

**Klickitat County**  
**Board of Commissioners**  
**Minutes – Meeting of Tuesday, August 17, 2021**

**Morning Workshop Session**

Chairman David Sauter opened the morning session at 9:35 AM with Commissioners Dan Christopher and David Sauter in chambers and Commissioner Jacob Anderson participating via zoom.

**Executive Session: Annual Performance Evaluation:**

At 9:35 AM Chairman 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. It was noted the session would last fifteen (15) minutes. The Board convened back into Regular Session at 9:50 AM.

**Workshop Session Agenda**

**9:45 AM - Department Update/Report: Human Resources & Administrative Services.**

At 9:50 AM Chairman Sauter announced that the Board would be convening into “*closed session*” in accordance with RCW 42.30.140(4) to discuss collective bargaining negotiations with Director Van Cleave and Prosecutor David Quesnel. It was noted the session would last fifteen (15) minutes. At 10:05 AM it was announced that the closed session would be extended five (5) minutes. The Board convened back into Regular Session at 10:10 AM.

**10:15 AM – Public Works/Road Department Update:**

Attendance: Public Works Director Gordon Kelsey and Deputy Director Jeff Hunter were present and there were various county employees and County residents participating via zoom.

Director Kelsey provided an update on preparations for the fair, noting that 48 dump truck loads of sand, donated by Tony Riley, were hauled into the warm up area to cover existing rocky material. A brief overview of the 1:30 PM public hearing to consider speed limit changes followed. Director Kelsey also reviewed consent agenda items and pay estimates on the agenda for consideration later in the afternoon.

Updates on road projects and the new County Services Building followed. Deputy Director Hunter provided brief updates on the Courthouse entry upgrade project and the Satus Pass radio site.

Commissioner Christopher advised that he would like to have a further discussion about management of the County’s fleet vehicles.

**10:40 AM – Elected Official – Sheriff’s Report/Update:**

Attendance: Undersheriff Tim Neher, Chief Civil Deputy Carmen Knopes, and Chief Civil Clerk Karen Elings.

Undersheriff Neher presented the Sheriff’s update on behalf of Sheriff Songer and reported on the number of calls for service, noting that they are up about 2% over the same time last year. Neher noted that the Sheriff’s Office is still researching body cameras and are awaiting final costs before scheduling a time to present findings to the Board. Posse volunteers have been assisting with courtroom security, and the Sheriff’s Office has received positive feedback from the Judges. A report on community events that law enforcement participated in followed. Neher advised that a number of employees have tested positive for COVID 19, but they are all doing well and no services to the public have been interrupted.

Under Sheriff Neher provided an overview of changes in the way law enforcement is allowed to do business which went into effect on July 25, 2021, further discussion, questions and clarification followed.

Under Sheriff Neher provided a staffing update, reporting that currently 9 of the 18 commissioned law enforcement positions are eligible to retire based on age and/or time of service.

Chief Civil Deputy Carmen Knopes provided a Jail/Corrections report, which included updates on staffing, training, transports, and court security. Chief Knopes stated that the Posse continues to assist with the Courtroom security for Superior Court, East District, and West District. Chief Knopes reported that while doing a routine exterior perimeter patrol of the Courthouse Corrections staff located an elderly Goldendale resident that had fallen near the construction site. The elderly lady was transported to the hospital.

Chief Knopes indicated that mental health services continue to be needed for inmates who arrive in a mental health crisis, refuse medications, and remain isolated for their safety and staff safety. Chief Knopes reported that she has been reviewing current Policy and Procedure Manuals in preparation for revision due to new legislation that will impact the way the jail operates.

Following the Sheriff's update, the Board had a discussion regarding the format for the Glenwood town hall meeting to be held later in the evening.

The Board recessed for lunch at 11:39 AM.

### **Commissioner's Business Meeting**

Chairman Sauter reconvened the Commissioner's meeting at 1:00 PM. All Three Commissioners were present.

### **Agenda:**

**\*Approved (M/Christopher, S/Anderson. Passed unanimously):** Business Agenda as presented.

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

There were no Commissioner meeting minutes requiring approval at this time.

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

Ivy Velarde, Goldendale, commented on the need for the county to address public nuisances and code violation, such as the unpermitted gun range on Cattle Drive near her property, and she requested and received an update on when the vacant Code Compliance Officer job position will be posted.

