

Mayor Lee Webster called the meeting to order at 6:00 p.m. Council Members present were Kris Dawson, Dave Freels and Bob Fateley. A quorum was present. Council Member Jerry Tretwold, Council Member Art Smyth and Public Works Director JD Smith were absent. Also present were Chief of Police Ron Oules and Finance Director Pamela Olsen.

Council Member Fateley moved to approve the minutes from the Regular City Council Meeting on 07/09/08 with corrections/as submitted. The motion was seconded by Council Member Freels and passed unanimously.

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 City Council.

As of this date 08/13/2008 the Council, by a majority vote, does approve for payment those vouchers included in the voucher payment list and further described as follows: Claims Fund voucher numbers #41848 through #41942 in the total amount of \$436,270.94. Payroll Fund voucher numbers #11101 through #11168 in the total amount of \$91,018.01.

#### **MAYOR WEBSTER**

#### **COLVILLE CONFEDERATED TRIBES DEPARTMENT OF FISH & WILDLIFE – RE: LIVE CAPTURE GEAR TESTING:**

Representatives from the Colville Confederated Tribes, as well as Biologists and NOAA Fisheries representatives presented to discuss the Colville Confederate Tribes Chief Joseph Dam Hatchery Project/Live Capture Fishing. Joe Peone, CCT Representative, spoke about the Live Capture fishing project benefits. He stated that this study is to secure the tribal harvest allocation as well as protecting and restoring ESA-listed fish (spring Chinook and Steelhead), implementing a priority of the Upper Columbia Salmon Recovery Plan, outreach and education, prevent future listings Summer/fall Chinook & Sockeye and provide hatchery brood-stock for new CCT Salmon hatchery.

The Chief Joseph Dam Hatchery Project has been designed to provide mitigation for lost tribal and recreational salmon fisheries and production due to hydro-power development. The plan is to release 2 million Summer Chinook starting in 2011, and 900-thousand Spring Chinook. Of the fish released, the adipose fins will be clipped to identify fish for the harvest. There will be four (4) different acclimation ponds along the Okanogan River to rear, acclimate and release the fish.

The methods used during this Live Capture study includes tangle nets, which tangles in the mouth of fish versus the gill, which results in less harm/death of fish; dip netting, hoop nets, beach and purse seine for the Wells Pool and weirs. Although the primary method of live capture will be tangle netting, the others may be used if necessary. Mr. Peone also outlined the study area for the project, which include the old Columbia River bed (which is the cut off) and the Okanogan River based on State data. The Tribe has agreed to stay on the East side of the marked area, which is the boundary for the Colville Tribe.

Mr. Peone outlined the status of the 2008 summer Chinook run and harvest to date. Of the nine (9) days the live capture fishing was tested, there was a 50% mortality rate of

the fish captured. With the natural origin fish, if they are netted, the goal is to release them alive. The hatchery origin fish are also being netted and counted, yet mortality among the hatchery fish is not an issue as these fish are being kept by the Tribe. Mr. Peone stated that the goal of the live capture is just that – capture them live, release them live. Council Member Fateley asked what happens to the fish that the Tribe keeps. Mr. Peone stated that the hatchery fish that are caught during the testing is saved by the Tribe for weddings, funerals and for their Elders. Most are stored in freezer lockers. Council Member Fateley also asked if any member of the Tribe can go net fish. Mr. Peone stated that yes they can, but they do need to apply with the Tribe to do so.

Mr. Peone stated that the CCT- State Harvest Agreement is designed to share the fish between the State and the Colville Tribe; State share increases as abundance increases and benefit all the constituents in the Upper Columbia to allow salmon to pass through the lower river fisheries. Historically, this is the first salmon harvest agreement between Washington and the Tribe ratified outside of a court proceeding. Mr. Peone stated the Tribe is very excited to have this opportunity as they believe it will not only ensure and secure the Tribe's harvest allocations as well as providing more fish for the recreation fishermen.

