

BOARD OF COUNTY COMMISSIONERS PROCEEDINGS

MARCH 22, 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 was present. Civil Prosecuting Attorney James Mitchell was in attendance.

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

II. 08:31 AM The Board Met with Administrator Jim Barker.

1. Staff Report

Administrator

Jim Barker, Administrator:

- A. Discussion ensued regarding purchase or need for mobile cell tower or network communication tower during an emergency management situations.
- B. The Sheriff has requested use of the old fair office as a holding facility for the inmates. The former NCW Fair office is located adjacent to the community hall where the Superior Court will be holding session due to COVID-19. The Board would like to accommodate the Sheriff as much as possible, however the building is planned to be demolished prior to the Fair in August. An alternate building was identified for use.
- C. Discussion ensued regarding the posting of positions and review/approval process by the union per the contract.
- D. Commissioner Sutton provided an update regarding the Health District, they will be working toward contracting out environmental review for the building permitting process. As due to the current COVID-19 pandemic and limited staffing resources it is taking an estimated 30+days for permit review.
- E. Commissioner Straub provided an update regarding Fire District 5 request for America Rescue Plan Act funds for the purchase for a new ambulance, the estimated cost is \$250,000 to \$300,000 Fire District 5 is the only emergency area transports for the northern county. The Board would like to have a proposal prepared to review for the expenditure.

III. 08:50 AM The Board Met with Sheriff Kevin Morris and Undersheriff Tyler Caille.

- A. Review of departmental expenses, the axion body cameras have been purchased, this is reflected in an increase in expenses.
- B. Staffing levels are full, two deputies are attending the academy now. Update to the Board on the Sargent and Corporal Position promotions.

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- C. Discussion ensued regarding implementation of a County Ordinance establishing penalties and detain and/or arresting individuals for simple possession of narcotics pertaining to the State v. Blake Decision. Further discussion will be held with the County Prosecuting Attorney to discuss his position on the development of a County Ordinance.
- D. Discussion ensued regarding a mobile satellite communication towers to create a network if damage to cell towers were to occur during a fire. Typically a unit has a dedicated generator with an established trailer for communication. Concern of connecting to the local providers to AT&T and Verizon.

IV. 09:08 AM Prosecuting Attorney Gordon Edgar Joined Session with Sheriff Morris.

- A. Grant county and several other jurisdictions are working toward establishing an ordinance pertaining to the investigation and arresting of narcotic possession cases. Concern the ordinance may be challenged within a higher state court however, it is still a federally illegal to possess a controlled substance. Intent to deliver a controlled substance is still illegal, only simple possession of a controlled substance is no longer a crime based on the State v. Blake decision. The Prosecutor's Office will coordinate with the Cities of East Wenatchee, Wenatchee, and Chelan County to draft a concurrent ordinance to ensure continuity amongst the jurisdictions and ease for law enforcement.

V. 9:30 AM The Board Met with Auditor Thad Duvall and Chief Financial Officer Karen Goodwin.

- A. Thad provided an update on the elections grant received, the earned interest the County invested from the grant had to be returned to the State.
- B. Review of expenses compared to revenue. The investment revenue is currently down, discussion on exploring other options for investment pools.
- C. Discussion ensued regarding transferring funds in excess of anticipated revenue received from the sales and use taxes. The Board would like to place unanticipated revenue received in to the Local Governmental Assistance Fund based off of 2019 revenue continuation transfer until 2022 revenue.
- D. Sales tax and revenue loss can be used for the American Rescue Plan Act (ARPA) funds for 2020 revenue loss.
- E. Discussion ensued regarding providing ARPA funding for the smaller cities/towns impacted by COVID.
- F. Additional funding option for agricultural support through the use of the ARPA funds, potential use of the Farm Bureau Association for the administration of the grant similar to the partnership with the Regional Port Authority for the small business grant opportunity.
- G. Accounting for the American Rescue Plan Act funding, Karen would like to account for the funds to be handled differently than the CARES Act funding.

