

**Klickitat County**  
**Board of Commissioners**  
**Minutes – Meeting of Tuesday, August 24, 2021**

Chairman David M. Sauter called the meeting to order at 9:45 AM. Commissioners present: David M. Sauter, Jacob L. Anderson, and Dan Christopher.

**Executive Session: Annual Performance Evaluation**

At 9:45 AM Chairman David Sauter announced that the Board would be convening into Executive Session in accordance with RCW 42.30.110(1) (g) to conduct an annual performance evaluation of a public employee. Chairman Sauter noted that the session would last fifteen (15) minutes.

The Board convened back into Regular Session at 10:00 AM.

**Workshop Session Agenda**

**10:00 AM – Public Works Department Update**

Attendance: Public Works Director Gordon Kelsey, Public Works Deputy Director Jeff Hunter, Human Resources/Administrative Services Director Robb Van Cleave in the Chambers, various county employees, and residents via telephone.

Public Works Director Gordon Kelsey reported on the Consent Agenda items and the Public Hearing this afternoon to establish the county road known as Park Place as part of the County Road System, followed by a construction program update on the Old Mountain Road, grant-funded edge lines, grant-funded signs and guideposts, West Darland Road and the Roosevelt Grade Road Paving.

Director Kelsey stated the Klickitat County Fair held last week went well.

Director Kelsey reported on the Courthouse Parking Lot pre-construction preparations for construction in the spring of 2022.

A report was given on the east and west end crew projects, followed by an update on the facilities work being done on the Klickitat County Services Building.

Public Works Deputy Director Jeff Hunter reported on the Courthouse Entry project, noting the shortage in concrete.

Chairman Sauter inquired about the Murdock speed change and stated we can provide support for the request being made to the Washington State Department of Transportation to change the speed limit.

A discussion was held about the turn-a-round being constructed on Panakanic Road for the school bus, Director Kelsey stated it will be constructed this fall.

**10:30 AM -Elected Official - Auditor Report/Update**

Attendance: Auditor Brenda Sorensen, Chief Deputy Auditor Heather Jobe, Solid Waste Director Ruby Irving in the Chambers, various county employees, and residents via telephone.

Auditor Brenda Sorensen reported on the certification of the Primary Election on August 17<sup>th</sup>, noting there was a 35.16% turn-out. Auditor Sorensen stated on August 19<sup>th</sup> Hospital District No. 1 submitted a request for a manual recount of their proposition, noting this recount will involve 2,837 ballots of the 5,161 cast in this election.

A brief discussion was held regarding the write in's received for the general election, followed by an update on 2022, budget process, the closeout of the State Auditor's Office audit.

A brief discussion was held regarding the new Senior Accountant who will be starting the first week of September and the cost of advertising for this position.

Auditor Sorensen reported the \$100 increase in recording fees has caused some frustration among citizens, noting this does not increase the Auditor's revenues, these fees are transferred directly to the State.

**10:45 AM - Solid Waste - Department Update/Report**

Attendance: Solid Waste Director Ruby Irving in the Chambers, various county employees, and residents via telephone.

Solid Waste Director Ruby Irving reported on the Litter Crew Program, noting she is currently interviewing for the Litter Crew Supervisor and will be changing the position from a full-time employee to a .87 FTE (35 hours). Director Irving stated litter complaints are still being addressed but the Adult and Juvenile probation crews are on hold until the position is filled.

Director Irving stated the Solid Waste Department had two (2) interns this year and their tasks included social media and creating projects for display and education that were used at the county's fair. The Solid Waste Department had a float in the Goldendale parade with the theme "waste reduction and plastic pollution"

Director Irving stated results from the contamination audit conducted by Republic Services show high counts of the same three (3) items, clamshells, glass, and pizza boxes.

Director Irving stated the interactive social media games have seen quite a few hits since going live, followed by an update on future events that will provide more guidance to the public on the appropriate recyclable items.

Director Irving reported Republic Services had a quarterly update with the different business units a couple of weeks ago and the quarterly host fee update last week, followed by a report on the increased routes for collection drivers and the shortage of trucks due to mechanical reasons.

Director Irving provided a brief tonnage and budget update.

The Board held a discussion regarding the Chairman's role to follow Governor Inslee's mask mandate for Public Meetings and Public Buildings.

The Board recessed for lunch at 11:02 AM.

**Call to Order/Roll Call:**

Vice-Chairman Jacob Anderson reconvened the meeting at 1:00 PM. Opening with the Pledge of Allegiance. Vice – Chairman Jacob Anderson and Commissioner Dan Christopher were present. Chairman David Sauter arrived at 1:06 PM.