Via zoom, Trout Lake resident Pat Arnold commented on the consent agenda resolution to move the Code Compliance Officer position from the Building Inspection Department to a standalone department and asked that it be pulled for further consideration, noting that the job description and department are not ready and there are a lot of questions that should be addressed.

Goldendale area resident Greg Wagner asked Commissioners Anderson and Christopher if they met with Cypress Creek representatives before the August 3<sup>rd</sup> open house. Both commissioners stated they had. Mr. Wagner stated that in 2010 the Board opened the EOZ and made changes for wind projects and he asked why the County won't open it and add ordinance for solar? Chairman Sauter advised that the opening of the EOZ at 1,000 megawatts was due to a settlement agreement and there were no significant changes made, anything that is substantive would require a new SEPA determination and what you are suggesting would be pretty significant and would have to go through the review process.

Mr. Wagner stated that the County has said there are no plans before the County for a solar project, so how can you write a Conditional Use Permit (CUP) for something that does not exist? Commissioner Christopher clarified that the resolution relevant to the solar moratorium for the Knight Road said that any proposed solar developments that are connecting to the Knight Road Sub Station would go through the CUP process, noting that Knight Road is not within the EOZ. Mr. Wagner stated that the Board did not listen to public comments opposed to solar at the moratorium hearing how will it be any different at a conditional use permit hearing?

Sheri Bosquet, Husum resident, asked for and received clarification that any solar development that is going to connect to the Knight Road Sub Station will go through the CUP process. Ms. Bousquet stated that she has concerns about the CUP process and she read sections of County Code describing how public hearings are to be scheduled and verbiage from the CUP application. Ms. Bousquet asked if this means CUP applications go before the Board of Adjustment. Chairman Sauter answered yes, generally unless it goes before a hearings examiner which is also outlined in County Code. Ms. Bousquet stated, correct me if I'm wrong, but the Under Canvas CUP application never had a public hearing. Commissioner Christopher corrected Ms. Bousquet, advising that there were public hearings held for the Under Canvass SEPA appeal and the CUP application the end of July.

Goldendale area resident Del Eldredge stated that with all the concerns coming forward with the solar and Under Canvas projects the Commissioners should have a public meeting to answer questions and explain how their decisions will benefit the public. Mr. Eldredge stated that the Commissioners think the public are their enemies, they are not, they are concerned.

Commissioner Anderson responded to Mr. Eldredge's comments, noting that the Commissioners do not normally make final CUP application decisions and it would not be appropriate for the Commissioners to comment on a proposed project ahead of it going through the public process which is enshrined in state law. Property owners have rights, just as people have rights to appeal a project. The questions that you have are the same questions I have, and that is why there is a SEPA process to either resolve, mitigate or deny projects.

White salmon resident Lisa Evens advised that the parent group "For the Kids Washington" will be holding a rally tomorrow against the Governor's mandate for kids to wear masks in school. A brief discussion followed with Commissioner Christopher providing clarification regarding the state mandates.

Public Health Director Erinn Quinn provide a brief update on increased COVID 19 cases, which she stated is very concerning with the fair underway and schools starting. Director Quinn reported that only 39.5% of the total population is vaccinated and the Delta variant spreads easily, faster and is hitting younger people hard. Director Quinn recommended that everyone should wear masks and get vaccinated if they have not.

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

**Public Hearing: To consider the establishment of maximum speed limits in accordance to statutory provisions of RCW 46.61.415 for Lake, Wind and Oak Ridge Roads.**

Chairman Sauter opened the public hearing to consider the establishment of maximum speed limits in accordance with statutory provisions of RCW 46.61.415, increase and/or decrease maximum speed limits by local authority, the County Engineer is recommending that the existing maximum speed limits of Lake, Wing and Oak Ridge Roads should be changed. Chairman Sauter requested a staff review. Public Works Director Gordon Kelsey provided an engineer's report of finding from the review on the roads under consideration, which include portions of Lake, Wing and Oak Ridge Roads.

Chairman Sauter opened the public hearing for testimony in opposition to or in support of the proposed speed limit changes.

Trout Lake resident Pat Arnold spoke on behalf of the Trout Lake Community Council in support of proposed speed limit change for Lake Road.

Husum resident Sheri Bousquet asked if there was new data for Oak Ridge Road and whether the speed limit change was a request from a local user. Director Kelsey stated that there is new data to support a speed reduction and that the change is a recommendation from Public Works, they noticed that this segment of Oak Ridge Road had not been ordinance to the speed of the road design so this is to correct this error.

