

**CHELAN COUNTY COMMISSIONERS
MINTUES OF JULY 6, 7, 2009**

MONDAY, JULY 6

9:04 A.M. OPENING – PLEDGE OF ALLEGIANCE:

Chairman Walter opens session with Commissioner Goehner and Commissioner England in attendance. County Administrator Cathy Mulhall and Clerk of the Board are present. Sheriff Harum and Command Staff, Ron Hupp, Jeff Middleton, and Jerry Moore are joining session present to discuss payroll changes and the 2009 Budget. (Recording delayed due to error). Jeff Middleton led in the Pledge of Allegiance.

9:04 A.M. APPROVAL OF MINUTES:

Moved by Commissioner England, seconded by Commissioner Goehner and carried that the Board approve the June 29, 30, 2009 minutes as corrected.

9:10:09 AM CONSENT AGENDA: (Recording begins)

Board Discusses the 2009 Budget with Sheriff and Staff.

9:29:14 AM ACTION:

Moved by Commissioner Goehner, seconded by Commissioner England and carried that the Board will approve the following action items, with Commissioner Walter opposing the motion:

- Vouchers as submitted and listed
- Payroll changes:
 - a) Teresa Reyes, Juvenile, Step Increase
 - b) James Rathbun, Public Works, Length of Service Increase
 - c) Lori Lewis, DC Probation, Step Increase
 - d) Jerry Moore, Sheriff's Office, Promotion
 - e) Bruce Long, Sheriff's Office, Promotion
 - f) Jason Mathews, Sheriff's Office, Promotion
 - g) Jason Reinfeld, Sheriff's Office, Promotion
 - h) Ron Wineinger, Regional Justice Center, New Hire
 - i) Rusty Gibbs, Extension, Layoff
 - j) Aaron MacKenzie, Extension, New Hire
- Approval of June Payroll

20090706B4-1

9:37:31 AM BOARD DISCUSSION:

- Proposed Budget Cuts for Sheriff's Department

9:38:30 AM (ADDED) ACTION ITEM:

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

1. Budget Request

- a) Approval of Leavenworth Winter Sports Club Request in the Amount of \$1000 from Hotel/Motel (Tourist and Convention funds) 20090706B4-2

9:39:57 AM BOARD DISCUSSION CONTINUES:

- Hearings Examiner Contract/Process
- Ohme Gardens Advertising Discussions
- Washington DC Hearing on Stehekin Road
- Entiat Watershed Meeting
- Bike-umentary Presentation
- Liberty Net System
- Risk Pool Update – Cashmere Dryden Airport, Dryden Transfer Station, Monitor Park
- Sheriff Returns to Session with Budget Reduction Changes

10:03:27 AM 10:00 A.M. ADMINISTRATIVE AGENDA

County Administrator, Cathy Mulhall

DISCUSSION ITEMS:

1. Executive Session Regarding Potential Litigation

10:03:37 AM EXECUTIVE SESSION:

Moved by Commissioner England, seconded by Commissioner Goehner, and carried that the Board move into 27 minute Executive Session Pursuant to 42.30.110(i) regarding potential litigation with Counsel Stan Bastian present. Commissioner England recuses himself from executive session.

10:27:55 AM ADMINISTRATIVE AGENDA CONTINUES:

2. Director for the Center for Alcohol & Substance Abuse Loretta Stover Regarding DASA Contract. Due to State reductions the contract before the board is a bridge contract lasting three months with a 25% reduction in funding. This will mean a reduction/disruption of out patient treatment as well as other services.

