

**Town of Twisp
Special Council Minutes
10/16/07 - 6:30 PM**

Meeting called to order at 6:34 pm by Mayor Nations.

Council Members Present: Stephanie Hickman
 Shari Brown
 Tom Gehring
 Vicki Hallowell

Council members absent: Clint Estes

Guest present Kurt Danison, Highland Associates, the Town's contracted Planners.

EXECUTIVE SESSION – APPROXIMATELY 30 MINUTES TO DISCUSS POSSIBLE LITIGATION

Mayor Nations adjourned into Executive Session at 6:05 pm for approximately 30 minutes to discuss possible litigation.

The Executive Session was extended for 20 minutes. Clerk/Treasurer Storms announced to the waiting public that the time had been extended.

Mayor Nations reconvened into regular session at 7:25 pm.

Mayor Nations stated that by lifting the moratorium it does not mean that the Town can sign off that we have adequate water because we do not have adequate water at this time.

Council Member Brown explained to the public present that the motion that was made at the previous meeting was an ineffective action and that it states in the current moratorium ordinance that the moratorium can not be lifted unless by ordinance action. Therefore, Brown explained that the moratorium was never really lifted.

PUBLIC COMMENT

Melissa Larson stated that she feels that if well drilling in Town limits were allowed the Town could control development more efficiently then it is being controlled in the County.

Keith Comstock asked for history regarding the Town water rights and the loss of the water rights. Public Works Superintendent Gary McConnell and Kurt Danison gave a brief history.

Terry Larson asked what the Town's options were and what the Town is currently doing to rectify the situation. Mayor Nations responded that the Town is currently working with the Methow Valley Irrigation District (MVID) trying to get a change order to convert irrigation water rights we plan to lease to domestic water rights. Larson asked for a timeline with the MVID project; Mayor Nations responded that we are working on it. Clerk/Treasurer Storms reported that the project with MVID was initially submitted to the Okanogan County Conservancy Board and because of the projects complexity the DOE suggested that the Town work directly with them to

work out the details and then resubmit it to the Conservancy Board. Storms feels hopeful that the process will be reasonably quick. Mayor Nations stated that there will still be a comment period and individuals or organizations could still object to the project, holding it up longer.

Danison suggested that the Council develop a work plan, putting down what the Town is doing to resolve the problem and researching the pros and cons related to opening up well drilling in town.

Mark Edson stated that the most important issue is to protect the aquifer that the Town uses for their water system. Specifically protecting it from contamination which Edson stated increases with each well that may be drilled. Edson shared his concern for the Town losing its control over the aquifer and, if contamination occurred, not being able to pinpoint the cause and if the cause was located, not being able to do anything about it.

Edson asked Danison if he, as a property owner with an exempt well, could relinquish his right to his well water and pump 5,000 gallons per day to the Town and add that 5,000 gallons per day to the Town's rights. Danison stated that exempt wells are not necessarily treated like a water right on paper and what the Town is facing is not a shortage of water but a shortage of water rights on paper.

Terry Larson feels that the Town should be pursuing other avenues to obtain water; he had no suggestions regarding other options.

Mayor Nations shared that he would be meeting with Attorney Scott DeTro, a representative from the DOE and a representative from the organization OWL on October 17, 2007 and that there would be a press release from that meeting on Thursday. Mayor Nations hopes to get an idea of what the DOE and OWL feel about this process.

Council Member Gehring asked to discuss the concurrency ordinance in more detail. Council Member Brown asked that the Council weigh the pros and cons of the concurrency ordinance versus the moratorium ordinance. Clerk/Treasurer Storms stated that action needed to be taken at the October 23, 2007 meeting, either passing an ordinance that terminates the moratorium or that extends the moratorium for a set amount of time. Kurt Danison suggested extending the moratorium to develop a work plan that would allow time to research well drilling, look in to a concurrency ordinance and make an informed decision based on the work plan.

Council Member Gehring reported that in a meeting he had with Lee Bernheisel, OWL representative, Mr. Bernheisel did not want to shut down growth in the valley but he would like to see growth occur in the Town limits.

Council Member Gehring moved to adjourn the meeting. The motion was seconded by Council Member Hickman and passed unanimously. Meeting adjourned at 8:30 pm.

Mayor Vern Nations

ATTEST:

Clerk/Treasurer Colleen Storms