

**COMMISSIONERS' MINUTES
KITITAS COUNTY, WASHINGTON
AGENDA SESSION**

TUESDAY

2:00 P.M.

JULY 18, 2006

Board members present: Chairman David Bowen; Vice Chairman Alan Crankovich and Perry D. Huston.

Others: Julie Kjorsvik, Clerk of the Board; Mandy Weed, Community Development Services Administrative Assistant; Darryl Piercy, Director of Community Development Services; Patti Johnson, Interim Public Works Director; Noah Goodrich, Community Development Services Staff Planner; Bonnie Corns, Public Health Office Manager; Joanna Valencia, Community Development Services Staff Planner; Brandon Drexler, Public Works Construction Manager; Allison Kimball, Community Development Services Assistant Director; Lisa Iammarino, Code Enforcement; Jerry Pettit, Auditor; William Holmes, Director of Probation Services; James Hurson, Chief Civil Deputy Prosecutor and approximately 10 members of the public.

CALL TO ORDER

At 2:00 p.m. Chairman Bowen called the regular meeting to order.

INTRODUCTION OF NEW COUNTY EMPLOYEES

Mandy Weed, Community Development Services Administrative Assistant, introduced Michelle Brach as their new Office Assistant.

William Holmes, Director of Probation Services, introduced Angela Stiner, Office Manager and Pat Gigstead, Probation Supervisor.

Jerry Pettit, County Auditor introduced Stacii McKeon in their Record Division.

PROCLAMATIONS - NONE

AWARDS & RECOGNITIONS

CERTIFICATE LISA IAMMARINO - FIRE/ARSON INVESTIGATION CDS

Commissioner Crankovich moved to approve a Certificate of Recognition to Lisa Iammarino for Completion of the Fire/Arson Investigation Course sponsored by the FEMA National Fire Academy. Commissioner Huston seconded. Motion carried 3-0.

CERTIFICATE

LANNETT FLACH - RETIREMENT

AUDITOR

Commissioner Crankovich moved to approve a Certificate of Appreciation to Lannett Flach, for 31 years of service to Kittitas County. Commissioner Huston seconded. Motion carried 3-0.

CERTIFICATE

DON MADSEN - RETIREMENT

PUBLIC WORKS

Commissioner Crankovich moved to approve a Certificate of Appreciation to Don Madsen for 30½ years of service to Kittitas County. Commissioner Huston seconded. Motion carried 3-0.

APPROVAL OF AGENDA

Chairman Bowen noted two items had been added to Administrative Matters; Vouchers had been added under Miscellaneous and that Item Q under Board Discussion & Decision was actually a continued public hearing.

Commissioner Huston moved to approve the Agenda as amended. Commissioner Crankovich seconded. Motion carried 3-0.

CONSENT AGENDA

Items listed under the Consent Agenda were distributed to the Board of County Commissioners in advance for study and were enacted by one motion with separate discussion to the extent any items were removed from the Consent Agenda at the request of a Board member.

Chairman Bowen noted that Item V under Consent had been removed and placed under Board Discussion & Decision.

Commissioner Huston moved to approve the Consent Agenda as amended. Commissioner Crankovich seconded. Motion carried 3-0.

MINUTES

DATE	MEETING	RE:
1-9-06	Regular Meeting	CDS Study Session
1-23-06	Regular Meeting	CDS Stud Session
1-30-06	Regular Meeting	CDS Study Session
2-6-06	Regular Meeting	CDS Study Session
2-13-06	Regular Meeting	CDS Study Session
3-6-06	Regular Meeting	CDS Study Session
4-3-06	Regular Meeting	CDS Study Session
4-10-06	Regular Meeting	CDS Study Session
4-10-06	Regular Meeting	DPW Study Session
4-27-06	Special Meeting	Public Hearing: Kittitas Valley Wind

