

**Town of Twisp
Council Minutes
09-12-2006
7:00 PM**

Meeting called to order at 7:00 PM by Mayor Vern Nations -- Adjourned at 10:20 PM

Council Members Present:

Jackie Moriarty
Clint Estes
Stephanie Hickman
Shari Brown
Mayor Vern Nations
Sam Hanan

Staff:

Colleen Storms
Gary McConnell
Don Willson, Contract Planner

Council members absent: None

Request for additions or changes:

Change:

Addition: One additional real estate purchase discussion added to Executive Session

Council Member Hanan led everyone in the Pledge of Allegiance.

Meeting Minutes:

Passed: Council Member Moriarty moved and Council Member Brown seconded that the minutes of the August 8th, 2006 Regular Council meeting be approved with two revisions. Motion passed; Sam Hanan abstained.

Passed: Council Member Hickman moved and Council Member Brown seconded a motion to approve the minutes from the Special Meeting August 24th, 2006. Council Members Hanan and Moriarty abstained; motion passed.

Mayor Nation's Update to Council:

- The Mayor did not have an update at this time as he had been gone working on the wildfires locally.

Department Heads:

Gary McConnell, Public Works Superintendent

- He talked about the progress on the waterline job and said that the Town was going to have THG add 180 feet of new 8" line to connect with Glover Street. The Mayor asked if the job would be finished on schedule and Gary replied that he didn't think so, but that the extra days would not cause the second contractor any delay. The second contractor will start September 18th. There was further discussion about the budget and what change orders might occur. There was one known at this time and that was related to a waterline to the bus garage that was overlooked on the original plan.

- He spoke about the TIB money and said they were going to allow us to use it to do 2nd Ave. and Glover Street this year if possible. He is working on getting a contract set up using our small works roster.
- He stated that Dave and K.C. are putting in the remaining five meters in Town.
- The pool is still leaking water as it has been for some time. He would like to add some dye and see if he can identify where it's leaking, but he is concerned about what dye might do to the pool wall materials.
- He reported on the August water test that the Town failed. This was reported to the community as required. Four subsequent samples have passed, so this problem was dealt with appropriately.

Colleen Storms, Clerk/Treasurer

- She reported that the Clerk's office had been working to identify unlicensed businesses operating in Town and sent out letters to these regarding the Town's requirements. This should result in approximately \$2600 additional in license fees. One that was noticed by a citizen was the newspaper and research showed that they were dropped off the list a few years ago by an error in switching Town software apparently; the News thought they were current on their license, but they will be paying again now.
- She reported that to date the SR20 projects do not have proposed changes that should cause them to exceed the budget. She has been spending time on these projects with the draw process and the prevailing wage paperwork. Gary has been doing interviews of employees as well, which is part of the compliance requirements.
- She is still working on the budget revision for 2006, which has been made more difficult because of the accounting errors and problems with the actual budget document. The budget needs revising because in some line items we are at the budgeted expenditure level already. She will have the revision ready for Council soon and 3rd quarter financial statements in October. It is also time to start the budget process for 2007.
- The Clerk thanked the Council for their personal gift to her and her husband of a dinner at Sun Mountain. She has been going through her six-month review process with the Mayor as well.
- She said she'd like the Council to give consideration to having a Council retreat in the next month or two for planning purposes. She said there are so many large plans and issues the Town is working on that it seems like an effective way to lay out some action plans for the next year or more. The Council said they felt that it would be very worthwhile and asked her to pursue options for a site and different dates.

Don Willson, Contract Planner

- Regarding planning commission, they will be meeting tomorrow night. They have been trying to meet every two weeks and if the meeting goes well the next night, they will be having a third public meeting on the Comprehensive Plan on Wednesday the 27th of September. This meeting will be to present the revised land use map for the Comp. Plan. He encouraged the Council to attend this meeting if possible as they've been very well attended and give an opportunity for small group discussion.

Executive Session: The Mayor adjourned Regular Meeting to go into an Executive Session at 7:15 p.m. The Executive Session was set to run until 8:00 p.m.

- Came out of Executive Session at 8:00 p.m. to extend for fifteen more minutes.
 - Adjourned Executive Session at 8:15 p.m.
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Reconvened regular meeting at 8:15 p.m.

