AGENDA BOARD OF COUNTY COMMISSIONERS

Klickitat County Courthouse

205 S. Columbus Avenue, Room #101

Goldendale, Washington

***Tuesday January 8, 2019***

[ AGENDA SUPPLIMENTAL NOTE: These two items were scheduled and posted the previous week (on Friday) in the proposed Agenda. However, the subsequent recorded Minutes for this Tuesday’s meeting did not give the same specifics that were written for the Agenda regarding item VIII, so I’ve included the Agenda verbage.]

VII. (3:00): Consent Agenda: 1) Resolution in the matter of appointing David M. Sauter to serve on the Board of Directors of the Klickitat County Public Corporation, effective January 1, 2019 through December 31, 2022.

VIII. (3:05): Unfinished Business: Building Inspection and Code Compliance Department: Recommendation and request for acceptance to award bid to Dirt Works Unlimited, LLC, for the abatement of a nuisance on Parcel No. 02-13-2855-0213/00, located at 203 Cypress Street Dallesport, WA as bid in the amount of $42,800.00.

2019 BOCC Notable Minutes

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Morning Work Session Agenda:

**First order of business: election of David M. Sauter Chairman and Rex F. Johnston Vice Chairman for the 2019 calendar year.**

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Economic Department/Natural Resources Department Update:

**A discussion about water rights and water permits in the Columbia River.**

**Director Dave McClure started his update with a discussion about water rights and water permits in the Columbia River.**

**Director McClure stated he and others will be meeting with Representative Gina Mosbrucker next week in Olympia to discuss the Goldendale-Pump Storage Project.**

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Unfinished Business:

**Code Compliance officer Frank Hewey reported property located at 203 Cypress Street in Dallesport is in foreclosure and requested direction whether to continue proceeding with the property abatement.**

**Deputy Prosecuting Attorney Rebecca Sells stated the property is worth less than the cost of the abatement and she has been in contact with US Bank.**

**Treasurer Greg Gallagher stated it is a disservice to the County when the abatements cost more than the value of the property.**

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Unfinished Business (continued):

**The Board requested to continue the conversation after more information is received from the bank.**

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Elected Official Report/Update:

**Prosecuting Attorney David Quesnel provided a brief general update regarding pending litigation specific to the Airport (MCRA).**

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Board Pending:

**Possibility of a private buyer interest in purchasing the West Simcoe Mountain property.**

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Workshop Session:

Legislative Update:

 **Jim Potts and Zak Kennedy provided an update on gun legislation and changes that will need to be made to the McCleary Decision to provide schools with adequate funding.**

Public Works Department Update:

**Financing options were discussed with treasurer Greg Gallagher and a brief discussion was held about demolition or sale of the Annex Buildings.**

**Assistant County Engineer Jeff Hunter provided an update on the baffle’s installation at the gun range.**

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**Community Wildfire Protection Plan was discussed and according to a recent USDA report, four (4) Klickitat County communities are in the top 50 for exposure to wildfire.**

Citizen Comment:

**Vancouver area resident Steve Drury expressed concerns regarding I-1629 and requested time on the Agenda to discuss his proposed sanctuary ordinance further. The Board addressed Mr. Drury’s concerns and stated I-2639 was passed by Washington State voters.**

**Del Gilmore, a Goldendale area resident, stated his observations of differences between the east and west side of Washington and how I-1639 was funded. Chairman Sauter stated both sides of the state are State Citizens as well as Federal Citizens. Goldendale resident Terry Swigart stated he feels like his 2nd Amendment rights are being challenged and asked what can be done to nullify a State Law. Chairman Sauter stated that state law supersedes county law.**

**Senior Services Director Sharon Carter reported the fixed route bus service is running in line with use predictions, and averages 400 riders per month and has only been operating for four months. Director Carter expects to see increases in ridership as more people become aware of the services.**

**Director Carter requested permission to allow an Insitu engineer to mount a motion sensor to the right front fender of a bus to alert the driver when the guard rail is close. She explained the engineer would build and donate the sensor and would like feedback from the drivers. The Board expressed their support and thanks to the engineer.**

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Unfinished Business:

Building Inspection and Code Compliance Department Update:

