

**Town of Garfield**  
**TOWN COUNCIL REGULAR MEETING MINUTES – Final Draft**  
**Town Hall – October 10, 2012**

**CALL TO ORDER:** Mayor Jarrod Pfaff called the meeting to order at 7:01 p.m.

**ROLL CALL:** Jarrod Pfaff, Larry Hunt, Daymon Marple, Tim Southern, Sharon Schnebly, and Mark Young. Staff – Police Chief Jerry Neumann, and Clerk/Treasurer Annie Pillers.

**GUESTS:** Cher Curtis, Cathy May, Garth Meyer, and David Ulrick.

**1. Park Gazebo/Bandstand:** David Ulrick reported the project costs to date are \$5,805.93 but does not including railings or benches which will bring it to a little over \$6,500 but still under the \$7,000. The project is nearly done and when done will look something like the picture on the bulletin board. Ray McCown was waiting to complete the project until the progress report was made to council. The project is within budget with maybe \$400 left over. Council told Dave that it looks really nice. Dave confirmed the other volunteers are Roy Weiker, Bert Souders, Ray McCown, Don Kriebel, and Dave. Dave also noted the sprinklers were working again, and in sequence. He has not seeded back the area yet, but will take care of it.

**APPROVAL OF MINUTES:** Larry Hunt **MOVED** the minutes of the public hearing and regular council meeting of September 19, 2012, be approved as written. Tim Southern seconded the motion and the motion carried unanimously.

**POLICE REPORT:** Chief Jerry Neumann provided the 3<sup>rd</sup> Quarter Activity Log noting a total of 407 hours for 79 days, equaling 5.15 hours per day. Most of the activity has been with dogs, junk cars, and lots of patrol, with follow up at the trailer court and the apartments a close second. Officer Merry is spending about ½ of his shift on junk vehicles. There are currently no more hearings scheduled at this time. Larry Hunt asked how the cameras were working at the park. Is the department using them or able to use them? Chief Neumann said they working. There have been some technical glitches and the department needs to have some training on it. They are hard to remotely view. Currently the officers cannot rewind them remotely or go back. They are stored on a hard drive. Live feed can be viewed but the officers want to be able to go back the night before and look something up. Right now they have to do this manually.

**PUBLIC WORKS REPORT:** Public Works Superintendent Perry Brown reported -

**Fall Clean up** – was a huge success. There's a small amount of wood left, about ½ truck load. 3 truck loads for clean up were already done. Tomorrow afternoon the crew will load up the truck with tires and dump them on Friday as part of tire amnesty day.

**Vehicle Maintenance** – The sweeper and roller were drained and are ready for winter. Larry Hunt asked about the back-up camera for the garbage truck. Sharon Schnebly said she would email the website to Annie and Larry too. She reconfirmed her recommendation that the unit be a hardwired system. New tires were put on the skid steer. The chipper will be moved tomorrow.

**Park** – the restrooms are still open in the park. When should they be shut down? The council said to watch the weather and see if it's possible to get through Halloween and if not, use good judgment. There will probably be one more time for mowing and the deal is started to suck up leaves

**Recycle Center** – the new concrete floor all turned out excellent with Woltering Construction. It is really nice and Tuesday or Wednesday they can start driving on it.

**Water/Sewer Maintenance** - The 2" hydrant fill outside of town hall will be pulled next week. The crew will do the water leak tomorrow on California Street. The storm drain repair at TJ's turned out really nice. There is a leak again on Hwy 27 leak near Cathy May's. Perry plans to make a sleeve line and shove a brand new line through it. The crew will get Roger Roper's leak next week. Perry noted Robby is doing fantastic, and he's doing some of the testing at the WWTP. Perry noted they needed fuel at the WWTP. He was told to just order it. He also noted the DO meter needed to be replaced. He would like one that could do PH, DO and temperature right at the test port. A probe and cord was about \$1,600 or both probes and no changing required would be about \$2,100. There was a lease option available that would allow getting a new meter yearly. The units have a 3 year warranty, with a 1 year warranty for probes. Perry would check on prices.

Dumpsters - Perry asked council if they wanted to order a few more dumpsters. They all went out on clean up week. 2 of the old ones will be fixed this winter. Mayor Pfaff asked without clean up week how many are excess. Perry said the town has 3 at all times and a couple more would be nice. If one is left at the shop things get put into them. Mayor Pfaff talked about getting 2 or 3 more. PB will get prices before ordering. Perry would get prices for next council meeting.

Street Maintenance – Perry confirmed there is no gravel yet on Spokane Street near Zane Well's. It's still on list. Mayor Pfaff asked about oiling it this year and Perry indicated it may not be worthwhile. Larry Hunt noted it's gotten better and firmed up. Traffic on it has smoothed out the high clumps. Perry plans to smooth it out more. Mayor Pfaff asked if fixing potholes was on the to do list? Perry confirmed yes, but he was not sure it was going to happen.

Pool - apparently somewhere there is valve partially cracked, so the pool will need to have some water put back into it, likely a foot or so of water before winter. The water will have to be turned on.

