Klickitat County Board of Commissioners

Minutes – Meeting of Tuesday, February 09, 2021

Topic	Agenda Item - Comment/Disposition
	Call to Order/Roll Call
Morning Workshop Session – Tuesday, February 09, 2021	Chairman David M. Sauter called the meeting to order at 9:30 AM. Commissioners present: David M. Sauter, Jacob L. Anderson and Dan Christopher.
	Workshop Session Agenda
Legislative update	Attendance: Legislative Lobbyists Zak Kennedy (via teleconference), various county employees and residents via telephone.
	Legislative Lobbyists Zak Kennedy advised Senate Bill 5114, concerning safely reopening Washington did not pass: House Bill 1110, concerning the composition of local boards causes a lot of challenges for the rural areas, House Bill 1332 about property tax deferral during the COVID-19 pandemic could cause changes to the county budget by the property tax charges by allowing the dismissal or delay of payments.
	Lobbyist Kennedy stated Senate Bill 5078, addressing firearm safety measures to increase public safety, specifically in regards to high magazine rounds firearms has made it quite far.
	Lobbyist Kennedy noted that fiscal flexibility is up for discussion and seems to be being traded for the unfunded mandates, adding this is something Counties need to consider when looking at the need for the fund forgiveness.
	A brief discussion was held about when rural counties in Washington started receiving the benefit of up to a .09 percent 'rebate' of their own county's state sales and use tax, it has helped to build critical infrastructure, attract new industry and diversify economies for over 20-years; Chairman Sauter stated he was in support of an extension of the .09 dollars.
Public Works/Road	10:00 AM – Public Works Department Update
Department Update	Attendance: Public Works Director Gordon Kelsey, Public Works Deputy Director Jeff Hunter, various county employees and residents via telephone.
	Public Works Director Gordon Kelsey reviewed consent agenda items and pay estimates on this afternoon's agenda, noting they are moving toward a signed contract and bond for the annual striping contract, followed by an update on the construction of Old Mountain Road and Courtney Road.
	Director Kelsey reported the east end crew is reacting to winter weather activities as needed, improving turn movements at Gander Road and Bickleton Highway and removing roadside brush; the west end crew has been cleaning up trees and brush after last weekend's windstorm. Director Kelsey stated all roads closed last week due to freeze thaw conditions are open.
	A discussion was held about the new County Service Building construction and the contractor's plans to add card readers to additional doors.

Director Kelsey stated the Courthouse entry project is being advertised for construction and the bid opening is scheduled for February 16, 2021.

Director Kelsey noted constructing and installation of the new jail control board starts today, followed by a brief radio project update from Public Works Deputy Director Jeff Hunter.

Director Kelsey advised of a County Road Administration Board Training for new Commissioners in March if Commissioner Anderson and Christopher would like to participate, both agreed to attend, followed by a brief update on legislative proposals to the transportation budgets.

Natural Resources/Economic Development Department Update

10:30 AM - Department Update/Comment

Attendance: Economic Development/Natural Resource Director Dave McClure, Economic Development Specialists Richard Foster, Natural Resource Specialist Whitney Reynier, various county employees and residents via telephone.

Economic Development/Natural Resource Director Dave McClure introduced new employee Natural Resource Specialist Whitney Reynier, followed by a brief update on Specialist Reynier's recent activities.

Director McClure advised of committees that will need reappointments and appointments, followed by an update of the well monitoring that Natural Resource Program Coordinator Reynier has taken over. Director McClure advised of an area in High Prairie that has had an issue with low water levels in wells for quite some time.

Director McClure informed that the County is working on a water storage project and expects an amendment to grant funding for the work. Director McClure advised that an appointment to the Water Conservancy Board is needed to fill the alternate position recently vacated by Commissioner Anderson.

Economic Development Specialists Richard Foster reported on the Columbia Gorge Airport Project, noting the importance of the infrastructure the County was requesting and working with the granting agency to come to an agreement on the hangar location.

Specialists Foster Economic Development Authority Board Meeting update regarding the Klickitat Port project that is proposed for funding with .09 dollars; he will continue to work with the Port before submission to the Board for final approval.

