

CHELAN COUNTY COMMISSIONERS
MINTUES OF MEETINGS OF DEC 14-15, 2009

Monday December 14, 2009

9:00:00 AM Opening – Pledge of Allegiance

Chair Goehner calls the meeting to order. Present for session are Commissioners Walter and England, County Administrator Cathy Mulhall and Clerk of the Board Sally Taylor.

9:01:00 AM Approval of Minutes

Upon motion and second by Commissioners England and Walter, the minutes for the December 7 & 8, 2009 meeting were approved.

9:02:00 AM Consent Agenda

Upon motion and second by Commissioners England and Walter, the Commission unanimously moved to approve the consent agenda as follows:

- Vouchers as submitted and listed
- Payroll changes:
 - a) Karen Sue Doll, Clerk, Layoff
 - b) Shelly Moser, Clerk, Layoff
 - c) Robert Husted, CCRJC, Resignation
 - d) Gilbert Lerma, CCRJC, Step Increase
 - e) Kimberly Kaligis, CCRJC, Step Increase
 - f) Ronald Elkins, CCRJC, Step Increase
 - g) Kathy Kennedy, CCRJC, Step Increase
 - h) Andrew Benningfield, Public Works, Layoff
 - i) Pam Wright, Prosecutor, Step Increase
 - j) Robin Stone, Prosecutor, Step Increase
 - k) Maribel Martinez, Prosecutor, Step Increase
 - l) Charissa Cruickshank, Prosecutor, Step Increase
 - m) Maria Agnew, Sheriff, Longevity Increase
 - n) Paula Dinius, WSU Extension, Transfer to WSU Budget
 - o) Darlene Gutzwiler, WSU Extension, Increase Hours Worked
 - p) Frank Cone, Community Development, Layoff
 - q) Barb Conrad, Community Development, Layoff
 - r) Stacey Smith, Community Development, Layoff
 - s) Heidi Bonwell, Community Development, Layoff
 - t) Donna Obrien, Public Works, Temp new Hire
- Donation of Annual Leave, 200 Hours to CCRJC Employee 20091123B4-2

9:06:46 AM Board Discussion

1. Board of Equalization Budget
2. Contract for Fire Marshall to be discussed with Fire District #1
3. Meeting with the City of Leavenworth regarding developmental regulations
4. Meeting with Vista del Lago home owners

5. Compression brake sign requested for Peshastin/Highway #2 approved
6. Pest Board Funding
7. Stemilt Partnership meeting and Ice Harbor exchange
8. Mental Health Stakeholders meeting and Parkside property remodel
9. State Budget cuts to affect Chelan County

9:31:00 AM Administrative Agenda, County Administrator Cathy Mulhall

Discussion

1. Supplemental budget appropriation to be added as action item
2. L&J Project Construction Fund, add resolution to establish fund, bond resolution moved to Tuesdays agenda
3. Move December 29 agenda items to December 28

9:44:41 AM Recess

9:59:23 AM Further Administrative Discussion, Robert Knowles Project Manager

Discussion regarding the Regional Justice Center Mechanical and Electrical System Replacement project. Facilities Maintenance Assistant Director Ken Ackland, Jail Director Phil Stanley, and Assistant Director Ron Wineger also present. Budget and Expenditure spread sheet submitted. 20091214C8-1

10:15:28 AM Regional Justice Center Director Phil Stanley

Discussion regarding the Spillman Contract for inmate management software. Hardware needs to be overseen by the County IT department. Jerry Corder of RiverCom also present for discussion. Regional Jail Partners will contribute to the cost of the software.

10:27:19 AM Board/Regional Jail Discussion

1. Jail Diversion and mental health issues in Regional Jail
2. Inmate Worker Program to begin contracting for workers

10:48:38 AM Juvenile Director Phil Jans

Discussion regarding the Contract with East Wenatchee for Juvenile Offenders housed in Chelan County Juvenile Center.

