

**CHELAN COUNTY COMMISSIONERS
MINUTES OF OCTOBER 6, 7, 2008**

MONDAY, OCTOBER 6

8:30:06 AM OPENING – PLEDGE OF ALLEGIANCE:

Chairman Hawkins opens session with Commissioner Walter, Commissioner Goehner, County Administrator Cathy Mulhall and Clerk of the Board in attendance. Noxious Weed Director Mike Mackey is present and leads in the Pledge of Allegiance.

8:32:45 AM NOXIOUS WEED BUDGET HEARING – Mike Mackey

Financial Services Manager Brad Posenjak also present for hearing.

9:19:15 AM APPROVAL OF MINUTES:

Moved by Commissioner Walter, seconded by Commissioner Goehner and carried unanimously that the Board approve the September 29, 30, 2008 minutes as corrected.

9:30:09 AM CONSENT AGENDA:

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

- Vouchers as submitted and listed
- Payroll changes:
 - a) Kate Foster, Community Development, Resignation
 - b) James Kalafat, Regional Justice Center, Longevity Increase
 - c) Ronda McCallister, Regional Justice Center, Longevity Increase
 - d) Karen Elkins, Regional Justice Center, Length of Service Increase
 - e) Donna Brunz, Regional Justice Center, Longevity Increase
 - f) Kent Sisson, Sheriff, Longevity Increase
 - g) Jerry Moore, Sheriff, Longevity Increase
 - h) Ivan Arroyo, Pest Control, End of Season
 - i) Meera Bridges, Pest Control, End of Season
 - j) James Corrigan, Public Works, Reached Max Allowable Hours
 - k) Gary Kraus, Public Works, Discharge
- Approval of September Payroll 2008B4-106

9:33:27 AM BOARD DISCUSSION:

- Request by Board of Equalization – Board will invite the Equalization Board to session to voice their concerns 2008C8-235
- Secure Rural Schools Funding –PILT remains at full funding but Secure Rural Schools funding will decrease 10% per year for four years and then will no longer be funded. SRS decrease will affect Public Works budget.
- Chumstick Fire Coalition
- Transportation Meetings Follow Up

- Tuscan Village Event Conflict with Budget Hearings – Resolved
- No. 1 Canyon Clean Up
- Concerns for Campaign Signs in Right of Way

9:57:05 AM RECESS

10:01:40 AM ADMINISTRATIVE AGENDA:

County Administrator, Cathy Mulhall

DISCUSSION ITEMS:

1. Fair Board President Bruce Thorn Re: Board Appointment

10:03:58 AM EXECUTIVE SESSION:

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

10:12:16 AM REGULAR SESSION:

Board resumes regular session. Board has received letter from a majority of the Fair Board asking for action which will be forwarded to the prosecutor for a legal opinion on action in this matter. 2008C8-236

10:14:08 AM EXECUTIVE SESSION:

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

10:31:45 AM EXTENSION OF EXECUTIVE SESSION:

Board extends executive session for an additional twenty minutes pursuant to RCW 42.30.110(g) regarding the performance of a public official.

10:50:12 AM REGULAR SESSION:

Board resumes regular session.

10:50:59 AM ADMINISTRATIVE ISSUES:

- Re-Appointment of Ruben Ruelas and Larry Hamilton and Appointment of Rich Cronin to the Chelan County Veterans' Advisory Board

10:54:15 AM ACTION ITEMS:

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

1. **Resolutions:**

- a) Adoption of **Resolution No. 2008 - 139** Re-Appointment of Ruben Ruelas and Larry Hamilton and Appointment of Rich Cronin to the Chelan County Veterans' Advisory Board

10:55:13 AM RECESS

11:27:09 AM NATURAL RESOURCES DEPARTMENT (Not Available for Session)

11:27:25 AM EXECUTIVE SESSION:

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

11:33 A.M. EXTENSION OF EXECUTIVE SESSION:

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

11:36:04 AM REGULAR SESSION:

Board resumes regular session.