Public Comments:

- Delores Hobbs, Twisp resident for 40 years:
 - She has lived at her current residence for 17 years this month and this is the second time she has received a notice from the Town of Twisp, the first time was related to a dog incident with a neighbor.
 - When she got this recent notice about her car, she was angry. She does not complain or mess with her neighbors. Her car is not junk and she does drive it, but can't afford to drive it with gas prices like they are now. The reason they'd parked it and left it in the spot it was in was to discourage neighbors who were drug dealers from parking on her property. She couldn't understand why she had received the notice. She said the neighboring property used to have a ton of cars parked there and it was a real mess and nothing was ever done.
 - She said something should be done with that place next to her that has no residents right now. It appears to be a fire hazard; there is wood and other debris in the yard. There is another elderly neighbor of theirs that is not able to move around well and could not get out of her place if the abandoned property next door caught on fire from lightening or something else. She said another concerned citizen had given her some pictures of the condition of the trailer and asked that she submit these to the Council, which she did.
 - The Mayor replied that he would come down and check out the condition of the property.
 - Council Member Hanan asked if the Clerk could send a letter to the Hobbs letting them know they complied with the request.
- Rebecca Alexander regarding the Dog Ordinance:
 - She has moved here to the Valley and is going to try and set up a shelter for dogs needing placement and could possibly contract with the Town.
 - She asked whether the new ordinance included a leash law or not and the Clerk replied that it did not except for dangerous dogs.

Old Business:

- Update on Water Moratorium; a policy to deal with requests from citizens, etc.
 - Clerk Storms related that there have been several people who have contacted the Town since the moratorium was enacted who feel they should have a water hookup on their property for various reasons. The reasons have ranged from "there used to be a house on this property that had water" to a recent situation where there are two houses on one property wanting to divide and both have had water service through one hookup in the past. Scott Detro has suggested Council define abandonment a little better so that we can be consistent in our disposition of these situations. She had also asked Scott to come to Council and review the status of the moratorium and the rules governing short plats with Council.
 - Scott Detro spoke to Council explaining that the current moratorium would expire on the 26th of October and said that Council will need to hold another public hearing to decide if it needs to be extended. The Town will need to adopt Findings of Fact after that public hearing and could then extend it if need

be. The Town will need to work on staff reports and facts that support the decision the Town makes.

Secondly, he explained that the moratorium ordinance makes a distinction between two different types of applications for water service connections, the non-exempt and the exempt applications. The non-exempt application would be any application that requires the Town to make a determination of water availability. This includes short plats, long plats, planned developments and any application that requires the determination of water availability.

If an application was made to the Town (for a short plat, long plat, PD, etc.) and approved by the Town prior to the enactment of the moratorium ordinance, it would be an exempt application and the Town would have to allow hook-up.

What has been happening is that people have been arguing that they should have water services based on the fact the property was once served by the system. The Town needs a written policy to handle the different situations occurring. He suggested wording that if an act of destruction (fire, torn down, etc.) occurs to a house, it would be deemed to be an abandonment of the hook-up if the reconstruction was not begun within a certain number of years. The Town could make a determination of how long that period might be. Also, if there's a long period of non-use and non-payment, that might be deemed to be an abandonment also. The Town could also establish an inactive status where they allow a person to stay on the list for a certain amount of time without having to apply for new water service.

These are the types of things we need to do to establish a policy so the Town can deal with these incidents consistently. The Town has been trying to determine this on a case-by-case basis, but it would be better to have it defined.

Mr. Detro said Council needs to proceed on scheduling a public hearing and gathering staff reports to adopt findings and extend the moratorium if justified. At the same time the Town should draft policy regarding abandonment and inactive status.

- o Council Member Hanan said he didn't see where the Town has a choice about continuing the moratorium as we're using all the water we're currently allotted
- o Council Member Moriarty asked if there were any examples out there of abandonment policies, but Mr. Detro said he doubted it, as this is a rather new area cities are dealing with.
- o Sharon Cohen, a citizen who wants to do a short plat to divide out a piece of property for a friend to place a home on, presented maps she had showing the two parcels that make up her property. Don Willson said she could do a boundary line adjustment possibly to separate the parcels, but Scott Detro responded that it still wouldn't make water available to the second parcel if it didn't have it previous to the moratorium. The Council said it sounds like they can't do anything on this until there is water available. They are working at obtaining water, Sam Hanan said.

