

**CHELAN COUNTY COMMISSIONERS
MINUTES OF AUGUST 10, 11, 2009**

MONDAY, AUGUST 10

9:03:19 AM OPENING – PLEDGE OF ALLEGIANCE:

Chairman Walter opens session with Commissioner England and Commissioner Goehner in attendance. Also present for session are County Administrator Cathy Mulhall and Clerk of the Board. Ray Taylor and Citizen Washington student Seth Veteto present. Seth Veteto leads in the Pledge of Allegiance.

9:04:31 AM APPROVAL OF MINUTES:

Moved by Commissioner Goehner, seconded by Commissioner England and carried the Board will approve the August 3, 4, 2009 minutes as corrected.

9:08:30 AM CONSENT AGENDA:

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

- Vouchers as submitted and listed
- Payroll changes:
 - a) Andrew Benningfield, Public Works, New Hire
 - b) Greg Jones, Maintenance, Step Increase Severance Adjustment
 - c) Denise Whiteley, Superior Court, Step Increase
 - d) Tracie Schultz, Regional Justice Center, New Hire
 - e) Michael Smith, Regional Justice Center, Longevity Increase

9:09:10 AM BOARD DISCUSSION:

- Realtors Development Comments Shared with Commissioners Forwarded to Community Development - Board will request response from Community Development
- US Dept of Labor Meeting in Okanogan County – Commissioner Walter plans to attend
- Commissioner Goehner Met with Constituents regarding Fire Suppression and Other Building/Development Issues
- Exempt Well Issues
- County Surplus Property
- Costs and Impacts from Salmon Recovery Projects
- Insurance Increases Will Use Reserve Funds
- Audit Exit Interview Update
- Discussions with MW Consulting Re: Pre-Qualification of Bidders for Law and Justice Center Project

9:57:37 AM RECESS

10:00:41 AM ADMINISTRATIVE AGENDA

County Administrator, Cathy Mulhall

DISCUSSION ITEMS:

1. Mayor Dennis Johnson, Wenatchee Public Works Director Steve King, Planner John Ajax, and Executive Services Director Allison Williams re: Local Revitalization Financing District. Funding has been made available through a program which designates existing tax to revitalize undeveloped land on the waterfront. This would afford the opportunity to develop infrastructure and to encourage economic revitalization of the community through property tax only. This tax does not increase the combined sales and use tax rates paid by consumers, but is a way to get money back from the state. Presently, there is no tax collection on the City of Wenatchee Land. A moorage area would be available after removal of garbage dump under the previous public works area, which is slated to go back to private ownership. Mitigation for odor and visual aspect of the waste treatment facility will receive funds from a separate source and be a benefit project taken on at the same time as this project. A public market is also being proposed at the Pybus Building. The Revitalization Financing District boundary is designated as the waterfront from the Event Center to Thurston Street. Along with this anticipated development, the City has made substantial investment in the Riverside Drive for property owners to have full utilities. Chelan County's portion of the funds would be 75% of the increment funding. This would work to approximately \$144,000 in Chelan County funds annually. The funds would be committed for 25 year maximum. Chelan County must make its decision to opt out, if so desired, by August 27.

20090810C8-1

2. Administrative Items
 - Pro-Tem Hearing Examiner Contract Discussions
 - Airport Request for Supplemental Budget Appropriation

10:49:20 AM ACTION ITEMS:

Moved by Commissioner England, seconded by Commissioner Goehner, and carried that the Board approve the following action items (**adding**) \$4,750 for Law Library in item **3(a)**:

1. Contracts/Agreements for Signature

- a) IKON Copiers 60-mo Lease Agreement (Juvenile) 20090810A5-1
- b) Hearings Examiner – Agreement for Professional Services 20090810A5-2

2. Resolutions

- a) Adoption of **Resolution of No. 2009 - 86** Appointment of Daryl Harnden to Peshastin Irrigation District Board of Directors

3. Notice of Hearing

- a) Supplemental Budget Appropriation 20090810H6-1
 - Horticulture - \$721
 - CD Airport - \$18,250
 - Regional Jail - \$2,280

- Industrial Insurance - \$100,000
- Law Library - \$4,750 (**Added**)

10:50:26 AM ADMINISTRATIVE DISCUSSION ITEMS CONTINUE:

4. Executive Session Regarding Performance of a Public Official

10:50 A.M. EXECUTIVE SESSION:

Moved by Commissioner Goehner, seconded by Commissioner England and carried that the Board will move into 30 minute executive session pursuant to RCW 42.30.110(g) regarding the performance of a public official for 30 minutes.