10:53:41 AM Action Items:

Upon motion and second by Commissioners England and Walter, the Commission unanimously moves to approve the action items as follows:

1. **Resolution 2009-133** to Appoint 2010 Department Heads
2. **Resolution 2009-134** to Establish Fund #305 to service bonds for L&J Project
3. **Resolution 2009-135** to Adopt Financial Policies
4. Interlocal Agreement between Chelan County and the City of East Wenatchee for the Housing of Juvenile Offenders 20091214A5-1
5. Interlocal Agreement between Chelan County and the City of Wenatchee for the Housing of Inmates 20091214A5-2
6. Interlocal Agreement for State Purchasing Cooperative 20091214A5-3

7. Public Defense Services Contract with Counsel for Public Defense of Chelan County 20091214A5 -4
8. Purchase Agreement with Spillman Technologies 20091214A5-5
9. Modification of Grant or Agreement between Chelan County Regional Justice Center and the Okanogan-Wenatchee National Forest 20091214A5-6
10. Authorization to Issue Notice to Proceed to Apollo Sheet Metal, Inc. for L&J Mechanical, Performance and Payment Bonds 20091214A5-7
11. Notice of Hearing for Supplemental Budget Hearing 20091214H6-1

10:55:07 AM **Recess**

11:02:16 AM **Natural Resources, Director, Mike Kaputa**

Discussion

1. Agreement with Jones & Stokes
2. Agreement with Mountain West Construction to be postponed
3. Shoreline Master Program funding has been cut by state
4. Large Woody Debris meeting in Chelan on Wednesday
5. Stemilt Partnership Meeting, Letter to Commissioner of Public Lands Goldmark regarding the Ice Harbor Exchange.
6. Upper Columbia Salmon Recovery Board Meeting on Thursday
7. Director to draft letter to USFS regarding Leavenworth Hatchery

11:30:17 AM **Action Items:**

Upon motion and second by Commissioners England and Walter, the Commission unanimously moves to approve the action item as follows:

1. Amendment #1, Project #00714.09, Jones & Stokes for Lower Wenatchee River CMZ 20 Project, additional \$11,881.00 for contract. 20091214A5-8

11:31:40 AM **Manson Comprehensive Plan Workshop**

Planners Lilith Yanagimachi and Graham Simon presents staff report. Several Manson residents present for workshop (*see sign in sheet.*) Discussion held regarding the urban growth area boundary, height restrictions and vacation rental restrictions. Manson Comp Plan hearing scheduled for Dec 21, 2009. *Filed correspondence* 20091214C8-2

1:20:07 PM **Recess**

1:36:51 PM **Sheriff's Department, Civil Deputy Ron Hupp**

Discussion

1. Contract with the City of Entiat for Law Enforcement. Five year Contract does not address RiverCom services paid for by Chelan County.

1:48:29 PM **Action**

Upon motion and second by Commissioners England and Walter, the Commission unanimously moves to postpone contract renewal with the City of Entiat until RiverCom charges have been addressed.

1:52:06 PM Action

Upon motion and second by Commissioners England and Walter, the Commission unanimously moves to draft letters to the Cities of Chelan, Leavenworth, and Cashmere stating the intent to re-open contract negotiations to include RiverCom charges.

1:53:27 PM Recess

2:00:04 PM Public Hearing- Text and Map Amendments

Planner Lilith Yanagimachi presents staff report for Text Amendments Proposed changes to Comprehensive Plan Housing, Rural, Land Use, Capital Facilities Elements and Appendices reflect updates in data and clarification of text and purpose. Amendments related to the Transportation Element, Map Designations and Manson Comprehensive Plan.

2:08:30 PM Action

Upon motion and second by Commissioners England and Walter, the Commission unanimously moves to approve the text amendments as presented. Final adoption action on December 28, 2009.

2:10:06 PM Public Hearing-Comp Plan Amendments

Planner Lilith Yanagimachi presents staff report for Comp Plan Amendments

1. **CPA 2009-001 (GATES) - PROPOSAL:** Request for a change of approximately 400 acres from Rural Residential/Resource (RR) 20, 10 and 5 to RR 10, 5 and 2.5 (excluding city jurisdiction). The Gates application includes thirteen (13) properties. The request is a compilation of applications filed in 2007, 2008 and 2009. Combining applications allowed the County to better address the cumulative impacts for the proposed changes and address the Eastern Washington Growth Management Hearings Board decision and City of Wenatchee legal challenge. Staff recommends *denial*. The proposal would impact the rural character of the area, is not consistent with the locational guidelines (especially related to RR5 and RR2.5), and is not necessary to provide for the 20 year population projections. Planning Commission recommended approval.

2:25:05 PM Applicant Kevin Gates speaks in support of his proposal.

Planner Brian Frampton representing the City of Wenatchee speaks in opposition to the project due to the City's concern for sewer and water access.

2:34:08 PM Action

Upon motion and second by Commissioners England and Walter, the Commission unanimously moves to approve CPA 2009-001 as presented. Final adoption action on December 28, 2009.

2:35:28 PM

2. **CPA 2009-002 (McMahon- Sunnyslope)** - PROPOSAL: Request for a change of approximately 249 acres from Rural Residential/Resource 10 (RR10) to RR5. The subject property is located northeast of Monitor. Staff recommends *approval* noting that future development should consider adjacent land uses – orchards and gun club (with hunting), which may be negatively impacted with increase densities (see comment letter).