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H. Request to close out of the Law and Justice Center fund, there is still concern regarding the roof repair that is needed and acceptance of the warranty from the manufacturer. The fund will remain open until the issue has been resolved. The Board requested the Civil Prosecuting Attorney to draft a letter to address the issue. In previous discussions in order to have the changes made Halme would charge the county \$8,000 to administer the change order to address the roofing issue. The Board believes this issue should be covered by Halme or the subcontractor at no cost due to the damages being caused by the subcontractors prior to installation of the roof protective covering.

VI. 10:14 AM The Board Met with Land Services Director Mark Botello.

- A. A letter request to the Douglas County PUD requesting a joint meeting with the cities and the Regional Port Authority and Wenatchee Chamber of Commerce to discuss the proposed rate increase and the impacts on future development within Douglas County. The Board would like to be in attendance at the meeting, further planning details to come from the Regional Port Authority.
- B. Update to the Board on the City of East Wenatchee City Council's adoption of the code pertaining to garage setbacks within the Urban Growth Area.
- C. Update on the stop work order issued.
- D. Anticipated update to the rural service center zoning amendments later this year.
- E. Work session will be occurring next week to review the proposed annexation agreement with the Board.
- F. The City of East Wenatchee adopted via a councilmatic adoption a one tenth percent adoption for the homeless adoption fund.
- G. Discussion ensued regarding the agricultural grant funding grant awardance committee and the criteria for application.

VII. 10:33 AM The Board Met with Transportation Assistant Engineer Jennifer Lange.

- A. Overview of the County Road Administration Board Report for the 2020 RAP Certification of Diversion and Road Funded Expenditures for Traffic Law Enforcement.

Motion:

Commissioner motioned to approve the Chairman Steinburg signature authorization for the CRAB certification report, Commissioner Sutton seconded and Commissioner Straub concurred.

VIII. 10:40 AM The Board Met Amongst Themselves.

- A. Commissioner Straub provided an update following his meeting with Senator Hawkins pertaining to Dezelle Hill Road, response public transportation funds will be limited. However the Senator will provide a letter of support for the County seeking funding assistance from the Public Assistance funds awarded from the Federal Disaster Relief authorization.
- B. Discussion held on the reclassification request for the Pest Director salary assessment. Chelan County is discussion this currently and will be providing an update to the tri-county Pest Board shortly regarding budgetary impacts.

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- C. Discussion ensued regarding the Memorandum from the Chelan Douglas Transportation Council and the incorporation of the Colville Tribe in the Interlocal Agreement, request for membership payment for all of the cities, counties and tribal jurisdictions.
- D. Commissioner Straub provided an update regarding the recent Washington Community Economic Revitalization Board fund investment of \$3,000,000.00 for the Douglas County Water District 10th street waterline and reservoir expansion.

IX. 11:19 AM The Board Returned to the County Administrator Report.

- F. Approval granted for relocation stipend allowance between \$2,000-5,000 for the capital facilities manager position.
- G. Request approved for the increase in pro-tem Judges hourly rate, this expense will be covered under the current District Court budget.
- H. The Fair electrical panel will be installed later this week.

2. Personnel

Administrator

Jim Barker, Administrator:

- A. Approved request for hire, Auditor Accounts Payable current employee has resigned.
- B. Approved Payroll Change Notices: Ron Oules, Eva Isidro, Brandon Long, Michael Baker, Thomas Williams, Gordon Mitchell, Scott Stokoe,

With no further business, the Board of County Commissioners adjourned at 11:30 AM to meet again on Tuesday, March 23, 2021 at the Douglas County Public Services Building, East Wenatchee, Washington.

MARCH 23, 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 was present. Civil Prosecuting Attorney James Mitchell in attendance.

