban Area in the development regulations so it would not fall under the County's current planned unit development regulations. It would fall under the one that the community developed. On page 17 it talks about where it is permitted and permanent uses. It is typically in the residential areas and geared toward residential uses but it does allow for developed recreational facilities. Unless the context of the planned development language in here was changed, doing a planned development under the County's existing code would not apply to this area. Wineries are used as an accessory use in the code in R2. What Mr. Boyd describes that is not currently identified as being allowed is the hotels, fractional share ownerships, time shares, and any kind of retail other than the hairdressers and massage therapists under the professional's services that are allowed in R2. With the split designation there is an allowance for the highway commercial and everything that is allowed in the highway commercial in the lower portion and everything that is allowed in the R2 in the upper portion. There is some flexibility. A resolution may be to look at those commercial uses for the R2 area. If you put wine village you have to define that.

Commissioner Hawkins states that he is sensitive to what the community is saying and he is also sensitive to the fact that the concern is legitimate that if they zone something and then this development project does not materialize for one reason or another, they have created a zoning that might allow something to go in they do not want. This does not make sense even though they are supportive of Mr. Boyd. The solution seems to be to craft something that would allow what Mr. Boyd wants. Give him the flexibility, have the community buy-in, and make a change in the land use chart that would allow it and define it. But that means Mr.

Boyd is going to have to define what he specifically wants and what the side boards are going to be.

Mr. Boyd shares that he went through this process before he got the zoning for rural commercial. Commissioner Goehner shares the point that Mr. Boyd is making is that he went through a process based upon the guidelines that were there. He hid out the money and made the concessions in taking that out of commercial ag and putting it in rural commercial. He lost some protection but realized this was just part of a bigger scale. He does not really have much choice now. There is a new plan. It was not in his plan to put in an interchange. There has been one thing after another. He has made the commitment. This is what the citizens of Peshastin envisioned - the protection of private property rights of landowners. That is where Mr. Boyd is coming from. Without something site specific and without a plan, it makes it difficult. Some sort of resolve needs to address the R2. It has to have universal application.

Commissioner Walter adds Mr. Boyd spent some money to go through the other process as well as time. We need to get this done here as it is not fair to Mr. Boyd if what he has does not fit, then ask him to go pay the money to go through another process.

Highway commercial on all of the property opens it up for more of the things Peshastin does not want in there than the rural commercial allows. Mr. Boyd states that those things can still be done with all the other properties that are rural commercial that they have. This would split zoning on his property if he had R2 on the upper portion. The time sensitivity for Mr. Boyd is getting worse. He would like to have the ability to realize his specific vision. The Community Council has a vision to constrain high density commercial up on the hill. They support a wine village on the upper bench. The resolve is to allow both parties satisfaction.

Commissioner Walter shares that we need to get a clear definition of what a wine village is. Mr. Boyd needs to get a firm plan of what those things look like so we can do that definition. Then we can make a provision that allows a wine village in an R2.

Lisa Parks shares that the community did not set out to stymie Mr. Boyd. She believes that they felt the revised draft did accommodate him and presented it to the Planning Commission. They understood that the document accommodated what they had understood was going to be done. It allowed for condominiums above and allowed for hotels down below, it allowed for a variety of retail. It was not their intent to stymie that project. It would be entirely possible, without having to specifically define a wine village to look at the commercial uses that are listed in the use chart and identify whether those are appropriate for the R2 zone in some fashion or another. Maybe as an accessory use or a CUP would be a possibility. This may be able to be done without a whole description of a wine village to look at the existing list of uses and perhaps make some alterations to the use chart to accommodate that. But without knowing specifically what the plan is, it is difficult to open it up fully. The council felt they were accommodating what they thought the use was going to be.

Mr. Boyd takes exception to that because he was advised that the reason why they felt they wanted to do this was because they felt he was going to put a hotel there and that was the reason; they did not want that.

Lisa Parks responds that the concern was about commercial along that whole front. It was never Mr. Boyd's property and everyone else property north and south of him. It was always about the general area. One group had it as highway commercial and one group had it R1 and they compromised at Highway Commercial on a portion and Residential 2 on the other part of it. There were concerns about the reasons for those varying views was because they believed there was concern with the neighbors about higher intensity commercial uses on the upper bench. So it was a compromised position to be able to draw that line. They believed R2 had the type of flexibility he needed.

Commissioner Hawkins shares that there are four options. One, the Commissioners can adopt the plan that the Planning Commission adopted, two we can roll it back and adopt the plan as outlined by the Community Council that they presented to the Planning Commission, three we can not approve anything, or four we can look at an amendment that would allow a defined definition of a wine village up on the upper portion since there is a majority support from the council for that and its contained uses and defer action until that has taken place. He does not hear any urgency except by Mr. Boyd. It is better that he has something that is right rather than something that is quick.