Wildlife Sightings – A moose was in town on Sunday and a cougar on Monday.

### **OLD BUSINESS:**

**3<sup>rd</sup> STREET SOIL REMEDIATION PROJECT:** Larry Hunt asked about council's opinion on the asphalt at Love project. It was agreed it was very soft and was likely to open and be porous, causing water to seep through and then freeze in the winter time. Perry Brown noted when it was done it was cold and they had 5 or 6 guys doing it by hand and used a plate whacker at the end. Perry had talked with Eric who indicated his main goal was removal of the bad soils; the asphalt was not his main concern. Mayor Pfaff briefly discussed DOE's recent request that the town pay the contractor and engineer upfront and then seek reimbursement. Mayor Pfaff indicated this was not possible for the town. The town could get invoiced, get paid by DOE and then write the checks to them. Tim Southern **MOVED** to Pay Request No 1 and authorized the Mayor to sign the necessary paperwork. Larry Hunt seconded the motion and the motion carried unanimously. Tim Southern **MOVED** to sign the updated engineering scope of services/fees agreement with Keltic Engineering in the amount of \$16,216. Larry Hunt Seconded the motion and the motion carried unanimously. The original proposal was 19,600 then went to 14,260 and is now at \$16,216. Soil sample testing went from \$3,750 down to \$1,716. There was a question about the dirt from JE Love's. Western Construction is waiting for permits to be finalized for it to be hauled away.

### **NEW BUSINESS:**

#### **1. 2012 PDA Commission Members Re-appointments:**

Larry Hunt **MOVED** the re-appointments of Sally Bishop and Daymon Marple to the Garfield Public Development Authority with a term through 3/7/2016. Sharon Schnebly seconded the motion and the motion carried unanimously.

**RESOLUTION 2012-13:** Larry Hunt **MOVED** to adopt Resolution 2012-13 approving the Whitman County Rural Library District Contract. Tim Southern seconded the motion and the motion carried unanimously.

**3<sup>rd</sup> STREET OVERLAY 45 DAY EXTENSION:** Mayor Pfaff confirmed the contractor will be replacing the truncated domes on the 3<sup>rd</sup> Street overlay project. They should be out sometime next week. The existing contract expires on the 15<sup>th</sup> so the contract needs to be extended. Mayor Pfaff noted the full radius has to be less than ¼ inch and the dome at the restaurant building is reversed 4 x 6, not 6 x 4. Mark Young **MOVED** to extend the existing 3<sup>rd</sup> Street Overlay contract with Spokane Rock for and additional 45 days. Tim Southern seconded the motion and the motion carried unanimously.

### **FINANCIAL/3<sup>rd</sup> QUARTER 2012 REPORTS:**

**1. Approval of Checks:** Larry Hunt **MOVED** to approve the following 3<sup>rd</sup> Quarter 2012 Financial Reports, the 3<sup>rd</sup> Quarter 2012 Adjustment Register, and the bills presented to council for payment. Sharon Schnebly seconded the motion and the carried.

Check Register #10622-#10628 plus EFTPS	Payroll \$8,168.20	9/20/12
Check Register #10636-#10642	Payroll \$7,939.94	
Check Register #10643-#10664 plus DOR EFT	Claims \$22,359.46	TOTAL: \$38,467.60

Perry Brown and Chief Jerry Neumann left the meeting at 7:35 PM.

**Wind Turbine Discussion:** Mayor Pfaff opened the wind turbine discussion/debate. Daymon Marple reported on his research and contact with the county and state. He provided council with copies of the National Wind Coordinating Collaborative research summary on Wind Turbine Interactions with Birds, Bats and their Habitats dated spring 2010; Australian Government National Health and Medical Research Council Wind Turbines and Health Review dated July 2010; and Draft Small Wind Energy Systems Issue Paper by Dan Davis, Kittitas County. The first paper talks a lot about problems with large wind farms and birds, flocks of geese, but the town is not in that bracket. It mentions little turbines and windmills. It's interesting that for song birds and bats with smaller turbines there's a higher mortality when they are not moving. In summary, death to birds from these wind mills is less than .3%. More deaths occur off power poles and larger great big structures.

On page 3 of the Wind Turbines and Health Review, they address noise. 200 to 300 feet blades with 10 to 22 revolutions 300 feet away can't be heard. The smaller 10-25 diameter up to 60 to 120 feet, not near as loud, of course. The smaller ones make a higher pitch. Metering was done in Canada and 11 states. There is no real noise pollution. They do talk about the health issues. With smaller turbines this is minimal. One thing that people do pick up on is annoyance. People generally don't like any sound, not so much a loud sound. One of the reports talks about worse health issues on the transformers on lines; they generate an electrical field. These small generators don't generate enough electricity to cause that.

