

# BOARD OF COUNTY COMMISSIONERS PROCEEDINGS

AUGUST 30, 2021

The Board of County Commissioners met in regular session at the Douglas County Public Services Building, East Wenatchee, Washington. Commissioners Straub, Steinburg, and Sutton were present, and the Clerk of the Board Tiana Rowland was present. Civil Prosecuting Attorney James Mitchell and County Administrator James Barker in attendance.

**I. 08:29 AM Pledge of Allegiance and Call to Order.**

**II. 08:30 AM The Board Met with Administrator Jim Barker.**

**1. Staff Report**

**Administrator**

**Jim Barker, Administrator:**

A. Staff will be providing an update following Mr. Harmon's complaint regarding his subdivision development. Staff has provided the necessary documentation and information that is needed from Mr. Harmon, however the materials submitted for review were not sufficient for approval. The fees are still assessed from the Water, Sewer and Health Districts despite having incomplete plans/documentation.

B. Update to the Board on potential grading concern located below the highlander golf course at Mr. Jeff Kinzel/ Kathleen Collins property. Mr. Tommy Thompson, adjacent property owner below the grading site, is concerned regarding sloughing materials on to his property. There has been no permit filed with the county and the county does not have a grading permit requirement at this time. Staff has already tagged the location in smartgov as a need for geotechnical analysis prior to permit approval for subdivision or housing development.

C. Update to the Board regarding a request from Mr. Schapiro's to lease and or purchase a portion of the turtle rock county parcel.

D. Discussion held on the NCW Fair and the need for additional temporary staffing for the event. Further discussion held on attempting to maintain Ramon Ramirez as the fair facility coordinator position, the concern is driving in the winter months and safety. The Board is in agreement to allow for issuance of a county vehicle and amending potential position placement due to his extensive background in construction.

**2. Personnel**

**Administrator**

**Jim Barker, Administrator:**

A. Approved request for hire: Lance Merz, Code Compliance Officer.

**AUGUST 30, 2021 CONTINUED**

**III. 09:00 AM The Board Held a workshop on the following Items.**

**A. Accessory Structures and Fire Hydrant Flow:**

Review of proposed language amendments related to fire flow and allowance of garage and out buildings to be developed rather than the current code standard of 50 feet setback from the home.

**IV. 09:30 AM The Board Met with Land Services Director Mark Botello.**

B. Update to the Board on Mr. Harmon's request for 4<sup>th</sup> permit blue line review for the Chinook 18 lot subdivision development. The permit review was conducted by the water and sewer district and the subsequent review fees have been assessed, however there is additional paperwork that is needed by Mr. Harmon for final approval. The blue line paperwork allows for staff to review prior to submittal to the other agencies as to completeness of the project, however Mr. Harmon has not submitted his blue line paperwork.

C. Update to the Board on complaint from Mr. Thompson regarding Mr. Kenzle's installation of a small roadway and two pads that were created. Mr. Thompson indicated he believes a waterline may have been installed to the two pads. However there has been no building permit filled with the county, and the county is unable to mitigate at this time until a permit is filled. Mr. Thompson was encouraged to seek the civil process for potential mitigation.

**V. 10:00 AM Bid Opening: Pearl Hill/Bridgeport Hill/Highland Orchard Rd. CRP 1002**

**A. Responsive Bidders:**

Dirt & Aggregate Interchange, Inc.-\$459,459.00 excluding Washington State Sales Tax

Petersen Brothers, Inc.-\$416,516.30 excluding Washington State Sales Tax

M2 Industrial, Inc. -\$519,856.00 excluding Washington State Sales Tax

**VI. 10:05 AM The Board Met with County Engineer Aaron Simmons.**

A. Update to the Board on his conversation with Mr. Doug Pauley, with Northern Fruit pertaining to the Cascade and Highway 97 interchange. Mr. Pauley stated he is not willing to pay an additional \$100,000 toward the project. Mr. Pauley initially provided assurance of \$500,000 toward the construction project. Mr. Pauley subsequently secured funds in the amount of \$100,000 from adjacent impacted business owners whom would benefit from the roundabout interchange. Northern Fruit is stating they will provide \$400,000 toward the project, the additional \$100,000 secured from adjacent businesses will reduce Northern's contribution. The Board is in agreement to allow for funding in the amount of \$270,000 toward the grant match from County funds.