Commissioner Goehner would like to adopt a plan that does have universal support. Commissioner Goehner would like to see a way that it can accommodate the plan. As the Peshastin Urban Growth Area expands there will be additional R2 zoning. Whatever we come up with we need to consider how the impact will play out.

Commissioner Walter would like to allow the community to work it out with Mr. Boyd. This hearing could be continued to allow staff to come up with a resolve and bring it back to the Commission. **FILED** Correspondence re: Peshastin UGA 2008P1-7

3:12:18 PM ACTION:

Moved by Commissioner Goehner, seconded by Commissioner Walter and carried that the Board continue this hearing to Oct 7, 2008, at 1:30 p.m. with the intent of dealing with one parcel of Mr. Bob Boyd relating to the definition of a wine village within a R2 zone and Peshastin Plan. The community plan is also supported with the exception of this parcel belonging to Mr. Boyd.

3:14:45 PM BOARD DISCUSSION:

- Dryden Transfer Station – The board concurs with the land transfer of property adjoining the transfer station. The Board authorizes Commissioner Goehner to look into a land transfer by survey work, etc.
- Contract for Avalanche Assessment by Art Mears will be Discussed Tomorrow
- PILT and Secure Rural Schools Funding Needs to be Discussed
- Commissioners to View Carmichael Driveway in Sunnyslope on Peters Street

3:18:41 PM RECESS

Board recesses until Tuesday Session.

TUESDAY, SEPTEMBER 9

8:00 A.M. DEPARTMENT HEAD MEETING

- Financial Update/2009 Budget/Questions
- Facilities Update
- Presentation of WSAC Legislative Fiscal Policy Issues

9:13:57 AM CHELAN COUNTY EXPO CENTER & FAIR

Marsha Clute, Director

EXPO CENTER AND FAIRGROUNDS ISSUES

- Roads Department Issues with Barrel Barricades on Stines Hill Road and Webster Way. The Fair did not put them up or request they be put up.
- Patron Parking Issues
- Fair Funds and Receipt Update Next Agenda

9:36:39 AM 9:30 A.M. PUBLIC WORKS DEPARTMENT

Public Works Project Engineer Paula Cox Present for Director Greg Pezoldt

DISCUSSION ITEMS:

1. Carmichael Driveway Access on Peters Street Sidewalk Project
2. Concrete Sub Contractor request for Two Step Curb and Sidewalk Process on Peters Street Sidewalk Project
3. Peters Street Sidewalk Project Community Meeting Update
4. Temporary Agreement for Access and Construction Easement for Ronald Paquette
5. Temporary Agreement for Access and Construction Easement for Juanita Lucille Simpson
6. Temporary Agreement for Access and Construction Easement for Karen B. Hall
7. Temporary Agreement for Access and Construction Easement for Harold Studeman
8. Temporary Agreement for Access and Construction Easement for Tawnee Seals
9. Temporary Agreement for Access and Construction Easement for Delbert Hurt
10. Local Agency Standard Consultant Agreement with Shannon and Wilson, Inc.
11. Interfund Loan from Equipment Rental and Revolving Fund to County Roads – REET Warrant
12. Subdivision Review

13. Request from Manson for Closure of Wapato Way During Fall In Lake Chelan on 9/11 and 9/12
14. Transportation Planning and Draft Mitigation Impact for Private Development
2008C-8a
15. Solid Waste Director Brenda Harn Present to Discuss Dryden Transfer Station and Parcel Exchange. This parcel exchange will allow the County to expand the compost area. It is the recommendation of the Solid Waste Manager to allow the Solid Waste Department to continue negotiations for a land exchange for a land increase from approximately .15 acre to approximately .98 acre. 2008C8-223
16. Three On Call Agreements were Submitted – Proposals from Pacific Appraisal, LEH Appraisal, and Eisenhardt Appraisal Service

10:08:57 AM ACTION ITEMS:

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board approve the following action items (**adding**) item **2(b)** resolution for the temporary closure of Wapato Way and (**adding**) item **3(a)** the issuance of a manual warrant for loan from REET fund to public works and for the solid waste coordinator

1. **Agreements**

- a) Temporary Agreement for Access and Construction Easement between Chelan County and Ronald Paquette for Peters Street Improvement, County Road Project No. 629 (CRP 629) 2008A5-196
- b) Temporary Agreement for Access and Construction Easement between Chelan County and Juanita Lucille Simpson for Peters Street Improvement, County Road Project No. 629 (CRP 629) 2008A5-196
- c) Temporary Agreement for Access and Construction Easement between Chelan County and Karen B Hall for Peters Street Improvement, County Road Project No. 629 (CRP 629) 2008A5-196
- d) Temporary Agreement for Access and Construction Easement between Chelan County and Harold Studeman for Peters Street Improvement, County Road Project No. 629 (CRP 629) 2008A5-196
- e) Temporary Agreement for Access and Construction Easement between Chelan County and Tawnee Seals for Peters Street Improvement, County Road Project No. 629 (CRP 629) 2008A5-196
- f) Temporary Agreement for Access and Construction Easement between Chelan County and Delbert Hurt for Peters Street Improvement, County Road Project No. 629 (CRP 629) 2008A5-196
- g) Local Agency Standard Consultant Agreement 2008-007 between Chelan County and Shannon & Wilson, Inc. for General Consulting Services during 2008-2010
2008A5-197

