

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

TUESDAY

4:00 P.M.

SEPTEMBER 2, 2003

Board members present: Chairman Max A. Golladay, Vice-Chair Perry Huston & Commissioner Bruce Coe.

Others: Julie Kjorsvik, Clerk of the Board; Warren Beed, Facilities Maintenance Director; Allison Kimball, Community Development Services, Department; David Taylor, Community Development Services Director; and approximately 15 members of the public.

✓ **PUBLIC HEARING**

JAIL EXPANSION

COMMISSIONERS

At approximately 4:00 p.m. **CHAIRMAN GOLLADAY** opened a public hearing to consider purchasing the Waits Motel 205 W. 6th, Ellensburg, Tax #17-18-02050-0104; Harolds Motel 601 N. Water, Ellensburg, Tax #17-18-02055-0506 and the Rodeo House 1014 E. 10th, Ellensburg, Tax #18-18-36056-7907.

WARREN BEED, FACILITIES MAINTENANCE DIRECTOR presented information on for property. He noted that he had met with the landowner throughout the last ten (10) months, and has negotiated a purchase price for the Waits Motel and Harold's Motel property, in the total amount of \$1,200,000.00. Kittitas County would pay for all closing costs.

THOSE PRESENT & TESTIFYING: **DON DAVIS**, testified against spending 1.2 million dollars on property to expand the current jail. He expressed funding concerns relating to the future expenses for programs including Drug Courts, Mental Health Courts, ADDS etc. **MARTHA PITTS** felt the current programs were not adequate enough for the community's needs. She felt the County should not purchase property for the convenience of location, and thought they could find cheaper land somewhere else. Although she agreed with the need of expanding the existing jail, she felt there could be better solutions. **THERE BEING NO ADDITIONAL TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER HUSTON how the Citizen's Advisory Group had previously reviewed several sites and held public meetings to obtain public testimony on the options. He agreed that services in the community could be bettered, but said legislation needs to provide funding for the laws they make.

COMMISSIONER HUSTON moved to ratify the Real Estate Purchase and Sale Agreement for the properties located at 204 West 6th and 601 North Water in Ellensburg, Washington, in the amount of \$1,200,000.00 to come out of the Juvenile Justice Tax account, noting Kittitas County would pay all closing costs and to authorize the Chair to sign the appropriate closing documents. **COMMISSIONER COE** seconded. Motion carried 3-0.

WARREN BEED, FACILITIES MAINTENANCE DIRECTOR described the property located at 1014 East 10th in Ellensburg, Washington, which is north of the Kittitas County Fairgrounds. He said the property was included in the Fair's Master Plan for future expansion. If the Board decided to purchase the property in the amount of \$130,000.00, the funds could come out of the Real Estate Excise Tax account.

THERE BEING NO PUBLIC REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED. The Board of Commissioners expressed their support for the purchase of property.

COMMISSIONER HUSTON moved to ratify the Real Estate Purchase and Sale Agreement for the property located at 1014 East 10th in Ellensburg, Washington, in the amount of \$130,000.00, funds to come out of the Real Estate Excise Tax account, and to authorize the Chair to sign the appropriate closing documents. **COMMISSIONER COE** seconded. Motion carried 3-0.

✓ **PUBLIC HEARING**

YAKIMA WATERSHED PLAN

CDS

At approximately 4:22 p.m. **CHAIRMAN GOLLADAY** opened the continued public hearing (from August 5, 2003), to consider the Planning Units recommendation for adoption of the Yakima River Watershed Plan. Title 90.82 RCW Watershed Planning includes specific adoption procedures for watershed plans. Specifically, RCW 90.82.130 requires the individual Boards of County Commissioners to hold a public hearing and convene in a joint session to consider the proposed plan. The individual counties may approve or reject the plan, but may not amend it and approval of the plan can only be reached if a majority vote of each of the individual Boards is achieved

DAVID TAYLOR, COMMUNITY DEVELOPMENT SERVICES DIRECTOR, acknowledged a letter, which had been sent out on August 6, 2003, to all Planning Unit Members, requesting comments on the proposed Watershed Plan, in light of the provisions of 2E2SHB 1336. He acknowledged receipt of letters from

the City of Ellensburg Attorney's office, the Tri-County Water Resources Agency, the Department of Ecology and Senator Joyce Mulliken.