## AUGUST 30, 2021 CONTINUED

B. Further discussion held on stormwater issue and flood damage that occurred in the desert canyon area at Mr. Parker's residents. Mr. Parker was informed he would need to complete a claims form in order to move forward with mitigation by the County.

### **VII. 11:45 AM Consent Agenda**

The Douglas County Board of Commissioners made a blanket motion to approve the following consent agenda items.

#### **1) Approved NCW Fair Contracts:**

- |  |                          |
|--|--------------------------|
| a. Morgan Enterprises- Wes Morgan                | Fair Exhibitor Agreement |
| b. Fibrecrete Structural System LLC.-Jim Stidman | Fair Exhibitor Agreement |
| c. Wenatchi Wear- Mary                           | Entertainment Agreement  |

*At 12:00 PM the Board recessed to meet again at 2:00 PM via Zoom teleconference and at the Douglas County Public Services Building for a joint presentation with Chelan County.*

### **VIII. 2:00 PM The Board Met jointly with the Chelan County Board of Commissioners via Zoom Teleconference.**

- A. Introductions of all participants.
- B. Overview of the Cameo subdivision in Manson Washington review of the cost, treatment, and process associated with mitigation of legacy pesticide within the soil.
- C. Review of available tools and potential review process for permitting.

*At 3:22 PM the joint presentation session ended.*

### **IX. 3:23 PM Call for Executive Session RCW(42.30.110)(1)(f).**

**Attendees:** Commissioners Sutton, Steinburg, and Straub, County Administrator Barker, Civil Prosecuting Attorney Jim Mitchell, Prosecuting Attorney Gordon Edgar via zoom teleconference, Chief Financial Officer Karen Goodwin, and the Clerk of the Board Tiana Rowland.

At 3:23 PM Commissioner Straub called for executive session pertaining to complaints of an Elected Official for 60 minutes. At 3:44 PM Karen Goodwin left the executive session. At 3:59 PM Chairman Straub called to end the executive session with the following directive to the Clerk of the Board: Add to the agenda a Board administrative session to the agenda at 3:40 PM with an invitation to the Douglas County Treasurer Natalie Marx. As well as a request from the Prosecuting Attorney to prepare the affidavit and court filing against the Treasurer's bond.

## AUGUST 31, 2021 CONTINUED

With no further business, the Board of County Commissioners adjourned at 4:30 PM to meet again on Tuesday, August 31, 2021 at the Douglas County Public Services Building, East Wenatchee, Washington.

### AUGUST 31, 2021

The Board of County Commissioners met in regular session at the Douglas County Public Services Building, East Wenatchee, Washington. Commissioners Straub, Steinburg, and Sutton were present, and the Clerk of the Board Tiana Rowland was present. Civil Prosecuting Attorney James Mitchell and County Administrator James Barker in attendance.

**I. 08:30 AM Pledge of Allegiance and Call to Order.**

**II. 08:30 AM The Board Met with Administrator Jim Barker.**

**1. Staff Report**

**Administrator**

**Jim Barker, Administrator:**

A. Commissioner Steinburg provided an update following his conversations with Norther Fruit company and the Chelan Douglas Transportation District, informing them on the County's position is to provide \$270,000 in match contributions toward the project. If there is a funding shortfall it will need to come from alternate funding sources.

**III. 8:31 AM Call for Executive Session RCW(42.30.110)(1)(f).**

**Attendees:** Commissioners Sutton, Steinburg, and Straub, County Administrator Barker, Civil Prosecuting Attorney Jim Mitchell, and the Clerk of the Board Tiana Rowland.

