

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

TUESDAY

4:00 P.M.

JUNE 1, 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; Warren Beed, Facilities Maintenance Director; Rob Omens, Assistant Building Official; Paul Bennett, Public Works Director; and approximately 5 members of the public.

PUBLIC HEARING

VALLE ESPRESSO LEASE

MAINTENANCE

At 4:00 p.m. **CHAIRMAN HUSTON** opened the public hearing to consider an assignment and lease extension for Richard and Melody Shaff, owners of Valle Espresso located at 409 North Ruby, Ellensburg, Washington.

WARREN BEED, FACILITIES MAINTENANCE DIRECTOR explained how the County received a letter from Richard and Melody Shaff, owners of Valle Espresso, stating they were selling their business and wished to assign and extend the lease to the potential buyers. The Board of County Commissioners office received the appropriate fee in the amount of \$25.00 to begin the process. He recommended assigning the lease to the Stanley's (new owners) and extending it at the current rate, which includes leasehold tax.

THOSE PRESENT & TESTIFYING: MELODY SHAFF urged the Board to approve her request to assign and extend the lease to the Stanley's. **THERE BEING NO FURTHER TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER COE expressed concern of not having an escalator in place with the lease. **COMMISSIONER GOLLADAY** questioned if the County may need the space for future parking at the Permit Center. He also wanted to be assured that the rental rate was appropriate. **CHAIRMAN HUSTON** reminded the Board that they reduced the rental rate last year, to \$575.00 a month. He was not concerned with the next five years, but at that time, it would need to be re-evaluated for growth etc.

CHAIRMAN HUSTON moved to extend the lease agreement with the Shaaf's from the date of expiration, and to approve the assignment of the lease to the Stanley's, for a period of five years, and to direct

staff to prepare enabling documents for the Board's consideration at the June 15, 2004, Commissioner Agenda. **COMMISSIONER GOLLADAY** seconded. Motion carried 3-0.

PUBLIC HEARING

BUILDING CODES

CDS

At approximately 4:10 p.m. **CHAIRMAN HUSTON** opened the public hearing to consider adopting the State and International Building Codes, and to Amend Kittitas County Code Title 14, Chapter 10.04 Building Codes.

ROB OMANS, ASSISTANT BUILDING OFFICIAL, explained that on November 21, 2003, the Washington State Building Code Council adopted and approved amendments to the 2003 International Building Code, International Residential Code, International Fire Code, and International Mechanical Code published by the International Code Council, and the 2003 Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials. The Council also made limited editorial changes to the Washington State Energy Code and the Washington State Ventilation and Indoor Air Quality Code. The building codes and amendments are mandated by the State to become effective July 1, 2004. He also submitted the Building Valuations per square foot, and recommended that the Board approve the codes and amendments as outlined.

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

COMMISSIONER GOLLADAY moved to approve the proposed State and International Building Codes, as submitted by the Community Development Services Department and to direct staff to prepare enabling documents for the Board's signature on June 15, 2004. **COMMISSIONER COE** seconded. Motion carried 3-0.

COMMISSIONER GOLLADAY moved to continue the public hearing to consider the enabling documents to June 15, 2004 at 4:00 p.m. in the Commissioners' Auditorium, Room 109, County Courthouse. **COMMISSIONER COE** seconded. Motion carried 3-0. It was noted the record was closed.

PUBLIC HEARING

WHITE ROAD

PUBLIC WORKS

At approximately 4:20 p.m. **CHAIRMAN HUSTON** opened the public hearing to consider the installation of a stop sign at the intersection of White Road and Airport Road near Cle Elum.

PAUL BENNETT, PUBLIC WORKS DIRECTOR reviewed his Engineer's Report, and stated their department had received a request to revise the traffic control at the White Road and Airport Road Intersection in Cle Elum. He said upon review of the Manual on Uniform Traffic Control Devices (2003 edition), he recommended for the safety of the public, that a Yield Sign on White Road be replaced with a Stop Sign.

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

ORDINANCE 2004-17 WHITE ROAD - STOP SIGN PUBLIC WORKS

COMMISSIONER COE moved to approve Ordinance No. 2004-17, to Place a Stop sign on White Road at the Intersection with Airport Road and to Remove the Existing Yield Sign on White Road and Amending Section 10.12.010 of the Kittitas County Code. **COMMISSIONER GOLLADAY** seconded. Motion carried 3-0.