Ms. Bousquet stated in the Under Canvass and Public Works traffic studies no one looked at the pedestrian and recreational use on Oak Ridge Road, now she is hearing that Under Canvass has proposed that the tax payers of the County pay to upgrade the road or at least share in the cost. Ms. Bousquet stated that this reduction is to benefit Under Canvass and she does not believe that it should be a reason to reduce the speed limit.

Chairman Sauter asked if there was anyone else who wished to comment, hearing no response he closed the public hearing to further public comment and called for Board discussion, which was followed with the motion.

**Approved (M/Christopher S/Anderson. Passed unanimously): Ordinance O081721** in the matter of establishing maximum speed limits on County roads in Klickitat County, State of Washington pursuant to Klickitat County Code 10.08.010 by rescinding and replacing with the amended speed limit schedule as provided in Attachment "A". This ordinance shall become effective and be in full force on and after the 17<sup>th</sup> day of August 2021 and shall be rigidly enforced. The County Engineer is directed to erect the appropriate signs to accordance with the Manual of Uniform traffic Control Devices.

Road Name	Road No.	M.P. to M.P.	From	To
Lake Road	18230	0.00 – 0.66	35	25
Wing Road	24430	1.52 – 2.98	50	40
Oak Ridge	16390	4.69 – 6.41	50	35

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

Assistant Planner Denise Lee reported, via Zoom, that Short Plat No. SPL2020-14 is a short plat creating 2 lots from Parcel No. 03-13-2800-0002/00, which is located in the high Prairie area. Ms. Lee advised that an administrative review of the short plat has been completed and all conditions attached to the preliminary approval have been met.

**Approved (M/Christopher, S/Anderson. Passed unanimously):** Motion granting final approval to Short Plat SPL2020-14, which creates 2 lots from Parcel No. 03-13-2800-0002/00 within a portion of Section 28, T3N, R13E, W.M., Klickitat County; Applicants: Robin & Jody Rains.

**Public Meeting to consider final approval of Short Plat No. SPL2020-21; Applicants: Judith Lackstrom, and Carl & Karen Conroy**

Assistant Planner Denise Lee reported, via Zoom, that Short Plat No. SPL2020-21 is a proposal to create 4 lots from Parcel No. 05-15-2500-0009/00.

Ms. Lee advised that an administrative review of the short plat has been completed and all conditions attached to the preliminary approval have been met.

**Approved (M/Anderson, S/Christopher. Passed unanimously):** Motion granting final approval to Short Plat SPL2020-21, which creates 4 lots from Parcel No. 05-15-2500-0009/00 within a portion of Sections 25 & 30, T5N, R15E, W.M. Klickitat County located in the Goldendale vicinity; Applicants: Judith Lackstrom and Carl & Karen Conroy.

**Public Meeting to consider final approval of Boundary Line Adjustment BLA2021-03 Clare Higgins.**

Assistant Planner Denise Lee, via Zoom, stated that Boundary Line Adjustment BLA2021-03 is a proposal to adjust the common property line between Lots 20 and 21 of Bridlewood Meadows located on Meadows Loop.

Ms. Lee advised that an administrative review of the proposed boundary line adjustment has been completed and all conditions attached to the preliminary approval have been met.

**Approved (M/Anderson, S/Christopher. Passed unanimously):** Motion granting final approval of Boundary Line Adjustment BLA2021-03, which alters the common property line between Lots 20 and 21 of Bridlewood Meadows located within a portion of Section 3, T3N, R12E, W.M. Klickitat County, in the Lyle area; Applicant: Clare Higgins.

**Miscellaneous Reports/Comments:**

**Republic Services Quarterly Update and Presentation:**

Attendance: Republic Services Area Director of Operations Don Tibbets, Roosevelt Landfill General Manager Josh Shaw, Municipal Relations Director Steven Gilmore. Also present in chambers were former Commissioners Rex Johnston and Jim Sizemore.

Director Tibbets introduced the new General Manager at the Roosevelt Landfill, Josh Shaw. Manager Shaw provided an overview of his experience and career in the solid waste industry. Director Tibbets provided a quarterly solid waste tonnage volume report, noting that the Canada market is ramping up since COVID restrictions were removed. An update followed on anticipated and pending request for proposals and a review of current contract statuses. Director Tibbets advised that Republic Services has started to look at Hawaiian waste again however this time will be very different with waste coming into Seattle and then transported to Roosevelt by train.