		Power Project
5-8-06	Regular Meeting	CDS Study Session
5-8-06	Regular Meeting	Environmental Health Study Session
5-15-06	Regular Meeting	CDS Study Session
5-22-06	Regular Meeting	CDS Study Session
5-31-06	Special Meeting	Public Hearing: Kittitas Valley Wind Power Project
6-5-06	Regular Meeting	DPW Study Session
6-5-06	Regular Meeting	CDS Study Session
6-6-06	Special Meeting	Public Hearing: Indigent Veteran's Financial Assist. Manual
6-6-06	Special Meeting	Public Hearing: Kittitas Valley Wind Power Project
6-8-06	Regular Meeting	Solid Waste Study Session
6-12-06	Regular Meeting	DPW Study Session
6-12-06	Regular Meeting	CDS Study Session
6-15-06	Special Meeting	Budget Retreat
6-16-06	Special Meeting	Representative Hinkle GWMA
6-16-06	Special Meeting	Executive Session Potential Litigation
6-19-06	Regular Meeting	BOCC Office Admin Meeting
6-19-06	Regular Meeting	BOCC Department Head Meetings
6-19-06	Regular Meeting	DPW Study Session
6-19-06	Regular Meeting	CDS Study Session
6-20-06	Special Meeting	DOE Meeting
6-21-06	Special Meeting	Executive Session Potential Litigation
6-21-06	Special Meeting	Executive Session Personnel Issues
6-23-06	Special Meeting	Upper County Skate Park Meeting
6-26-06	Regular Meeting	BOCC Office Admin Meeting
6-26-06	Regular Meeting	BOCC Department Head Meetings
6-26-06	Regular Meeting	DPW Study Session
6-26-06	Special Meeting	Public Hearing: Morgan Middle School
6-27-06	Special Meeting	Public Hearing: CDS Application Fees
6-27-06	Special Meeting	Meet and Introduce Rick Weaver CEO of Comp Mental Health and Harry Kramer
6-28-06	Special Meeting	Rodeo Board Meeting
7-3-06	Regular Meeting	BOCC Department Head Meetings
7-3-06	Regular Meeting	BOCC Office Admin Meetings
7-5-06	Special Meeting	Meeting with Anna Lael KCCD
7-6-06	Special Meeting	Award Pfenning Road Overlay Project & Public Hearing - Private Hangar Lease; Naneum Road Right of Way Special Meeting West Ellensburg Park Funding.
7-7-06	Special Meeting	Berry's / Permit Center Building with Dennis Cummings
7-7-06	Special Meeting	Executive Session Potential Litigation
7-10-06	Regular Meeting	BOCC Office Admin Meetings

SET APPEAL HEARING SEPA APPEAL - EASTON RIDGE LAND CO. COMMISSIONERS

Approve setting a hearing for Wednesday August 16, 2006 at 1:30 p.m. in Room 109, Kittitas County Courthouse, 205 West 5th, Ellensburg, Washington, to consider an appeal by John Jensen of the Kittitas County's SEPA Notice of Action - Amended Mitigated Determination of Non-Significance (MDNS) of a Forest Practices Application from the Easton Ridge Land Company, landowner for the conversion of forestland to a non-forest use pursuant to RCW 76.09.060, located North of Sparks Road, East of Easton Airport and Cross County Drive and Northeast of Interstate 90, and to authorize the Clerk to publish said notice.

AGREEMENT WASHINGTON STATE PATROL-MARIJUANA ERADICATION SHERIFF

Acknowledge an Interagency Agreement with the Washington State Patrol, for Marijuana Eradication beginning January 1, 2006 through December 31, 2006, in the amount of \$4,000.00.

SET PUBLIC HEARING OPEN SPACE TIMBER-BATES & BURCHAK COMMISSIONERS

Approve setting a public hearing for Tuesday August 1, 2006 at 4:00 p.m. in the Room 109, Kittitas County Courthouse, 205 West 5th, Ellensburg, Washington, to consider two requests for reclassification as Open Space Timber land for current use tax assessment under the Open Space Taxation Act for Michael Bates and George Burchak, and to authorize the Clerk to publish said notice.

