

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

TUESDAY

10:00 A.M.

JANUARY 19, 2010

Board members present: Chairman Mark McClain; Vice-Chairman Paul Jewell and Commissioner Alan Crankovich.

Others: Julie Kjorsvik, Clerk of the Board; Neil Caulkins, Deputy Prosecutor; Dan Valoff, Staff Planner; Susan Grindle, HopeSource Executive Director; Paula Hoctor, Commander; Steve Panattoni, Patrol Sergeant; Judy Pless, Budget & Finance Manager; Kirk Holmes Public Works/Interim Community Development Services Director; Nancy Goodloe, Homelessness & Affordable Housing Committee Representative and 4 members of the public.

CALL TO ORDER

Chairman McClain called the meeting to order.

PLEDGE OF ALLEGIANCE

Chairman McClain led the Pledge of Allegiance.

INTRODUCTION OF NEW COUNTY EMPLOYEES - NONE

PROCLAMATIONS - NONE

AWARDS & RECOGNITIONS - NONE

APPROVAL OF AGENDA

Chairman McClain noted an item had been added to Administrative Matters, as well as Vouchers to Miscellaneous.

Commissioner Crankovich moved to approve the Agenda, as amended. Commissioner Jewell 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.

Commissioner Crankovich moved to approve the Consent Agenda, as presented. Commissioner Jewell seconded. Motion carried 3-0.

MINUTES

COMMISSIONER MEETINGS

COMMISSIONERS

DATE	MINUTES
01/28/2008	CDS Study Session
01/26/2009	CDS Study Session
02/09/2009	CDS Study Session
03/23/2009	CDS Study Session
04/13/2009	CDS Study Session
04/27/2009	CDS Study Session
06/08/2009	CDS Study Session
06/22/2009	CDS Study Session
07/13/2009	CDS Study Session
07/29/2009	CDS Study Session
10/26/2009	CDS Study Session
12/14/2009	CDS Study Session
12/28/2009	CDS Study Session
01/04/2010	BOCC Office Administration
01/04/2010	Dept. Head Meetings (3)
01/04/2010	Agenda Study Session
01/05/2010	Agenda
01/05/2010	Public Hearing
01/06/2010	Law & Justice Study Session
01/11/2010	BOCC Office Administration
01/11/2010	Dept. Head Meetings (3)
01/11/2010	DPW Study Session
01/11/2010	CDS Study Session

LEVY CERTIFICATIONS

TAXING DISTRICTS

COMMISSIONERS

Acknowledge Certifications for levy amounts to be collected in 2010, as provided in their District's budget, from the City of Roslyn, Fire Districts #2, #3 and #4, as well as the Snoqualmie Pass Fire & Rescue, which amends their previously submitted certification.

RESOLUTION 2010-04

CERTIFICATION OF COMPLIANCE

COMMISSIONERS

Approve Resolution No. 2010-04, Certification of Compliance for the State of Washington, Department of Commerce 2010 Community Development Block Grant Public Service funding.

AMENDMENT**WSP - MARIJUANA ERADICATION****SHERIFF**

Approve Amendment 1 to Contract No. C090937FED, with the Washington State Patrol and a Budget Amendment Request in the amount \$4,682.08, for the reimbursement of overtime salaries for Law Enforcement relating to the Marijuana Eradication agreement for the period beginning January 1, 2009 through December 31, 2009.

CONTRACT**WA STATE MILITARY DEPARTMENT****SHERIFF**

Approve Contract No. E10-149, with the Washington State Military Department and U.S. Department of Transportation, Emergency Management Division, and a Budget Amendment Request in the amount of \$3,160.00, to revise the Hazardous Materials Response Plan, for the period beginning October 1, 2009 through September 30, 2010.

INTERLOCAL AGREEMENT**CHELAN COUNTY - HOUSING OF INMATES****SHERIFF**

Approve an Interlocal Agreement between Chelan County and Kittitas County, for the housing of inmates in the Chelan County Regional Justice Center, beginning January 1, 2010 through December 31, 2010.