At 8:31 AM Chairman Straub called for an executive session for 10 minutes pertaining to a complaint against a public official. At 8:38 AM Chairman Straub called to end executive session will the following action.

**Motion:**

Commissioner Steinburg moved to seek an additional \$250,000 bond insurance coverage above the \$150,000 bond currently in place for the Douglas County Treasurer Natalie Marx; Commissioner Sutton seconded the motion and Commissioner Straub concurred.

**08:40 Return to Administrator's report:**

B. Update to the Board on potential for Tech 4 maintenance position, as the NCW Fair facility manager. The Board is in agreement to open the position for internal candidate application process.

**AUGUST 31, 2021 CONTINUED**

**IV. 09:02 AM Public Hearing**

**TLS 21-54A**

*Following is a summary of the public hearing; and action taken by the Board of Commissioners. The summary is not intended to be a verbatim transcript. A recording of the hearing is available by contacting the Clerk of the Board.*

**Present**

<b>Dayna Prewitt, Human Resource Officer-attending via Zoom teleconference</b>
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**Staff Report County Engineer Aaron Simmons and Development Review Engineer Mike**

**Near:**

Overview of the application for franchise agreement with Mr. David Haehl.

**Public Comment:**

No comment was given.

**Motion:**

Commissioner Sutton moved to approve Resolution TLS 21-54B the franchise agreement with Mr. David Haehl as presented to the Board; Commissioner Steinburg seconded the motion and Commissioner Straub concurred.

**V. 09:10 AM The Board Met with County Engineer Aaron Simmons.**

**1) Road Vacation Extension: Lucky Badger Road**

**Resolution TLS 21-32C**

**Motion:**

Commissioner Steinburg moved to approve the 30 day road vacation extension for lucky badger road, as the parties are negotiating terms for easement access; Commissioner Sutton seconded the motion and Commissioner Straub concurred.

**2) Local Agency Project Prospectus CRP 1006**

**Upper Pearl Hill Bridge Replacement**

**Motion:**

Commissioner Sutton moved for chairman signature authority for the local agency prospectus for the County Road Project 1006; Commissioner Steinburg seconded the motion, and Commissioner Straub concurred.

**3) Local Agency Agreement CRP 1006**

**Upper Pearl Hill Bridge Replacement**

**Motion:**

Commissioner Sutton moved for chairman signature authority for the local agency agreement for the County Road Project 1006; Commissioner Steinburg seconded the motion, and Commissioner Straub concurred.

**AUGUST 31, 2021 CONTINUED**

**4) Bid Award: Pearl Hill/Bridgeport Hill/Highland Orchard Rd. CRP 1002**

**Motion:**

Commissioner Steinburg move to approve the bid award to Peterson Brothers Inc. for the Pearl Hill/Bridgeport Hill/Highland Orchard Road guardrail project, Commissioner Sutton seconded the motion and Commissioner Straub concurred.

A. The Board held discussion on Road J, a constituent has requested road maintenance off Chelan Hill Acres. Mr. Rick Reimers has requested additional filling of ruts and gravel be implemented, the County Engineer will be following up with the Road Superintendent.

**VI. 9:45 AM The Board Met with Land Services Director Mark Botello.**

A. Discussion held on the legacy pesticide, staff will be working on developing a policy to address operational procedures.

**VII. 10:00 AM The Board Met with former Treasurer Nona Haberman.**

**Call for Executive Session RCW(42.30.110)(1)(f).**

**Attendees:** Commissioners Sutton, Steinburg, and Straub, County Administrator Jim Barker, Civil Prosecuting Attorney Jim Mitchell, Nona Haberman, and the Clerk of the Board Tiana Rowland.

At 10:04 AM Chairman Straub called for an executive session for 20 minutes pertaining to a complaint against a public official. At 10:21 AM Chairman Straub called to end executive session will the following action.

**Minute Notation:**

The Board requested the Civil Prosecuting Attorney draft a contract for employment services with Nona Haberman for administrative support in the Treasurer's Office.