2. **Resolutions**

- a) Adoption of **Resolution No. 2008 - 131** Interfund Loan from Equipment Rental and Revolving Fund to County Roads

b) **(Added)** Adoption of **Resolution No. 2008 - 132** for Temporary Closure of Wapato Way for Fall In Chelan Activity

3. **Miscellaneous**

a) **(Added)** Manual Warrant for Interfund Loan from Expenditure of REET Funds in the Amount of \$400,000 2008B4-92

10:14:34 AM BOARD DISCUSSION:

- DOE Meeting
- Tri Commission Meeting Planning

10:20:03 AM EXECUTIVE SESSION:

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

10:23 AM EXTENSION OF EXECUTIVE SESSION

Commissioners extend executive session for an additional three minutes pursuant to RCW.42.30.110(g) regarding the performance of a public official.

10:25 A.M. REGULAR SESSION:

Board Resumes Regular Session.

10:26:14 AM RECESS

Board recesses.

10:38:11 AM COMMUNITY DEVELOPMENT

John Guenther, Director

DISCUSSION ITEMS:

- Request for Executive Session – Personnel Issue

10:38:50 AM EXECUTIVE SESSION:

Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried unanimously that the Board move into 15 minute executive session pursuant to RCW 42.30.110(g) regarding personnel.

10:52:59 AM EXTENSION OF EXECUTIVE SESSION:

Board extends executive session for an additional five minutes.

11:06:56 AM REGULAR SESSION:

Board resumes regular session.

11:07:41 AM DISCUSSION ITEMS CONTINUE:

1. Contract for Avalanche Assessment by Art Mears
2. Notice of Hearing and Workshop
 - a) For an Ag Tourism Workshop Scheduled for Monday, September 22 at 2:00 p.m. and Ag Tourism Public Hearing for Monday, September 29 at 1:30 p.m.
3. Updates and Discussion
 - a) Shoreline Tracking and Update
 - b) CUP Tracking and Update
 - c) Activity Calendar Update
 - d) Navarre Shores Discussion – September 16
 - e) Organizational Update and Future Workshop
 - f) Fire Marshal Status and Review – September 16 will be move until the 23rd
 - g) Land Use Update – Malaga and Wenatchee Foothills Follow Up
 - h) Dave Bremmer Project regarding Connectivity
 - i) TransPo Meeting Scenario Discussions for Mitigations

11:52:42 AM ACTION ITEMS:

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

1. **Notice of Hearing and Workshop**
 - a) Hearing Notice for Ag Tourism Workshop Scheduled for Monday, September 22 at 2:00 p.m. and Ag Tourism Public Hearing for Monday, September 29 at 1:30 p.m. 2008H6-25

11:53:50 AM BOARD DISCUSSION:

- Rescind the Earlier SBA to Include Funding for Restroom Project

11:55:13 AM ACTION:

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

1. **Notice of Hearing SBA**
 - a) Amendment of Notice of Hearing for the September to include REET 2 in the amount of \$200,000 2008H6-24

(See 11:06 a.m. Monday, Sept 8.)

11:56:26 AM RECESS

Board recesses to CTC until 3.45 p.m.

4:00:53 PM BOARD DISCUSSION:

- Derek Sandison, of the Dept of Ecology is present to discuss the Lake Wenatchee Water Quality Study. Chelan County Natural Resource Department and the Board of Commissioners want to work with the public to address ground water contamination adjacent to the lake with possible study of locations not connected to the Lake

Wenatchee sewer system to identify sources of sewage. Board also discussed the need for controlled burns on public lands, and a composting area at the Dryden Landfill

- Bid for 2011 WIRA Convention

4:30:26 PM ACTION:

1. /Bid Proposal

- a) **Moved** by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board approve the bid to host 2011 WIRA Convention in Wenatchee. Visitor and Convention Bureau will cover the \$5.00 fee per person according to Roger Clute. 2008B1-68

4:32:19 PM ADJOURN

Board adjourns until Monday, September 15, 2008.

FILED CORRESPONDENCE:

- Letter from Charter Communications regarding change in programming 2008F8-4

Vouchers Approved for Payment	2008B4-93
Current Expense	\$353,324.58
All Other Funds	<u>270,579.11</u>
Total All Funds	\$ 623,903.69

BOARD OF CHELAN COUNTY COMMISSIONERS
BUELL HAWKINS, CHAIRMAN

JANET K. MERZ, Clerk of the Board