One area of concern with the live capture testing is that the start date for the project incidentally coincided with the Annual Chamber of Commerce Budweiser-Lowrance Salmon Derby. Some of the fishermen expressed concern as the net boat was seen netting the day before the derby, raising the question of the numbers of fish captured and released. Ron Oules, derby participant, stated that although weather changes and water levels could have contributed to the low numbers of fish, it did raise the question of how the live capture project may have affected this as well. He asked if possibly next year, as this project will be continued, if the Tribe would consider postponing the netting project for a period of time next year, in correlation with the derby. Keith Kutchins, Project Leader, stated that he and Mr. Peone would be interested in speaking with derby representatives regarding this issue and that some sort of an agreement could more than likely be reached. Mr. Kutchins also stated that in 2006 and 2007, the Tribe was performing tangle netting during the derby and even though this year they pulled the nets the night before, the anglers still had less than desirable results. He did state, however, that the Tribe would be willing to meet with the derby coordinators to come up with a plan for next year.

Oules also asked that since this is such a sensitive subject, he ask that the Tribe be very considerate of the sports fishermen and the communities on tribal and non-tribal land as this study will greatly affect the communities and their incomes. He also stated that as well, the sport fishermen must understand the importance and relevance of this study as it conducted by the Tribe and how it will positively affect everyone involved. Mr. Peone and the others representing the Tribe agreed with this as well.

Mr. Peone stated that the Tribe will make sure the City of Brewster receives a copy of the harvest allocation and project studies. He also stated that he understands that this is something new and that there will be questions as well as concerns. He strongly encouraged anyone with questions, comments or concerns to contact him or any member of the Tribe directly involved in this project. He does, however, believe that this will be a win-win situation for all involved.

GEBBERS FARMS ANNEXATION REQUEST:

Darren Moore, City Building Inspector, stated that Tory Wulf from Gebbers Farms was to present an annexation request to the City, as well as other information relevant to the project, but he has not seen any paperwork as of yet. If the City should receive an annexation request, it would require setting a date with Gebbers Farms representatives to go over plans, costs and the request details. From that date, the City would then have 60-days to accept the request, modify it or reject it. Mayor Lee Webster stated that since we had no formal written request, and no representative was present for Gebbers Farms, that there would be no further discussion until one of the above occurred first.

ORDINANCE NO. 795 – WATER RIGHTS TRANSFERS:

Ordinance No. 795 was presented to Council for review and approval. Mayor Webster stated that it is in the best interest of the City to have this ordinance in place. It can be passed now, and amended if needed down the line. This ordinance will help protect the City and the water rights for anyone requesting water rights within the City, or any annexed land. Mayor Webster also stated that even though the talk of the Gebbers annexation and Ordinance No. 795 are both coming up at this meeting, neither one has to do with the other at this point and specifically in terms of what is approved, or not. If Council so chooses to pass this ordinance tonight, he believes it is in the best interest of the City of Brewster to have this ordinance in place.

**MOTION:** Council Member Freels made the motion to pass Ordinance No. 795, adding new chapter 13.12 to the Brewster Municipal Code with respect to titled water right transfers, establishing conditions under which owners of property to be annexed or developed in the City shall transfer ownership of water rights to the City or alternatively pay a fee to assist the City in procuring additional water rights, containing severability provisions and setting an effective date. Council Member Dawson seconded the motion and the motion passed unanimously.

PUBLIC HEARING – RON PASLAY VARIANCE REQUEST:

Darren Moore, City Building Inspector, stated that after review of the plans submitted by Mr. Paslay he sees no area of concern with Mr. Paslay's variance request.

Mayor Webster opened the Public Hearing for the Ron Paslay Variance Request, building permit #64 (sixty-four). No public comments were brought fourth. Mayor Webster then closed the Public Hearing.

**MOTION:** Council Member Fateley made the motion to approve the Ron Paslay Variance Request as submitted; building permit #64 (sixty-four). Council Member Freels seconded the motion and the motion passed unanimously.