**VIII. 10:27 AM The Board Met with Civil Prosecuting Attorney Jim Mitchell.**

A. Update on binding arbitration with the Town of Mansfield for airport road, civil attorney will be reaching out to the town's attorney to discuss if mediation is an option the town would be interested in for determining ownership and maintenance of airport road.

B. Update to the Board on the Dr. Collins and access easement with the Water reclamation district, working toward a negotiable settlement soon.

**10:36 AM Return to County Administrator**

C. Approved request for shared leave due to covid related absence.

D. Review of Administrator’s decisions and directives.

E. Update to the board on Mr. Windstead property on Lake View Dr. he has chosen to pave over his driveway and drainage ditch area, there is no stormwater drainage.

**IX. Consent Agenda.**

The Douglas County Board of Commissioners made a blanket motion to approve the following consent agenda items.

**1) Vouchers.**

		Check Numbers	Total Amount
1.	Vouchers	00349537-00349597	\$61,900.42
2.	ACH	None	\$0.00

**2) Signature Authorization form Health District- Public Assistance Program Disaster Grant**

*At 11:30 AM the Board recessed to meet again at 3:40 PM via Zoom teleconference and at the Douglas County Public Services Building.*

**X. 3:40 PM The Board Met with Treasurer Natalie Marx.**

A. Commissioner Straub read aloud Resolution CE 21-26.

**1) Authorization of the Prosecuting Attorney File a Complaint Against Treasurer Marx.**

**Motion:**

Commissioner Sutton moved to approve Resolution CE 21-26 the authorization for the prosecuting attorney to file a complaint against the Douglas County Treasurer and her bone to recover IRS late payment penalties; Commissioner Steinburg seconded the motion and Commissioner Straub concurred.

B. Commissioner Straub read aloud Resolution CE 21-27.

**Motion:**

Commissioner Sutton moved to approve Resolution CE 21-27 the suspension and investigation into the financial conduct of the Douglas County Treasurer Natalie Marx; Commissioner Steinburg seconded the motion and Commissioner Straub concurred.

CE 21-27 Motion action for suspension:

At 4:03 Commissioner Sutton was excused for a Chelan Douglas Health District meeting.

**AUGUST 31, 2021 CONTINUED**

**XI. 4:05 PM The Board Met with NCW Fair Staff.**

A. Discussion ensued regarding staff support and retention of NCW Fair Facility Manager.

With no further business, the Board of County Commissioners adjourned at 12:00 PM to meet again on Wednesday, September 1, 2021 at the Douglas County Public Services Building, East Wenatchee, Washington.

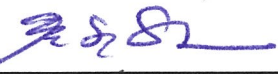
**SEPTEMBER 1, 2021**

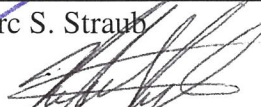
There were no appointments scheduled, no session was held. There being no further business, the Clerk of the Board in accordance with RCW 42.30.90 adjourned for the Board of County Commissioners to meet again on Tuesday, September 7, 2021 at the Douglas County Public Services Building, East Wenatchee, Washington.

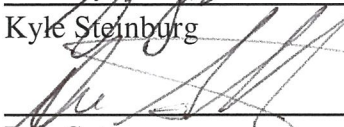
The minutes are hereby read and approved.



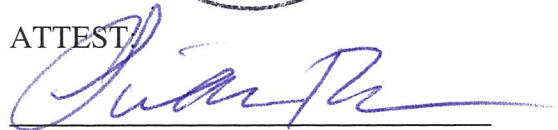
**BOARD OF COUNTY COMMISSIONERS  
DOUGLAS COUNTY, WASHINGTON**

  
\_\_\_\_\_  
Marc S. Straub Chair

  
\_\_\_\_\_  
Kyle Steinburg Vice-Chair

  
\_\_\_\_\_  
Dan Sutton Member

ATTEST:



Tiana Rowland, Clerk of the Board