SET APPEAL HEARING FERRELL SHORT PLAT (SP-06-32) COMMISSIONERS

Approve setting a hearing for Thursday August 3, 2006 at 1:30 p.m. in Room 109, Kittitas County Courthouse, 205 West 5th, Ellensburg, Washington, to consider an appeal by Mike Smith, Senior Planner for the City of Ellensburg, of the Administrative Decision of the Conditional Preliminary Approval of the Ferrell Short Plat (SP-06-32), a short subdivision for 3.69 acres into three lots consisting of one 1.52 acre lot, one 1.40 acre lot and one .75 acre lot, located West of Mathews Road, North of Kittitas Highway, and South of Vantage Highway, Ellensburg, and to authorize the Clerk to publish said notice.

SET PUBLIC HEARING AMEND 2006 BUDGET AUDITOR

Approve setting a public hearing for Tuesday August 1, 2006 at 4:00 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse, 205 West 5th, Ellensburg, Washington, to consider amending the 2006 budget in the total amount of \$736,729.00, and to authorize the Clerk to publish said notice.

Acknowledge the County Auditor's signature on Project Change Number 2, with Hart Intercivic, in the amount of \$1,680.00 for additional equipment to be reimbursed by the Secretary of State.

AMENDMENT

GRANT - SECRETARY OF STATE

AUDITOR

Approve and acknowledge the Kittitas County Auditor's signature on a Grant Agreement No. G-2844, Amendment No. 1A, between the State of Washington Office of the Secretary of State, Elections Division and the Kittitas County Auditor's office, in the amount of \$17,000.00 for voter registration maintenance fee.

AMENDMENT

GRANT - SECRETARY OF STATE

AUDITOR

Approve and acknowledge the Kittitas County Auditor's signature on a Grant Agreement No. G2844, Amendment No. 2A, between the State of Washington Office of the Secretary of State, Elections Division and the Kittitas County Auditor's office in the amount of \$16,600.00 for maintenance fees for the disability access units.

SET CLOSED RECORD HEARING

BRUNSON REZONE (Z-06-06)

CDS

Approve setting a closed record hearing for Tuesday August 1, 2006 at 2:00 p.m. in Room 109, Kittitas County Courthouse 205 West 5th, Ellensburg, Washington, to consider the Brunson Rezone (Z-06-06), an application submitted by Jeff Slothower, authorized agent for Jeff and Jackie Brunson, for a general zone change from Ag-20 to Ag-3 for approximately 86.61 acres located south of the Vantage Highway and east of No. 6 Road, Ellensburg.

SET PUBLIC HEARING

IRRIGATION FRANCH.-KITTTITAS HWY.

PUBLIC WORKS

Approve setting a public hearing to consider granting a non-exclusive Irrigation Franchise on Kittitas Highway, near the intersection of Kittitas Highway and No. 6 Road, to be held at 4:00 p.m. on Tuesday August 15, 2006 in Room 109, Kittitas County Courthouse, 205 West 5th Ellensburg, Washington, and to authorize the Clerk to publish said notice.

SET PUBLIC HEARING

IRRIGATION FRANCH. - DENMARK RD.

PUBLIC WORKS

Approve setting a public hearing to consider granting a non-exclusive Irrigation Franchise on Denmark Road, near the intersection of Denmark Road and Tjossem Road, to be held at 4:00 p.m. on Tuesday August 15, 2006 in Room 109, Kittitas County Courthouse, 205 West 5th Ellensburg,

Floodplain Project (06-1817), in which the Hundley Family Trust LLC is working with the Washington State Department of Fish & Wildlife, Yakama Nation and Kittitas Conservation Trust, to permanently conserve up to 500 acres of riverine and forested habitat in the Easton reach of the Yakima River. Commissioner Crankovich seconded. Motion carried 3-0.

CITIZEN COMMENTS ON NON-AGENDA ITEMS

James Boyle said the Kittitas County Conservation Coalition requested a moratorium for further rezones 42 days ago and asked for a response from the Board. He asked if the Board had received any response from Department Heads or their legal staff and what was being done to obtain those responses.

John Jensen from the Kittitas County Conservation Coalition questioned what the expectations were from the part time employee working on well logs in the Community Development Services department. He asked how the inventory would guide their decision in land use planning and if they had considered a Ground Water Management Area.

