

**COMMISSIONERS' MINUTES
KITTTITAS COUNTY, WASHINGTON
COMMISSIONERS AUDITORIUM
SPECIAL MEETING**

TUESDAY

2:00 P.M.

JANUARY 17, 2017

Board members present: Chairman Paul Jewell; Vice-Chairman Laura Osiadacz; and Commissioner Obie O'Brien.

Others: Julie Kjorsvik, Clerk of the Board; Lucas Huck, Engineer/Interim Co-Director Public Works Department; Doc Hansen, Planning Official; Jeff Watson, Staff Planner; Dan Carlson, Director of Community Development Services; Jerry Pettit, Auditor; Judy Pless, Budget & Finance Manager; Neil Caulkins, Deputy Prosecutor; Patti Johnson, Solid Waste/Maintenance Director/Project Manager; Kay Kresge, Fiscal Analyst and approximately 15 members of the public.

COMMISSIONER JEWELL announced the Board would be changing the order of Public Hearings to 4, 1, 3, 2.

PUBLIC HEARING BOONDOGGLE ROAD & EAST BOONDOGGLE ROAD PUBLIC WORKS

At 2:00 p.m. **CHAIRMAN JEWELL** opened a Public Hearing to consider the Vacations and Portions of Boondoggle Road and East Boondoggle Road Unused Right-of-Way.

LUCAS HUCK, ENGINEER said they would like to withdraw the Public Hearing and re-advertise at a later date when they are ready and have conducted the appropriate postings. **CHAIRMAN JEWELL** asked if there was anyone in attendance who came to speak at the hearing. There was no in the audience who expressed their interest in the specific Public Hearing.

COMMISSIONER O'BRIEN moved to close the Public Hearing, taking no action; and allow the Public Works Department to re-notice the Public Hearing at a later date. **COMMISSIONER OSIADACZ** seconded. Motion carried 3-0.

PUBLIC HEARING

SURPLUS PROPERTY

AUDITOR

At 2:04 p.m. **CHAIRMAN JEWELL** opened a Public Hearing to consider Declaring Surplus Property to the County.

KAY KRESGE, FISCAL ANALYST provided a Staff Report relating to declaring certain property surplus to the County and recommended approval of those items.

THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

RESOLUTION 2017-008

SURPLUS PROPERTY

AUDITOR

COMMISSIONER OSIADACZ moved to approve Resolution No. 2017-008, to Declare Equipment Surplus to the County and remove from the County's Assets. **COMMISSIONER O'BRIEN** seconded. Motion carried 3-0.

PUBLIC HEARING

SPEED LIMIT - STORIE LANE

PUBLIC WORKS

At 2:07 p.m. **CHAIRMAN JEWELL** opened a Public Hearing to consider Amending Kittitas County Code 10.08.020, Reducing the Speed Limit on Storie Lane.

LUCAS HUCK, ENGINEER provided a Staff Report relating to a petition they received to lower the speed limit on Storie Lane from 25 MPH to 25 (or 20 MPH). The residents believe the current speed is excessive for a half mile dead end road with residential homes located on it. He said they had driven the road and reviewed the traffic data which had been developed based on a weekend traffic study conducted December 2nd through December 5th and a study performed in September 2016. The 85th percentile speed suggests that the public is driving between 31.2 MPH and 35 MPH. At the conclusion of their review the Public Works Department recommended maintaining the current posted speed of 35 MPH.

THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

The Board asked questions of Staff relating to the study and their recommendation.

COMMISSIONER OSIADACZ moved to deny the request to change the speed limit on Storie Lane. **COMMISSIONER O'BRIEN** seconded.

COMMISSIONER OSIADACZ explained the decision to deny the request did not come easily for her due to the residents being the ones who signed the petition. However the County has Staff who is experts in their field and conduct appropriate testing for safe speeds on County roads and at this time the results show there is no reason to support the request to lower the speed limit. **COMMISSIONER O'BRIEN** noted there was no sight problems on the road either and would support the Public Works Department's recommendation resulting from their study. Motion carried 3-0.