Director McClure reported on development and businesses in the Dallesport area, followed by a discussion of the City of Goldendale's request for a life pack as well as a ladder truck.

Director McClure stated Specialists Foster continues to work on securing incumbent worker training funding, followed by an update on more Coronavirus small business funding.

Page 5		Director McClure provided an update on the Buildable Lands Survey, which has been on hold due to coronavirus regulations and staff availability. Specialists Foster reported on the Mid-Columbia Economic Development District's Comprehensive Economic Development Strategy update for 2020; the strategy includes analysis of regional economic data, establishes regional goals and strategies, develops an implementation plan, and identifies investment priorities and funding sources.
		Chairman Sauter inquired about possible National Scenic Area Act funds available to Klickitat County. Director McClure stated he will look into it report back with more information.
		Commissioner Anderson requested information regarding the property in the Dallesport area.
Lunch Recess	Te	The Board recessed for lunch at 11:13 AM.
	8	Call to Order/Roll Call:
Regular Meeting for Tuesday, February 09, 2021		Chairman Sauter reconvened the meeting at 1:00 PM. Commissioners present: David M. Sauter, Jacob L. Anderson and Dan Christopher.
	T A	Approval of Commissioner Meeting Minutes
Approval of Meeting Minutes	*	Approved (M/Anderson, S/Christopher. Passed unanimously): the Klickitat County Board of Commissioners Meeting Minutes for January 19, 2021, and February 2, 2021, as presented.
	113	Citizen Comment:
Comments will be limited to seven (7) minutes per individual		Debbie Wagner member of C.E.A.S.E stated we have ½ of the year of sunshine and is concerned the solar farms that are coming to the county will not be successful. Is concerned about kids playing in the street with the additional traffic. Requested Chairman Sauter and Commissioner Anderson align with the members of C.E.A.S.E as Commissioner Christopher has. Russ Hanson Tucker Hill Road in Goldendale, inquired about the appeal fees for
		projects in the area and what were the wind tower and solar panel setbacks. Mr. Hanson stated the Cypress Hill solar plans are proposing 500 foot setbacks.
		Greg Wagner member of C.E.A.S.E requested the Energy Overlay Zone be reviewed and reviewed past meeting actions by the Board and requested the Board intact a Moratorium on Solar Projects. Chairman Sauter requested information on the Pre-Submission Plan for Cypress Hill, as there has been no plan submitted to the County.
		Resident Dave Barta Fish Hatchery Road inquired about the Final Environmental Impact Statement that was made 17 years ago and if there is 2 acres of battery storage is allowable. Do the wind farms allow for such a large battery storage area? Has the Natural Resource Advisory Committee been reconstituted?

Laborers Union 335 Political and Legislative Director Deken Letinich, Vancouver, Washington, wanted to take a moment to encourage the Board to consider moving forward with the upcoming Solar Project and Pump Storage Projects.

Elaine Harvey, Hill Road in Goldendale inquired about the Cypress Creek Renewables with the Goldendale Pump Storage Project. Stated the impacts to the Tribal Cultural Resources in the area and the impact to the Salmon in the Columbia River by the large Goldendale Pump Storage Project.

Commissioner Sauter stated projects outside the Energy Over Lay Zone are held to high level Environmental Impact Studies, followed by Commissioner Christopher noting the projects are going through the Department of Ecology Meetings and there are comments being accepted from citizens.

Dave Barta inquired about if the Board will change the appeal fees for projects in the area, Chairman Sauter stated he has been meeting with the Planning Department regarding the fees and there will be follow-up discussions in an upcoming workshop.

Rocel Dimmick reported she emailed the Commissioners and referenced **Resolution** No. 10910 and why there has not been another Public Hearing about the Energy Overlay Zone.

Chairman Sauter stated the Public Hearing did take place as scheduled per **Resolution** No. 10910; when 1000 Mega Watts of wind projects had been constructed or 7 years had passed, which ever came first. The Board honored this agreement in 2010 as we had passed the 1000 Mega Watt threshold.

Discussion regarding the riverfront park property and associated properties.

Miscellaneous Reports/Comments:

Attendance: White Salmon Mayor Marla Keethler, City Administrator Patrick Munyan, various county employees and residents via telephone.