11:22:01 AM REGULAR SESSION:

Board resumes regular session.

11:22 A.M. NATURAL RESOURCES DEPARTMENT

Kathy Bangs, Natural Resources Financial Accountant

DISCUSSION ITEMS:

1. Execution of Agreement with RP&E Construction for the Nason Creek N4 Oxbow Reconnection Project (*to be pulled at department request*)
2. Change Order #1 Bethlehem Construction for Chumstick Creek Bridge Procurement
3. Cashmere Ponds Project
4. Stehekin Trip on Wednesday, August 19

11:27:49 AM ACTION ITEMS:

Moved by Commissioner Goehner, seconded by Commissioner England and carried that the Board will approve the following action items (**pulling**) item **1(a)** and (**adding**) item **2(a)** for closure of West Monitor Bridge (moved forward from the Tuesday, Public Works agenda):

1. **Contracts/Agreements for Signature**
 - a) (**Pulled**) Execution of Agreement with RP&E Construction for the Nason Creek N4 Oxbow Reconnection Project
 - b) Change Order #1 Bethlehem Construction for Chumstick Creek Bridge Procurement 20090810A5-3
2. **Resolutions for Signature**
 - a) (**Added**) Adoption of **Resolution No. 2009 - 87** Temporary Bridge Closure for Old Monitor Bridge During the Week of August 24th to August 31st, 2009

11:32:02 AM BOARD DISCUSSION:

- Tri Commission Meeting Agenda
- Local Revitalization Financing District Funding

11:40:11 AM RECESS

1:31:41 PM CHELAN COUNTY SHERIFF'S DEPARTMENT

Sheriff Mike Harum, Chief Civil Deputy Ron Hupp, Chief of Administration Jerry Moore

DEPARTMENTAL DISCUSSION

1. NACo Conference Update
2. Marijuana Eradication Program Nets Area Grows
3. Retired Under Sheriff Greg Meinzer Takes Interim Position in Quincy
4. Union Valley Fire and Benefit of Fire Wise Work
5. DOC Re-Entry Program
6. Interlocal Agreement- JAG Award

1:53:41 PM ACTION ITEMS:

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

1. **Contracts/Agreements**
 - a) Interlocal Agreement- JAG Award 20090810A5-4

1:56:41 PM RECESS

2:07:21 PM COMMUNITY DEVELOPMENT CODE AMENDMENT WORKSHOP

Workshop focuses on Proposed Code Amendments for Chapters 10, 11, 12 and 13. Planner Lilith Yanagimachi presents staff report. See Attendance Sheet.

5:04:56 PM RECESS:

Board recesses until Tuesday session.

TUESDAY, AUGUST 11

8:00 A.M. DEPARTMENT HEAD MEETING

- Introduction of Jail Deputy Director, Ron Wineinger
- 2009-10 Budget
- Insurance – Liability, Vehicle
- Negotiations Update

9:10:35 AM OPENING:

Chairman Walter opens session with Commissioner England and Commissioner Goehner in attendance. Also present for session are County Administrator Cathy Mulhall and Clerk of the Board. Present is Mike Holliday and Citizen Washington student Addie Holliday.

9:10:46 AM FACILITIES MAINTENANCE DEPARTMENT

Pat DuLac, Director

DEPARTMENTAL DISCUSSION:

- Forsgren Work on 414 Parking Lot Project
- Fire Alarm and Public Address System for Courthouse Moving Forward
- Fairgrounds Public Address System Drawings Completed and Work to Begin After Fair Event
- Park Side Manor Donated to City of Wenatchee and RSN Use for Mental Health Operations. Possible use by Center for Alcohol and Drug Treatment
- Documents and Qualifications on Law and Justice Center Upgrades

9:19:51 AM BOARD DISCUSSION:

