

**COMMISSIONERS' MINUTES  
KITITAS COUNTY, WASHINGTON  
SPECIAL MEETING**

**TUESDAY**

**4:00 P.M.**

**DECEMBER 20, 2005**

Board members present: Chairman Perry D. Huston, Vice-Chairman David Bowen & Commissioner Alan Crankovich.

Others: Julie Kjorsvik, Clerk of the Board; Darryl Piercy, Director of Community Development Services; Patti Johnson, Solid Waste Director; Judy Pless, Budget & Finance Manager; Scott Bradshaw, Director of Public Works; Ryan Roberts, Public Works Staff and 11 members of the public.

**PUBLIC HEARING                      LEASE AT RYEGRASS/AMERICAN ENERGY      SOLID WASTE**

At approximately 4:00 p.m. **CHAIRMAN HUSTON** opened the public hearing to consider leasing three (3) acres at the Ryegrass Facility to American Energy, Inc.

**PATTI JOHNSON, SOLID WASTE DIRECTOR** reviewed the request from American Energy, who will be building power lines, from the Wildhorse Wind Project to the Stevens Road area.

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

**AGREEMENT                      LEASE AT RYEGRASS/AMERICAN ENERGY      SOLID WASTE**

**COMMISSIONER BOWEN** moved to approve a Lease Agreement between Kittitas County and American Energy, Inc. for the lease of 3 acres at the Ryegrass Facility located in Township 17, Range 21, Section 16, for a period beginning January 1, 2006 through June 31, 2006. **COMMISSIONER CRANKOVICH** seconded. Motion carried 3-0.

---

**PUBLIC HEARING                      2005 BUDGET AMENDMENTS                      AUDITOR**

At approximately 4:04 p.m. **CHAIRMAN HUSTON** opened the public hearing to consider amendments to the 2005 budget.

**JUDY PLESS, BUDGET & FINANCE MANAGER** reviewed proposed amendments in the total amount of \$3,015,276.00 for the General Fund - \$2,004,166.00; Public Health - \$9,000.00; Homelessness Assistance -

\$30,000.00; Veterans Assistance - \$10,000.00; Capital Improvements - \$950,110.00 - and Fair Capital Improvements - \$12,000.00.

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

**RESOLUTION 2005-173                      2005 BUDGET AMENDMENTS                      AUDITOR**

**COMMISSIONER CRANKOVICH** moved to approve Resolution No. 2005-173, Amending the 2005 budget in the total amount of \$3,015,276.00. **COMMISSIONER BOWEN** seconded. Motion carried 3-0.

---

**PUBLIC HEARING                      CHARTER COMMUNICATIONS FRANCHISE                      PUBLIC WORKS**

At approximately 4:07 p.m. **CHAIRMAN HUSTON** opened the continued public hearing from December 6, 2005, to consider Granting a Franchise with Falcon Video Communication LP d/b/a Charter Communications for a County-Wide Television Franchise, noting the record was closed.

**SCOTT BRADSHAW, PUBLIC WORKS DIRECTOR** reported they had not received the signed documents from Charter Communications at the current time however, they anticipated receiving them by Thursday afternoon.

**COMMISSIONER BOWEN** moved to approve and authorize the Boards signature on a Franchise Agreement with Charter Communications, subsequent to the Prosecutor's review. **COMMISSIONER CRANKOVICH** seconded. Motion carried 3-0.

---

**PUBLIC HEARING                      VACATE PORTION BULLFROG ROAD                      PUBLIC WORKS**

At approximately 4:10 p.m. **CHAIRMAN HUSTON** opened the continued public hearing from to consider vacating a portion of Bullfrog Road - between SR 903 & I-90, noting the record was closed.

**SCOTT BRADSHAW, DIRECTOR OF PUBLIC WORKS** confirmed that the request was not in conflict with the proposed easement and recommended approving the vacation by Resolution No. 2005-174

**COMMISSIONER BOWEN** moved to continue the public hearing until immediately following the public hearing on the easement request from Suncadia. **COMMISSIONER CRANKOVICH** seconded. Motion carried 3-0.

---

At approximately 4:12 p.m. **CHAIRMAN HUSTON** opened the continued public hearing from December 6, 2005, to consider granting an Easement with Suncadia on Bullfrog Road.

**SCOTT BRADSHAW, DIRECTOR OF PUBLIC WORKS** said they had received a signed Easement Agreement from Suncadia, LLC and recommended the Board's approval granting the easement request. He noted Suncadia needed to still obtain proper permits prior to performing any work.

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

**COMMISSIONER CRANKOVICH** moved to approve the Easement with Suncadia LLC, a Delaware Limited Liability Company, on Bullfrog Road located within Sec. 21, Sec 28 and 29 of T20N. **COMMISSIONER BOWEN** seconded. Motion carried 3-0.

The Board thanked Mr. Bradshaw for his work on the project and seeing the issue through to the end.

At approximately 4:16 p.m. **CHAIRMAN HUSTON** opened the continued public hearing to consider vacating a portion of Bullfrog Road. He noted the record was closed.

**COMMISSIONER BOWEN** moved to approve Resolution No. 2005-174, Ordering the Vacation of a Portion of the Bullfrog Road Right-of-Way, and to authorize the Board's signature of real estate documents necessary to finalize the transactions. **COMMISSIONER CRANKOVICH** seconded. Motion carried 3-0.

At approximately 4:17 p.m. the public hearing was opened to consider the Planning Commission recommendations for a proposed text change to Chapter 17 of the Kittitas County Code also known as the Zoning Code. The proposed text change included the addition of definitions and provisions for accessory dwelling units, accessory living quarters and Special Care Dwelling.

