

**CHELAN COUNTY COMMISSIONERS  
MINUTES OF NOVEMBER 2, 3, 2009**

**MONDAY, NOVEMBER 2**

**9:04:04 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. Wenatchee High School students Michael Valencia, Shane Coppock and Ana Arellano present for session. Ana Arellano leads in the Pledge of Allegiance.

**9:06:48 AM APPROVAL OF MINUTES:**

**Moved** by Commissioner Goehner, seconded by Commissioner England and carried the Board will approve the October 26, 2009 minutes as corrected.

**9:13:36 AM CONSENT AGENDA:**

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

- Vouchers as submitted and listed
- Payroll changes:
  - a) Carolyn Alber, Ohme Gardens, End of Season
  - b) Jess Small, Ohme Gardens, End of Season
  - c) Michael Alber, Ohme Gardens, End of Season
  - d) Laurence Logsdon, Public Works, Temporary New Hire
  - e) Jorge Perez, Farm Worker Housing, Layoff
  - f) Raul Vidal, Farm Worker Housing, Layoff
  - g) Maria Andrade, Farm Worker Housing, Layoff

**9:14:29 AM BOARD DISCUSSION:**

- Site Visits on Primitive Roads/Recreation Roads
- Possible Conflict of Interest of Precinct Officer/Commissioner Voting for Appointed Auditor
- City of Wenatchee Contract Negotiations for Jail Bed Rental
- Chairmanship Change – Commissioner Goehner will assume Chairmanship on November 9, 2009
- Request by Health Board to County to Declare an Emergency on H1N1 Flu and Shortage of Ventilators at Central Washington Hospital.

**9:54 A.M. FACILITIES MAINTENANCE**

**Director Pat DuLac**

**DISCUSSION ITEM:**

1. Bid Documents for Remodel of Third Floor to Accommodate PACSD

**9:59:28 AM ACTION ITEM:**

**Moved** by Commissioner Goehner, seconded by Commissioner England and carried the Board will approve the following action items approved from the Administrative Agenda early:

**1. Notice of Hearing**

- a) Bid Documents for Remodel of 3<sup>rd</sup> Floor to Accommodate PACSD

20091102H6-1

**9:59:40 AM ADMINISTRATIVE AGENDA:**

**County Administrator Cathy Mulhall**

**DISCUSSION ITEMS:**

1. Executive Session: Chelan County Deputies Association Step 2 Grievance Hearing

**9:59:46 AM EXECUTIVE SESSION:**

**Moved** by Commissioner England, seconded by Commissioner Goehner, and carried that the Board move into 30 minute executive session pursuant to RCW 42.30.140(4) regarding collective bargaining negotiations for thirty minutes.

**10:27:09 AM ADMINISTRATIVE AGENDA CONTINUES:**

2. Possible Area Two Year Block Grant to Hire a Resource (Energy) Conservation Manager (50% Funded) for Possible 10% Energy Reduction Chelan County will not be participating in the grant.
3. Weed Board Coordinator Mike Mackey and Treasurer Dave Griffiths present Regarding Noxious Weed Assessment Resolution. This matter will be continued until Monday, November 16.

**11:07:12 AM ACTION ITEMS:**

**Moved** by Commissioner England, seconded by Commissioner Goehner, and carried that the Board approve the following action items (**pulling**) items **2(b)** and **3(a)**:

**2. Resolution**

- a) Adoption of **Resolution No. 2009 - 119** RiverCom Sales Tax Collection and Assignment
- b) (**Pulled**) Noxious Weed Assessment Levy (Correction)
- c) Adoption of **Resolution No. 2009 – 120** for year 2010 Elected Officials' Salaries

**3. Notice of Hearing**

- a) (**Pulled**) (*Previously approved at 9:59 a.m.*) Bid Documents for Remodel of 3<sup>rd</sup> Floor to Accommodate PACSD

**4. Request for Approval**

- a) Leavenworth Summer Theater Request for \$10,000 of Tourist & Convention Funds is approved at \$5,000.