White Salmon Mayor Marla Keethler reported on interest in the County owned riverfront property to make a riverfront park. Mayor Keethler advised there are plans to make accessible pedestrian access from the river front up to down town by trails and stairways.

Commissioner Anderson inquired if these parcels can be pulled off the auction list for tax title sale, followed by an update from Treasurer Greg Gallagher about the price of the parcels including the fees and the amounts that are going to the special taxing districts.

The Board stated they are in support of pulling the property from the tax title auction sales, a motion followed, Approved (M/Christopher, S/Anderson. Passed unanimously).

Treasurer Greg Gallagher stated he will submit a resolution for signature next week supporting the Boards decision.

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Columbia Land Trust Conservation	Columbia Land Trust Conservation Lead Nathan Ulrich, Forest Conservation Director Cherie Kearney, and Natural Area Manager Lindsay Cornelius, various county employees and residents via telephone. Forest Conservation Director Cherie Kearney reported on activities with citizens in the area and educating landowners. Director Kearney stated she has been working with the County for over 23 years, followed by a brief review of conservation activities and properties in the area. Columbia Land Trust Conservation Lead Nathan Ulrich reported on properties purchased and the most recent acquisition of agriculture land easement in the Trout Lake area. Natural Area Manager Lindsay Cornelius reported on the restorative projects on acquired conservation land. Conservation Lead Ulrich provided a map with the Conservation Opportunity Areas with the highest to lowest areas of target discussed further. Chairman Sauter stated his appreciation for the Columbia Land Trust for their hard work and commitment to projects in and outside of Klickitat County.
Klickitat County Fair Board representatives	Attendance: Fair Board President Ron Ihrig, Fair Board Member Brandy Myers, various county employees and residents via telephone. Fair Board President Ron Ihrig stated the Klickitat County Fair is scheduled for August 19, 2021, noting a beef preshow date change to March 21st, 2021. President Ihrig requested the County scales be used for the pre-show weigh-ins. Fair Board Member Brandy Myers reported on the past fair entry exhibit numbers in still life and market animal exhibits. Ms. Myers stated she is seeking the Board support. Chairman Sauter stated the Board is in support of the fair and is cautiously optimistic and stated he is nervous about the March pre-show date, noting the County will remain in compliance and work with the Klickitat County Public Health Department. Livestock Market Sales Director Helen Rolfe stated pre-show activities will remain within the compliance of the State's COVID-19 Guidelines. The Board unanimously stated their support and advised the Fair Board to work directly with the Public Health Director.
	Department Update/Comment:
Senior Services Department Update	Attendance: Senior Services Director Sharon Carter, various county employees and residents via telephone.

Senior Services Director Sharon Carter reported on the Senior Service Programs and

Services to Seniors, Adult Disabled and the public.

Director Carter provided an outline of the Senior Services Transportation Services, noting it is vital to seniors as it maximizes their independence and provides access to the community.

Director Carter stated there has been a 450 meal increase per week and the meals are being home delivered, the transportation vans can be used but the majority of deliveries are coming from volunteers. A discussion was held about possibly utilizing the local restaurants to help with the Senior Meal Program, the Board was in support.

Director Carter provided a brief staff update, followed by a Gorge Commuter contact renewal with Insitu, noting the contract will be submitted for signature next week.

Director Carter stated income tax submission for Seniors is very difficult right now with the Library and the County Building closed, they have been printing and providing guidance as they are able.

Working with Area Agency on Aging & Disabilities of Southwest Washington (AAADSW) and Klickitat County has a licensed Home Care Services and would like to utilize a workforce program. Chairman Sauter advised working with Economic Specialist Richard Foster, followed by a brief discussion on other Work Force Programs.

A budget overview was provided for the Senior Services Department, followed by an update from Chairman Sauter about his attendance to the Area Agency on Aging & Disabilities of Southwest Washington Council of Government Meeting orientation.