PUBLIC HEARING DRY CREEK CONNECTION PUBLIC WORKS

At approximately 4:25 p.m. **CHAIRMAN HUSTON** opened the public hearing to consider renaming Dry Creek Connection.

PAUL BENNETT, PUBLIC WORKS DIRECTOR, presented his Engineer's Report and explained there had been a number of residents that have requested the County rename Dry Creek Connection, due to the similarity to Dry Creek Road. He said the Dry Creek Connection was formally a portion of SR 10, which had been turned back to Kittitas County to be maintained by county forces. He presented a list of names that would not conflict with WSDOT's names. He did not have a preference for changing the name change.

THOSE PRESENT & TESTIFYING: MR. KUTCHER was confused with the location of the road. **MR. BENNETT** clarified the location for him. **THERE BEING NO ADDITIONAL TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER COE felt renaming it "Old Highway Ten" would be appropriate and consistent.

COMMISSIONER COE moved to rename Dry Creek Connection to "Old Highway Ten", and to direct staff to prepare enabling documents for the Boards consideration on June 15, 2004. **COMMISSIONER GOLLADAY** seconded. Motion carried 3-0.

COMMISSIONER COE moved to continue the Public Hearing until Tuesday June 15, 2004 at 4:00 p.m. in the Commissioner's Auditorium, Room

109, County Courthouse. **COMMISSIONER GOLLADAY** seconded. It was noted that the record was closed.

PUBLIC HEARING

BULLFROG ROAD

PUBLIC WORKS

At approximately 4:33 p.m. **CHAIRMAN HUSTON** opened the continued public hearing (from May 18, 2004) to consider the vacation of a portion of Bullfrog Road.

PAUL BENNETT, PUBLIC WORKS DIRECTOR, presented supplemental information, as had been previously directed by the Board. The design consultant provided one case (Winn-Dixie Stores, Inc. vs. Department of Transportation; Nathan Benderson, Ronald Benderson and David H. Baudauf, as Trustees). He reviewed the interpretation, stating the findings were that the government was liable for diminished access. In order to mitigate the diminished access, the Public Works Department researched alternatives. He recommended providing the property owner with two approaches as designed, approve a property exchange with the property owner (the property owner to provide the additional 1,498 square feet of right-of-way at no cost to the County) and would vacate all un-necessary property to Mr. Wadkins, which would be a total of 30,194 square feet, at no cost. He recommended that no action be taken on the Nuzum request for access consideration until such time that legal access has been established and recorded.

MR. WADKINS felt it would be acceptable, noting the access was most important to him. Discussions took place on the remnant piece of property. **MR. BENNETT** recommended not signing an agreement until Step 2 of the process has been completed. **COMMISSIONER COE** expressed his concerns of the land exchange and did not feel comfortable about it. He felt the proposal was not fair to either party.

CHAIRMAN HUSTON moved to approve and authorize continuing forward with the land exchanged as proposed, and to mitigate the deteriorated access. **COMMISSIONER GOLLADAY** seconded. Motion carried 2-1. (Commissioner Coe voted against the motion).

PUBLIC HEARING

SCHNEBLY ROAD

PUBLIC WORKS

At approximately 5:08 p.m. **CHAIRMAN HUSTON** opened the continued public hearing to consider the vacation of a portion of Schnebly Road.

PAUL BENNETT, PUBLIC WORKS DIRECTOR presented a staff report. He said there were three 90 degree corners of Schnebly Road that had not been used due to the curve realignment in 1974. He explained that his office met with the applicant to determine if the County could legally attach an easement for the ingress/egress on vacated right of way. The concern with vacating the SE corner could result in land locking of other parcels, and was mutually agreed not to vacate it.

THOSE PRESENT & TESTIFYING: CRAIG SCHNEBLY agreed with not vacating the South East corner. **THERE BEING NO ADDITIONAL TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

CHAIRMAN HUSTON moved to approve and authorize the vacation of the vacation of the NE corner and the NW corner, consisting of 30 feet of right of way, south of the 16th quarter line, and 60 feet along the north/south line, and to not vacate the SE corner, and to direct staff to prepare enabling documents for the Boards consideration. **COMMISSIONER COE** seconded. Motion carried 3-0.

Meeting adjourned at 5:24 p.m.

CLERK OF THE BOARD

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Julie A. Kjorsvik

Perry D. Huston, Chairman