**Agenda:**

**\*Approved (M/Christopher, S/Anderson. Passed unanimously):** with one add-on at 2:10 PM, Discussion regarding VR&R rental rates and replacement dates. Senior Services update has been rescheduled to August 31, 2021.

### **Approval of Commissioner Meeting Minutes**

**\*Approved (M/Christopher, S/Anderson. Passed unanimously):** the Klickitat County Board of Commissioners Meeting Minutes for August 10, 2021, and August 17, 2021, as presented.

### **Citizen Comment: Comments will be limited to three (3) minutes per individual**

Goldendale resident Susan Kelsey spoke to the State mandate that has come down to get the MRA Injection and opposes this, stating the County employees will be next to be mandated to get the shot and urges the Commissioners to stand against the tyranny.

Sheri Bousquet reported on the hearings examiners' decision to allow the Under-Canvass project, if the citizens file an appeal with they be up against the Under-Canvass project, or will they be up against the County.

Commissioner Christopher stated that the legal dispute will be between the citizen and the Under-Canvass Project. Commissioner Anderson advised further clarification can be provided from Prosecuting Attorney.

John Kusky representing the American Legion would like the County to do a proclamation for their 9/11 dinner for first responders and spouses; Mr. Kusky requested one of the commissioners to speak. The Board stated they will follow up with Mr. Kusky.

White Salmon resident Lisa Evans reported on a gathering held last week to encourage the schools to allow unmasking the children and parents be allowed to request medical freedom and make medical choices for their children, Ms. Evan's thanked the County for posting the COVID-19 recovery rates on the Public Health website and there is a 98.9% recovery rate. Ms. Evans requested the Commissioner remember the recovery rate when the vaccine and mask mandates from the State get pushed down to the County.

Goldendale resident Greg Wagner member of C.E.A.S.E reported on the defense of the Tract D area in Glenwood and the recent town hall meeting that was held in Glenwood; Mr. Wagner inquired when the Board will be resuming developing Solar Ordinances, Mr. Wagner inquired why Title 15 and 16 are not being enforced.

Building and Code Enforcement Director Lynn Ward reported Title 15 and 16 are still enforceable even though they are not being handled by her department.

Chairman Sauter advised the Glenwood Tract D issue has gone back decades and decades; the Solar issue and the Under-Canvass are being represented, there are citizens on both sides, some citizens are in favor of solar and some are not in favor of solar. Chairman Sauter stated he is doing what the majority is asking, and elections reflect the citizens' will.

Commissioner Christopher stated the defense of Tract D is for the County, as it is a County lawsuit, not a lawsuit against the Glenwood citizens. The County is defending against a lawsuit from the Yakama Nation.

Lynn Cadlac from Dallesport requested clarification and opposition to the dissolution of the Klickitat County Parks and Recreation District #2. Ms. Cadlac stated the citizens of Dallesport have been waiting for a park.

Chairman Sauter explained the dissolution of the Parks and Recreation District is an agenda item and will be addressed during the public hearing process, noting this matter is separate from the park area in Dallesport and will follow up with Ms., Cadlac regarding the details.

Sheri Bousquet requested clarification about the appeal of the Tract D lawsuit, to the Supreme Court.

Debbie Wagner inquired if the Commissioners would please considered solar ordinances.

**Public Meetings/Public Hearings/Bid Openings:**

**Public Meeting to consider final approval of Short Plat No. SPL2020-14; Applicants: Robin & Jody Rains.**

Attendance: Assistant Planner Denice Lee, various county employees, and residents via Zoom. Public Works Director Gordon Kelsey, Public Works Deputy Director Jeff Hunter, residents Greg Wagner, Lynn Cadlac, and Debera Culver in the Chambers.

Assistant Planner Denice Lee provided a staff review of Boundary Line Adjustment No. BLA2021-06, stating it is a proposal to adjust the common property line between parcel number 2 of survey number 1052588 and lot 4 SP 2009-24, located on Lyons Road. The proposed boundary line adjustment is located within the Husum vicinity.

Ms. Lee advised the administrative review of this boundary line adjustment has been completed. Signatures have been obtained from the Road, Health, and Planning Departments, and the Treasurer's Office. All conditions attached to the preliminary approval have been met.

**Approved (M/Anderson, S/Christopher. Passed unanimously):** Granting final approval of Boundary Line Adjustment BLA2021-06, in the Husum vicinity; Applicants: Paul Rymarz and Kurtis Kabriel.