20091102B4-1

**11:07:51 AM NATURAL RESOURCES**

**Natural Resources Director, Mike Kaputa**

**DISCUSSION ITEMS:**

1. Amendment #3 with Jones & Stokes for Nason (N4) Design, Engineering and Environmental Compliance Phase II Project
2. Agreement with Cascadia Archaeology for Archaeological Survey of Cohen and Dormaier Planting Locations
3. Contract Amendment with Anchor QEA, LLC, for Campbell Creek Reservoir Study No-Cost Time Extension
4. Grant No. G1000300 with WA Department of Ecology for Wenatchee Stream Flow Gauging
5. Wenatchee Instream Flow Rule Update – Mission Creek cumulative impacts
6. Stemilt Partnership Update
7. Chumstick Re-landscaping Project
8. Jersey Barriers on Chumstick
9. Annual Project Tour on Friday, Nov 6
10. Ice Harbor Exchange Public Meeting

**12:00:43 PM ACTION ITEMS:**

**Moved** by Commissioner Goehner, seconded by Commissioner England and carried that the Board will approve the following action items (**adding**) a grant agreement with office of public defense and the Resolution for Declaration of Emergency for H1N1:

1. **Contracts/Agreements**

- a) Amendment #3 with Jones & Stokes for Nason (N4) Design, Engineering and Environmental Compliance Phase II Project 20091102A5-1
- b) Agreement with Cascadia Archaeology for Archaeological Survey of Cohen and Dormaier Planting Locations 20091102A5-2
- c) Contract Amendment with Anchor QEA, LLC, for Campbell Creek Reservoir Study No-Cost Time Extension 20091102A5-3
- d) Grant No. G1000300 with WA Department of Ecology for Wenatchee Stream Flow Gauging 20091102A5-4
- e) (**Added**) Annual Grant Agreement with the Office of Public Defense for 2010 in the Amount of \$80,921.00 20091102A5-5

2. **Resolutions for Signature**

- a) Adoption of **Resolution No. 2009-121** for the Declaration of the H1N1 Swine Flu Epidemic

**12:02:57 PM RECESS**

**1:31:20 PM CHELAN COUNTY REGIONAL JUSTICE CENTER**

**Administrator Phil Stanley**

**DEPARTMENTAL DISCUSSION:**

- Spillman Presentation Jail Module 6.0 – Information System for Law Enforcement and for RiverCom.
- Potential Bed Rental Contracts

**1:51:58 PM EXECUTIVE SESSION:**

**Moved** by Commissioner England, seconded by Commissioner Goehner, and carried that the Board move into ten minute executive session pursuant to RCW 42.30.140 (4)(a) regarding grievance issues.

**2:01:05 PM REGULAR SESSION:**

Board resumes regular session.

**2:01 P.M. COMMISSIONERS' BUDGET WORKSHOP:**

Financial Services Manager Brad Posenjak, District Court Probation Director Debbie Yonaka, Treasurer Dave Griffith, Sheriff Mike Harum, Weed Board Director Mike Mackey, Personnel Analyst Katie Batson, Clerk Siri Woods, Acting Auditor Skip Moore, Assessor Russ Griffith, Jail Director Phil Stanley, Citizen Donna Lee Moore, Cooperative Extension Director Ray Fiani, Wenatchee World Reporter Michelle McNeil, Prosecutor Gary Reisen, Chief of Administrations Jerry Moore, Chief Civil Deputy Ron Hupp, IT Director Fred Hart.

**3:36:33 PM EXECUTIVE SESSION:**

**Moved** by Commissioner Goehner, seconded by Commissioner England and carried the Board move into fifteen minute executive session pursuant to RCW 42.30.110(i) regarding potential litigation with Prosecutor Gary Reisen present.

**3:47:38 PM REGULAR SESSION:**

Board resumes regular session with the following discussion items:

- Prosecuting Attorney Budget Discussion
- Non-Departmental Budget Discussions

**4:03:35 PM RECESS**

Board recesses until Tuesday, November 3 at 9:00 a.m.

**TUESDAY, NOVEMBER 3**

**9:01:20 AM OPENING:**

Commissioner Walter resumes session. A call is made to Bob Weltd, architect at MW Consulting Engineers regarding the recommendation to require the mechanical, electrical and low voltage sub contractors in the upcoming Law and Justice project to bond for their portion of the project to insure a quality project under special seasonal time restraints. An addendum to the bid packet has been produced and will be added. It is **consensus** of Board to approve the addendum. It is possible there will be additional document changes that may deem it necessary to delay project by one week.