Chairman Sauter recessed the meeting at 2:22 PM for 10 minutes, to move to the front steps of the Courthouse where Republic Services made a presentation in honor of former County Commissioners Jim Sizemore and Rex Johnston for their partnership in working with Republic Services.

**2022 Budget Discussion:** Attendees: Human Resources & Administrative Services Director Robb Van Cleave, Fiscal Manager Jenn Bartley, Chief Deputy Auditor Heather Jobe, Prosecuting Attorney David Quesnel and Deputy Prosecutor Rebecca Cranston.

Director Van Cleave proposed a budget workshop schedule which provided double the time for department presenters and time for review and clarification for the Commissioners. Following discussion, Director Van Cleave advised that the Fiscal Manager will map out budget dates and deadlines for further discussion.

**Consent Agenda:**

**\*Approved (M/Anderson, S/Christopher. Passed unanimously):** Consent Agenda with ten (10) items. Prior to the motion the Board addressed concerns that were expressed during citizen comment about needing further review of the job description and duties of the Code Compliance Officer position.

- 1) \*Addendum Memorandum of Understanding (C16121) between Upstream and Klickitat County (Public Health Department) for the purpose of providing up to \$16, 200 in funding for improvements to be made to the Sexual Reproductive Health Program.
- 2) \*Memorandum of Understanding (C16221) between Upstream and Klickitat County (Public Health Department) for the purpose of allowing a funding increase of \$10,022.38 to improve access to all methods of contraception.
- 3) \*Client Services Contract (C16321) between the Washington State Department of Children, Youth and Families and Klickitat County (Public Health Department) for the purpose of providing \$20,000 to support the development of a community-based structure for providing direct services to support parents experiencing Perinatal Mood and Anxiety Disorders, effective July 01, 2021 - July 15, 2022.
- 4) \*Scheduling public meetings to be held Tuesday, August 24, 2021, at 1:30 PM as follows:
  - To consider approval of Boundary Line Adjustment BLA 2021-06, Parcel No.'s 04-11-1700-0004/00 and 04-11-1709-2404/00 within the Husum vicinity. Applicant: Paul Rymarz and Kurtis Kabriel.
  - To consider approval of Boundary Line Adjustment BLA 2021-08, Parcel No.'s 05-15-2607-4601/00 and 05-15-2654-0001/00 within the Goldendale vicinity. Applicants: Jim Farrer and Randy Dykes.

- 5) \*Purchase Authorization request from the Sheriff's Office to purchase 13 ballistic vests for the jail corrections officers and 4 vests to replace expired vests for the patrol division at a cost of \$18,678.13 including \$1,303.13 in sales tax.
- 6) \*Contract (C16421) and Contract Bond between Klickitat County (Public Works Department) and Interstate Concrete and Asphalt Company for the Roosevelt Grade Project, CRP 362, Federal Aid No. STPR-N201(001), Contract No. TA-7079 as bid in the amount of \$2,670,857.00, and authorize the Public Works Director to execute any change orders for this project due to unforeseen conditions up to 10% of the contract (\$267,085.70) for an aggregate of \$2,937,942.70.
- 7) \*Settlement Agreement (C16521) between Klickitat County (Public Works Department) and William and Laurece Bonham for a 0.37-acre easement for right-of-way for the re-establishment of right-a-way and build a turnaround at the end of Panakanic Road.
- 8) \*Personnel Authorization to advertise for a Litter Crew Supervisor position at Grade 35, Steps 1-3 (\$17.47-\$18.52 per hour), depending on qualifications within the Solid Waste Department.
- 9) \*Resolution No. 08521 in the matter of extending the availability of the Families First Coronavirus Relief Act Emergency Paid Sick Leave hours in response to COVID-19. The extension will be through February 28, 2022, unless the Federal Government creates, expands, and/or provides related leave.
- 10) \*Resolution No. 08621 in the matter of moving the Code Compliance Function from the Building Inspection Department to a standalone Department reporting directly to the Board of County Commissioners.

**Pay Estimates:**

\*Approved (M/Christopher, S/Anderson. Passed unanimously): Pay estimate No. 16 to Kirby Nagelhout Construction Company in the amount of \$798,264.84, which contains retainage in the amount of \$39,208.97, for a total payment of \$818,925.73 which includes sales tax, for the County Services Building Project, Contact No. C03120.