11:38:11 AM RECESS

1:33:40 PM CHELAN COUNTY REGIONAL JUSTICE CENTER

Interim Director Phil Stanley

DEPARTMENTAL ISSUES

- Law and Justice Council Meeting – DOC Offender Facility Discussions. Housing DOC prisoners in a separate facility may affect CCRJC population and budget.
- Inmate Funds (Commissary, Bail) – Possible Use of Card Machine System
- Preconstruction Meeting with Whitebird Construction
- 2009 CCRJC Bed Rental Rates – It is by **consensus** that the bed rental charge will be \$73.50 per day, per bed for all inmates at the Chelan County Regional Justice Center beginning January 1, 2009.
- Regional Jail Facility Meeting – It was determined that a Legislative Bill needs to be prepared to allow an entity other than a city or county to own a regionalized jail facility.

2:03:43 PM OHME GARDENS

Manager Mike Short, Sales Manager Sally Brawley

GARDEN ISSUES:

- Draft Deed Language for the Acquisition of Ownership of Ohme Gardens by Chelan County
- Membership Appreciation Night – New Ohme Gardens logo unveiled
- Planting and Tree Removal Update
- KIOSK Update

- Need for Night Lights
- Upcoming Auction of Tables, Chairs and Wedding Items at Herb's Rent-All
- Storage Facility
- Master Plan Presentation to Port District Commissioners
- Attendance is Up at Gardens in 2008
- Sally Brawley Gives Update on Marketing Plans

2:38:32 PM RECESS

TUESDAY, OCTOBER 7

8:02:16 AM WENATCHEE RIVER COUNTY PARK BUDGET MEETING

Mike Redline, Park Manager

Chairman Hawkins opens session with County Administrator Cathy Mulhall and Clerk of the Board.

(8:03:49 AM Commissioner Goehner arrives.)

8:07:32 AM Commissioner Walter arrives with new PILT figures. Chelan County PILT payments will increase from \$943,114.00 to \$1,515,401.00 in June of 2009. Secure Rural Schools funding payment will be determined soon. County Administrator Cathy Mulhall shares that we are now unable to use Title III money for a number of programs that we currently fund so they will now need to be funding from the General Fund. We lose the ability to do the Forestry Ed Program with Extension and also the funding of Natural Resources. The Secure Rural Schools funding will show a one to one deduction in PILT payment for what you use in Title III. Chelan County will not take Title III Funds which would then be in PILT Funding and put the money that would have come from Title III funds into discretionary funds.

8:11:36 WENATCHEE RIVER COUNTY PARK BUDGET MEETING (Continues)

8:54:02 AM BOARD DISCUSSION:

- Budget Discussions:
 - Motor Pool Budgets
 - Departmental Participation in Budget Discussions

9:13:36 AM NANCY WARNER – “Gathering our Voice” Presentation

Nancy Warner presents invitation to Presentation of “Gathering Our Voice” -Homegrown Ski Areas of North Central Washington. Upcoming projects are discussed. IRIS update is also shared.

9:40 A.M. PUBLIC WORKS DEPARTMENT

Public Works Interim Director Jolene Gosselin-Campbell

DISCUSSION ITEMS:

1. Teamsters Bargaining Units (Mechanics)
2. Supplemental Agreement No. 2 with the TransPo Group, Inc.
3. Local Agency Standard Consultant Agreement with Universal Field Services. Inc.
4. Local Agency Standard Consultant Agreement with RH2 Engineering
5. Resolution for Temporary Road Closure for Saunders Road
6. Development Review
7. Manson Community Council Request for Road Closure for Harvest Event
8. Org Chart with Employee Names 2008C8-237
9. Addressing Project Contract Concerns
10. Boetzke and Manson Blvd. Intersection
11. Solid Waste Small Business Electronic/Hazardous Waste (29,000) Household Hazardous Waste (50 tons) Haul
12. Eagle Creek/Burch Mountain Road
13. Cell Phone Stipend – **Consensus** to provide cell phone stipend for Solid Waste Coordinator beginning Oct 1 under the provisions of the cell phone policy
14. Letter to Commissioners regarding Chumstick Problem Areas 2008C8-238
15. Peters Street Sidewalk Project Update
16. Upcoming Budget Discussions/Emergency Fund
17. Storm Water Review
18. 2009 PILT/Secure Rural Schools Update
19. G&B Properties in Plain on State Haul Road – Appraisal for County Road Right of Way Expansion/Improvement
20. Jim Newberry Four Lot Short Plate – Deviation of road width
21. Runoff on Spring Street in Leavenworth
22. Malaga Landowners Access Issue – Road Improvement District should be formed

