

**COMMISSIONERS' MINUTES
KITTTITAS COUNTY, WASHINGTON
PUBLIC HEARING**

TUESDAY

4:00 P.M.

FEBRUARY 18, 2003

Board members in attendance: Max Golladay, Perry Huston & Bruce Coe

Others: Julie Kjorsvik, Clerk of the Board; David Taylor, Community Development Services Director; Paul Bennett, Public Works Director; Gene Dana, Sheriff; Robert DeGroot, Undersheriff; and 3 members of the public.

PUBLIC HEARING

TEMPORARY BUSINESS LICENSE

COMM. DEV. SERVICES

At approximately 4:00 p.m. Commissioner Golladay opened the public hearing (continued from February 4, 2003) to consider a temporary business license to allow for temporary, seasonal business.

DAVID TAYLOR, COMMUNITY DEVELOPMENT SERVICES DIRECTOR, presented draft language for the Board's consideration. He reviewed permit review criteria and said he had added a more descriptive list of temporary business activities, which would be permitted by Kittitas County, including food vendors (i.e. espresso stands, taco wagons, etc.); recreational vehicle rentals (i.e. snowmobiles, bicycles, skis, etc.); retail sales (i.e. souvenirs, handicraft products etc.) and any activity not listed, which is nearly identical to the uses listed, may be permitted by Kittitas County. **CHAIRMAN GOLLADAY** asked if there was any public testimony. **THERE BEING NO TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER COE was not convinced the amendment was necessary, since there was no evidence of any public health and safety issues needing to be addressed. He didn't feel licensing helps private business, unless there are specific performance values attached to the licensing, concerns of public health and safety issues or other impacts to the County that needs to mitigate through licensing. He was in favor of having the licensing fees go back to mitigate either staff time or other impacts the County might see that are involved, in terms of the person pursuing their business. He encouraged staff to draft the document to ensure people would not have to wait three-weeks into a season to get an actual permit issued. **MR. TAYLOR** said in an administrative conditional use process, it would still need to go through the review process, but wouldn't go to a public hearing. The request would go to the Commissioner's and routed to other department heads, and if there

weren't any comments received within a certain number of days, the Board could then approve it. It would be a more expedited process.

COMMISSIONER HUSTON felt the proposed amendment would allow for small businesses (espresso carts etc.) to have an opportunity to obtain a license, instead of having to obtain a conditional use permit, which is time consuming and also expensive. The Planning Departments responsibility would be to look at the site and immediately determine the zoning and would allow for a process that does not currently exist. **COMMISSIONER GOLLADAY** expressed concerns of people operating small businesses in rural zones, and not having to comply with the necessary health codes/laws. The proposed amendment would allow for notification and the County would then be aware of what's going on, while also providing an avenue for equality. **COMMISSIONER HUSTON** suggested inserting a definition or an additional clause, explaining the intent of the particular temporary business license (a temporary conditional use permit). He explained that if someone comes in and wants to sell merchandise and they have permission of the land owner, but they don't want to get a permanent conditional use permit, (because their business is not permanent), this process allows them the opportunity to conduct their business enterprise for a specific, short period of time and then move on. The alternative right now is that if it is not an allowed use, it is illegal. If they are in a zone where what they are doing is an outright use, this process would not apply, and if they are already in the purview of the Health Department, food vendors, they would already be under those inspection criteria/permitting process, and nothing would be different. The only time the proposed Ordinance would be applied, is in those circumstances where it isn't an outright allowed use.

MOTION

TEMPORARY BUSINESS LICENSE

COMM. DEV. SERVICES

COMMISSIONER HUSTON moved to continue the public hearing until March 4, 2003 at 4:00 p.m. in the Commissioner's Auditorium, Room 109, County Courthouse, noting the record would remain open, and to consider another draft document at that time. **COMMISSIONER COE** seconded. Motion carried 3-0.