PUBLIC HEARING – WWTP PHASE II, AS REQUIRED BY CTED:

Mayor Webster opened the Public Hearing for the WWTP Phase II process, as required by CTED. No public comment was brought forth; therefore Mayor Webster declared the Public Hearing closed.

ECONOMIC ALLIANCE:

Mayor Webster stated that he had been contacted by the Economic Alliance regarding another \$2000.00 donation to their foundation, similar to those we have done in the past. If we cannot give the same amount as past years, anything we can give is better than none. Council Member Fateley asked what the City of Brewster has received as a direct result of previous donations, with respect to things the Economic Alliance has provided to our community. Mayor Webster stated that he cannot say for sure. Colleen Couch is the Economic Alliance representative for Brewster, and Mayor Webster stated that she should be contacted regarding this question. Council felt that we should hold off on a donation of any kind until we receive further information.

FINANCE DIRECTOR PAMELA OLSEN:

ANNUAL BUDGET RETREAT – DATE SELECTION:

Finance Director Pamela Olsen asked Council to review the three (3) dates listed on the memo sent to Council and all Department Supervisors regarding the Annual Council Retreat. Of the three tentative dates, Council and Department Supervisors decided on Friday, October 24<sup>th</sup>, 8:00 am to 5:00 pm at Campbell's Resort in Lake Chelan. Deputy Clerk Desha Dawson will contact Campbell's and schedule the retreat.

COUNCIL MEMBER DAVID FREELS:

BILL WOODS REQUEST FOR GOLF CARTS ON CITY STREETS:

Council Member Freels stated he had not had a chance to speak with Mr. Woods with respect to the golf carts being permitted on City streets request, however, Police Chief Oules stated he had spoke with Mr. Woods briefly regarding this inquiry. Due to the time of year and how busy the PD has been, Oules stated that he really does not have time to research this issue at this time and has asked Mr. Woods to do some of the leg work. Specifically, Chief Oules asked for information regarding safety, licensing, speed requirements/limitations, etc. Once all of these questions have been researched, Chief Oules indicated he would then sit down with Mr. Woods to go over the details. Chief Oules stated he does have quite a few areas of concern, but again will go over this with Mr. Woods, then if needed, with Council.

Council Member Freels stated that although he is not opposed to the idea of having golf carts legalized in the City limits of Brewster, he also would be interested in reviewing more information with respect to the questions raised above. Council Member Dawson stated that Council should wait to review this as a whole when more documentation and information is available, as at this point it is only a request to consider it.

DARREN MOORE, BUILDING INSPECTOR SPEAKING FOR PUBLIC WORKS DIRECTOR - J.D. SMITH - OOT

AIRPORT REPORT – DAN SMITH, COMMISSION CHAIR:

Mayor Webster stated that Dave Smith, Airport Manager, is to meet with City Attorney Chuck Zimmerman to go over Ordinance No. 810 with changes and modifications

made as deemed necessary and appropriate. Once the draft ordinance has been drawn up, it will then go to the Airport Commission for review and approval; then to Council for final review and approval.

HIGHWAY 97/MAIN STREET SIDEWALK PROJECT UPDATE:

The project on Main Avenue has started and is moving along with the schedule. Since the construction company has been locating the water lines and revising them as needed, Darren Moore has requested that they also “mark” these lines so that they can be located with a metal detector, once the lines have been covered. This is at little cost to the City – approximately \$10.00.

LIEUTENANT HOOK- POLICE DEPARTMENT:

POLICE DEPARTMENT UPDATE/STATS:

Lieutenant Kelly Hook stated that there were 155 total calls logged for the month of July. There were 86 ½ hours of overtime logged, thirty hours (30) were contractual, 24 hours of the OT is reimbursed through the DUI Emphasis patrol. Agency assists are up, but this is again consistent with the time of year. Council Member Fateley asked that when calls from the labor camps come in, who responds? Does the OCSO call Brewster to respond if they are unavailable? Lt. Hook stated that yes; dispatch at Okanogan County will ask that we assist/respond when an OCS Deputy is in the area. Also, if a Deputy has already been called, they will sometimes radio to Brewster PD for an assist, but the BPD does not actually “take” the call.