Chairman Bowen said they Board gave a response on June 20, 2006 during their Agenda Session. He explained staff was looking at the information the County has to date and with that, it does not warrant an overall moratorium on all rezone and plat requests. They are trying to collect well log information and have it available in one place. As to the question of how it would guide the Board, he indicated it would depend on what comes out of the study, and it may require additional research and analysis, but did not want to preload anything before.

Commissioner Huston said the well log information would be available to everyone. He said it would be valuable with the Comprehensive Plan process on how to deal with rural land designations etc. Staff was directed to work on well logs as time permitted years ago, but now they have dedicated resources specific to that take.

Commissioner Crankovich addressed the meeting the Board previously had with Jay Manning, and said he agreed to supply the County with accumulating information in addition to the well logs.

BOARD DISCUSSION & DECISION

ORDINANCE 2006-29

PASCO REZONE (Z-05-28)

CDS

Commissioner Huston moved to approve Ordinance No. 2006-29, approving

the Pasco Rezone (Z-05-28), submitted by Nelson Development Group, authorized agent for Emil Pasco, for a zone change from Forest & Range to Rural-5 for approximately 158.52 acres, located south of Westside Road and east of Fowler Creek Road on Pasco Road, Cle Elum, Washington (Parcel Numbers 19-14-01000-0005, 0006 & 19-14-12000-0002, 0003 & 0016). Chairman Bowen seconded.

Commissioner Huston explained the request was for a rezone, and there is still a lot of work to be done before any development of lots. He felt the request was consistent with the Comprehensive Plan.

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

ORDINANCE 2006-30 FLANAGAN, PETERSON, WHITEHEAD & WALD REZONE CDS

Commissioner Crankovich moved to approve Ordinance No. 2006-30, approving the Flanagan, Peterson, Whitehead & Wald Rezone (Z-06-02), submitted by Jeff Slothower, authorized agent for Thomas Flanagan, Charles Peterson, Herbert J. Whitehead and Mark Wald, landowners, for a zone change from Forest & Range to Rural-5 for approximately 84 acres, located north of the City of Cle Elum and east of Big Tail Road, Cle Elum, Washington (Parcel Number 20-15-25059-0001). Commissioner Huston seconded. Motion carried 3-0.

ORDINANCE 2006-31 TAYLOR REZONE (Z-06-03) CDS

Commissioner Crankovich moved to approve Ordinance No. 2006-30, approving the Taylor Rezone (Z-06-03), submitted by Brad Taylor, landowner, for a zone change from Forest & Range to Ag-5 for approximately 20 acres located south of SR 970 and east of Hidden Valley Road off of Lambert Road Cle Elum, Washington (Parcel Numbers 20-17-31052-0003 & 0004). Commissioner Huston seconded. Motion carried 3-0.

RESOLUTION 2006-100 HIGHLANDS OF CLE ELUM PLAT (P-06-02) CDS

Commissioner Huston moved to approve Resolution No. 2006-100, for Preliminary Plat Approval of the Highlands of Cle Elum Plat (P-06-02), submitted by Chuck Cruse, authorized agent for Charles and David Peterson, landowners for a 5-lot plat on approximately 113.13 acres, located North of the City of Cle Elum, off of Big Tail Road (Parcel Numbers 20-15-23050-0001 & 20-15-23050-0002). Commissioner Crankovich seconded. Motion carried 3-0.

RESOLUTION 2006-101 O'CALLAHAN CLUSTER PLAT (P-06-03) CDS

Commissioner Huston moved to approve Resolution No. 2006-101, amending Resolution 2006-93, correcting a scrivener's error, stating the Planning Commission did make a recommendation of approval of the O'Callahan

Preliminary Plat, and which they gave a recommendation to deny the request, and therefore the proposed Resolution corrected the error. Chairman Bowen seconded. Motion carried 2-0. (Commissioner Crankovich abstained from voting).

MYLARS CURRIER CREEK DIVISION II (P-06-08) CDS

Commissioner Huston moved to approve and authorize the Chair to sign the Currier Creek Division II (P-06-08) Final Mylars, for a subdivision totaling 56.23 acres into 207 lots in the Residential Zone, located West of the City of Ellensburg off of Dry Creek Road, Ellensburg, (Parcel Numbers 18-18-27030-0023 & 18-18-28000-0027). Commissioner Crankovich seconded. Motion carried 3-0.