**Follow up discussion regarding the abatement of a nuisance located at 203 Cypress Street, Dallesport WA.**

**Code Compliance Officer Frank Hewey stated items included in the abatement have been removed and the trailer is no longer a residence.**

**Mr. Hewey advised he has been in contact with the bank ant that the property will be abated and foreclosed.**

**Deputy Prosecuting Attorney Rebecca Sells stated that she has discussed abatement with other Counties and found that most are losing money due to the cost of abatement and the lack of value in the property.**

**The Board instructed Mr. Hewey to let the bank abate and foreclose on this property.**

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Consent Agenda:

**9) Agreement** (C00419) **between Aurora Solar, LLC and Klickitat County (Planning Department) for the purpose of receiving deposits from Arora Solar, LLC. Klickitat County Code** (KCC 20.04.020) **states that for the projects estimated to exceed one million dollars in value the applicant will be billed for actual costs of consultants hired by the County.**

**11) Representation Agreement** (C00619) **between Attorney Andrew Myers and Klickitat County (Prosecuting Attorney’s Office) for the purpose of representing Klickitat County in a recently filed lawsuit filed in Wasco County, Oregon. No Attorney in the Prosecuting Attorney’s Office is licensed in Oregon.**

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Board Pending:

**Chairman Sauter provided an update on the City of the Dalles Council meeting and Airport Board Executive Committee meeting regarding proposed development at the Airport Business Park.**

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Sheriff’s Department Update:

**Sheriff Songer reported on a lengthy narcotic investigation conducted by the Sheriff’s Office and the City of the Dalles Police Department. An arrest was made on site and the suspect booked into Jail.**

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Sheriff’s Department Update: (continued)

A brief discussion was held regarding proposed and planned development in the Dallesport and Lyle areas.

Sheriff Songer stated that if the court finds that I-1639 is constitutional he will enforce it.

[ MINUTES SUPPLIMENTAL NOTE: Within the Sheriff’s Update he discussed his position as it relates to I-1639. Each Commissioner referenced the Board’s legality with regards to this issue and debate which ultimately led to the Board’s perspective respecting the County residents’ right to voice their opinion reiterating that the County cannot legally determine whether something is unconstitutional.

The discussion continued from citizens during the Citizens Comment portion of this meeting. The ensuing discussion from each Commissioner stated positions that a need for County residents’ opportunity to comment exists and agreed to schedule an evening meeting to continue the discussions.

During the Board Pending segment of this meeting the Board had a follow up discussion about scheduling an evening meeting to allow comment on I-1639. No date and time were reported in the Minutes for this meeting.]

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Board Pending:

**Executive Director Marc Thornsbury reported that the Port Commissioners have set aside funding to build a 15,000 to 20,000 square foot start-up space on Port property located in Dallesport.**

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Legislative Update:

**The Board discusses various bills before the State Legislators which included reestablishing a cougar pilot program, creating a Veterans Service Officer Program in the Department of veterans Affairs, proposed carbon and gas taxes, election financing and energy facilities permitting allowing developers to pursue federal permits and bypass the county permitting process.**

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Public Works/Road Department Update:

**A Board discussion occurred regarding the transfer of the Airport well to the Dallesport Water District and turning the Airport Business Park roads to the County. Mr. Jeff Hunter reported that he has been working through the transfer of the well and will be moving forward to set a public hearing to receive comments about the roads.**

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Auditor Department Update:

**Auditor Brenda Sorensen reported that ballots were mailed last week for the February 12th special election and noted that figures have been provided to the Commissioner’s Office for purchase and maintenance of ballot boxes.**

**Auditor Sorensen provided updates on finance, licensing, recording and Veterans Service Officer (VSO), noting that the additional day in Goldendale has proven to be productive for the VSO in assisting County Veterans.**

**A discussion was held concerning proposed legislation to create a Veteran’s Service Office Program in the Department of Veterans Affairs to provide funding assistance to counties to establish VSO positions (HB1448).**

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Solid Waste Department Update:

**Director Ruby Irving reported that Republic Services has signed the contract addendum and she provided an update on a letter from the Department of Ecology regarding post closure requirements at the former Horsethief Landfill site.**

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**Director Irving thanked the Board for allowing her to hire two (2) after school interns and noted they are working on updating social media sites on recycling changes and have discussed filming short informational YouTube videos.**