Lt. Hook also noted that the BPD holding cell video system will be up and running within a couple of weeks, as it had recently quit working. Chief Oules stated that this was actually a budget item for 2009, but due to the fact this system is vital to the protection and documentation of the interactions between the inmates and the officers, the repair/replacement of this system had to take place now.

OTHER BUSINESS:

EDDIE ALLEN – COLUMBIA COVE COMMUNITY CENTER:

Eddie Allen, the newly hired Director of the Columbia Cove Community Center, presented to Council to introduce himself, as well as go over some of the ideas and goals he has for the Rec Center.

Since his hire date of August 4<sup>th</sup>, he has been primarily focusing on meeting with the members of the community and businesses. He has several goals, including re-establishing the youth soccer program; starting a healthy heart program for senior citizens; look into getting a cover for the pool so that it can be used during the winter months as well, and has high hopes of bringing intramural sports back into the community. He realizes these goals cannot all be fulfilled at once, but would like to take small steps to improve the Community Center and help it reach its full potential. Mr. Allen stated that he does have strong passion for families and community involvement and is very excited to have this opportunity and will be working closely with the Mayor and the Council regarding his 1-year plan and what his goals are for the Rec Center as the new Director.

Mr. Allen stated that he recently re-wrote the application for use agreement, ie: weddings, quinceañeras, etc. He went over this application with Police Chief Oules and believes that these events do bring money in for the Rec Center and would like to see them continue. He would also like to see the computers back up and running at the Rec Center in the future as well. Darren Moore, Building Inspector and Computer Tech for the City, stated that he could probably have the Rec Center computer lab up and running with some updated software. Moore stated that basic operating system computers are a dime a dozen and can get price quotes for basic systems and present them to Council.

Mr. Allen also stated that one of the three pool tables at the Rec Center is basically “junk” and asked how he could go about putting this up for surplus. He would like to bring in a ping-pong table to replace it, just to give the kids visiting the Rec Center a little variety. He would bring in his own personal ping-pong table; therefore the money from the pool table surplus could be used for other items, such as going towards updating the computer lab.

**MOTION:** Council Member Fateley made the motion to approve the surplus of the pool table, which is unusable, from the Rec Center. Council Member Freels seconded the motion and the motion passed unanimously.

**ANONYMOUS BREWSTER RESIDENT RECYCLING FACILITY REQUEST:**

Brewster City Council had received a letter, signed “A Brewster Resident” expressing his/her concern regarding the lack of a recycling facility in the City of Brewster. The letter stated that Chelan is the closest recycling facility, and the one designated for the City of Brewster, through the County, only takes cardboard, newspapers and aluminum cans – of which the residents have to haul it there themselves. In this letter, the request was made that the City seriously consider setting up some form of a recycling program that either accepts more types of recyclable items.

Council Member Dawson stated she believes this is an idea worth looking into. If there were a place in Brewster that allowed the Citizens to recycle more items, other than just newspaper, cans and cardboard, that it may cut down on some of the garbage in general.

**ACTION:** Mayor Webster will have Public Works Director Smith or Deputy Clerk Desha Dawson check with our current garbage collection company to see if they offer other recycling options, ie: station to collect recyclable items, or carry to curb recycling bins.

**PUBLIC COMMENT:** No Public Comment.

**ADJOURNMENT**

Mayor Webster reconvened to Regular Session. With there being no further business to come before the Council, the meeting was adjourned at 7:57 p.m.

---

Mayor Lee Webster

ATTEST:

---

City Clerk/Finance Director Pamela Olsen, MMC