Page 6 of the Davis draft document addresses alternative energy. Small windmills provide an alternative source of energy. What the property owner does is actually feed directly into the grid. They get a rebate quarterly or yearly. They don't use it to power their house with it. Zoning issues are addressed on page 6. A 300 foot space is recommended between the wind turbine and the neighbor. The proposed one is on a hill and off by itself. When installed allowable heights shouldn't be more than 120 feet. On page 9 it addresses that the sound drops off on smaller ones several 100 feet away. They are difficult to hear under normal operations. The newer ones are made so they don't make a huge whining noise. He noted the last part dealt with noise, setbacks and health. So in summary as long as they are up to Washington State codes, totally meet health and safety. FAA requires a light on top if over 200 feet.

Mark Young addressed the topic, giving kudos to the Planning Commission for trying to tackle this controversial subject. He said if turbines are allowed, there has to be requirements on how they are going to be maintained. He said he was not against the energy that it generates but it's more something for council with property rights of homeowners versus the community. Homeowners should have the right to decide on what's on their own property within certain bounds. The easiest way to deal with this is to prohibit them. But if the council was to allow them to be then that opens up whole different ballgame. Mark said he spoke with a planning commission member and he understands they went into it trying to decide how to articulate what to allow and what not to allow. Mark Young noted the Findings of Fact do not address how to implement the policy. For example, when researching on both the pro and against, it really depends on the point of view for what facts and figures you come up with. Mark said he tried to find sources of neutral information including studies from the National Renewable Energy Laboratory. Studies in the 1990's were not conclusive. 2004 small turbine testing results and a 2009 study concluded without some issues such as noise. There's another study in a year so. You have to consider the type of wind turbine as there is quite a variety. There are some 6 foot concrete extensions that slap onto buildings. Council would have to decide which to allow with the setback regulations very important. The Findings of Fact mentioned wind turbines in Ag Zones 1, 2 and 3. There is a strip near the school and there's housing in the area. The setback regulations are important. Mark noted the proposed wind turbine owner has no specs on what he intends. Sharon thought it was 100 feet or less.

Mayor Pfaff said the council's first job was to decide if they plan to allow turbines, then they would work on issues if need. Mark said if going to allow them, then have work to do. Occupied building visuals and property values would need to be considered. In some cases they lower property values. The shadow flicker is recognized as a health issue on larger ones and noted in some cases with smaller ones. Height limitations and the noise level are issues. The study in 2004 and 2009 had variances in noise levels of

these. These were small turbines, 100 feet or less. The decibel range was from 84.9 similar to city traffic inside a car and up to 112.5 decibels just below sand blasting or a rock concert. There are no more recent figures. Lab testing has also reported some instances with reception of digital and antenna type TV coverage being affected, but that can be corrected generally. Safety concerns include an 8 windmill study with bolts flying off. Therefore setback and distance are important. Mark noted the down and dirty of it is do we want them or not within the confines of Garfield. He stated they should be out in larger Ag areas. They have a place but not within the city limits but if we do allow them, then we need to take a look at exactly how they take effect.

Sharon Schnebly said the intent of the Planning Commission, by having them in AG zones, was to limit the amount of places they could be put based upon lot size. The Ag zones have very large spaces. Some lots in them are not that big. If allow them in larger areas where the setback would be so large, it would not be an issue. Sharon agreed the town needed strict guidelines, height, and setback. Taking into account the intent of the Planning Commission, limits where they can be. Not on so small of an area that is too close to a structure. Mark said he did not see that in the fact finding. Mayor Pfaff noted council would do its own findings of fact, and then establish ordinances. Mark Young asked if the council wanted to make it complicated or simple. Put out the factors to take into consideration, such as property value; and not even considering manufacture specifications. Mark talked about the wind generated near or overlooking the sewage plant and the air currents. It would depend how you position it. If the proposed wind turbine owner places it in the county, then it would involve the county's ordinances. Sharon supported the idea. Tim was not in favor of them in town. Tim Southern said he saw it like junk vehicles, some won't care while others will not want it. Larry Hunt was for them with specific guidelines and it sounded like the board has already discussed this. They can't be downtown or on a 50 x 100 lot. They are the wave of the future. He thought the town could consider adopting what the county has. Those are good guidelines. He also recommended looking at Colfax's guidelines. Larry Hunt **MOVED** the town move along with allowing wind turbines in the city limits. Sharon Schnebly seconded the motion. No votes cast – Tim Southern and Mark Young. The motion carried.

**INTERGOVERNMENTAL COMMITTEE:** Mark Young re-introduced the idea of a possible joint committee meeting between the various government entities, such as the town, the school district, fire district, etc., perhaps meeting on a quarterly basis. It was tabled at the last meeting. Council consensus was that this was a good idea. Larry Hunt agreed, noting maybe more citizens would get involved and would be more informed. He suggested a multi-faceted group of people, with more involvement from our citizens too. It's nice to have a rapport with each other prior to an emergency or need.

**ADJOURNMENT:** Daymon Marple **MOVED** to adjourn the meeting at 8:04 pm. Sharon Schnebly seconded the motion and the motion carried unanimously.

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Jarrod Pfaff, Mayor

ATTEST: \_\_\_\_\_  
Annie Pillers, Clerk/Treasurer