**DARRYL PIERCY, DIRECTOR OF COMMUNITY DEVELOPMENT SERVICES** gave a staff report. He said there was currently nothing within the Kittitas County Code that would allow for accessory dwelling units,

accessory living quarters or special care dwellings. He noted the County Comprehensive Plan supported the concept of developing affordable housing and allowing such facilities would be consistent with goals of the Comprehensive Plan. He described the differences between a recreational vehicle (which is licensed), and mobile homes vs. manufactured homes.

**THOSE PRESENT & TESTIFYING: PATTY DEATRIDGE** spoke in favor of the request and recommended the Boards approval. **KAREN POULSEN** questioned if there was any stipulation relating to the dwelling units having to be moved off the property when the person no long needs the home, and who would monitor it?

**MR. PIERCY** addressed Ms. Poulsen's comment and said the Special Care Dwelling (manufactured home) must be removed from the site at the time the need for care of an immediate family member ends, with the appropriate requirements and conditions. He felt neighbors are very good at monitoring such situations and if the manufactured home was not removed, they are usually vocal enough to call Code Enforcement. **THERE BEING NO ADDITIONAL TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

**COMMISSIONER BOWEN** asked how it would be monitored when the need has ceased. **MR. PIERCY** said it would be faith and honesty of the homeowner, but it would also have a notice on the title, and if there was abuse of the situation, the privilege would lease to problems with the Code Enforcement department. **CHAIRMAN HUSTON** noted that the County's Code Enforcement division has been playing much more of a larger part of our County. He felt having a note on the title would trigger the title review and would stop what the home owner wanted to do, until it's been removed. He felt the citizens are vigilant in neighborhoods. He said with the ongoing data base & Code Enforcement Division, a phone call once in awhile to see if the situation still exists, may prevent with any future problems.

**COMMISSIONER BOWEN** moved to approve and direct staff to prepare enabling documents for changes to Chapter 17 of the Kittitas County Code, to be placed on the January 3, 2006 Commissioner Agenda. **COMMISSIONER CRANKOVICH** seconded. Motion carried 3-0.

**CHAIRMAN HUSTON** moved to continue the public hearing until January 3, 2006 at 2:00 p.m. to consider enabling documents, noting the record was closed. **COMMISSIONER BOWEN** seconded. Motion carried 3-0.

---

At approximately 4:31 p.m. **CHAIRMAN HUSTON** opened the public hearing to consider the Planning Commission recommendations for a proposed text change to Chapter 8 of the Kittitas County Code also known as the Zoning Code. The proposed text change includes the addition of language regulating grading activities.

**DARRYL PIERCY, DIRECTOR OF COMMUNITY DEVELOPMENT SERVICES** reviewed draft language proposed regarding a Grading Ordinance. He said the Planning Commission voted to recommend not allowing the proposed language to be adopted in County Code. They felt the proposed text changes were not needed because there was already language included within the existing Road Standards that addressed the majority of problems that were of concern. They also felt other processes were available to address concerns such as Department of Ecology and SEPA.

**CHAIRMAN HUSTON** acknowledged the proposed language was his idea, because he was trying to give the County a tool for later enforcement problems or further development with a road that's already been developed, etc.

**THOSE PRESENT & TESTIFYING: URBAN EBERHART REPRESENTING THE KITTITAS RECLAMATION DISTRICT & FARM BUREAU** opposed the draft language due to the negative impacts that would happen with agriculture activities and irrigation entities within the county. He said there was language included in the storm water standards and road standards that address concerns. They also opposed the additional permit & fees to the County. **KEVIN ESLINGER** agreed with Mr. Eberharts concerns and spoke of the proposed language relating to the 500 foot requirement for trenching, stating if the Board approved it; it would conflict with State law. **KAREN POULSEN** also agreed with Urban Eberhart's testimony. She felt the document needed a lot of rework before adopting by the County. **MIKE JACKSON** said he did not see the need for the Ordinance and could not support it as its currently written. He felt there were too many conflicts including different standards for people (farmer vs. contractor). He questioned how the County could consider an Ordinance without attaching the fee schedule. **CLINT PERRY, REPRESENTING TERRA DESIGN WORKS** expressed concerns of how the Department of Ecology would be off the hook from enforcement and how the County would end up being the enforcement, questioning if they could afford it? He submitted the following: Exhibit 1 - Storm Water Management Standards and Guidelines; Exhibit 2 - Proposed Language to Change the Road Standards. **THERE BEING NO FURTHER TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

**COMMISSIONER CRANKOVICH** felt there were exceptions to every rule. He understood the concerns from the agriculture community, but wants to try and close up loop holes the best we can without adding undue stress or strain to the citizens. **CHAIRMAN HUSTON** said he appreciated everyone's observations and felt there were some compelling points brought up. He noted that although there are other tools available (Road Standards, SEPA, etc.) they all have to be triggered for enforcement. He said he was not in a hurry, and felt a more extensive review should be done on the document, considering all the concerns brought forth by the public. He suggested not continuing the public hearing and to work more on the document. Once a new draft has been created, the County would go back out for public comment.

**CHAIRMAN HUSTON** moved to take no action on the issue and to direct staff to work with the Board of County Commissioners on new language. **COMMISSIONER BOWEN** seconded. Motion carried 3-0.

Meeting adjourned at 5:15 p.m.

**CLERK OF THE BOARD**

**KITTITAS COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON**

---

**Julie A. Kjorsvik**

---

**Perry D. Huston, Chairman**