- Tillicum Riders Request for Concert at Beer Garden – Expo Center Staff will lock down all gates to rodeo grounds for liability purposes after close of rodeo
- DOT Concerns regarding Cashmere Ponds Project

9:30:26 AM PUBLIC WORKS DEPARTMENT

Public Works Assistant Director Paula Cox, Lou Chernak, Mark Sele

DISCUSSION ITEMS:

1. Local Agency Standard Consultant Agreement with Ed Zontek
2. Local Agency Standard Consultant Agreement with CH2M Hill
3. Agreement for the Acquisition of Right of Way for Roger and Stephanie McMahan
4. Agreement for the Acquisition of Permanent Easement with Roger and Stephanie McMahan
5. Agreement and Temporary Access and Construction Easement with Vera Schons
6. Agreement and Temporary Access and Construction Easement with Thomas E and Sue A Magrath
7. Easement Deed with Roger and Stephanie McMahan
8. Warranty Deed with Roger and Stephanie McMahan
9. Resolution for Temporary Bridge Closure of Old Monitor Bridge
10. Resolution for Temporary Road Closure for the Shore to Shore Marathon
11. Boundary Line Adjustment with Bradford James Boswell

9:52:35 AM ACTION ITEMS:

Moved by Commissioner England, seconded by Commissioner Goehner, and carried that the Board approve the following action items (**pulling**) item **2(a)** due to approval on Aug 10 and (**pulling**) item **2(b)** for further information:

1. **Contracts/Agreements for Signature**
 - a) Local Agency Standard Consultant Agreement between Chelan County and Ed Zontek for Surveying and Engineering Services for Knowles Road Improvement, County Road Project No. 618 (CRP 618) 20090810A5-5

- b) Local Agency Standard Consultant Agreement between Chelan County and CH2M Hill for West Monitor Bridge Rehabilitation, County Road Project No. 641 (CRP 641) 20090810A5-6
- c) Agreement for the Acquisition of Right of Way between Chelan County and Roger and Stephanie McMahon for Eagle Creek Road Improvement, County Road Project No. 612 (CRP 612) 20090810A5-7
- d) Agreement for the Permanent Easement between Chelan County and Roger and Stephanie McMahon for Eagle Creek Road Improvement, County Road Project No. 612 (CRP 612) 20090810A5-8
- e) Agreement and Temporary Access and Construction Easement between Chelan County and the Following Property Owners for Eagle Creek Road Improvement, County Road Project No. 612 (CRP 612)
 - Vera E. Schons 20090810A5-9
 - Thomas E. and Sue A. Magrath 20090810A5-10
- f) Easement Deed between Chelan County and Roger and Stephanie McMahon for Eagle Creek Road Improvement, County Road Project No. 612 (CRP 612) 20090810A5-11
- g) Warranty Deed between Chelan County and Roger and Stephanie McMahon for Eagle Creek Road Improvement, County Road Project No. 612 (CRP 612) 20090810A5-12

2. **Resolutions**

- a) **(Pulled)** Temporary Bridge Closure for Old Monitor Bridge During the Week of August 24th to August 31st, 2009
- b) **(Pulled)** Temporary Shoulder Closure for South Lakeshore Road and Road Closures for Madeline Road, Hyacinth Road, Quetilquasoon Road and Wapato Way for the 2009 Shore to Shore Marathon

3. **Miscellaneous**

- a) Boundary Line Adjustment Application between Chelan County and Bradford James Boswell for the Dryden Transfer Station 20090810A5-13

9:53:02 AM EXECUTIVE SESSION:

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

10:08:17 AM REGULAR SESSION:

Board resumes regular session.

10:10:25 AM RECESS

10:18:59 AM COMMUNITY DEVELOPMENT

Director Bill Bailey

DISCUSSION ITEMS:

1. Set Date for a Public Hearing to Consider Code Amendments to Title 10 County Planning, Title 11 Zoning, Title 12 Subdivision, Title 13 Environment for October 5, 2009 at 2:00 P.M.
2. Discussion regarding the Amended Contract for R.W. Thorpe & Associates, Inc.
3. Title 12 Discussion

10:27:58 AM ACTION ITEMS:

Moved by Commissioner Goehner, seconded by Commissioner England and carried that the Board will approve the following action items (**pulling**) item **2(a)** for further review:

1. Notice of Hearing

- a) Approval to Set Date for a Public Hearing to Consider Code Amendments to Title 10 County Planning, Title 11 Zoning, Title 12 Subdivision, Title 13 Environment for October 5, 2009 at 2:00 P.M. 20090810H6-2

2. Contracts/Agreements for Signature

- a) (**Pulled**) Approve/Deny the Amended Contract for R.W. Thorpe & Associates, Inc.