THOSE PRESENT & TESTIFYING: **JIM MILTON, COORDINATOR FOR THE TRI-COUNTY WATER RESOURCES AGENCY**, said he had the concerns that were brought up at the last public hearing, analyzed by an Attorney, and he felt the law provided a good opportunity for the State to work in partnership with local officials. He urged the Board to move forward and adopt the Plan. **COMMISSIONER HUSTON** asked if the letter from Attorney Martin was proprietary and requested a copy of the legal opinion. **MR. MILTON** agreed to take Commissioner Huston's request to the Chairman of the Board. **LEGISLATIVE REPRESENTATIVE BILL HINKLE**, reviewed portions of a letter from the Department of Ecology. **COMMISSIONER HUSTON** asked if Mr. Fitzsimmons would support the opinion of the staff member who wrote the letter. **MR. HINKLE** said he would ensure that Mr. Fitzsimmons telephones Commissioner Huston relating to that subject. He spoke of old and current Watershed Planning legislation. He felt the Commissioner's did not need to make an immediate decision, because the legislation does not begin until all three counties have gotten together. **TIM KUNKA, REPRESENTING THE CATTLEMAN'S ASSOCIATION**, said they strongly opposed the Plan. He was impressed with the level of review by the Board of County Commissioners and felt the concerns they expressed were valid. **MARY BURKE**, testified against the Plan and said she could not support it. She questioned who would be in control and if there were too many governments involved. She also questioned what the costs would be to the County and said the Department of Ecology was exempt from rule making and they could make up their own policies. Ms. Burke asked questions of the Tri-County Water Resources Agency and requested a formal report from them. She urged the Board of Commissioners to not adopt the Plan. **JIM WILLARD** asked what approach would be used to manage water resources. He felt the Plan was a good document and urged the Board of County Commissioners to adopt it. **COMMISSIONER HUSTON** mentioned there was not a codified Planning Unit. He raised concerns of the implementation to the Plan. **CHAIRMAN GOLLADAY** noted there had not been an Attorney General's opinion received yet. **SENATOR JOYCE MULLIKEN** felt 1336 brought more to the local level versus the current law. She reviewed a letter and side-by-side analysis. She explained that if the County were to not implement the Plan, they would not get the money. Although she was not making a formal recommendation, she urged the Board to find a way to stay at the table and in the conversations. She also mentioned possibly redefining the Planning Unit through the Washington State Association of Counties. **COMMISSIONER HUSTON** felt the "opt-out" language needed to be clarified. **GREG SCHULER** explained an option of having a joint meeting and request that they be relieved from the Plan. **COMMISSIONER HUSTON** commented on the actual Plan versus implementation.

He felt there was good information within the Plan, but it was the process, which scared him.

COMMISSIONER HUSTON moved to continue the public hearing to Tuesday October 7, 2003 at 4:00 p.m. in the Commissioner's Auditorium, Room 109, County Courthouse, to allow additional time for staff to work with Mr. Schuller and legislators, and to review the additional information that had been submitted. **COMMISSIONER COE** seconded. Motion carried 3-0. It was noted the record was to remain open.

It was noted that staff would send a public disclosure request to the Tri-County Water Resources Agency, for Attorney Martin's legal opinion.

MARY BURKE requested copies of the letters, which had been submitted by other agencies.

✓ **PUBLIC HEARING**

BUILDING PERMIT FEES

CDS

At approximately 6:20 p.m. **CHAIRMAN GOLLADAY** opened a public hearing to consider proposed revisions to the Kittitas County Community Development Services building permit fee schedule.

DAVID TAYLOR, COMMUNITY DEVELOPMENT SERVICES DIRECTOR reviewed a staff report, and explained that while their department has made considerable progress in providing a higher level of service, (after consolidating the Planning and Building departments) the costs associated have increased. They have experienced a shortfall of approximately 8%. Upon review of other Eastern Washington counties, and their fee schedules, Table 1-A of the 1997 UBC appeared to be the standard.

THOSE PRESENT & TESTIFYING: MITCH WILLIAMS, SPEAKING ON BEHALF OF THE CENTRAL WASHINGTON HOMEBUILDERS ASSOCIATION, testified against the proposed 30% increase and asked for justification. He said they supported the Commissioners when they decided to consolidate the departments, but were not in favor of increasing the fees. He said they would not be opposed to increasing fees, if there was appropriate documentation submitted, including actual figures explaining why an increase was warranted. He suggested forming a Development Advisory/Policy Committee made up of builders, real estate agents, Planners, surveyors etc. **JERRY GILMOUR** questioned how builders are to be notified of any proposed fee increases, and expressed his frustration of the constant changes and confusion between the City and County's Code. **MR. TAYLOR** said notices were sent out to the contractors that are on their mailing list, and they also place notification in their department's newsletter. **ROB OWMAN'S, KITTITAS COUNTY ASSISTANT**

BUILDING OFFICIAL spoke in favor of the proposed increase and said he would be willing to meet with the City to discuss consistency issues. THERE BEING NO FURTHER TESTIMONY THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

COMMISSIONER HUSTON felt the revenue shortfall was unrelated to increasing the building fees. He said without reviewing the actual figures, he was not able to make a decision. He directed staff to present a detailed narrative including a side-by-side analysis including expenses and revenue.


COMMISSIONER HUSTON moved to continue the public hearing to consider increasing the building permit fees, until 4:00 p.m. on Tuesday October 7, 2003, in the Commissioner's Auditorium, Room 109, County Courthouse. COMMISSIONER COE seconded. Motion carried 3-0.

Meeting adjourned at 7:08 p.m.

CLERK OF THE BOARD

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON


Julie A. Kjorsvik


Max A. Golladay, Chairman