10:45:16 AM ACTION ITEMS:

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

1. Contracts

- a) Agreement Between DASA - DSHS and The Center for Alcohol and Drug Treatment 0963-68023 20090706A5-1

10:46:20 AM BOARD DISCUSSION CONTINUES:

- Review of Proposed Title 12 Amendments

11:00 A.M. NATURAL RESOURCES DEPARTMENT

Mike Kaputa, Natural Resources Director

DISCUSSION ITEMS:

1. Agreement with National Fish and Wildlife Foundation for Icicle Creek Riparian Restoration Project
2. Contract Amendment with Anchor QEA, LLC for Wenatchee Watershed Sub-Basin Storage Study
3. Execute Agreement for the Chumstick Creek Bridge Install-South with Rayfield Brothers Excavation
4. Execute Agreement for the Chumstick Creek Bridge Install-Middle with Morgan & Son Earth Movers
5. Execute Agreement for the Chumstick Creek Bridge Install-North with Pivetta Brothers Construction, Inc.
6. VEBA Reductions for Natural Resources
7. DC Hearing on Stehekin Road Closure

11:17:28 AM ACTION ITEMS:

Moved by Commissioner Goehner, seconded by Commissioner England and carried that the Board will approve the following action items.

1. **Contracts/Agreements**
 - a) Agreement with National Fish and Wildlife Foundation for Icicle Creek Riparian restoration project 20090706A5-2
 - b) Contract Amendment with Anchor QEA, LLC for Wenatchee Watershed Sub-Basin Storage Study 20090706A5-3
 - c) Execute Agreement for the Chumstick Creek Bridge Install-South with Rayfield Brothers Excavation 20090706A5-4
 - d) Execute Agreement for the Chumstick Creek Bridge Install-Middle with Morgan & Son Earth Movers 20090706A5-5
 - e) Execute Agreement for the Chumstick Creek Bridge Install-North with Pivetta Brothers Construction, Inc. 20090706A5-6

11:17:51 AM RECESS

11:21:55 AM SHORELINE MASTER PROGRAM WORKSHOP

12:06:58 PM RECESS

2:03:06 PM

(Commissioner Goehner is excused from session)

2:03:14 PM CHELAN COUNTY REGIONAL JAIL ACTION ITEM:

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

1. Contracts/Agreements

- a) 2009 Supplemental Project Agreement Between Chelan County Regional Justice Center and USDA Forest Service 20090706A5-7

2:03:36 PM OHME GARDENS

**Manager Mike Short, Marketing Associate Sally Brawley,
President of the Friends of Ohme Bonnie Orr**

DISCUSSION ITEMS:

1. 2010 Wedding Fees
2. Bench Memorials
3. Updates:
 - To-Date Expenditures/Revenues
 - Ohme Gardens Friends' Society Grant Updates – Bonnie Orr
 - Marketing Report – Sally Brawley
 - Friends Member Roger Clute Speaks Supporting the Gardens

2:46:54 PM BOARD DISCUSSION:

- Kmart Building Purchase Update
- High Fire Danger Road Restrictions
- Treed Cougar in Downtown Manson Area

2:52:09 PM RECESS

TUESDAY, JULY 7

9:05:11 AM OPENING:

Chairman Walter opens session with Commissioner England and Commissioner Goehner in attendance. Also present for session is Roger Clute of the Visitor's Bureau and the Clerk of the Board.

9:05:32 AM BOARD DISCUSSION:

- Stehekin Road Hearing in Washington DC

CHELAN COUNTY EXPO CENTER

Marsha Clute, Manager

DEPARTMENTAL DISCUSSION

- Expo Center Sound System Bid – Bid was awarded but contract has yet to be signed. Pat DuLac joins discussion to give update on contract. Contract will be before the Board today for signature.

9:18:14 AM RECESS

9:34:29 AM PUBLIC WORKS DEPARTMENT

Public Works Director Jolene Gosselin-Campbell

BID OPENING: Asphalt Concrete

Bid Opening for the Asphalt Concrete Project by the Public Works Department. Bid Opening Closed to Further Bid Acceptance by Chairman Walter at 9:30 a.m.

Bid opening proceeds with three bids submitted as follows:

Bidder	Unit Price	Bid
Granite Northwest	\$54.75	\$413,910.00
Central Washington Asphalt	\$56.73	\$429,030.00
Mitchell Trucking and Paving	\$56.55	\$427,518.00

9:36:34 AM BID REFFERAL

Moved by Commissioner Goehner, seconded by Commissioner England and carried that the Board will accept the bids as presented. Bids will be awarded on July 14, 2009 at 9:30 after review by the Public Works Department to insure bids meet criteria.