\*Approved (M/Christopher, S/Anderson. Passed unanimously): Pay estimate No. 4 to Lee Contractors, LLC., in the amount of \$78,811.70, which contains retainage in the amount of \$3,940.59 for a total payment of \$80,781.99, which includes sales tax, for the Klickitat County Courthouse Entrance Improvement Project, C06821.

\*Approved (M/Christopher, S/Anderson. Passed unanimously): Pay estimate No. 2 to Grade Worx, LLC., in the amount of \$171,332.50, which contains retainage in the amount of \$8,566.63 for a total payment of \$162,765.87, which does not include sales tax, for the Old Mt. Road Project, CRP 350.

**Voucher Certification and Approval**

\*Approved Warrants (M/Christopher, S/Anderson. Passed unanimously): Accounts Payable: Warrants #307756 – #307909 for a total of \$1,359,409.64 for the date ending August 16, 2021. There were no Payroll warrants requiring approval.

**Elected Official – Treasurer's Report/Update:**

Attendees: Human Resources & Administrative Services Director Robb Van Cleave, Fiscal Manager Jenn Bartley, Chief Deputy Auditor Heather Jobe, Prosecuting Attorney David Quesnel and Deputy Prosecutor Rebecca Cranston.

Treasurer Greg Gallagher provided a Finance Committee report, which included an update on Rescue America Funding and the State Audit. A brief Treasurer's Office update followed.

**Board Pending:**

Commissioner Christopher reminded the Board that he would like to have a discussion regarding improving the management of the County's fleet of vehicles.

Discussion continued concerning the Glenwood Town Hall meeting scheduled later that evening. The Prosecutor advised that the original timeline for a decision on the case had been extended. Following further discussion Prosecutor Quesnel advised that when you are using someone else's facility there is an obligation to follow their requirements and he recommended canceling the meeting due to the school's mask requirement, noting that it would be difficult to enforce. The Board agreed that it was too late to cancel.

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

Prosecuting Attorney David Quesnel reported that the hearings examiner appointed to hear the Under Canvas SEPA appeal and Conditional Use Permit upheld the MDNS and the permit has been issued with multiple conditions. Prosecutor Quesnel requested an Executive Session to discuss pending litigation.

At 3:09 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 and Deputy Prosecutor Rebecca Cranston. It was noted the session would last fifteen (15) minutes. AT 3:24 PM it was announced that he Executive Session would be extended fifteen (15) minutes. At 3:39 PM it was announced that the Executive Session would be extended five (5) minutes. At 3:44 PM it was announced that the Executive Session would be extended five (5) minutes. The Board convened back into Regular Session at 3:49 PM. No action was taken.

The Board held a discussion regarding the financial and court backlogs created by the State Supreme Court Blake ruling.

**(M/Christopher, S/Anderson. Passed unanimously):** There being no further business before the Board, the regular meeting was adjourned at 3:55 PM, there are no workshops scheduled for Thursday, August 19, 2021. The Board will be holding a town hall meeting in Glenwood at the Glenwood High School gym located at 320 North Bunnell St. beginning at 6:30 PM this evening to provide an update and discuss governance/jurisdictional changes in the Glenwood Valley.

**Call to Order/ Regular Meeting Extension: for Glenwood Town Hall meeting.**

Chairman David Sauter convened the meeting at 6:30 PM at the Glenwood High School Gym in Glenwood, Washington. All Commissioners were present. Also, in attendance were Prosecuting Attorney David Quesnel, Undersheriff Tim Neher, staff and approximately 50+ members of the Glenwood community.

Chairman Sauter advised that the purpose of the meeting is to provide an update on the court case and to hear from the residents on how changes have affected their lives and whether the County should pursue additional legal avenues to go before the U.S. Supreme Court. After introductions the Undersheriff, Prosecutor and each Commissioner shared their thoughts and answered questions. Chairman Sauter opened the meeting for comments and further questions.

Following questions, clarification and further discussion the general consensus of those in attendance supported moving forward with additional legal action. There were residents that express support to stop any further legal actions. The meeting was adjourned at 8:20 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 on file Zoom 8.17.21 BOCC Meeting.

8-24-2021

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



*David M. Sauter*  
Date