RESOLUTION 2006-102 BROOKSTONE PRELIMINARY PLAT (P-06-11) CDS

Commissioner Crankovich moved to approve Resolution No. 2006-102, Approving the Brookstone Preliminary Plat (P-06-11), submitted by Wayne Nelson, authorized agent for Green Canyon LLC, for a division of two parcels approximately 29.84 acres into a total of 9 lots ranging in size from 3.00 to 4.06 acres of land zoned Rural-3, located northeast of the City of Cle Elum and south of Owl Ridge Drive, Cle Elum, Washington (Parcel Numbers 20-15-25060-0004 & 20-15-25061-0004). Commissioner Huston seconded. Motion carried 3-0.

ORDINANCE 2006-32 SIEBER/ROBERT REZONE (Z-06-04) CDS

Commissioner Crankovich moved to approve Ordinance No. 2006-32, a general rezone request from Otto Sieber & Robin Robert, landowners, for 40.00 acres from Forest & Range to Agriculture-5, located east of SR-821 and north of Rosa View Drive, Yakima, Washington (Parcel Numbers 15-19-21000-0009, 15-19-15000-0013, 15-19-15000-0037, 15-19-22000-0007, 15-19-22000-0036 and 15-19-21000-0024). Commissioner Huston seconded. Motion carried 3-0.

CLOSED RECORD MEETING SUNCADIA PHASE 3, DIVISION 12 PLAT CDS

Allison Kimball, Assistant Director of Community Development Services, explained that Suncadia LLC submitted an application for Phase 3, Division 12. Staff had previously completed a SEPA review through the review and approval process for the Master Planned Resort and no additional SEPA review is required for the proposed application. The proposed plat is a re-plat of Tract Z-1 of Phase 3, Division 11, which encompasses 10.95 acres (Tax Parcel Numbers 20-14-24050-0135 & 20-14-24050-01465), consisting of 26 lots intended for residential use and additional open space tracts. The Planning Commission held an open record hearing and voted 4-0 in favor of forwarding a recommendation of approval. She indicated that according to the Interim Public Works

Director, conditions need to be amended to the Development Agreement prior to final approval.

Steve Lathrop, representing the applicant, spoke in favor of the request, and felt it was a minor change, and no substantive deviation from the Development Agreement.

Darryl Piercy, Director of Community Development Services said with the exception of design, the review was from the position of life safety. There are adequate dimensions for emergency vehicles.

Commissioner Huston said the Development Agreement allows for two processes, major and minor deviations. The first in line for a decision is the Director of Community Development Services, and he determined it was a minor deviation. He said although the Interim Public Works Director was correct in her review, previous requests should have been properly documented. He indicated the Development Agreement should be reviewed for possible amendments.

RESOLUTION 2006-103 SUNCADIA PHASE 3, DIVISION 12 PLAT CDS

Commissioner Crankovich moved to approve Resolution No. 2006-103, approving the Suncadia Master Planned Resort, Phase 3, Division 12, Plat. Commissioner Huston seconded. Motion carried 3-0.

FINAL MYLARS FOR SUNCADIA PHASE 3, DIVISION 12 PLAT (P-06-21) - ITEM REMOVED AT REQUEST OF COMMUNITY DEVELOPMENT SERVICES DEPARTMENT

FINAL MYLARS FOR SUNCADIA PHASE 2, DIVISION 2 PLAT (P-05-28) - ITEM REMOVED AT REQUEST OF COMMUNITY DEVELOPMENT SERVICES DEPARTMENT

MYLARS SUNCADIA PHASE 1, DIVISION 5 PLAT CDS

Commissioner Crankovich moved to approve and authorize the Chair to sign the Final Mylars for the Suncadia Phase 1, Division 5 Plat (P-06-10). Commissioner Huston seconded. Commissioner Huston asked if the bonding was in place. Allison Kimball, Assistant Director of Community Development Services, indicated that the bonding was in place. Motion carried 3-0.

MYLARS TEMPLETON & MARCHETTI PLAT ALTERATION CDS

Commissioner Crankovich moved to approve and authorize the Chair to sign the final Mylars for the Templeton Plat Alteration (P-05-13) and the

documents.