20090706B1-1

9:37:45 AM COMMISSIONERS' PUBLIC HEARING

Petition for Road Vacation by Howard Bumgarner

County Engineer Jolene Gosselin Campbell offers Engineer's Report. Her report states no previous public comment was received. This location has had a long history of problems with material being deposited on the site and has been considered a "mess" at the intersection. The County engineer would recommend approval which would require the applicant to pay the cost to acquire an appraisal and the fair market value of the vacated land. It is the finding of the Chelan County Engineer that this portion of a right of way as petitioned for vacation is not beneficial to the county road system and should be vacated.

9:41:31 AM PUBLIC COMMENT:

Petitioner Howard Bumgarner speaks to the matter. Mr. Bumgarner became involved a few years ago when the Sheriff's Office made allegations as to actions occurring on his property. However, the property was in fact owned by the County and is the property being petitioned for vacation today. While cleaning the property many discarded items were found, items

were being stored on the property, as well as finding hazardous materials. Neighbors have encouraged Mr. Bumgarner to pursue the vacation and to clean up the property. It would be an improvement to put in the pear trees he has ordered.

9:43:33 AM PUBLIC COMMENT:

Neighbor Dwayne Hess appreciates the efforts Mr. Bumgarner has gone to clean up this corner. Not a lot of value in the property due to its size and the shape. He supports this action.

9:44:27 AM ACTION:

Commissioner Goehner moves and Commissioner England seconds the motion to approve the recommendation for vacation of County Road known as Doghouse Road and Saunders Road. 20090706V1-1

9:50:25 AM Six Year Transportation Plan for 2010-2015

Hearing opens on the County Six Year Transportation Plan for 2010 – 2015. The hearing is normally held at the end of the year. This is a change of date for the hearing. This puts the County in the cycle with the Metropolitan Planning Organization so the County information will be published with that plan. Allowing this hearing earlier in the year will show a clearer understanding of the Public Works budget. Forest access funding may be available for the Eagle Creek and Upper Squilchuck projects. Some of these projects on the list may need to be dropped due to final budget adoption. For these reasons it is an appropriate time to hold this hearing.

10:00:04 AM ACTION:

Moved by Commissioner Goehner, seconded by Commissioner England and carried that the Board approve the 6 year plan as presented. 20090706R1-1

10:00 A.M. DISCUSSION ITEMS:

1. Eagle Creek Road Project – CRP 612 (Property Issues). It is **consensus** of Board to move forward on the matter.
2. Stormwater Issues – Greg Pezoldt and Jessica Shaw of the City of Wenatchee are present to discuss the City and the County adoption of Stormwater Standards. The County has no option to reduce the restricted standards. Public education will be the top priority. There are some inexpensive mitigation that can be made for fundraisers and garden stores.
3. Supplemental Agreement No. 6 with RH2 Engineering, Inc.
4. Snow Removal Agreement for Squilchuck State Park
5. Snow Removal Agreement for Lake Wenatchee State Park
6. Closing Documents for Mission Ridge – Squilchuck Property

7. Development Review – Letter to Jessup Home Design Re: Breach of Improvements for Meadow Creek Subdivision 20090706C8-1

10:24:44 AM ACTION ITEMS:

Moved by Commissioner Goehner, seconded by Commissioner England and carried that the Board will approve the following action items (**adding**) **item 2(b)** contract with McCandlish for PA system at fairgrounds:

1. **Contracts/Agreement**

- a) Supplemental Agreement No. 6 between Chelan County and RH2 Engineering, Inc. for Manson Boulevard Improvement Project, County Road Project No. 572
20090706A5-8
- b) Snow Removal Agreement Project 233-SR-670-1 between Chelan County and Washington State Parks and Recreation Commission for Upper Squilchuck State Park
20090706A5-9
- c) Snow Removal Agreement Project 233-SR-640-1 between Chelan County and Washington State Parks and Recreation Commission for Lake Wenatchee State Park
20090706A5-10