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Citizen Comment:

 **Building Department Director Lynn Ward reported that US Bank has advised the foreclosure and clean-up of the Dallesport property located on cypress Street will be moving forward.**

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Department Update/Comment (Continued):

**Public Health Director Carla Bacon provided an update on the measles outbreak advising the Governor has declared a state emergency. Director Bacon noted she continues to work with schools and parents encouraging the importance of vaccinating children.**

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Public Works Department Update:

**The Board had a discussion regarding the need for a Wastewater Management Plan update and sewer rate study for the Dallesport Wastewater Treatment facility.**

**The Board had a discussion on the transfer of the Airport Business Park well to the Dallesport Water District and Jeff Hunter provider an update regarding the scheduled public hearing to establish the Airport Business Park roads as County roads.**

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Citizen Comment:

**Director Mo-chi Lindblad provided a brief update on the proposed housing development in the Dallesport area.**

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Consent Agenda:

Resolution No. 01719 **in the matter of setting a Public Hearing to be held on February 2, 2019 at 1:30pm to consider establishing the Jim Riley Loop Road, Wheeler Road and Airport Way Road as part of the County Road System.**

**Commissioner Sizemore questioned an invoice from the Department of Ecology for registration dues related to post-closure activities at Horsethief landfill, noting that the invoice is being paid two (2) months early.**

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Board Pending:

**The board discussed various pending issues which included:**

* **The Dallesport Wastewater Treatment facility sewer rare and fee update.**

**Board Correspondences noted for the record: Letter to senator Curtis King and Representatives Gina Mosbrucker and Chris Corry in support of House Bill 1448 which creates the Veterans Service Officer Program in the Department of Veterans Affairs and provides funding to underserved eligible Counties to establish a Veterans Service Office within the County.**

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Workshop Agenda:

**The Board reviewed the draft Advisory Board bylaws. VAB members provided comments, clarification, and asked questions regarding several edits. Discussion followed regarding rotation of elected positions and terms. The Board of Commissioners and the VAB agreed the wording for section 3.1 – Officers, should be revised to include a rotation of the elected positions.**

**A discussion followed regarding State House Bill HB 1448, Commissioner Sizemore suggested VAB members encourage their counterparts in other counties to talk to their legislators. Discussion continued concerning moving the Veterans Levy outside the General Fund. Chairman Sauter advised that if the VAB is interested he would be willing to go to voters to ask for an increase in the levy amount.**

**Chairman Sauter provided an overview of a discussion The Board had with Klickitat PUD Commissioners regarding establishing an assistance program to help veterans and their families with electric/heating bills.**

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Workshop Agenda (continued):

**Further discussion followed concerning setting up a process to accept private donations to the Veteran’s Relief Fund. Auditor Sorenson confirmed that donations can be accepted through her office and deposited with the Treasurer.**

**VAB member Keith Johnson stated he would like to see services such as job training, mental health treatment and emergency shelter available to County veterans. Commissioner Sizemore provided a brief update on a federal grant recently awarded to Klickitat Valley Health to provide opioid treatment.**

**Discussion followed regarding the Veteran’s Assistance program and guidelines. VAB member Jerry Smith noted that he requested and received an opinion from the Prosecutor’s Office regarding the twelve consecutive month rule. Auditor Sorensen advised that the legions can provide funding assistance above the $500 maximum, but the County can only reimburse up to $500 per veteran within a twelve-month period.**

**VAB member Bill Caldwell Questioned the need for original receipts when the Legion submits invoices for reimbursements through the Veterans Relief fund. Auditor Sorensen provided clarification, noting that the State Auditor’s Office requires original receipts be provided.**

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Workshop Agenda (continued); Discuss options to strengthen County Code and enforcement related to recreational vehicles (campers and Motorhomes) without the benefit of a permit.

