

Town of Twisp

Council Minutes – 1/11/2022

Mayor Ing-Moody called the video conference meeting to order at 5:33pm.

Council Members present via phone/video: Hans Smith
Mark Easton
Aaron Studen
Alan Caswell
Katrina Auburn

Pledge of Allegiance:

Council Member Caswell led the Pledge of Allegiance.

Additions/Deletions to the Agenda:

Discussion/Action: Tree Board Update/Grant Opportunities

Public Comment:

Mayor Ing-Moody asked Clerk Treasurer Kilmer and Deputy Clerk Grennell if any public comment had been received prior to the meeting. They both verified that nothing had been received.

Action: Oaths of Office:

Mayor Ing-Moody administered the Oaths of Office to Council Member Studen and Council Member Auburn.

Mayor's Report:

Mayor Ing-Moody gave a shout out to Public Works for their excellent work with snow removal this past week. She noted that the department have recently added staff and thanked them all for a great job.

Staff Reports:

Public Works Director Denham said that they have worked hard on snow removal over the past few days. He said with the addition of new staff last week he is looking forward to being fully staffed. He said it will take some time to complete the training, but he excited to have a full department. He said that he has completed his water loss report for 2021 with an ending of a 12.4% water loss. He said in previous years it was as much as a 31% loss and hopes to see an even lower water loss amount next year. He credits the water meter replacement project as having been a big part of the improvement. He said the next project is the Well Drilling project. He said once that is completed the town will have a 3rd well up and running. He said that there are currently two RFQ's advertised. One is for the Wastewater Treatment Plant design and the other is for General Services for engineering. He said the town has used Varela for the past 5 years and hopes to interview several more companies. He said they had the pre-construction meeting for the Biosolids project and has issued a notice to proceed to the contractor on January 3rd. Due to weather they were unable to start but will be ready any day now. He said the Civic Building is going smoothly and remains on schedule.

Committee/Commission/Board Reports:

Council Member Smith attended the Public Safety meeting where they discussed the ongoing union contract negotiations. He anticipates a discussion involving Council soon. He said he also attended a Facilities Committee meeting where they discussed a request from the Twisp Airport Advisory Board to add a fuel depot at the airport. He said they are looking forward to more information from the TAAB meeting that is happening next week and will report back to Council.

Council Member Easton said he attended the Finance Committee meeting where they had a presentation from Yakima Nations representative Hans Smith. He said there will be a presentation later in the meeting.

Council Member Studen announced that TRANGO has decided to re-initiate bus fares for rides. They were eliminated during Covid but are trying to get back on track. The fee is \$1.00 per ride, which is a nominal amount he says.

Mayor Ing-Moody attended the Okanogan Council of Governments meeting where she said they received updated information from Emergency Management that there have been many snow slides in the county. Due to staffing shortages, they have been struggling to keep roads open and cleared and will continue to work on those roads. She said there will be an RFQ going out for a part-time Administrative Assistant position being funded by RTPO funding. She reported that she has stepped down as Chair, but will still be attending meetings.

Discussion/Action: TAAB Position #2 Interview / Appointment – Dan Kuperburg:

Dan Kuperburg was available to be interviewed by the mayor and council for the open position on the Twisp Airport Advisory Board. He stated that he is a pilot and a hangar owner and a resident of the Methow Valley. Council had the opportunity to ask Kuperburg questions regarding his interest in the position.

Council Member Easton moved to appoint Dan Kuperburg to TAAB Position #2 as presented. Council Member Smith seconded the motion and it passed unanimously.

Discussion/Action: Tree Board Update/Grant Opportunities:

Tree Board Chairman Dwight Filer presented an opportunity that the Town of Twisp Tree Board has to apply for a grant from the North Central Washington Community Foundation grant in partnership with Classroom in Bloom. He said it is for \$3,000 but would be a zero cost to the town. If awarded, he said the group intends to spend the money on growing tree saplings from seeds. He said it's a 7-year rotation to get from a seed to sapling and after that the trees would be planted in the community. He said it would also benefit the school children by educating them on trees. The Tree Board would be an active part of this nursery project and assist with grant writing.

Council Member Smith moved to approve the application for a grant with Classroom in Bloom for a student tree nursery at the local school campus with a letter of support. Council Member Studen seconded the motion and it passed unanimously.

Discussion/Action: Annexation Request – Parcel #3322170359 & 3322160005:

Mayor Ing-Moody reviewed the process for Annexation after consulting with legal counsel. She said since the Town has not adopted any criteria for evaluating specific annexation proposals, the Town is required to follow the statutory procedures governing the annexation process.