2. **Miscellaneous**

- a) Closing Documents between Chelan County and Washington State Parks and Recreation for the Property at Mission Ridge Road and Upper Squilchuck Road
20090706A5-11
- b) Contract with McCandlish Electric for Installation of Expo Center PA
20090706A5-12

10:25:30 AM COMMUNITY DEVELOPMENT

Director Bill Bailey, Assistant Director David Grimes

DISCUSSION ITEMS:

- 1. Request from Thomas McDevitt for a Refund for Short Plat and Associated Fees
- 2. Request from Inger Pederson for a Refund of \$1,497.34 for “After-the-fact” Building Fees. Planning Director recommends denial of the request.
- 3. Request from Audrey Saunders for a Refund of \$1,102.53 for “After-the-fact” Building Fees. Planning Director recommends denial of the request.
- 4. Discussion regarding Condition Use Permit (CUP) Decision from the City of Wenatchee’s Hearing Examiner for 14 Stall Parking Facility on Chelan County Property at 414 Douglas Street. Application is moving forward. 20090706P1-1

10:31:28 AM ACTION ITEMS:

Moved by Commissioner Goehner, seconded by Commissioner England and carried that the Board will approve the following action items.

1. **Budget Request/Refunds**

- a) Approve Request from Thomas McDevitt for a Refund for Short Plat and Associated Fees
20090706B4-3
- b) Deny Request from Inger Pederson for a Refund of \$1,497.34 for “After-the-fact” Building Fees.
20090706B4-4
- c) Deny Request from Audrey Saunders for a Refund of \$1,102.53 for “After-the-fact” Building Fees.
20090706B4-5

10:33:21 AM ACTION ITEMS:

Moved by Commissioner Goehner, seconded by Commissioner England and carried that the Board will approve signatures for the following resolutions amending Resolution No. 2008-113 Re: CPA 2007-021; Amending Resolution No. 2008-112 Re: 2007 – 019; Amending Resolution No. 2008-111 Re: CPA 2007-018; Amending Resolution No. 2008-110 Re: CPA 2007-017:

1. Resolutions for Signature

- a) Adoption of **Resolution No. 2009 - 68** Amending Resolution No. 2008-113 Re: CPA 2007-21 for Application submitted by Dalton Thomas (Agent Gary Bates) for a Comprehensive Plan Land Use Map Amendment on approximately 37.18 acres of land. The proposal is to change the designation from RR5 to RR2.5.
- b) Adoption of **Resolution No. 2009 – 69** Amending Resolution No. 2008-112 Re: CPA 2007-019 submitted by Brian Nelson, for a Comprehensive Plan Land Use Map Amendment on approximately 70 acres of land out of a total parcel size of approximately 140 acres changing the designation from RR10 to RR5.
- c) Adoption of **Resolution No. 2009 – 70** Amending Resolution No. 2008-111 Re: CPA 2007-018 submitted by Brian Nelson for a Comprehensive Plan Land Use Map Amendment on approximately 135 acres of land changing the designation from RR10 to RR5.
- d) Adoption of **Resolution No. 2009 - 71** Amending Resolution No. 2008-110 Re: CPA 2007-017 submitted by Brian Nelson, for a Comprehensive Plan Land Use Map Amendment on approximately 135 acres of land changing the designation from RR10 to RR5.

10:34:59 AM RECESS

11:01:25 AM REALTORS’ ASSOCIATION/HOMEBUILDERS’ ASSOCIATION

RE: Process Review

Scott Christie of the NCWAR (North Central Washington Association of Realtors) gives comments on process review and corrections/changes to Chelan County Code.