PUBLIC HEARING

BRICK ROAD RIGHT-OF-WAY

PUBLIC WORKS

At approximately 4:28 p.m. the public hearing was opened to consider surplus of Kittitas County right-of-way located off of Brick Road, Lot 16, Block 76, Shoudy's Second Addition to Ellensburg, Township 18 N.; Range 18 East, W.M. approximately 1,436 Sq. Ft.

PAUL BENNETT, PUBLIC WORKS DIRECTOR reviewed an Engineer's Report, claiming the parcel has no existing function for the Kittitas County Public Works Department for road or other purposes. He said the parcel is located within the existing Ellensburg City limits. The Assessor's office stated the ERL zoned land sales range from .93 to \$8.29 per

square foot. He explained since the subject parcel is small and probably not a true building site, the low end of the sales appeared to be the better value to consider. He recommended the Board declare the parcel at no value to the County and to deed the parcel over to the City of Ellensburg. **CHAIRMAN GOLLADAY** asked for public testimony. **THERE BEING NO TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

MOTION

BRICK ROAD RIGHT-OF-WAY

PUBLIC WORKS

COMMISSIONER HUSTON moved to declare the right-of-way property surplus located off of Brick Road, Lot 16, Block 76, Shoudy's Second Addition to Ellensburg, Township 18 N.; Range 18 East, W.M. approximately 1,436 Sq. Ft., and to authorize staff to prepare enabling documents for the Board's consideration at a later date. **COMMISSIONER COE** seconded. Motion carried 3-0.

PUBLIC HEARING

ELLENSBURG RODEO AGREEMENT/AMENDMENT

FAIR

At approximately 4:35 p.m. the public hearing was opened to consider an amendment to the January 19, 1999 agreement between Kittitas County and the Ellensburg Rodeo Association for the Saturday night bull-riding event for 2003.

COMMISSIONER HUSTON offered to give a staff report, since the Fair Director had currently resigned from his position. He felt \$1.00 per ticket was appropriate and at the conclusion of this season's events, the issue should be renegotiated. **THOSE PRESENT & TESTIFYING: GENE CAMARATA** expressed his confusion of the agreement.

RICK COLE, REPRESENTING THE ELLENSBURG RODEO ASSOCIATION, said the contract states the percentage paid to the County, was for rent. He said the Rodeo Board would like to contribute \$1.00 per used seat including those that compensated, over and above rent for the facility. The Rodeo Board hoped this year's event would be a success and an ongoing event in the future. Depending on this year's success, next year they may discuss additional contributions. He acknowledged other ways the Rodeo Board has contributed to the County, including a more efficient lighting system, which would soon be installed. **THERE BEING NO FURTHER TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER HUSTON recognized the Rodeo Board for their contributions, although he felt they needed to be put aside in relation to the discussions of amending the agreement. He recognized the agreement for \$1.00 per ticket was reached in a recent study session, and suggested modifying the language in future discussions. **COMMISSIONER COE** felt the Board could take the original agreement and extend it one year, and not re-write it. He suggested negotiating the agreement sooner and to not

leave it to the last minute so it is an urgency to get it approved. **COMMISSIONER GOLLADAY** agreed and said the agreement should be addressed no later than December of 2003.

MOTION

ELLENSBURG RODEO AGREEMENT/AMENDMENT

FAIR

COMMISSIONER HUSTON moved to close the record and to continue the public hearing to Tuesday March 4, 2003 at 3:00 p.m. in the Commissioner's Auditorium, Room 109, County Courthouse, Ellensburg, Washington, for review of a draft amendment to the agreement between Kittitas County and the Ellensburg Rodeo Association, to include disclosure language relating to the amount of \$1.00 per person/ticket, for the new 2003 Bull Riding Event. **COMMISSIONER COE** seconded. Motion carried 3-0. It was noted that Perry Huston or Warren Beed would be the lead contact person for the amendment.

PUBLIC HEARING

LAW & JUSTICE OPTIONS

COMMISSIONERS

At approximately 4:55 p.m. the continued public hearing (from February 6, 2003) was opened to consider Law & Justice facility options.