Consent Agenda:

- * Approved (M/Anderson, S/Christopher. Passed unanimously): the Consent Agenda with ten (10) items.
 - 1) Letters and **Resolution No. 01921** in the matter of reappointing members to the Klickitat County Open Space Advisory Committee.
 - 2) Amendment No. 18 to the 2018 2021 Consolidated Contract (CLH18250) between Klickitat County (Public Health Department) and the Washington State Department of Health for the purpose of adding "Statements of Work" for various programs, increasing the maximum consideration by \$173,691 for a revised maximum consideration of \$2,054,811.00, and amending the Schedule of Federal Awards.
 - 3) Resolution No. 02021 in the matter of considering and approving petitions requesting annexation of certain properties into the boundaries of Klickitat County Fire Protection District No. 3. The properties proposed for annexation are presently outside the boundary line of the fire district but contiguous to the present district boundary as required. The petitions (5) represents 100% of the property acreage of the area to be annexed based on the Assessor's certification. The County Auditor has issued a "Determination of Sufficiency" that the petition meets the requirements.
 - 4) Purchase Authorization request from the Sheriff's Office to purchase three 2021 (3) Ram 1500 special service vehicle crew cap pickups from the State bid/contract for a total purchase price of \$120,097.08 from the Commissioner's Vehicle Rental and Replacement Fund. The Sheriff's Office is also authorized to purchase and install necessary equipment at a cost of \$129,669.16, for a total cost of \$249,766.24.

	 5) Purchase Authorization request from the Sheriff's Office to purchase one (1) 2021 Chevrolet Tahoe Police Pursuit Vehicle from the State bid/contract for a total purchase price of \$47,492.21 from the Commissioner's Vehicle Rental and Replacement Fund. The Sheriff's Office is also authorized to purchase and install necessary equipment at a cost of \$38,986.11 for the vehicle, for a total cost of \$86,478.32. 6) Resolution No. 02121 in the matter appointing a member to service as a member of the Klickitat County Senior Services Advisory Board. A letter and Certificate of Appreciation thanking a retiring member for her past years of service as a member of the Klickitat County Senior Services Advisory Board. 7) Personnel Authorization to begin the advertising process to hire a temporary casual public health nurse at Grade 70, Step 1 to assist in Klickitat County's continuing COVID-19 response efforts within the Klickitat County Public Health Department. 8) Personnel Authorization to begin the advertising process to hire a Nutrition Coordinator at Grade 37, Step 1 within the Klickitat County Senior Services Department. 9) Notice to Vendors to advertise for purchase and scheduling of a bid opening to be held Tuesday, March 09, 2021 at 1:30 PM for the purchase of Liquid Asphalt for the 2021 paving season. Total Estimated Project Cost Range \$500,000 to \$700,000. 10) Notice to Contractors and Scheduling of a Bid Opening for 1:30 PM on Tuesday, March 9, 2021 for improvements to 1.14 miles of Old Mountain Road, CRP 350, by clearing right-of-way, improvements to horizontal and vertical alignments, installing drainage, surfacing, fencing, permanent signing and other work all in accordance with the Contract Plans, Contract Provisions, and the Standard Specifications.
77 1	Payment Approvals: * Approved Warrants (M/Anderson, S/Christopher. Passed unanimously):
Voucher Certification and Approval	Accounts Payable: (#303791 – 303859) for a total of \$253,101.23. For the date ending February 08, 2021.
	There were no payroll warrants requiring approval.
Pay Estimate	Approved (M/Anderson, S/Christopher. Passed unanimously): Pay Estimate No. 1/Final to ASET Inc. in the total amount of \$10,762.90, which does not contain retainage, for the Klickitat County Jail Intercom Repair Project C19720.
Pay Estimate	Approved (M/Anderson, S/Christopher. Passed unanimously): Pay Estimate No. 3 to Justice Systems Corp. in the amount of \$26,839.34, which includes sales tax at 7.5% (\$2,012.95) and retainage in the amount of \$1,341.97, for a total payment amount of \$27,510.32 for the Klickitat County Jail Control System Upgrade 2020, C28420.
Change Order	Approved (M/Anderson, S/Christopher. Passed unanimously): Change Order #65 (Contract C03120) for the Klickitat County Services Building in the amount of \$61,558.97 which reflects the removal of access controls on doors as noted on the narrative and drawings distributed by TVA in PR 05 and PR 10. See the scope of changes for specifics on the Contract change order memorandum.

