

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

TUESDAY

4:00 P.M.

SEPTEMBER 7, 2004

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

Others: Julie Kjorsvik, Clerk of the Board; Patti Johnson, Solid Waste Director; Paul Bennett, Public Works Director and approximately 6 members of the public.

PUBLIC HEARING WASTE MANAGEMENT CONTRACT EXTENSION SOLID WASTE

At 4:04 p.m. **CHAIRMAN HUSTON** opened the public hearing to consider exercising the option to extend Waste Managements contract to operate the transfer stations.

PATTI JOHNSON, SOLID WASTE DIRECTOR said the current contract with Waste Management to operate the Ellensburg and Cle Elum Transfer Stations expires on June 30, 2005. She said the contract allows for the county to extend the agreement, under the same terms and conditions for two additional thirty month periods or an additional five year period. She said a thirty month extension, the contract would expire on December 31, 2007 and with a 60 month contract, it would expire on June 10, 2010. With either option, we would not be able to get our contract with Waste Management to coincide with the City of Ellensburg's contract with them. She explained there is a CPI increase each year and the advantage to a longer contract, the rate would be known and locked in. She reviewed the new quarantine and did not know the effects it could have with the rates, if the County were to go out to bid again. She recommended a 60 month contract extension with Waste Management.

COMMISSIONER COE questioned why the County should lock in to an amount for 60 months. **MS. JOHNSON** explained it would allow for more time for advances and improvements that are being proposed by Waste Management. **COMMISSIONER GOLLADAY** said there had been a lot of work that went into getting the current agreement with Waste Management, and noted it had been recommended by the Solid Waste Advisory Committee.

THOSE PRESENT & TESTIFYING: TED WOODARD, WASTE MANAGEMENT DISTRICT MANAGER mentioned the last time the County went out to bid, the closest bidder to them was \$52.00 and their current rate is \$42.50 per ton. He felt it would cost more for the County to go out for

bid again. He said they had planned on putting a "grizzly" in the Transfer Station. **THERE BEING NO FURTHER TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER GOLLADAY expressed his support of a 60 month contract extension, claiming it has been a good system, and the least expensive, which is a benefit to the County citizens. **CHAIRMAN HUSTON** felt the relationship with Waste Management had been successful. He said there were many advantages for extending the current contract for a 60 month period. **COMMISSIONER COE** questioned the CPI increase and if there were other contractors interested? He said he could not walk away from the public process without going through a competitive bid process, and although there may be an advantage to Kittitas County not having to go through another bid process, he worried about the public's perception of extending the contract out of convenience. **CHAIRMAN HUSTON** objected to Commissioner Coe's comments of circumventing the public process, claiming it was not out of convenience, and the current contract allows the County to be in a position to evaluate it again before it expires. He said it was not illegal to extend a contract as written, and noted all legal requirements for the public hearing had been met. **COMMISSIONER COE** wanted a written guarantee that things will be done from Waste Management, not just verbal.

COMMISSIONER GOLLADAY moved to approve a 60-month extension to the Waste Management Agreement with Kittitas County and to direct staff to prepare enabling documents for September 21, 2004 at 3:00 p.m. **CHAIRMAN HUSTON** seconded. Motion carried 2-1. **COMMISSIONER COE** voted against the motion.

COMMISSIONER GOLLADAY moved to continue the public hearing to Tuesday September 21, 2004 at 3:00 p.m., noting the record is closed to public testimony. **COMMISSIONER COE** seconded. Motion carried 3-0.

PUBLIC HEARING

SPEED LIMITS/SIGNS-RANCH ROAD

PUBLIC WORKS

At approximately 4:32 p.m. **CHAIRMAN HUSTON** opened a public hearing to consider amending Kittitas County Code Chapter 10.08 "Speed Limits on County Roads" to set speed limits on Ranch Road - 35 miles per hour and to amend Kittitas County Code Chapter 10.12 "Stop & Yield Signs" to place a stop sign on Ranch Road, at the intersection of Ranch Road and Burke Road.

PAUL BENNETT, PUBLIC WORKS DIRECTOR reviewed his Engineer's Report, and said his department conducted a development and transportation review of Ranch Road located in Section 28 T.20N, R.17E. W.M. He said in accordance with the Manual of Uniform Traffic Control

Devices (MUTCD) it is appropriate to place a stop sign for public safety eastbound on Ranch Road at the Burke Road intersection.

MR. BENNETT said a method of establishing speed zones has been that small parcels (approximately 1 acre) result in more traffic and approaches which justify a 25 mph speed limit. The parcel sizes along Ranch Road range from 3 to 5 acres which justifies a 35 mph. There is an access along Ranch Road signed at 35 mph, which is appropriate based on sight distance and safety factors. The access is safe for its current use as agricultural and farm land access and would be adequate if the land were subdivided and used for residential purposes sometime in the future. He recognized receipt of a letter from Mr. Pat Burke dated August 26, 2004 and said he had responded to their request on August 30th.