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

II. 08:31 AM The Board Met with Fire District 5 Fire chief Tyler Caille.

- A. Fire District 5 is requesting funding support via the American Rescue Plan Act funds for the purchase of a new ambulance transport vehicle, there is a vehicle prepared for delivery in July 2021 the estimated cost is \$240,000. The purchase will be made via interlocal agreement piggybacking off the Grant County contract. Fire district 5 is the only fire district that transports for the northern area of the county. The Board has requested the Fire District Board to consider discussion for an EMS levy to assist in supporting the cost for a replacement ambulance, there has been a levy lid increase that was imposed in 2004. The Board of Commissioners would like to see a form of a match for the purchase of the new ambulance.
- B. Update to the Board on the Hazard Mitigation grant there are 2 currently available and applications have been submitted. One is an FMAG grant for Hazard Mitigation-Amanda Ward with Foster Creek is working on 2.5 Million with a 25% match this can be reduced to 12.5% if state emergency funding is awarded, this has not occurred yet. The state EM recommended the removal of the generator request from the landscaping rehabilitation work. The Public Assistance Directive from the President, this is the second Hazard Mitigation grant, this is a competitive grant for any affected agency. The plan is to move forward with an application for support for the Dezellem Hill landslide and road repair.
- C. Sheriff Morris provided an alternate location to hold arrestees for court in the model train room behind the community hall as the former fair office will be demolished.

III. 09:00 AM Constituent Meeting: Enchantments View Dr. 'No Parking'

Attendees: Attorney Jordan Miller, Constituents Tom and Vicki Michaels, Joan Cami, County Engineer Aaron Simmons.

- A. Mr. Miller addressed the commissioners stating his client is concerned his neighbor is attacking him via the 'no parking' signs installed per the request of his neighbor on the Enchantments view drive cul de sac. The concern is the process for establishing the no parking signs, client reviewed the no parking signs installed in other cul de sacs within the county determined only 1 other cel de sac had installed signs. Their concern today is the lack of public process in the determination of the implementation of the no parking signs.

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- B. The County Engineer provided the time line and evaluation by staff, the neighbor called the county requesting the installation of no parking signs. Staff then evaluated, the cul de sac has an attractive nuisance of a view overlook for the drive, evaluation of the turn radius was under the recommended fire safety code, the CCRs also do not allow for public parking within the street as well as authorization with in the Douglas County Code, coupled with the concern for public safety it was determined by the County Engineer the need for 'No Parking' signs to be installed.
- C. Mr. Michaels provided perspective as to his opposition to the sign, it was visually displeasing as well as parking limitations for service providers. The Michaels own the adjacent lot to his parcel for view and allowing the neighbors to enjoy the view. The Michaels feel as though they are being targeted by their neighbor.
Mrs. Michaels provided perspective, the neighbor has called the police requesting enforcement of the parking, it is believed the neighbor has places tacks and nails with in the cul de sac causing their landscaper and maid to have flat tires.
- D. Adjusting the location of the signs, and alternating the language of the signs.

IV. 9:44 AM The Board Met amongst themselves.

- A. The Board is in agreement that a levy attempt for the ambulance should be first and the county will commit 75% of the payment cost for the ambulance. Commitment of 25% of match funds provided by the Fire District regardless of the levy approval or not.

V. 09:51 AM The Board Met with Prosecuting Attorney Gordon Edgar.

- A. Review of the ordinance in response to State v. Blake, and proposed ordinances adopted by Grant and Lewis Counties. The ordinance mirrors the state statutes, allowing for searching and detaining and/or arresting for possession of controlled substance. Under the sentencings reform act, the sentence will always be 0-12 months only for drug felonies local time will be served on these felonies, there is also a sunset clause for July 2022 allowing for legislature review. This ordinance also allows for the issuance of a search warrant issues by the courts.

1) Notice of Hearing:

Resolution CE 21-12A

Motion:

Commissioner Sutton moved to approve the notice of hearing for resolution CE 21-12A to consider an Ordinance prohibiting the possession of controlled substances *set for Tuesday, April 6th, 2021*; Commissioner Steinburg seconded and Commissioner Straub concurred.