rage o	Unfinished Business:
Human Resources Manager KC Sheridan	Attendance: Human Resources Manager KC Sheridan, various county employees and residents via telephone.
	Human Resources Manager KC Sheridan requested and received verbal authorization to begin the advising process to fill a vacant Corrections Officer position within the Sheriff's Office Jail Division.
	Elected Official Report/Update:
Prosecuting Attorney's Update	Prosecuting Attorney David Quesnel, various county employees and residents via telephone.
	Prosecuting Attorney David Quesnel reported on criminal cases and a recent conviction that was in large success to the cooperation between the Goldendale Police Department and the Prosecuting Attorney's Office. Prosecutor Quesnel stated his staff
	Prosecutor Quesnel stated they cannot return to full charging policies as they have in the past.
	Commissioner Christopher extended a thank you on the recent conviction and evidence collection.
	Board Pending:
Issues as determined by the Board of Commissioners	Commissioner Christopher inquired if the County has ever looked into hiring a grant writer, Chairman Sauter provided history stating staff in the departments have generally taken the role.
	Commissioner Christopher inquired if there are water issues northwest of Goldendale, followed by an overview from Commissioner Anderson about the wells in the area and past research.
	Commissioner Anderson inquired about the Boards, Committees and Commissions Application and
Executive Session	At 3:33 PM Chairman Sauter announced that the Board would be convening into Executive Session with Prosecuting Attorney David Quesnel in accordance with RCW 42.30.110(1)(i) to discuss pending litigation. Chairman Sauter noted that the session would last for ten (10) minutes.
	The Board convened back into Regular Session at 3:43 PM. No action was taken.
	A discussion followed of how to proceed with executive sessions in the future to make it as easy as possible in the current virtual format.
Adjournment (3:48 PM)	Approved (M/Christopher, S/Anderson. Passed unanimously): There being no further business before the Board, the meeting was adjourned at 10:30 A.M. on February 11, 2021, for scheduled workshops.
Regular Meeting Extension:	Chairman David Sauter reconvened the meeting at 10:30 A.M. All three (3) Commissioners were present via Zoom. Note: Klickitat County Commissioners will

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Workshop Session for Thursday, February 11, 2021	not be holding in-person meetings until the County is able to move to Phase II of the Governor's current COVID-19 restrictions or the orders change. All participants were on Zoom.
10-2701.03	Workshop Session Agenda
10:30/12:00	Continued discussion regarding short-term rentals.
	The Board held a discussion regarding short-term rentals. Building & Code Compliance Director Ward noted that she had provided copies of HB 1798, RCW 64.37, examples of the City of White Salmon and Skamania County's short-term rental ordinance, and a draft ordinance for Klickitat County.
	Commissioner Anderson noted that a lot of code violation cases come from short-term rental complaints and there are a lot of short-term rentals in District #1. Commissioner Anderson commented that the County needs to look for a simple way to allow people to be in compliance.
	The Board discussed the current Accessory Dwelling Unit (ADU) Ordinance. Chairman Sauter advised that the current ordinance requires the property owner to live on the property at least 6 months of the year.
	Planning Director Lindblad noted that the Zoning Ordinance and the ADU Ordinance may need to be amended. Discussion followed regarding the process and how to permit ADUs and short-term rentals. Director Lindblad indicated that she would check into whether the development of a Short-term rental ordinance is required to go through the Planning Commission.
	Trout Lake area resident Lisa Evans provided comments based on her experience with short-term rentals, noting that she is a member of the Lodging Tax Advisory Board. Ms. Evans asked that the Board make sure there is a clear permitting process and an appeals process for guests, operator/owners and neighbors.
	The Board discussed how to track and resolve issues when a complaint is filed. Commissioner Christopher suggested establishing an entity or board to hear complaints.
	Discussion continued regarding the permitting process. Commissioner Anderson commented that ADU's and short-term rentals are different. If you have two (2) dwellings on one (1) parcel, the property owner usually lives in one of the units, if you have more than two (2) short-term rental units on a property, it is not an ADU and it should go through the Conditional Use Permit process.
	Director Lindblad provided further clarification concerning ADUs. When there is an ADU, both dwellings are required to use the same driveway. Director Lindblad noted that if the property owner wants more than one (1) ADU, that would be considered commercial and would be required to go through the CUP process and would be subject to Title 12 Standards.