In general, the Town will consider the need for services, and if necessary, whether the assessed valuation should be sufficient to allow the area to pay its fair share of the cost of providing services.

The Town will also want to consider whether the area contributes to a logical growth pattern for the Town and is capable of being served by Town services. The revenue increases that will come to the Town because of the annexation depend on the character of the area to be annexed.

Revenue will be in the form of property tax and possibly sales tax revenue. It indicates in the Petition that the Petitioners are intending on developing the property into housing, which will increase the property tax revenue to the Town, but likely will have no impact involving sales or use tax.

Some of the preliminary matters that the Town will want to consider involve planning, zoning and the assumption of indebtedness.

Annexations by the Town are not subject to SEPA. Since the Town is not planning under the GMA, the Town will want to look to its Comprehensive Plan that may address future annexations.

Look at appropriate zoning provisions to be adopted at the time of annexation, so that the annexed area is not incompatible with neighboring uses. Based on the Petition, the adjoining land is zoned R-3 and the Petitioners are requesting that the area be zoned R-3 as well. The Town will need to consider this and determine if that zoning designation is best suited for the area. Annexation statutes authorize the Town Council to require the area to be annexed to assume, as a condition of annexation, a pro rata share of the Town's outstanding indebtedness that has incurred prior to or existing at the date of annexation. Most municipalities require the 5 assumptions of indebtedness as a condition of annexation, unless there are particular circumstances that would make it inequitable. One of the other issues that arises is whether certain utility franchises are going to be canceled. For example, there are special rules for solid waste franchises. A solid waste franchise is not automatically canceled upon annexation for that area. The WUTC will continue to regulate solid waste in the area annexed until the Town notifies the WUTC in writing of its decision to contract for solid waste in the area, which would be in the same manner as the rest of the Town. There are specific rules governing this procedure, and we can discuss them as this moves forward. The Petition indicates that they are requesting that the annexation occur under RCW 35.13.130. This is commonly referred to as the "Sixty Percent Petition Annexation Method" and is the most frequently used method of annexation for Towns. The petition must be submitted by owners of at least 60 percent of the area computed according to the assessed valuation. In this instance, the Petitioners own 100% of the area to be annexed. The process is initiated by written notice to the Town Council of the intention to commence annexation proceedings. This notice must be signed by the owners and submitted to the Town. The letter submitted can be treated as the notice as required under RCW 35.13.125. After being notified, the Town Council is to set a date within 60 days after the filing of the notice for a meeting with the initiating parties to determine the following: 1. Whether the Town will accept, reject or geographically modify the proposed annexation; 2. Whether it will require the simultaneous adoption of the comprehensive plan; 3. Whether they will require the assumption of all or any portion of existing Town indebtedness for the area to be annexed. If the Council requires simultaneous adoption of the comprehensive plan or assumption of indebtedness, it must be recorded in the meeting minutes. The decision whether to accept the proposed annexation is at the Council's discretion. By accepting, the Council is not committing to ultimately annexing the area, but rather allows the annexation to go forward. If the Council rejects the proposal, the Petitioners have no right of appeal, as it is a purely discretionary act on the part of the Council. If the Council accepts the proposal, a petition is then prepared and filed with the Town Council. It must meet the requirements of RCW 35.13.130, and the Petition submitted for the most part meets the requirements, except if the Council is requiring the assumption of indebtedness and/or adoption of the Comprehensive Plan, the Petition must contain those facts, with a reference to the meeting minutes that imposed the requirements. It must also comply with the rules for petitions in RCW 35.21.005. Once the Petition is filed, within 3 days it must be transmitted to

the Okanogan County Assessor's Office for a determination of sufficiency under RCW 35.21.005. If the Council is going to consider the Petition, they must fix a date for a public hearing, and provide notice of the hearing by publishing notice in one issue of the Town's official newspaper and posting the notice in 3 public places within the property sought to be annexed. The notice must specify the time and place of the hearing and invite interested parties to appear and testify regarding the Petition. The Petitioners are responsible for the expenses of publication and posting. Since the County does not have a Boundary Review Board, following the hearing the Council decides if they are going to approve the annexation. If approved, it must be done by ordinance and will set out the determination on assumption of indebtedness, zoning and adoption of the Comprehensive Plan. Council member Easton would like to know if there are sufficient water rights available. Director Denham confirmed that there is enough water rights for this particular annexation. Mayor Ing-Moody will have the Finance Committee work on the annexation request and will report back.