V. 10:00 AM The Board Met with County Engineer Aaron Simmons.

- A. Update to the Board on the WSDOT Title VI anti-discrimination for the federal funding compliance.
- B. Update on the Capital Programs Manager position.

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1) Notice of Hearing:

Resolution TLS 21-31A

Motion:

Commissioner Sutton moved to approve the notice of hearing for Resolution TLS 21-31A to consider the surplus of real estate property for a portion of parcel 23203630003 adjacent to Badger Mountain Road. Commissioner Steinburg seconded the motion and Commissioner Straub concurred.

2) Temporary Right to Enter: Shoulder Work

Murison Family LLC.

Motion:

Commissioner Steinburg moved to approve the temporary right to enter, Commissioner Sutton seconded the motion and Commissioner Straub concurred.

VI. 10:04 AM The Board Met with Land Services Director Mark Botello.

1) Permit for Temporary Access

Public Utility District No.1 Chelan County

Motion:

Commissioner Steinburg moved to approve the temporary access easement for the Chelan County PUD No.1 for the Coyote Dunes Natural Area and the Apple Capital Loop Trail; Commissioner Sutton seconded the motion and Commissioner Straub concurred.

- A. Memorandum packet provided to Mr. Nelson regarding his Agricultural Market Permitted Use and CUP process.
- B. A permit application has been started for the church, whom was in violation and the issuance of the stop order was discussed yesterday.
- C. Discussion ensued regarding the grant award opportunity through the ARPA for the small agriculture, use within 6 months.

VII. 10:15 AM The Board Met with Administrator Jim Barker.

1. Staff Report

Administrator

Jim Barker, Administrator:

- A. Discussion on the bullet proofing for the Waterville Courthouse for the Commissioner's Chambers, the Board is in agreement to move forward with the cheapest option.
- B. Discussion ensued regarding the Title VI coordinator, request the auditor's office to administer the audit portion of this process.
- C. Used tanker for oil holding was purchased last week in the amount of \$7,100 from state bid.
- D. Discussion held on having Jenny coordinating the ARPA funds received and tracking of purchases.
- E. Discussion ensued regarding interest lost for the county in 2020 in comparison to 2017-2018, 2019 was an extraordinary year. Discussion of averaging 2017 and 2018 years. Lose was \$407, 321.

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2. Personnel

Administrator

Jim Barker, Administrator:

- A. Approved request for hire: Transportation Temporary Seasonal Construction Inspector, Temporary Engineering Program help, Temporary Survey Crew help.
- B. Approved payroll change notices: Shari Tincher, Lars Peterson.

VIII. 10:31 AM The Board Met with the Department of Agriculture via Chelan County Board of Commissioner’s Meeting.

A. A presentation was provided to the Board on the Hemp agriculture and production.

11:06 AM Return to Administrator’s Report:

- F. Discussion ensued regarding the Airport Road at Mansfield, the City of Mansfield is still contesting ownership of the Road. The Board would like to move forward to meet with the Town of Mansfield for a binding arbitration meeting.
- G. Update on constituent complaint at Bauer’s landing, road contouring is to ensure storm water is not flooding in to their home and placement of ecology blocks to ensure a driver does not run in to the property. Parcel 45600100100 issue can’t be resolved.
- H. Discussion ensued regarding the opening of county facilities to the public, service levels have not be compromised with limited public comment and appointment scheduling.

IV. 11:50 AM Consent Agenda:

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

1) Approved Ricoh Lease Agreement

Commissioners’ Office

2) Vouchers.

		Check Numbers	Total Amount
1.	Vouchers	00345289-00345361	\$123,210.10
2.	ACH	None	\$0.00

3) Correspondence Received: Proposed Power Delivery Rate

Douglas County PUD

With there being no further business, the Board of County Commissioners adjourned at 11:53 AM to meet again on Wednesday, March 24, 2021 at the Douglas County Public Services Building, East Wenatchee, Washington.

MARCH 24, 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 Monday, March 29, 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