**Public Meeting to consider final approval of Boundary Line Adjustment BLA2021-08; Applicants: Jim Farrer and Randy Dykes.**

Attendance: Assistant Planner Denice Lee, various county employees, and residents via Zoom. Public Works Director Gordon Kelsey, Public Works Deputy Director Jeff Hunter, residents Greg Wagner, Lynn Cadlac, and Debera Culver in the Chambers.

Assistant Planner Denice Lee provided a staff review of Boundary Line Adjustment No. BLA2021-08, stating it is a proposal to adjust the common property line between LOT 1 SP 2007-46 and LOT 1 SP 2006-38 located on Gosney Loop. The proposed boundary line adjustment is located within the Goldendale vicinity.

Commissioner Christopher inquired if the size of the lot complies with zoning in the area? Assistant Planner Lee stated it meets the size requirements.

Ms. Lee advised the administrative review of this boundary line adjustment has been completed. Signatures have been obtained from the Road, Health, and Planning Departments, and the Treasurer's Office. All conditions attached to the preliminary approval have been met.

**Approved (M/Christopher, S/Anderson. Passed unanimously):** Granting final approval of Boundary Line Adjustment BLA2021-08, in the Goldendale vicinity; Applicants: Jim Farrer and Randy Dykes.

**Public Hearing to consider the proposed establishment of a county road known as Park Place as part of the County Road System.**

Attendance: Public Works Director Gordon Kelsey, Public Works Deputy Director Jeff Hunter, Lynn Cadlac, and Debera Culver in the Chambers, various county employees, and residents via Zoom.

Chairman Sauter declared the public hearing open and asked if Board members wished to disclose ex-parte contact or conflict of interest, hearing none he requested a staff review.

Public Works Director Gordon Kelsey reported a portion of a public road, now known as Park Place has been maintained by Klickitat County for more than 35 years; on December 27, 2000, a 40 foot wide right of way was granted on a Quit Claim Deed for Park Place beginning at the intersection of Railroad Ave and thence westerly for 0.13 miles and an additional portion is needed to connect Park Place to Main St is located within the Klickitat County Wishram Park.

Chairman Sauter opened the public hearing to receive public testimony, noting no one commented, followed by a request for board discussion and/or clarification.

Commissioner Christopher inquired about the use of the road ensuring that we will not pave or upgrade the road unless it is added to the six (6) year transportation plan, Director Kelsey stated that is correct; Chairman Sauter Closed the public hearing and a motion followed.

**Approved (M/Anderson, S/Christopher. Passed unanimously): Resolution No. 08721** Granting final approval of the proposed establishment of a county road known as Park Place as part of the County Road System: All that portion of Park Place in Wishram beginning at the intersection of Railroad Ave, also known as the SW corner of Lot 1 Block F, Plat of Fallbridge, and hence westerly for 0.19 miles to terminate at the intersection of Main Street in Wishram.

**Public Hearing to consider whether Klickitat County Park and Recreation District No. 2 meets the criteria required for dissolution pursuant to RCW 36.96.010(3).**

Attendance: Lynn Cadlac, and Debera Culver in the Chambers. various county employees, and residents via Zoom.

Chairman Sauter declared the public hearing open and asked if Board members wished to disclose ex-parte contact or conflict of interest, hearing none he requested a staff review.

Clerk of the Board Lee Snell stating the Board of County Commissioners received Notice of Inactive Special District / RCW 36.96.020 from the Auditor June 30, 2021, the last activity of the district was on June 30, 2016. The district has not carried out any of the special purposes or functions for which it was formed within the proceeding consecutive five-year period. There have been no elected or appointed board members and the last election was in 2016, followed by an email read aloud from Lynn Cadlac regarding the Dallesport Park.

Chairman Sauter opened the public hearing for testimony from the Proponents or Opponents.

Dallesport resident Lynn Cadlac inquired if this district was voted on and where were the projects that they did. Ms. Cadlac inquired if the Park and Recreation District would oversee the park in Dallesport. Chairman Sauter advised that this Public Hearing is regarding the dissolution of the Park and Recreation District which will not affect the park in Dallesport.

Commissioner Christopher stated he would have liked to have seen the community support this Park and Recreation District, followed by advisement by Commissioner Anderson stated the Park and Recreation district that came afterward and is now building a pool in the White Salmon area.