**9:15:45 AM BOARD DISCUSSION:**

- 2010 Proposed Budget – It is the **consensus** of the Board that a preliminary budget document will be presented today for approval with a modifications to the previously discussed scenario “c” now identified as scenario “d”. There are

additional changes to the Sheriff's budget, the Prosecuting Attorney and the proposed changes to the Public Defense Contract.

**9:38:16 AM PUBLIC WORKS DEPARTMENT**

**Director, Jolene Gosselin-Campbell**

**DISCUSSION ITEMS:**

1. Resolution for Compression Brakes on Highway 2. Citizen Ted Dunham speaks on the matter. This matter will be pulled from today's action for further changes in the location of the sign placement and restricted use area. 20091102C8-1
2. Executive Session – Potential Litigation

**9:47:01 AM EXECUTIVE SESSION:**

**Moved** by Commissioner Goehner, seconded by Commissioner England and carried that the Board move into 20 minute executive session pursuant to RCW 42.30.110(i) regarding potential litigation with Counsel Lou Chernak present.

**10:07:11 AM REGULAR SESSION:**

Board resumes regular session.

**10:07:55 AM PUBLIC WORKS DISCUSSION ITEMS CONTINUE:**

3. Events and Activities on County Right of Way
4. Speed Limit Revision on Squilchuck Road. It is the recommendation of the Public Works Director for the change in speed limit to be located at end of Wenatchee city limits
5. Signage on Deadman Hill
6. Several Share the Road Signs in Place
7. Stormwater Management Manual to be Discussed Further Next Week

**10:27:02 AM ACTION ITEMS:**

**Moved** by Commissioner Goehner, seconded by Commissioner England and carried that the Board will (**pull**) the following action item:

1. **Resolution**
  - a) (**Pulled**) Use of Compression Brakes on Highway 2

**10:27:45 AM COMMUNITY DEVELOPMENT**

**Community Development, Director Billy Bailey**

**DISCUSSION ITEMS:**

1. The October 20, 2009 continued Public Hearing is open now for Code Amendments to Title 11 and Title 15, regarding and Primitive Roads. The Commissioners were provided with the transmittal sheet with the two sections requested for review. Those sections are the amendment to Title 15 for consistency between the Title 11 changes in 11.88.070 with the primitive road and development on that road. Title 15 has not been through a 60 day state agency review. The Public Works legal department has provided legal wording to be included. It is the recommendation that those sections are addressed to insure that there is consistency between the two titles. The wording would be added with the reference to Title 12.

It is also recommended that the Public Works additions be included next year when Title 15 is addressed with road standards and the other amendments that are scheduled for that time. Community Development Director Bill Bailey states that in essence Title 12 creates the lots, Title 11 governs what can be done on the lots.

It is also noted that section 11.22.040 subsection 16 for notice to title for agricultural activity has been amended. Further discussion is held for the appropriate wording for the Peshastin UGA. A second resolution would be required to make the final adoptions. Compatibility or impacts of agriculture activities wording is also discussed.

**11:02:52 Hearing closed.**

**11:02:59 AM ACTION:**

**Moved** by Commissioner Goehner, seconded by Commissioner England and carried the Board will approve the changes as suggested to 11.22.040 and the consistency amendment regarding primitive roads in 15.30.220 pending changes for resolution signature later today. **\*\**(See 12:10 p.m.)*\*\***

**11:06:21 PLANNING DISCUSSION ITEMS CONTINUE:**

- Union Valley Fire Station Engineering Documents

**11:06:15 AM Title 11, Zoning Resolution – Amending Chelan County Code Title 11, Zoning Resolution**

Commissioners reviewed these items on October 26. Changes have been made as requested. Exhibit “A” is before the board for final review on 11.22 relating to Peshastin sewer hook ups, 11.30 standards in ag, removal of section in 11.91.050 review procedure, 11.88 supplemental provisions, accessory uses, 11.90 off street parking and loading, snow storage, 11.93 conditional use permits, 11.97 non-conforming lots structures and uses, 11.97 clarification and consistency in implementation maintenance or expansion of structures for UBC.

