

COMMUNITY DEVELOPMENT SERVICES STUDY SESSION MINUTES

DATE: July 28, 2008

COMMISSIONERS PRESENT: Chairman Mark McClain, Vice Chairman Alan Crankovich, Commissioner Linda Huber

CDS STAFF PRESENT: Director Darryl Piercy, Assistant Director Allison Kimball

OTHER COUNTY STAFF PRESENT: Public Health Director Cathy Bambrick, Environmental Health Director Holly Myers, Civil Prosecuting Attorney Stephanie Happhold

MEMBERS OF THE PUBLIC PRESENT: Chad Bala, Catherine Dunn, Steve Lathrop, Bonnie Rae, Chris Whidbey, Catherine Clerf, Pat Deneen, Noah Goodrich, Mitch Williams, Gordon Dudley

TOPIC:	<ol style="list-style-type: none"> 1. DOE Emergency Rule & Plat Note Requirements 2. Private Residential Wind Turbines, policy discussion 3. Wildhorse Wind Power Project Expansion, EFSEC Public Hearing 4. Alternative Work Schedule, discussion 5. Executive Session, pursuant to RCW 42.30.10
DISCUSSION:	<ol style="list-style-type: none"> 1. Director Piercy asked if new plat notes regarding the requirement of the DOE Emergency Rule should apply to existing mylars that are in process for signature and that if so, this would involve sending them back to be redone. He added that Preliminary Plats are approved by resolution and the applications are vested. The Board directed staff to apply new plat notes to projects that have been submitted on July 8, 2008 or later. 2. Director Piercy discussed the increasing number of requests for building permits for private residential wind turbines. He noted that there is now a wind turbine vendor operating in the valley. Piercy stated that there is no code standard on the building side or from a land use perspective. He added that in the past building permits have been issued for the concrete foundation. Piercy stated that WABO is in the process of reviewing the issue. Piercy asked for direction in addressing wind turbines from a land use perspective, noting that policy and code implementation would be required. He added that CDS is working on a draft ordinance that could be presented for the Board's review around the end of September. Chairman McClain asked if conditional use permits are required. Piercy replied that they are allowed under the County's utility code, adding that we need to review setbacks and that the draft ordinance out of California addresses setbacks for residential wind turbines. Vice Chairman Crankovich asked if an environmental review can be required. Piercy stated yes, if we process through SEPA. Steve Lathrop thanked Director Piercy & Assistant Director Kimball for the forum they conducted the previous week where this topic was discussed. Lathrop stated that he would like the Board to review his suggested comp plan changes adding that cell towers require a conditional use permit. Lathrop suggested that the Board impose a moratorium until there is a process in place for the review of residential wind turbines. He added that there is a potential for injury with current code requirements. Chairman McClain

stated that since there was no emergency identified, then a moratorium would not be placed. Piercy stated that PSE is developing a program to support private residential wind turbines. Commissioner Huber stated that the response from CDS is good. Mitch Williams stated that he would not support a moratorium and that he currently has one customer that is interested in using one. He added that many of his customers are interested in building green. Lathrop stated that when the proposed code goes to hearing that there will be a rush to get vested before code changes. Williams added that he supports an aggressive timeline. Piercy stated that there are some standards in place and that we need to encourage the use of alternative energies, adding the solar power should be reviewed as well. Commissioner Huber stated that October is a good timeline. The Board directed Piercy to have a code draft ready by the end of October, 2008.

3. Director Piercy explained the permitting process for the expansion of the Wildhorse Wind Farm and asked if the Board would like him to comment, adding that the EFSEC hearing will take place on August 6th. He added that the expansion falls within the County's wind farm overlay zone and that they'll need to change the development agreement as well. The Board directed Piercy to comment at the hearing.
4. Director Piercy proposed that certain staff in CDS be allowed to utilize an alternative work schedule. He suggested that working four 10-hour days per week would allow more uninterrupted work time for employees and would not adversely affect customer service. Commissioner Huber commented that we are here to serve the public and need to be here during hours of operation. Vice Chairman Crankovich stated that if mobilizing equipment were a factor, an alternative schedule may be warranted, but that is not the case in this situation.
5. The Chairman McClain announced that the Board, Darryl Piercy, Allison Kimball, Stephanie Happhold would enter in to an executive session, pursuant to RCW 42.30.110 (i) To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. The Executive Session began at 2:15pm and was estimated to last 30 minutes. At 2:28pm the Board reconvened at 2:28pm and directed legal counsel was directed to follow up on two issues related to specific litigation. Commissioner Crankovich moved to adjourn the executive session and Commissioner Huber seconded. Motion carried 3-0.

ACTION:

1. Staff was directed to apply plat notes regarding requirements of the DOE emergency rule only to those projects applied for after the rule was implemented on July 8, 2008.
2. Staff was directed to prepare a draft code to present to the Board by the end of October, 2008.
3. Staff was directed to comment at the hearing.
4. The use of an alternative work scheduled was not approved.
5. Legal counsel was directed to follow up on two issues related to specific litigation.