2:39:01 PM **Action**

Upon motion and second by Commissioners England and Walter, the Commission unanimously moves to approve CPA 2009-002 as presented. Final adoption action on December 28, 2009.

2:39:39 PM

3. **CPA 2009-003 (McMahon- Cashmere)** - PROPOSAL: Request for a change of approximately 15 acres from RR20 to RR10. The subject property is located south of the City of Cashmere. Staff recommends *approval*

2:41:27 PM **Action**

Upon motion and second by Commissioners England and Walter, the Commission unanimously moves to approve CPA 2009-003 as presented. Final adoption action on December 28, 2009.

2:41:53 PM

4. **CPA 2009-005 (Xavier)** - PROPOSAL: Request for a change of approximately 8 acres from RR 2.5 to Rural Village (RV). The subject property is located west of the City of Cashmere. Staff recommends *approval, if no objection from WSDOT Aviation Division is received*. The proposal is generally consistent with the criteria and provides for residential housing consistent with the surrounding area. Again, the only concern is the proximate of the Airport

2:43:44 PM **Action**

Upon motion and second by Commissioners England and Walter, the Commission unanimously moves to approve CPA 2009-005 as presented. Final adoption action on December 28, 2009.

2:44:19 PM Chair Goehner recuses himself from CPA 2009-006 due to a personal relationship with the applicant. Commissioner England is appointed as Chair pro tem.

5. **CPA 2009-006 (Johnson)** - PROPOSAL: Request for a change of approximately 48 acres from RR 2.5 to Rural Village (RV). The subject property is located south of the City of Leavenworth off of Dye Road. Staff recommends *denial*. The proposal would change the rural character of the area, is not consistent with the locational guidelines for Rural Village (RV), would adversely affect surrounding property owners, and is not

necessary to provide for the 20 year population projections. Numerous letters requesting denial have been submitted from adjacent property owners.

[2:48:51 PM](#) Thomas Davies, adjacent property owner speaks in opposition to the proposal.

Gil Eggleston, adjacent property owner speaks in opposition to the proposal.

[2:53:35 PM](#) **Action**

Upon motion and second by Commissioner Walter and Chair pro-tem England, the Commission moves to deny CPA 2009-006 as presented. Final adoption action on December 28, 2009.

[2:54:24 PM](#) Commissioner Goehner returns to session and reassumes Chairmanship.

6. **CPA 2009-011 (Mausser) - PROPOSAL:** Request for a change of approximately 10 acres from RR5 to RR2.5. The subject property is located approximately 13 miles north of Leavenworth. Staff recommends *approval*

[2:55:17 PM](#) **Action**

Upon motion and second by Commissioners England and Walter, the Commission moves to approve CPA 2009-011 as presented. Final adoption action on December 28, 2009.

[2:56:05 PM](#)

7. **CPA2009-012 (County) – PROPOSAL:** County Sponsored rezones in the Sunnyslope Area. Staff recommends *approval*

- RS – I The current established use of the subject parcels is industrial. The redevelopment of these parcels is not expected nor does the site appear suitable for residential development- primarily due to the location off the highway and the extreme slopes. Additionally, the topography of the area provides a natural break from the highway, commercial and industrial use from the residential uses. Finally, no loss in residential density will occur as the site is already developed.
- RS – RMU The current established use of the subject parcel is a motel. Redevelopment is not expected to occur. Furthermore the site has good visibility and access from the highway making the current use practical. No loss in residential density will occur as the site is already developed.

[3:02:59 PM](#) **Action**

Upon motion and second by Commissioners England and Walter, the Commission moves to approve CPA 2009-012 as presented. Final adoption action on December 28, 2009.

8. **CPA2009-013 (County- Airport) - PROPOSAL:** Parcels owned by the County and used for the Cashmere Airport are requested to change from a RR5 to RP – Rural

Public. This change would secure the land use strictly for airport or other public uses.
Staff recommends *approval*

3:05:58 PM Action

Upon motion and second by Commissioners England and Walter, the Commission moves to approve CPA 2009-013 as presented. Final adoption action on December 28, 2009.

3:06:26 PM

9. **CPA 2009-014 (Cochran)** - PROPOSAL: Owner Margert K Cochran 2007 application is being reprocessed after the EWGMHB decision. Application materials were copied into the 2009 Comprehensive Plan Amendment request for a change on approximately 103 acres from RR20 and RR5 to RR10 and RR2.5. The subject property is generally located west of the Malaga/Alcoa Highway off of the Lower Hedges Road. Staff recommends *denial*. The proposal would impact the rural character of the area, is not consistent with the locational guidelines (especially RR5), and is not necessary to provide for the 20 year population projections.