20090706C8-2

- Customer service/develop County Mission Statement
- Amend Title 12.16.080 entitled Final Mylars to require Administrative Approval of all final subdivision plats
- Eliminate Public Works review for all private roads as previously practiced
- Eliminated consideration of off-site improvements for all short plats

- Revise Title 12.32 entitled Certificate of Exemption to require an over the counter approval process and eliminate or reduce the associated application fees.
- Revise application forms to eliminate redundancies and overlap of information
- Formalize the Boundary Line Adjustment provisions to reflect refinements in Commissioners' policy directive issued earlier this year.
- Revert to previous interpretation or revise cluster subdivision code to reflect that open space is not a "lot" and should not be included as such in the density calculations.
- Institute and codify procedural changes to land-use applications recommended in 2008.
- Change the SEPA regulations to align with the State Law relative to who is obligated to provide proof that mitigation is required.
- The Public Works Department should be operated more like a business. Development should be viewed as a benefit to the County rather than a detriment. Value should be placed on customer/client service. High priority should be given to accountability, enforcing timelines, streamline procedures for the sake efficiency and effectiveness.

NOON – COMMISSIONERS BUDGET DISCUSSIONS

Present are Deputy Auditor Skip Moore, Financial Services Manager Brad Posenjak, Treasurer Dave Griffiths, Clerk Siri Woods, Chief of Administration Kim Morrison, District Court Administrator Patty King, District Court Probation Director Deb Yonaka, WSU Extension Agent Fay Faini, and Assessor Russ Griffith. Judge Small arrives during discussion.

Commissioners inform elected officials and department heads that the lists of cuts from last week are submitted from departments by line item. It is noted that the PUD entitlement tax payment was in error and they are asking for that overage returned in the amount of \$297,800. The Commissioners share the figures for each department that have been submitted. (It was later determined that the figure is \$292,000).

Postage is a concern for departments with bulk mailing. Furloughs for staff are a requested option rather than layoffs. Treasurer speaks to revenues and the shortfall each month from the previous years. District court is requesting use of stimulus grant funds and trial court improvement funds to retain employees. If this revenue does not come in it will then be necessary to reduce staff. They are also able to increase fees. Courtroom security or two point entry funding is discussed through the trial court improvement fund. Commissioner Walter shares that he does not feel that the trial court improvement revenue should not be used for staff because it is not sustainable. He feels staff needs to be reduced. Superior Court Judges and District Court however are speaking of the funds they have saved. Superior Court would not fill a position that is currently vacant and that would make it sustainable. Superior Court Judges will return at 3:45 with their proposals.

Citizen Donna Lee Moore speaks to the trial court improvement fund for handicapped access. She asks that security not be reduced or cut. She also shares thoughts on wages.

1:37:41 PM RECESS

1:57:20 PM BOARD DISCUSSION CONTINUES:

- Discussion with Phil Stanley regarding DOC Re-Entry Program
- Helicopter Hanger Use at Public Works Sunnyslope Shop
- Jack Corning Speaks to Commission Regarding Plat Issues with Public Works

2:21:43 PM BUDGET DISCUSSIONS:

- District Court Request for Use of Stimulus Funds and Trial Court Improvement Funds
- Grant Funding for Positions in Sheriff's Office
- Request for Alteration of Office Hours
- Stehekin Road Update

2:50:20 PM RECESS

3:54:55 PM BUDGET DISCUSSIONS:

Judge Small and Fona Sugg present to discuss budget cuts and Trial Court Funding. Commissioners would be willing to accept the trial court funding for Superior Court Judges as a stop gap measure since it will be sustainable.

4:00:04 PM ADJOURN:

Moved by Commissioner Goehner, seconded by Commissioner Walter, and carried unanimously that the Board adjourn until Monday, July 13, 2009. **Board adjourned**

Vouchers Approved for Payment (2009Budget)	200900706B4-5
Current Expense vouchers	
	\$ 65,308.73
Other Funds	<u>516,050.81</u>
Total All Funds	\$ 581,359.54

BOARD OF CHELAN COUNTY COMMISSIONERS

RON WALTER, CHAIRMAN

JANET K. MERZ, Clerk of the Board