10:51:17 AM ACTION ITEMS:

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

1. **Contracts/Agreement**

- a) Supplemental Agreement No. 2 between Chelan County and the TransPo Group, Inc. for the Chelan County Transportation Element Update 2008A5-222
- b) Local Agency Standard Consultant Agreement between Chelan County and Universal Field Services, Inc. for General Engineering Services during 2008-2010 2008A5-223
- c) Local Agency Standard Consultant Agreement between Chelan County and RH2 Engineering, Inc. for General Engineering Services During 2008-2010 2008A5-224

2. **Resolution**

- a) Adoption of **Resolution No. 2008 - 140** Temporary Road Closure for Saunders Road to Repair Water Line and Installation of Conduit for New Phone Cable

10:51:30 AM RECESS

11:03:14 AM . COMMUNITY DEVELOPMENT

John Guenther, Director

DISCUSSION ITEMS

1. Refund For a Pre-Application Meeting for Jon Port for \$200.00
2. Resolution Amending Titles 14 and 11 of the County Code to Clarify Value Added Operations and Winery Land Uses
3. Agricultural Review Committee
4. Notice of Hearing for CPA 2008-034 for V. McClosky for Oct 21, 2008, 11:00 a.m.
5. Bid Recommendation to Award the Contract for Winberg Property Clean Up – Community Development Director updates the information from the lone bidder. It is **consensus** of the Board to continue with the clean up project and with the after the fact permit fees and instruct the Prosecutor to continue with the lien on the property for the cost.
6. Updates
 - a) Hulk Program in Malaga
 - b) Organizational Workshop
 - c) Community Indicators Focus Groups, Launch and Report Card
 - d) Kahler Glen Avalanche Issue
 - e) Planner Tech Resignation

11:36:04 AM ACTION ITEMS:

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

Amending bid not to exceed \$10,000

1. Refunds

- a) Request for Refund for Pre-Application Meeting for Jon Port for \$200.00

2008B4-107

2. Resolutions

- a) Adoption of **Resolution No. 2008 - 141** Amending Titles 14 and 11 of the County Code to Clarify Value Added Operations and Winery Land Uses

3. Notice of Hearing

- a) Notice of Hearing for CPA 034-2008 for V. McClosky for Oct 21, 2008 at 11:00 a.m.

2008H6-26

4. Bid Award

- a) Bid Recommendation and Award the Contract for Winberg Property Clean Up in the Amount Not To Exceed \$10,000.

2008B1-74

11:40:32 AM FACILITIES MAINTENANCE

Pat DuLac, Director

DISCUSSION ITEMS:

- Whitebird Construction Contract for Regional Jail Ceilings Project

- Parking Lot Drawings for 414 Douglas Street - It is **consensus** to approve option four and change the parking to 35 degree angle to gain one more parking space with 14 feet width drive through
2008C8-239

11:53:18 AM ACTION:

Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried that the Board approve the Whitebird Contract and the Notice of Intent to Proceed:

1. Contracts/Agreements

- a) Contract with Whitebird Construction for the Regional Jail Ceiling Project in the Amount of \$309,544.00
2008A5-226

11:53:33 AM RECESS

NOON

1:31:55 PM PESHASTIN SUB AREA PLAN HEARING – Boyd Land Use Plan

Community Development Director John Guenther, Lilith Yanagimachi, Consultant Lisa Parks

Consultant Lisa Parks offers a summary of the previous hearings in the matter and the documents before the Commission today. The land use as proposed would allow Mr. Boyd the maximum flexibility for the potential uses and in keeping with the wishes of the community. The Resolution before the Board for consideration is to keep the land use map and the implementing zone use map as was outlined and recommended for adoption by the Peshastin Community Council. The Planning Commission made recommended changes to the Plan. The matter was before the Commissioners and it was remanded back to the Peshastin Community Council for further review and potential changes to property owned by Mr. Bob Boyd. The zoning regulations and use chart were reviewed and amended and allowed for a winery to be established in an R2 zone by a Conditional Use Permit. The only use that was not allowed in the R2 that he had referenced in regard to a wine village which included personal services, was the winery itself. He is in agreement with the documents for his conceptual plan for a winery to be added to this property. The portion that would not have worked would have been for a hotel facility on the top of the property and he is in agreement that use can be located on the middle or lower portion of the property. The map will be representative of what the Community Council has recommended and agreed that the zoning use chart in Chapter 11.22 would be amended to allow wineries by Conditional Use Permit in the R2 zones.