**11:18:13 AM ACTION:**

**Moved** by Commissioner England, seconded by Commissioner Goehner, and carried the Board approve the amendments to Chelan County Code (Title 11 Zoning Resolution) amending Chapter 11.02 General Provisions, Chapter 11.22 Peshastin, Chapter 11.30 Commercial Agricultural Lands, Chapter 11.88 Supplemental Provisions and Accessory Uses, Chapter 11.90 Off-Street Parking and Loading, Chapter 11.91 Wireless Communication Facilities, Chapter 11.93 Conditional Use Permits, Chapter 11.97 Nonconforming Lots, Structures and Uses for the purposes of adding clarity and making minor amendments. **\*\**(See 12:10 p.m.)*\*\***

**11:20:14 AM PLANNING DISCUSSION ITEMS CONTINUE:**

2. Planner Graham Simon provides update on Chapter 12 General Provisions Subdivision, Workshops

**11:34:01 AM ADOPTION OF 2010 PRELIMINARY BUDGET**  
**Public Hearing for Adoption of Preliminary 2010 Budget.**

Commissioner Walter shares that a balanced budget in 2010 is at approximately \$2,000,000 in reductions. The Commissioners are continuing to look at non-departmental funds and expenditures with contracts. Any additional funds that may be identified will be added to the fund balance.

**11:36:45 AM ACTION:** 20091102B4-2

**Moved** by Commissioner England, seconded by Commissioner Goehner, and carried that the Board accept the preliminary budget as presented with the following budget figures with discussion following:

**2010 Current Expense Budget is balanced at \$31,564,291.00**

Discussion continues regarding other changes in order to get to the needed \$2.1 million in cuts.

**11:37 A.M. BOARD DISCUSSION CONTINUES:**

- Budget Cut Discussions Continue

**12:05:46 PM COMMUNITY DEVELOPMENT DISCUSSIONS CONTINUE:**

- Assistant Director David Grimes Discusses Changes to Resolution Document Including the Addition, for a Resolution that includes Title 15 of 15.32.20 Road Standards, in 11.22.040. This would incorporate into this resolution the previous Planning actions earlier today to include all Building and Planning (Code) actions approved today, November 3.

**12:10:08 PM ACTION:**

**Moved** by Commissioner England, seconded by Commissioner Goehner, and carried the Board adopt the following resolution for all November 3, 2009 Community Development actions to include adoptions of amendments to Chelan County Code Title 11 to incorporate 11.22.040, and 15.30.220,

**ACTION ITEMS:**

**1. Resolutions for Adoption and Signature:**

- a) Adoption of **Resolution No. 2009 - 122** Amendments to the Chelan County Code (Title 11, Zoning Resolution) Amending Chapter 11.02 General Provisions, Chapter 11.22 Peshastin, Chapter 11.30 Commercial Agricultural Lands, Chapter 11.88 Supplemental Provisions and Accessory Uses, Chapter 11.90 Off-Street Parking and Loading, Chapter 11.91 Wireless Communication Facilities, Chapter 11.93 Conditional Use Permits, Chapter 11.97 Nonconforming Lots, Structures and Uses for the purposes of adding clarity and making minor amendments, and Chapter 15.30.220 Road Standards.

**12:11:19 PM EXECUTIVE SESSION:**

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

**12:35 P.M. EXTENSION OF EXECUTIVE SESSION:**

Board extends executive session for an additional 30 minutes.

**12:58:25 PM REGULAR SESSION:**

Board resumes regular session.

**12:59:19 PM BOARD DISCUSSION:**

- Meeting with Fire Marshall, Community Development Staff, and Commissioner Goehner and Mike Burnett of Fire District I re: Working Plan
- Letter to be Drafted to County Employees regarding Budget Status
- Memo Attachment to Adopted Preliminary Budget of 11/03/2009  
20091102C8-2
- WSAC Bylaws Meeting
- Anticipated WSAC Attendance

**1:09:11 PM ADJOURN:**

**Moved** by Commissioner Goehner, seconded by Commissioner England and carried that the Board adjourn until Monday, November 9, 2009.

**FILED CORRESPONDENCE:**

- Nov Ohme Garden Updates 20091102C8-3

**Weekly Vouchers Approved for Payment (2009Budget) 20091102B4-3**

Current Expense		\$ 372,952.80
Other Funds		<u>107,814.30</u>
	Total All Funds	\$480,767.10

BOARD OF CHELAN COUNTY COMMISSIONERS  
RON WALTER, CHAIRMAN

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JANET K. MERZ, Clerk of the Board