Discussion/Action: Sign Code:

Council Member Caswell reported that the Planning Commission has worked hard on this document, but it may still need some finetuning. He said that the Planning Commission has attached a letter with questions they would like the Council to answer regarding some of the proposed changes to the sign code. He said the Commission is concerned because a lot of the existing signs are not permitted and would not be in compliance with the new code. He said they would like to see changes to the permit process and how it will be enforced. Council Member Easton appreciated the hard work that was done on the sign code and also wonders how to process the permits and enforce the new code. Council Member Smith said that they need to assign an administrator for the sign code. He said that the tables are great, and this draft is a huge improvement. He feels that enforcement is a big issue and will need to be clearly spelled out. Council Member Studen feels that a sign committee needs to be formed that would include Public Works, Council Member, and an At-Large member. Easton added that it could be a Chamber Member instead of an At-Large. Studen thinks that the committee could review the permits and the non-compliance signs and make decisions based on the code. Mayor Ing-Moody stated that there is already a process in place for each permit application that happens internally with staff. She said that if there is a need for a review board then the sign committee could act as that. She would like to have follow-up with the Planning Commission and the Planner to see what number of non-compliant signs needing review. She would like Council Member Caswell to follow-up at tomorrow night's Planning Commission meeting to report back to the Commission the questions that the Council has. They would like them to know that they are open to the idea of creating a sign committee/board to review non-compliant signs but need to know how many signs there are and how often the committee would meet. She also said that the Commission needs to narrow down the questions asked of the council from the letter and decide what areas of focus and questions the council needs to answer in order of priority.

Discussion/Action: MERC Public Restrooms:

Mayor Ing-Moody said that at a previous meeting they discussed changing the Public Restroom hours to accommodate the children's productions at the Merc. She said that they gave enough time for the public to comment and so far, the town has not received any. She said that we will continue with the altered hours until March 16th.

Council Member Smith moved to continue with the amended hours as presented. Council Member Easton seconded the motion and it passed unanimously.

Discussion/Action: Presentation Yakima Nations DOE Floodplains by Design Pre-Proposal Grant Application:

Hans Smith, acting on behalf of Yakima Nations, gave a presentation on a project that Yakima Nations would like to apply for funding on in regard to flooding concerns on the Methow River around the Covenant Community Church. He is looking for a letter of support from the Town of Twisp for the pre-proposal grant application. He said that previously the Town has been in talks about protecting the water/sewer infrastructure when the initial erosion started. He said that in the future there will need to be a Memorandum of Understanding that would define roles, responsibilities and who will pay for what. He said that the grant will not cover protecting the infrastructure or the road and that would have to be figured out later with the Town. He said this is just the beginning and that he is hoping for support from the town. Council Member Easton said that Smith had already given the presentation to the Finance Committee including Director Denham and everyone was in favor of supporting the project.

Council Member Easton moved to approve the letter of support as presented. Council Member Caswell seconded the motion and it passed with Council Member Smith abstaining.

Discussion/Action: Council Committee Assignments:

Mayor Ing-Moody went over each Council Committee appointment and replaced any openings that were available and gave the Councilmembers a chance to make any changes. Clerk Kilmer would be updated the assignments and forwarding them out to everyone.

Consent Agenda:

- Accounts Payable/Payroll

Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing, which has been made available to the Town Council. The following voucher/checks are approved for payment by a majority vote on this 11th day of January 2022.

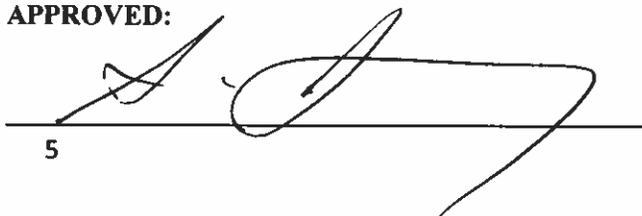
Accounts Payable	EFT# 2697, 2700, 2757-2758	27855.48	12/31/21
Accounts Payable	EFT # 37190-37243, 1584-1586	538435.32	12/31/21
Accounts Payable	Warrant# 37188-37255	121979.26	1/11/22
Payroll	EFT# 2610-2617, 2699, 2728-2741, 2744 — 248, 2751	98300.00	12/14/21

Council Member Smith moved to approve the consent agenda as presented. The motion was seconded by Council Member Easton and passed unanimously.

Adjournment:

There being no further business to come before the Council, Mayor Ing – Moody adjourned the meeting at 8:27 pm.

APPROVED:



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Mayor Soo Ing-Moody

ATTEST:

A handwritten signature in black ink, appearing to read "Randy Kilmer", written over a horizontal line.

Clerk/Treasurer Randy Kilmer