10:28:39 AM EXECUTIVE SESSION:

Moved by Commissioner England, seconded by Commissioner Goehner, and carried that the Board move into Executive Session Pursuant to 42.30.110(g) regarding the performance of a public employee for 30 minutes.

10:58 A.M. EXTENSION OF REGULAR SESSION:

Board extends executive session for an additional 20 minutes pursuant to 42.30.110(g) regarding the performance of a public employee.

11:17:44 AM REGULAR SESSION:

Board resumes regular session.

11:18:26 AM BOARD DISCUSSION:

- Access Off Primitive Road/Essential Services

11:27:18 AM RECESS

NOON

**1:31:17 PM CONTINUED HEARING – City of Chelan Urban Growth Area
South Shore Development Regulations**

Chairman Walter opens the Public Hearing which was continued from February 9, 2009. Planner Lilith Yanagimachi offers staff report. In an overview she shares that in the 2008 adoption cycle the City of Chelan Zoning Codes and Comp Plan Amendments were adopted. The City of Chelan Development Standards were not adopted at the February 10, 2009 continued hearing (from Dec 29, 2008). The hearing was again continued to Aug 11 to

allow time for the Interlocal Agreement on the South Shore to be enacted, as it relates to the Tuscan Village development as well as several smaller applications. Delays have slowed the process for the completion of the Tuscan project. Several meetings between the City of Chelan and the owner have taken place and the EIS is in the process towards completion. It is recommended by staff that the Commissioners continue the hearing until December 28, 2009 and hold this process over to be included in the 2009 cycle.

20090810C8-2

PUBLIC TESTIMONY

Attorney Sandy Mackie:

Mr. Mackie of Perkins Coie is present representing the Tuscan Group. The owner supports the staff position in February. It was thought the EIS and public hearing would have been completed by this time. The EIS process has taken longer than expected. The environmental review team requested comments from the owner and all the necessary information was supplied through the process. It was requested previously that the standards not be adopted due to the requirement that the project be hooked to city sewer and water. Meetings were held between the owner and the city staff. He requests that the process began in February is allowed to play out and continue the hearing.

Attorney Allan Galbraith:

Mr. Galbraith, Attorney for the City of Chelan speaks on the matter and the productive meetings between the city and the owner. The City of Chelan is waiting for the technical information for review. The City renews its request to adopt the development standards throughout the entire UGA.

Commissioner Goehner:

Commissioner Goehner shares he does not see any change fundamentally. Mr. Galbraith responds the City is interested in reviewing the technical information which they feel should be provided by the owner and should have been reviewed prior to the completion of the EIS. Commissioner Goehner then states the Commission set apart the geographic area so the development standards for a specific area are not being impeded under this process.

1:42:14 PM PUBLIC COMMENT:

Chairman Walter closes the public testimony.

1:42:20 PM ACTION:

Moved by Commissioner England, seconded by Commissioner Goehner and carried that the Board continues this hearing until Dec 28, 2009 at 2:00 p.m.

1:45:29 PM BOARD DISCUSSION:

- Review of Earlier Changes to Title 12

3:12:41 PM ADJOURNMENT:

Moved by Commissioner England, seconded by Commissioner Goehner, and carried that the Board adjourn until Monday, August 17. Board adjourned.

FILED CORRESPONDENCE:

- Security Officer Elgin Shaw Reports July Visitors to Chelan County Courts (Three Levels) at 8986 20090810C8-3

Weekly Vouchers Approved for Payment (2009Budget) 20090810B4-1

Current	Expense	\$ 79,904.55
Other Funds		<u>920,851.26</u>
	Total All Funds	1,000,755.81

BOARD OF CHELAN COUNTY COMMISSIONERS

RON WALTER, CHAIRMAN

JANET K. MERZ, Clerk of the Board