Chairman Sauter stated the creation of the district and the question of payment for the district are now combined to avoid such a situation as this in the future.

Lynn Cadlac stated Dallesport needs a park and requested information on how to get a park; Chairman Sauter advised there were parcels donated and one of the parcels had a school built on it and the other parcel is being

reviewed as to how it was created. Ms. Cadlac provided a signature petition and pictures to encourage the Board to construct a Park in the area and stated these decisions are made during the budget process. Once a request is made during the budget process there will need to be a discussion on how to fund it, likely a program or department would need to be cut.

A brief discussion followed about affordable housing in the area.

**Approved (M/Anderson, S/Christopher. Passed unanimously): Ordinance #O082421** in the matter of dissolving the inactive Mt. Adams Park and Recreation District.

**Approved (M/Anderson, S/Christopher. Passed unanimously): Resolution No. 08821** in the matter of adopting findings of fact, conclusions, and decision in determining whether a special purpose district meets the criteria for dissolution.

**New Business: Human Resources & Administrative Services Director's Update on new L&I COVID requirements**

Attendance: Human Resources & Administrative Services Director Van Cleave, HR Manager KC Sheridan, Fiscal Manager Jenn Bartley, Public Health Director Erinn Quinn, resident Lynn Cadlac in the Chambers, various county employees, and residents via Zoom.

HR Manager KC Sheridan requested and received verbal approval to proceed with adding Casual Public Health Nurse position to help assist with continuing COVID-19 response efforts and extend the timeframe for the current casual Public Health Nurse and Casual Clerical Administrative Assistant I to December 31, 2021.

Human Resources & Administrative Services Director Van Cleave reported on the Labor and Industries changes made yesterday to the workplace requirements for employees to wear masks.

A discussion followed regarding the open public meetings and the requirements the County has to comply with.

Fiscal Manager Jenn Bartley requested clarification regarding the Vehicle Rates and Rentals rates and replacement dates.

Commissioner Christopher reported on his previous experience and requested the mileage be a factor in the vehicle replacement, not a factor in the year of the vehicle. Commissioner Christopher proposed the replacement mileage be 175 thousand.

Chairman Sauter stated the Patrol Deputy Vehicles are in a class by themselves and replacements should be at lower miles.

Director Van Cleave requested the Commissioners provide clarification and direction to all departments equally.

The Board was in favor of entertaining vehicle replacement at or after 150 thousand miles.

**Department Reports/Comments - Planning Department Update**

Attendance: Planning Director Mo-chi Lindblad, Human Resources & Administrative Services Director Van Cleave, Prosecuting Attorney David Quesnel in the Chambers. various county employees, and residents via Zoom.

Planning Director Mo-chi Lindblad stated she had a phone conversation with the City of White Salmon and discussed briefly the ongoing planning matters as it relates to the City and the County. Commissioner Anderson

stated he has also met with the Mayor of White Salmon and Bingen, and there is a policy that can be implemented when parcels are annexed into the City.

The Board was in support of working together and addressing issues before the parcels were annexed into the City.

Commissioner Anderson suggested scheduling a follow-up meeting with relevant County and City personnel to discuss further coordinated planning efforts.

Director Van Cleave advised of the potential use of the Google funds to help fund a park in the Dallesport area.

#### **Unfinished Business - Glenwood Town Hall meeting follow up**

Attendance: Prosecuting Attorney David Quesnel in the Chambers, various county employees, and residents via Zoom.

The Board recapped the Glenwood citizen's concerns to proceed or not to proceed with a United States Supreme Court petition, challenging the Ninth Circuit Court ruling on the Tract D Boundary Line in Glenwood, noting it will be decided with a final decision and moving forward there will be joint management in the area.

Commissioner Christopher stated his support of appealing to the United States Supreme Court, Chairman Sauter would like to have a clear decision reading the Boundary Line. Commissioner Anderson stated he is in support of the Board's decision but will not be voting in favor of filing the petition.

**Approved (M/Christopher, S/Sauter. Passed 2 to 1 vote):** to request the Prosecuting Attorney to move forward with filing an appeal to the United States Supreme Court.

The Board thanked Prosecuting Attorney David Quesnel for his professionalism and for continuing to represent the County very well.

#### **Board Pending:**

Chairman David Sauter reported on his visit to Wapato to discuss the Yakama Nation Housing Authority Housing project in Wishram. Chairman Sauter reviewed the discussion of the Payment in Lieu of Taxes agreement with the Housing Authority.