THOSE PRESENT & TESTIFYING: ERIC WOLF said there were eleven (11) children that live in the area, and felt the recommended 35 miles per hour was too fast, and suggested 25 miles per hour instead.

MARY BURKE did not have a comment on the speed limit, but referenced their legal access for agricultural purposes. **FRANCIS LEE** agreed with Mr. Wolf and felt 35 miles per hour was too fast for children living in the area. **THERE BEING NO FURTHER TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER COE questioned what the difference between 35 and 25 mph on a short road, if the residents were in favor of it.

COMMISSIONER COE moved to amend the proposed Ordinance, striking the speed limit of "35 miles per hour" and replace it with "25 miles per hour". **COMMISSIONER GOLLADAY** seconded.

COMMISSIONER GOLLADAY noted the Public Works Department had been through the process of determining a safe and adequate speed and did not feel he could go against their recommendation. **CHAIRMAN HUSTON** said the road had been engineered to speed, and was concerned that by lowering the speed limit, it would be creating a speed trap, and felt it would be an enforcement issue.

Motion carried 2-1. (Commissioner Golladay voted against the motion).

ORDINANCE 2004-34 SPEED LIMIT - BURKE ROAD PUBLIC WORKS

Chairman Huston moved to approve Ordinance No. 2004-34, Placing Speed Limit Signs on Ranch Road, and Amending Section 10.08.010 of the Kittitas County Code, adding the following roads as 25 miles per hour: Westbound on Ranch Road after the Burke Road Intersection, effective upon the installation of the appropriate signs.

Commissioner Coe seconded. Motion carried 2-1. Commissioner Golladay voted against the motion.

ORDINANCE 2004-35

STOP SIGNS - BURKE ROAD

PUBLIC WORKS

Commissioner Golladay moved to approve Ordinance No. 2004-35, Placing a Stop Sign on Ranch Road and Amending Section 10.12.010(1) of the Kittitas County Code. Commissioner Coe seconded. Motion carried 3-0.

PUBLIC HEARING

CASCADE ROAD

PUBLIC WORKS

At approximately 4:55 p.m. **CHAIRMAN HUSTON** opened the continued public hearing (from August 17, 2004) to consider the vacation of Cascade Road.

CHAIRMAN HUSTON acknowledged receipt of written information from Paul Bennett (dated 8/27/04); letter from Marie Smith; letter from Edward Silva; letter from Lois & Scott Griffith (8/27/04); letter and information from Attorney Gregory S. McElroy (8/27/04); letter and information from Attorney Richard Cole (8/27/04); and a supplemental letter from Richard Cole (9/2/04). He explained he had went on a site visit and obtained a copy of a survey. **COMMISSIONER GOLLADAY** said he had also visited the property in person to get a better understanding of the area. **COMMISSIONER COE** disclosed he had no contact with anyone on the subject matter. There were no objections to any of the Board hearing the matter.

PAUL BENNETT, PUBLIC WORKS DIRECTOR said his recommendation had not changed since the previous hearing. **LOIS GIBSON** submitted a letter into the record from Frank Kendall.

The Board decided to not re-open the oral testimony and closed the public portion of the hearing.

CHAIRMAN HUSTON explained that if the vacation was granted, the surrounding property owners would still have legal access to their property. He felt it would be a public benefit to clear up the property and get it back onto the tax role. **MR. BENNETT** mentioned the county could order a permanent easement for public utilities on Cascade Road. He offered to contact Puget Sound Energy and the City of Ellensburg for the required width for the right of way and see where the current utilities are located, so they are preserved as part of the transfer.

CHAIRMAN HUSTON moved to approve the request as presented, direct staff to prepare enabling documents, reflecting the preservation of the utility easements. **COMMISSIONER COE** seconded. Motion carried 3-0.

CHAIRMAN HUSTON moved to continue the public hearing to Tuesday October 5, 2004 at 4:00 p.m. in the Commissioner's Auditorium, Room 109, County Courthouse, to review enabling documents. **COMMISSIONER COE** seconded. Motion carried 3-0. It was noted the record was closed.

MARY BURKE thanked Paul Bennett and his staff for providing information to her. She explained tax parcels and if they do not have numbers assigned, titles can be difficult to obtain. She suggested having a county policy on assigning tax parcels upon approving short plats.

Meeting adjourned at 5:20 p.m.

CLERK OF THE BOARD

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Julie A. Kjorsvik

Perry D. Huston, Chairman