Commissioner Crankovich moved to approve Resolution No. 2006-104, Ordering the Vacation of a Public Right-of-Way for a Portion of Naneum Road, due to a re-alignment project that is needed for safety improvements, and to authorize the Board to sign upon receipt of the real estate documents necessary to deed the right-of-way to the adjacent property owners. Commissioner Huston seconded. Motion carried 3-0.

RESOLUTION 2006-105 AWARD BID-WOODS & STEELE PROJECT PUBLIC WORKS

Commissioner Crankovich moved to approve Resolution No. 2006-105, Awarding a Bid for the Woods & Steele Road Reconstruction Project, to Valley Excavating in the amount of \$204,875.00, and to authorize the Chair to sign the contract documents for said project. Commissioner Huston seconded. Motion carried 3-0.

AGREEMENT SUNCADIA MAIN ENTR. INDEMNIFICATION AGREEMENT PUBLIC WORKS

Commissioner Crankovich moved to approve the Suncadia Resort Main Entrance Traffic Circle Maintenance, Use and Indemnification Agreement. Commissioner Huston seconded.

Steve Lathrop, representing Suncadia, disagreed with the deletions in Paragraph 1 and 3, claiming the language removed was there to be clear in that should the general public do damage to the traffic portion as opposed to the landscape, the County would continue to fix the traffic area and Suncadia would fix the landscape portion. By the deletion, he felt it made the point silent for future generations. The Board felt the document said what it wanted it to and acknowledged that the County will fix the roads and Suncadia would fix the landscaping.

Motion carried 3-0.

MYLARS TITUS PLAT (P-05-20) CDS

Commissioner Huston moved to approve the final Mylars for the Titus Plat (P-05-20), a subdivision of 21.64 acres into 10 lots from 2.00 to 2.38 acres, located South of the Vantage Highway, north of the Kittitas Highway (Parcel Numbers 17-19-06084-0003 & 17-19-06084-0004). Commissioner Crankovich seconded. Motion carried 3-0.

SET PUBLIC HEARING SILVERTON ROAD ONTO ROAD SYSTEM CDS

Commissioner Crankovich moved to approve setting a public hearing to consider adopting Silverton Road on to the Kittitas County Road System, to be held at 4:00 p.m. Tuesday August 16, 2006, in Room 109, Kittitas

County Courthouse, 205 West 5th, Ellensburg, Washington, and to authorize the Clerk to publish said notice. Commissioner Huston seconded. Motion carried 3-0.

RESOLUTION 2006-106 2007 DISTRESSED COUNTY SALES/USE TAX PUBLIC WORKS

Commissioner Huston moved to approve Resolution No. 2006-106, Awarding the 2007 Distressed County Sales and Use Tax Funds as Recommended by the Conference of Governments, including the Ellensburg Business Development Authority in the amount of \$150,000.00 for Phase II of the EBDA Business Park; City of Cle Elum, Davis & Pine Street Improvements in the Cul de Sac to First Street in the amount of \$145,000.00; and to the Kittitas County Fire District #2, in the amount of \$55,000.00 for the Water & Sewer Line to the Fire Station. Commissioner Crankovich seconded. Motion carried 3-0.

AGREEMENT DSHS - EARLY INTERVENTION PROGRAM PUBLIC HEALTH

Commissioner Huston moved to approve and ratify the Chair's signature on Agreement No. 0663-98561, with the Washington State Department of Social & Health Services, for the period beginning July 1, 2006 through December 31, 2006, in the amount of \$3,922.00 for the Early Intervention Program, as approved by the Board of Health on June 22, 2006. Commissioner Crankovich seconded. Motion carried 3-0.

MISCELLANEOUS

The Board approved Vouchers including Warrant #811169296 - #811169302 in the amount of \$43,990.27.

EXECUTIVE SESSION - NONE

ADJOURNMENT

Commissioner Crankovich moved to adjourn at 3:35 p.m. Commissioner Huston seconded. Motion carried 3-0.

CLERK OF THE BOARD

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Julie A. Kjorsvik

David B. Bowen, Chairman