Adjacent property owner Kevin Gates speaks in support of this proposal

Planner Brian Frampton representing the City of Wenatchee speaks in opposition to the project due to the City's concern for sewer and water access.

3:08:05 PM Action

Upon motion and second by Commissioners England and Walter, the Commission moves to approve CPA 2009-014 as presented. Final adoption action on December 28, 2009.

3:08:41 PM Public Hearing closed.

3:09:12 PM Recess until Tuesday, December 15, 2009.

9:03:37 AM Tuesday, December 15, 2009

Chair Goehner begins Tuesday session with all Commissioners attending.

9:04:38 AM Cascadia Conservation District, Mike Rickel

Discussion

1. 2010 reduced State Budget to Conservation District. Commissioner Walter suggests the Director contact local State Representatives for budget support.

9:17:05 AM Recess

9:33:46 AM Public Works, Director, Jolene Gosselin-Campbell

Discussion

1. 2010 State Budget reduces funding from CRAB Board
2. New Stimulus Funding may be available to Public Works
3. Reduction of overtime pay for snowplowing crews

4. Private storm water systems will not be taken over by the County

10:05:41 AM **Recess**

10:13:33 AM **Director of Natural Resources Mike Kaputa**

1. Letter from the Commissioners to DNR Commissioner Goldmark regarding the Ice Harbor Exchange.

10:19:21 AM **Community Development Assistant Director, David Grimes**

Discussion

Discussion with Natural Resource Director Kaputa regarding using Title III funds for performing Fire Marshall duties. Fire District #1 Chief Mike Burnett and Building Inspector Doug Lewin also present for discussion. **Consensus** of the Board for Assistant Director to negotiate with Fire District #1 for reduced Fire Marshall services.

10:50:08 AM Title 12, Subdivision Committee Update

11:06:01 AM **Action**

Upon motion and second by Commissioners England and Walter, the Commission unanimously moves to approve the action items as follows:

1. Public Hearing to be scheduled for December 28, 2009 at 10:15 for proposed amendments to Title 1.61 Land Use Hearing Examiner Powers. 20091214H6-2
2. Refund of \$79.29 for Ingunn Leiren for Building permit fees. 20091214B4-1
3. Refund of \$507.06 for Michael Allen for Building permit fees. 20091214B4-2
4. Refund of \$104.00 for Gretta Associates, Shoreline application fees. 20091214B4-3
5. Letter for Signature to DNR Commissioner Goldmark regarding the Ice Harbor Exchange and the Stemilt Partnership's proposal. 20091214C8-2
6. Supplemental Payroll Approval for November 20091214B4-4

11:07:22 AM Bond Counsel Mike Ormsby and Underwriter Jack McLaughlin regarding Bond Issuance for the L&J Mechanical and Electrical Replacement project. Treasurer David Griffith and County Administrator also present for Bond review.

11:40:48 AM **Action**

Upon motion and second by Commissioners England and Walter, the Commission unanimously moves to approve the action items as follows:

1. **Resolution #2009-136**, Issuance and Sale of Limited Tax General Obligation Bonds in the amount of \$8,150,000.00
2. **Bond Purchase Agreement** with D.A. Davidson for Underwriting of Limited Tax General Obligation Bonds 20091214A5-9

11:47:42 AM **Board Discussion:** Manson Comp Plan update

12:49:54 PM **David Grimes Assistant Community Development Director**
Discussion

1. Fire Marshall Duties and Community Development Budget. **Consensus** of the Board for Community Development to explore other contracts for Fire Marshall services.

12:59:46 PM **Sheriff Mike Harum**

Discussion

1. Law Enforcement Service Agreement with the City of Entiat. Sheriff will renegotiate the contract to allow RiverCom to bill the City directly. County Administrator will contact the other cities regarding the cost of RiverCom charges.

1:20:59 PM **Recess**

1:34:19 PM **Storm Water Workshop**

2:13:38 PM **Adjourn**

Board adjourns until Monday, December 14, 2009.

Weekly Vouchers Approved for Payment	20091214B4-5
Current Expense	\$148,015.31
Other Funds	320,142.40
Total All Funds	\$468,157.71

BOARD OF CHELAN COUNTY COMMISSIONERS
KEITH GOEHNER, CHAIRMAN

SALLY TAYLOR, Clerk of the Board