The Board discussed the draft ordinance. Commissioner Christopher stated that there should be notification of burn bans. The Board continued the discussion about nuisance complaints and having an appeals board. Chairman Sauter asked Director Ward to come back with revisions. Chairman Sauter noted that an appeals board or committee would need to be vetted by the Prosecutor to know whether they can legally issue decisions. Commissioner Christopher indicated that the Board of Commissioners should be the final say in any decision.

Discussion followed regarding tiny homes and RVs and whether they are considered short-term rentals. Director Ward noted that in order to issue a permit there needs to be an L & I sticker.

County resident Lisa Evens offered clarification on what is considered a short-term rental unit. Ms. Evens stated that she is familiar with both the City of White Salmon and Skamania County's definition and suggested that both are worth checking in to.

The Board compared the City of White Salmon and Skamania County's ordinance for short-term rentals. Commissioners Sauter and Christopher noted that they were supportive of Skamania County's version. Commissioner Anderson raised a concern about addressing temporary structures. Chairman Sauter commented that he is uncomfortable with temporary structures, but suggested including them in a draft ordinance and moving forward with a public hearing.

12:00 Noon

Chairman Sauter adjourned the workshop for lunch at 11:58 AM.

1:15/2:15

Continued discussion regarding options to address the use of a recreational vehicle as a year round place of residence.

Building & Code Compliance Director Lynn Ward provided a staff review, and advised that she has not been able to find any source referencing the 30/60 day rule. Director Ward noted that RCW & WAC language, along with examples from other areas, and an initial draft for Klickitat County was provided in the workshop packet.

Director Ward indicated that the Building Department cannot issue a placement permit on any structure that does not have a HUD identification sticker. Discussion followed about other counties that have issued temporary permits for longer than 30/60 days to help the problem of people not being able to afford other living arrangements. Commissioner Anderson commented that Klickitat County has many people living in RVs because that is their only option, and he asked how we can bring these people up to code. Commissioner Anderson noted that he is fine with people living in an RV on their property as long as it is legally connected to services.

Further discussion followed regarding the 30/60 rule, RV permitting, hardship cases, trucked water and disposal of wastewater.

Associate Planner Lori Anderson advised that a placement permit would be a Planning Department issue and Title 19 and the ordinance would need to be amended. Commissioner Anderson indicated that this would be a team effort between Building and Planning, and RV placement permits would be annual.

2:15/3:00	Continued discussion regarding code compliance and nuisance abatement.
	The Board continued discussion regarding code compliance and nuisance abatement. Director Ward provided a brief breakdown of code compliance cases, noting that ¼ of cases are people living in unpermitted RV's.
	Commissioner Anderson commented that it might be more beneficial to have a Code Facilitator rather than Code Compliance Officer to work with property owners. Commissioner Christopher indicated that he would like to look into the legalities of having the road crew do abatement cleanup, which was followed by discussion. Commissioner Anderson noted that in the future he can see most complaints being environmental in nature.
	Chairman Sauter provided a brief history of code compliance and nuisance abatement, noting that in the last few year's people have become more comfortable with filling complaints. It is costly to clean up properties especially when there are no local bidders and when asbestos is present. Chairman Sauter indicated that he is interested in looking at having county staff clean up properties. Chairman Sauter advised that he did discuss the matter with the Prosecutor and the County can place a lean on the property for costs only.
	Discussion followed regarding establishing a volunteer board to review compliance and nuisance complaints. Chairman Sauter noted that the Board needs to look further into this matter and suggested continuing discussion in the future.
Adjournment	There being no further business before the Board, the meeting adjourned at 2:55 P.M.
	* Reference Document on File.
	Please Note: The Board of Commissioners' minutes are action minutes. A digital recording is on file as part of the official record and available on file BOCC- Meeting 2-09-21.

Approved: David M. Sauter

Chairman of the Board



03.02.2021

Date