**Compliance Officer Frank Hewey provided pictures of several cases involving unpermitted RVs, advising that some property owners are just unaware of the codes and act to correct the matter, while others have limited resources and are not able to find affordable housing elsewhere, and others absolutely refuse to comply.**

**Compliance Officer Hewey provided an overview of the code violation complaint process, noting that it is a three (3) step process with fines totaling $450.00 and, finally, when property owners will not comply a certificate of noncompliance is placed on the title of the property.**

**Compliance Officer Hewey stated that complainants are impatient and annoyed when complains are not resolved quickly.**

**Prosecutor David Quesnel asked if the Compliance Officer has exhausted the steps of the code violation process. Officer Hewey stated that cases are in various stages of the process.**

**Following discussion, the Board indicated that they would not wish to cause anyone to become homeless. Commissioner Sizemore commented that he has no desire to do anymore than what the current code allows.**

**Following further discussion, the Board instructed Compliance Officer Hewey to exhaust provisions allowable according to County code and state Law.**

**[AT THE COUNCIL MEETING, DO NOT READ - Personal Comment: Has anyone considered asking Mr. Hewey if he has some suggestions as to what may assist him in attempting to expedite the code compliance process when a violation has been submitted to him and, perhaps specifically, what would speed up the paperwork process for him since the timing of each of the three steps are spelled out in the code?]**

**The Board had a discussion regarding nuisance compliants filed against parcels located on Lyle Point. The Board asked Director Lynn Ward to draft a letter to the Triabal Council to advise them of the problem and that Code Compliance would be contacting the property owner of the parcels in the future. Director Ward noted that she would provide a draft letter to the Commissioners’ Office for review.**

**Compliance Officer Hewey provided a brief update on the nuisance case located at 203 Cypress Street in Dallesport, advising that US Bank would be abating the property within two (2) weeks, depending on weather.**

* County Commissioners February 12, 2019

CANCELLED due to bad weather.

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Public Works/Road Department:

**The Board discussed security concerns related to the Adult and Juvenile Probation Departments being in the new building. Director Gordon Kelsey proposed the possibility of moving the Commissioners’ office and Human Resources Department to the new building and Adult/Juvenile being in the Courthouse. The Board indicated they would consider the idea.**

**HR Director Randi Post requested and received the name of a Job Classification Committee member to review the classification for the new Chief Range Officer position for the gun range.**

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Citizen Comment:

**White Salmon resident Michael Oldfather stated his safety concerns about the I-1639 meeting and encouraged the Board to hold a second meeting in White Salman. Mr. Oldfather commented on the judicial process in determining constitutionality and asked the Commissioners to consider making their position on I-1639 known to help de-escalate matters.**

**Kyra Gorski, resident of White Salmon, commented on State Attorney General Ferguson’s statement that county sheriffs may be held liable if they don’t enforce I-1639.**

**Centerville resident Dan Christopher indicated that the State Attorney General has been choosing which laws to enforce, noting that he does think there is a right answer to the I-1639 issues, and he stated the Commissioners have been handling the issue well.**

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Department Update/Comment;

Natural Resources/Economic Development Department Update:

**Director Dave McClure provided an update on the Goldendale Pumped Storage project, noting that a permit application has been formally submitted to the Federal Energy Regulatory Commission.**

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Elected Official Report/Update:

Prosecuting Attorney’s Update:

**The Board held a brief discussion concerning airport litigation costs. Then, at 3:50 PM the Board went into Executive Session. At 4:00 PM The Board reconvened back to Regular Session.**

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Board Pending:

**Board correspondence noted for the record: Letter to the Yakima Nation Tribal Council providing advanced notice of alleged code violations on parcels owned by Yakima Nation Land Enterprise located at Klickitat Landing in Lyle.**

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**Adjournment at 4:18 PM.**

Regular Meeting Extension reconvened at 6:00 PM at the Goldendale Grange Hall. (No workshops scheduled.)

**Synopsis: Attendance one hundred and ten (110) county residents signed the attendance sheet and approximately thirty-two (32) people commented. There were also numerous emails and phone calls received in support of both sides of the issue. Chairman Sauter laid out the ground rules to be followed.**

**The issues were supported from the speakers as opposed to, and for Initiative I-1639.**

**Klickitat County Republican Chairman Peter Leon read a resolution.**

**Sheriff Bob Songer commented again on his stance.**

**Chairman Sauter and Commissioner Sizemore made comments about respect for Sheriff Songer, noting the process will be decided by the courts. The respectful and orderly conduct at the meeting was commendable.**

**The Board of Commissioners will have a follow up discussion next week during their regular meeting.**

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