Chairman Sauter reported Emergency County services will be provided to the Housing Development and advised the Housing Authority is in support of working with the Community of Wishram to provide necessary equipment and upgrades to facilities in the area, noting the Housing Authority Grant writer is working on the potential funds.

Clerk of the Board Lee Snell stated Lobbyist Zak Kennedy is requesting agenda items to be brought before the Legislators beginning in September.

Commissioner Anderson requested and received clarification about an earlier question from Ms. Bousquet regarding the Under-Canvas appeal process.

Commissioner Anderson inquired if Ms. Bousquet was on the Zoom call and received the information given about the SEPA Appeal Process, a brief discussion was held regarding the appeal process noting the Board is not in a Citizen comment period and Prosecutor David Quesnel stated he cannot give legal advice of filing deadlines.

Commissioner Anderson inquired if Ms. Bousquet would like to wait on her public request inquiring the amount of time spent by Planning staff on the UnderCanvas SEPA Appeal until an accurate number can be given; Ms.

Bousquet stated she would like the total number of hours at this time and then at the conclusion if an additional appeal is filed.

**Consent Agenda:**

**Approved (M/Anderson, S/Christopher. Passed unanimously):** the Consent Agenda with six (6) items. Commissioner Christopher inquired about item No. 2, followed by a discussion about the budget amount for Juvenile detainees. The Board stated the cover page for Consent Agenda items will provide the information, followed by a request from Commissioner Christopher for Department Heads and Elected Officials to provide more information.

- 1) \*Grant Agreement Amendment (C16621) E21-105 between Klickitat County (Emergency Management Department) and the Washington State Military Department and the U.S. Department of Homeland Security extending the end from August 31, 2021, to September 30, 2021, and replacing the original Work Plan, timeline, and budget.
- 2) \*Intergovernmental Cooperative Agreement (C16721) between Klickitat County (Juvenile Department) and Northern Oregon Corrections (NORCOR) to house juvenile detainees for an advance payment of \$60,225.
- 3) \*Scheduling a public hearing to be held Tuesday, August 31, 2021, at 1:30 PM to review an appeal submitted by Patricia Arnold of Friends of the White Salmon River to SEPA threshold determination SEPA2021-19 and preliminary approval of a short plat SPL2021-19 to divide 21.39 acres into 2 lots, (Husum vicinity); Applicants: Gary & Judy Gottschalk.
- 4) \*Resolution No. 08921 in the matter of setting a public hearing to be held September 14, 2021, at 1:30 PM to consider a supplemental budget and amendments for the 2021 budget for various funds in the sum of \$602,385.
- 5) \*Settlement Agreement (C16821) between Klickitat County (Public Works Department) and Irene T. Bonham and Sandy Alley for the purpose of reconciling vacated portions of Panakanic Road and the reconstruction of the turnaround, across a portion of Parcel 05-12-2800-0003/00.
- 6) \*Contract (C16921) and Contract Bond between Klickitat County (Public Works Department) and Central Washington Asphalt, Inc. for the West Darland Drive Project, CRP 361, as bid in the amount of \$569,000.00.

**Voucher Certification and Approval**

**Approved Warrants (M/Christopher, S/Anderson. Passed unanimously):** Accounts Payable: (#307998 - 308116), \$220,455.38, for the date ending August 23, 2021.

**Elected Official – Prosecutor’s Report/Update:**

Prosecuting Attorney David Quesnel stated the Washington Association Prosecuting Attorneys Conference is moving to a virtual platform and expressed his displeasure, noting the networking is essential to the Attorneys.

Commissioner Christopher requested and received a timeline for the United States Supreme Court petition to appeal the Tract D Boundary Line decision in Glenwood.

At 3:30 PM Chairman Sauter announced that the Board would be convening into Executive Session in accordance with RCW 42.30.110(1)(i) to discuss pending litigation with Proctor Quesnel. It was noted the session would last fifteen (15) minutes. AT 3:45 PM it was announced that the Executive Session would be extended five (5) minutes. At 3:50 PM it was announced that the Executive Session would be extended five (5) minutes. The Board convened back into Regular Session at 3:55 PM. No action was taken.

A discussion was held regarding the protocol of a public meeting if there are disruptions that inhibit county business.



**Approved (M/Anderson, S/Christopher . Passed unanimously):** There being no further business before the Board, the meeting was adjourned at 4:00 PM.

\* 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 online labeled Board of County Commissioner's Meeting 8.24.2021.



**Approved: David M. Sauter**  
**Chairman of the Board**



9.14.2021

**Date**