

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

TUESDAY

4:00 P.M.

MAY 18, 2004

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

Others: Julie Kjorsvik, Clerk of the Board; Allison Kimball, Operations Supervisor, CDS; Paul Bennett, Public Works Director; Joy Potter, Public Works Staff, and approximately 12 members of the public.

PUBLIC HEARING

SADDLE MOUNTAIN PIT

PUBLIC WORKS

At approximately 4:11 p.m. **CHAIRMAN HUSTON** opened the public hearing to consider a lease of the Saddle Mountain Pit to Maslonka & Associates, Inc.

PAUL BENNETT, PUBLIC WORKS DIRECTOR, presented a staff report. He said that Maslonka and Associates, Inc. has a contract with the Bonneville Power Administration to build a new high voltage line. They would like to use the Saddle Mountain Pit as a fly yard to move tower components for their assembly, and noted there would be no crushing of rock on the site. They were expecting 2 to 4 trips per day and are scheduled for 3 to 14 days of flying. They will be required to meet all FAA regulations while performing the operations. The Saddle Mountain Pit is located at Milepost 14.5 on the Old Vantage Highway East of Kittitas in Sec. 7, Twn. 17N, Rng. 21 E. He submitted a map into the record of the proposed site. He said the Prosecutor's office had reviewed and approved the proposed lease, which would become effective June 1, 2004 through May 31, 2006, at a rate of \$7,557.66 per year, plus lease hold tax. They had provided the County a copy of their insurance policy.

THOSE PRESENT & TESTIFYING: MARK MASLONKA, PRODUCT MANAGER FOR MASLONKA & ASSOCIATES testified in favor of the lease. He explained that there would be approximately 22 towers constructed. **THERE BEING NO OTHER TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER COE moved to approve and authorize the Board to sign a Lease with Maslonka and Associates, Inc. for the Saddle Mountain Pit area, from June 1, 2004 through May 31, 2006, at a rate of \$7,557.66 per year, plus lease hold tax. **COMMISSIONER GOLLADAY** seconded. Motion carried 3-0.

At approximately 4:20 p.m. **CHAIRMAN HUSTON** opened the public hearing to consider vacating a portion of Bullfrog Road.

PAUL BENNETT, PUBLIC WORKS DIRECTOR reviewed his Engineer's Report. He said Kittitas County, the Washington State Department of Transportation and MountainStar have entered into a partnership to improve the intersection of SR 903 and Bullfrog Road. The improvement would result in the relocation and possible abandonment of a section of the existing Bullfrog Road. Several events would need to take place in order to complete the construction and land transfer for the project, including: purchasing additional land from Jeff Anderson; purchase of .03 acres from Jack Wadkins; vacate old Bullfrog Road right-of-way (to Jack Wadkins); vacate the unused right-of-way purchased from Jeff Anderson (to Jack Wadkins) and reimburse MountainStar from remnant vacated to Wadkins. A professional appraiser was contracted to provide the appraisal value for the Anderson property, which was \$1.37 per square foot, and Public Works has historically used the Assessor's fair market value for vacations. According to the County Assessor's office a fair market value is \$2.20 per square foot. He said Kittitas County initiated the potential vacation and was probably the most important intersection in the Upper County, due to the increase in development. He recommended declaring the requested portion, as unnecessary to the transportation system for Kittitas County and to authorize the vacation of said right-of-way.

THOSE PRESENT & TESTIFYING: JACK WADKINS, PROPERTY OWNER read a letter dated May 17, 2004 into the record. He said throughout the entire process, his position remained the same which included: either equal or better access than what currently exists, or equal or better frontage on Bullfrog Road/SR 903 than currently exists. He felt it was Kittitas County's responsibility to mitigate his loss including paying him for his diminished access or provide the property described in the engineer's report to him at no charge. He commended Mr. Bennett for his professionalism and communication throughout the process. **JEFF ANDERSON** said he owned a business that is located on Mr. Wadkins property. He felt it didn't make any sense that he be charged for access that he has always had for free in the years past. **MRS. NUZEM** said she lived behind the mini-mart and has always had access to back her trailer into her property. She expressed concerns of not having enough room for her to back her trailers onto her property. **THERE BEING NO ADDITIONAL TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER COE questioned if the project were to go through, how the County should quantify the loss of traffic to Mr. Wadkins property? **COMMISSIONER GOLLADAY** asked why MountainStar couldn't purchase it and dedicate it to the property owners? **CHAIRMAN HUSTON** said the impacts have to be mitigated and they need to be established with a defensible record. He felt additional time was needed for review of case law.

CHAIRMAN HUSTON moved to continue the public hearing to June 1, 2004 at 4:00 p.m., in the Commissioner's Auditorium, Room 109, County Courthouse, Ellensburg, Washington, noting the written record would remain open. **COMMISSIONER COE** seconded. Motion carried 3-0.

PUBLIC HEARING

SCHNEBLY ROAD R-O-W VACATION

PUBLIC WORKS

At approximately 5:37 p.m. **CHAIRMAN HUSTON** opened the public hearing to consider the vacation of a portion of Schnebly Road.

PAUL BENNETT, PUBLIC WORKS DIRECTOR reviewed an Engineer's Report. He said a property owner had initiated the potential vacation of a portion of Schnebly Road, and pursuant to RCW 36.87.040, an inspection had been made of Sections 11 and 12, Township 18 North, range 19 East W.M. He reviewed each of the three areas, and recommended that the two northerly areas be vacated, since they have not been used as a road for over thirty (30) years, and offering it to the adjoining property owners in accordance with Kittitas County Code, and should one of the adjoining property owners decline to purchase the abandoned right-of-way, it should then be offered to the other property owner. He said the southerly section is used as an agricultural access only, and there are no plans for the expansion of the transportation system in this vicinity. If the southerly portion were to be vacated, it would result in land-locking several parcels.

THOSE PRESENT & TESTIFYING: CRAIG SCHNEBLY said he concurred with the recommendation of vacating the NW & NE corners. He said he would provide an easement for egress/ingress for adjoining property owners, if it were to be vacated by the County. **THERE BEING NO ADDITIONAL TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER GOLLADAY moved to approve vacating the NW and NE corners of Schnebly Road, and to deny the request to vacate the SE corner, as recommended by the Public Works Department, and to direct staff to prepare enabling documents. **COMMISSIONER COE** seconded. Motion carried 3-0.

CHAIRMAN HUSTON moved to continue the public hearing to Tuesday June 1, 2004 at 4:00 p.m., in the Commissioner's Auditorium, Room 109, County Courthouse, Ellensburg, noting the record to remain open for researching the specific issue, on if the SE corner can be conditioned as a voluntary easement. **COMMISSIONER GOLLADAY** seconded. Motion carried 3-0.

Meeting adjourned at 6:00 p.m.

CLERK OF THE BOARD

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Julie A. Kjorsvik

Perry D. Huston, Chairman