APPEAL HEARING

WEBB SEPA & CUP APPEAL

CDS

At 2:24 p.m. **CHAIRMAN JEWELL** opened an Appeal Hearing to consider the Webb SEPA and Conditional Use Permit.

CHAIRMAN JEWELL reviewed the hearing procedures. **JEFF SLOTHOWER, ATTORNEY** representing the Webb's reviewed the motions filed with the County. He said they believe the appellants do not have standing and the appeal fails to comply with Chapter 15A.07 of the Kittitas County Code. **NEIL CAULKINS, DEPUTY PROSECUTOR** explained the motions should be taken up first prior to consideration of the appeal.

MR. SLOTHOWER reviewed information on their motion to dismiss the SEPA appeal due to lack of standing. **RICH BROWNLEE, APPELLANT** explained he has suffered from lack of sleep due to the noise being produced by the Party Barn across the street from where he lives. He is a farmer who wakes up at 5:00 a.m. and some of the parties have gone on until 1:00 a.m. and therefore it affects him not being able to perform his job.

MOTION TO DISMISS SEPA APPEAL:

COMMISSIONER O'BRIEN said he understood Mr. Brownlee's concerns relating to the loss of sleep, but said it's a limited operation such as 8 events per year, and questioned how much of an impact it has to his ability to farm. **COMMISSIONER OSIADACZ** said she reviewed the record and believes the applicant had met all of the criteria and SEPA requirements. **CHAIRMAN JEWELL** said he would like to hear the rest of the motion to dismiss, conduct additional research on the case law which had been provided, and deliberate at a later date.

MOTION TO DISMISS THE CONDITIONAL USE PERMIT APPEAL:

MR. SLOTHOWER reviewed information supporting their motion to dismiss the appeal of the Conditional Use Permit. He said according to KCC 15A.07.010(2) and the appellant did not specify reasons why the decision was wrong, nor did they provide a desired outcome or changes to the decision. He said there was no injury referenced by the appellant to rise to the level of standing and recommended the Board dismiss the appeal. **MR. BROWNLEE** submitted photographs into the record of the proximity from his home to the Webb's Party Barn. He said the facility does not meet the criteria to have a Conditional Use Permit including keeping the peace (loud music, traffic, people talking, etc.). He reviewed the affects to farming in the area such as when trying to move equipment with increased traffic. He requested the Board allow for the appeal of the Conditional Use Permit.

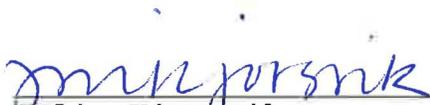
CHAIRMAN JEWELL noted there would be no new information provided relating to motions to dismiss. He said he would like to continue deliberation to a later date so he had additional time to review all of the materials.

COMMISSIONER OSIADACZ said she did not agree or disagree with the motion to dismiss at this point, but felt Mr. Brownlee made an attempt in his letter of appeal a desired outcome with specific reasons of appeal. She thought it would be good to continue the issue to a later date to allow for additional review. **CHAIRMAN JEWELL** felt it was important to consider the arguments made today, conduct additional research, and have the Board return to deliberate at a later date.

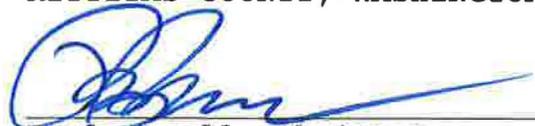
COMMISSIONER OSIADACZ moved to continue the Webb Appeal Hearing to Tuesday February 7, 2017 at 2:00 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse, for further deliberation and discussion. **COMMISSIONER O'BRIEN** seconded. Motion carried 3-0.

The meeting was adjourned at 3:17 p.m.

CLERK OF THE BOARD


Julie Kjorsvik

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**


Paul Jewell, Chairman