COMMISSIONER HUSTON announced the public hearing had been continued in order to allow additional time for reviewing the downtown option. He explained the Citizens Advisory Group needed direction on whether to move forward with the nature of construction, layout, number of beds, Sally Port, Central Facilities, Design Board, and advertisement of a Request for Proposals for an architecture. He said there was a public hearing scheduled for February 25, 2003 at 4:00 p.m. for the Board of County Commissioners to consider purchasing the Regal Travel Lodge, located across Water Street from the current jail facility.

THOSE PRESENT & TESTIFYING: **GENE DANA, SHERIFF** explained issues he was concerned with if the jail facility was kept downtown, including parking problems and limited space for expansion in the future. **ROBERT DeGROOT, UNDERSHERIFF**, said the Fed's expressed interest in renting bed space, if they were available, due to the location of Kittitas County being directly in the center of the State. He felt if there were 285 beds available, they would be filled very rapidly, and felt it could create revenue streams without creating a "prison" perception. Although he did not oppose the downtown site, he did feel the County should continue looking at another site for a possible satellite location. **SGT. CLAY MEYERS, SHERIFF'S DEPARTMENT**, requested the Board to reconsider the downtown option. He said there were currently 95 people in the 45-bed facility. He provided figures relating to the number of increased bookings, and said it was an indication of where Kittitas County would be in the future. He expressed concerns of not being able to add-on in the future where the facility is currently located, and said the type of

structure would be limited for the downtown vs. out of town. **CHARLES WEIDENBACH** felt if the facility was relocated, there would be large impacts to staffing for transporting etc. He felt the property at the West Interchange would be very expensive, and in his opinion, if the facility was to be relocated at all, it should be put out at the Airport. **CITY OF KITTITAS POLICE CHIEF DUNNIGAN**, supported the West-Interchange option, and said it would be more beneficial to spend the money where a facility could be expanded in the future, instead spending it on a land-locked site. He felt with either location there would be an increase to the number of staff. **CHIEF RITCHIE, ELLENSBURG POLICE DEPARTMENT, CHAIR OF THE LAW & JUSTICE COUNCIL** said the Law & Justice Council would be meeting the next day and that a letter outlining their recommendations would be forthcoming.

COMMISSIONER HUSTON explained the Citizens Advisory Group chose to not over-build, but to build in hopes of assisting in the immediate needs. He explained how the SEPA site review could be very lengthy, and acknowledged the downtown site was probably not an option for a 30-year window, but maybe a 20-year. **COMMISSIONER COE** said other counties are currently building jail facilities, and did not want to build too large and be stuck with unmarketable space. Although he felt sympathetic to law enforcement for the current situation, it was problematic and the Citizens Advisory Group needed to be given specific direction. **COMMISSIONER GOLLADAY** agreed that either choice of sites would be acceptable, but was very concerned with the expense, and therefore could not be in favor of the West Interchange site at this time. He supported the Citizens Advisory Group pursuing the downtown option, with a 10-16 million dollar range for maximum build-out. **COMMISSIONER HUSTON** offered to contact Mr. Witkowski from the City of Ellensburg, and discuss issues relating to the SEPA Committee's impacts and design review.

MOTION

LAW & JUSTICE FACILITY OPTIONS

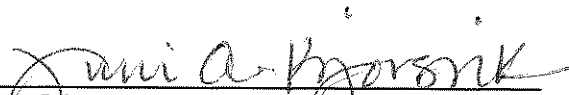
COMMISSIONERS

COMMISSIONER HUSTON moved to direct the Citizens Advisory Group to prepare a draft scope of work in preparation of creating a request for proposals for additional architectural services; to contact the SEPA Responsible Official of the City of Ellensburg to begin pre-project review and to continue discussions with the owners of the adjacent real estate necessary to make the project work, and a report to be presented in draft form March 4, 2003 at 4:00 p.m. in the Commissioner's Auditorium. **COMMISSIONER COE** seconded. Motion carried 3-0.

Meeting adjourned at 6:37 p.m.

CLERK OF THE BOARD

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON


Julie A. Kjorsvik


Max A. Golladay, Chairman