A resolution is before the Board for the adoption of the sub area plan and the other to adopt the amendments to the zoning code. A letter was written to Leavenworth Community Development Director Connie Krueger (read into the record) and a similar letter to DOT Transportation Planner Cindy McGlothern thanking them for their comments.

Commissioner Goehner is inquiring about the split zoning for an owner and how that impacts the uses and Ms. Parks responds that the owner has the benefit of being able to do development that is consistent with both zones within the areas designated. The Building Department would determine if the uses are divided appropriately on the property to match the zoning when they look at the application. What is allowed in the R2 Zoning is also allowed in the Highway Commercial Zone, however, not necessarily vice versa. Future reserve areas are noted on the map.

No comments from public members present.

1:45:03 PM ACTION:

Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried unanimously that based on the fact that the Commission was to come back to consider the parcel owned by Mr. Bob Boyd, and it appears this resolution has been reached, the Board approves the Peshastin sub area plan as presented today.

1. **Resolution:**

- a) Adoption of **Resolution No. 2008 – 142** for the Sub Area Plan for the Community of Peshastin Urban Growth Area Comprehensive Plan
- b) Adoption of **Resolution No. 2008 – 143** for Amendments to Chelan County Code Chapter 11.22 Now Titled Peshastin Urban Growth Area to Implement the New Sub Area Plan Entitled Peshastin Urban Growth Area Comprehensive Plan.

1:50:15 PM COMMUNITY DEVELOPMENT PERSONNEL WORKSHOP

(See Sign In Sheet)

- Board Reviews CD Director’s Memorandum Proposal for CD Director Position and Process Improvement 2008C8-240
- Draft Organizational Chart for Community Development 2008C8-240

3:57:20 PM ADJOURN

Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried that the Board adjourn until Monday, October 13, 2008.

FILED CORRESPONDENCE:

- Letter from DCTED regarding Resolutions 2007-53; 54; 55 to Update the Comprehensive Plan 2008C8-241
- Superior Court Complaint for Money Damages, Summons, and Summons for Suit Filed by Patricia Wood 2008C8-242
- Charter Communication Letter regarding HD Pricing and Packaging 2008F8-5
- Notice of Billing Submitted by Bob Stewart 2008C8-243
- Gendler and Mann Letter to Commissioners regarding Peters Street Sidewalk Project 2008C8-244

- Charter Communications Letter regarding DTV Guide for Government Officials
2008F8-5
- Indian Gaming Tribal Governments Community Investment Report Library
- Cancellation of Sale to WaveDivision Holdings (Broadstripe) 2008F8-6
- Letter to Pat Wood regarding Navarre Shores Condominium Project and Summons to the
County regarding lawsuit 2008C8-245
- Letter from Late Entertainment regarding Letter of Non Objection
2008C8-246
- Order on Request for Settlement Extension by Cove Heights Condominium Association
2008C8-247
- Growth Management Hearings Board Notice regarding Hearing on Petition for Review Filed
by the City of Wenatchee 2008C8-248
- Order on Motion to Dismiss Filed by Chelan County regarding the Cove Heights
Condominium Association 2008C8-247
- US Department of the Interior Letter regarding the Skagit Wild and Scenic River Eligibility
and Suitability Study 2008C8-249

Vouchers Approved for Payment

2008B4-108

Current Expense	\$ 51,329.97
All Other Funds	<u>742,235.32</u>
Total All Funds	\$793,565.29

BOARD OF CHELAN COUNTY COMMISSIONERS
BUELL HAWKINS, CHAIRMAN

JANET K. MERZ, Clerk of the Board