- o There was a brief discussion about one letter we've received by an attorney on behalf of a resident who feels they should have a water hook-up. Scott Detro abstained from comment as he has a conflict on this matter.
 - o The Mayor said that he gets a lot of calls about lifting the ban on drilling wells inside of Town limits. He asked whether we could let them drill wells, then require them to use Town water when it becomes available and abandon the well. This was discussed, but the consensus was it did not seem to be the best direction for the Town at this time.
 - o Scott Detro said he would strongly recommend starting the preparation process right away as the date is only about a month away.
 - o There was a discussion about requests we've had to transfer a water hook-up between properties. The previous discussion points regarding this idea were again discussed, but the consensus was the Council saw a lot of problems for the Town if they pursued this.
 - o **ACTION:** Jackie and Sam will get together to draft some sample policies and procedures regarding "abandoned" hook-ups and "inactive" hook-ups, possibly using something from MRSC.
- Ordinance 561 Animal Control Ordinance as revised
 - o The Clerk provided copies of the revised proposed ordinance with a final change suggested by our Sheriff's officers regarding the definition of a "serious injury".
 - o There was a question from the public regarding the definition of animal cruelty and whether our ordinance would prohibit the County from charging a person with a felony. The Clerk responded that the Town could only charge a person with a misdemeanor, which is what we provided for in our law. However, the County can still charge a person with a felony if it meets their criteria for one.
 - o **Passed:** Council Member Brown moved to adopt Ordinance 561. Council Member Hickman seconded the motion. Unanimously passed.
 - Request by Twisp Grange for a water shut-off and non-charge period for restoration work.
 - o Billie Somerville read a letter from the board of the Grange asking the Town to take administrative action to allow them relief from their water bill for November 1, 2006 to April 1, 2007. They have some new members, enthusiasm, but no money right now. They feel the Grange is a link to the agricultural past of the valley and want to keep it going.
 - o The Clerk recommended we do this within the context of defining inactive accounts as Mr. Detro had recommended.
 - o Council Member Brown said she did not have a problem making an exception for the Grange, because of the reasons cited and the benefit to the valley of having the Grange.
 - o There was further discussion about how an exception might be made legally and not in such a way as any non-profit might feel they should be excluded from billing.

- o **ACTION:** The consensus was to address this request when we revisit the abandonment and inactive status issue in the next month.
- Methow Watershed Basin Planning Unit request for Twisp to become lead agency.
 - o Sam Hanan explained that the three governments, Okanogan County, Town of Twisp, and the MVID together formed the initiating entities of the Basin Planning Unit.
 - o He said the Unit now is trying to change the governance to decrease the number of people involved in the implementation phase. The County has been the lead agency, but want the Town of Twisp to take over that role as we have a big stake in the outcome. There are grants available for the implementation phase, which we would be eligible to receive in this role.
 - o Jackie Moriarty said she understood the Unit was still trying to create bylaws to guide them in the next part of the process. Council Member Brown asked whether this was the idea that Rusty Post (DOE) had warned could cause the unit to be ineligible for future funding. Sam Hanan said the Unit has backed off from creating a non-profit as previously discussed, so this was different. The issue now centers on how the Unit will be governed and who makes up the governing group. There are members of the Unit who don't want the government's involved or making decisions.
 - o The consensus of the Council was they want the Unit to get through the bylaws issues and defining the new group before they will consider being lead agency.

New Business:

- Request by Methow Resource Recovery for a possible long-term lease of a surplus Town property to locate their building material recycle center on.
 - o Mary Thompson passed out information about their board and their sale center. She explained that they started this out as an experiment with volunteer staffing only. There has been very good community response to this concept, both from donors and purchasers to keeping building materials out of our dumpsites. They are considered a project of the Partnership for a Sustainable Methow. Their current agreement with Mike Port and Bob Ulrich will be up in another month or so. They need a new home where they can set up for 3-5 years. She wants to be able to say in her grant applications that there is property available to her long-term for the facility. They'd like to purchase some portable storage buildings to use on the property. (Tape ran out at this point and was not noticed- no recording from here to end.)
 - o Mayor Nations told Council he had visited the current site and the materials are very well organized. It is neatly kept and Mary seems to know what sells and doesn't accept things that won't turn over.
 - o There was discussion about possible locations. Mary said in earlier conversations with the Mayor they had discussed near the airport. The Council also brought up a location near the sewer plant and the current recycling facility, which would seem to be congruent with this business.
 - o The Council consensus was they would be willing to work with MRR to provide a property for lease for this facility in the future subject to zoning and other future needs for the property.

Public Comment - None

Routine Approvals:

Passed: The bills and checks to pay the same were reviewed. Motion to approve the current payment of accounts payable and payroll was made by Shari Brown, seconded by Sam Hanan and passed. Jackie Moriarty abstained.

Passed: Motion by Shari Brown to adjourn meeting. Seconded by Clint Estes; motion passed.

Meeting adjourned at 10:20 p.m.

Attest: _____

Clerk/Treasurer Colleen Storms

Mayor Vern Nations