AGREEMENT**CONMED, INC.****SHERIFF**

Ratify Board signature on a Professional Services Agreement between Kittitas County and Conmed, Inc. to provide up to date healthcare to the inmate population within the Kittitas Correction Center and to provide fully qualified professional healthcare employee staff to deliver health care services beginning January 1, 2010 through December 31, 2015.

SET CLOSED RECORD MEETING**HENSHAW LAKE PERFORMANCE BASED CLUSTER****CDS**

Approve setting a Closed Record Meeting for Tuesday February 2, 2010 at 10:00 a.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse, 205 West 5th Avenue, Ellensburg, Washington, to consider the Henshaw Lake Performance Based Cluster Plat (P-07-44), an application from Wayne Nelsen, authorized agent for Bernie Henshaw, landowner, for a 26-lot Performance Based Cluster Plat on approximately 39.73 acres of land zoned Agriculture-3, located north of SR-970 and Airport Road, south of Danko Road and east of White Road at 871 Airport Road, Cle Elum, Washington (Map Number 20-16-30030-0001).

SET CLOSED RECORD MEETING**ALYSSA PRELIMINARY PLAT****CDS**

Approve setting a Closed Record Meeting for Tuesday February 2, 2010 at 10:00 a.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse, 205 West 5th Avenue, Ellensburg, Washington, to consider the Alyssa Preliminary Plat (LP-08-31), an application from Property

Holdings & Speculation, LC, landowners, for a subdivision of approximately 25.01 acres into 5 lots of land zoned Rural-5, located east of South of Cle Elum Ridge Road and south of Westside Road, in Cle Elum, Washington (Map Number 19-15-09050-0002).

RESOLUTION 2010-05 2163 HOMELESS HOUSING/ASSISTANCE FUNDS COMMISSIONERS

Approve Resolution no. 2010-05, Amending the Kittitas County Homelessness and Affordable Housing Committee's Grant Application, Guidelines and Instructions for Distribution of ESSHB 2163 Homeless Housing and Assistance Funds Pursuant to RCW 36.22.179.

RESOLUTION 2010-06 2060 AFFORDABLE HOUSING SURCHARGE FUNDS COMMISSIONERS

Approve Resolution No. 2010-06, Amending the Kittitas County Homelessness and Affordable Housing Committee's Grant Application, Guidelines and Instructions for Distribution of SHB 2060 "Affordable Housing Surcharge Funds" pursuant to RCW 36.22.178.

APPOINTMENT CULLINANE-PLANNING COMMISSION COMMISSIONERS

Approve the re-appointment of Brian Cullinane to the Kittitas County Planning Commission, for a four year term, effective immediately and expiring on December 31, 2013.

APPOINTMENT BURCHAK & MALINSKI-AGING & LONG TERM CARE COMMISSIONERS

Approve the re-appointment of Diana Burchak and Paul Malinski to the Kittitas County Aging and Long Term Care Advisory Council, for a three year term, effective immediately and expiring on December 31, 2012.

APPOINTMENT ACHESON & POULSEN-OPEN SPACE ADVISORY COMMISSIONERS

Approve the re-appointment of Charlie Acheson and Karen Poulsen to the Kittitas County Open Space Advisory Board, for a one year term, effective immediately and expiring on December 31, 2010.

APPOINTMENT BLAND, KELLEY, CRAWFORD, SHENYER, LENZ-FAIR BD.COMMISSIONERS

Approve the re-appointment of Larry Bland, Marvin Kelley, Roylene Crawford, Jodee Shenyer and Brian Lenz to the Kittitas County Fair Board, for a three year term, effective immediately and expiring on December 31, 2012.

APPOINTMENT HUTCHINSON - BOARD OF EQUALIZATION COMMISSIONERS

Approve the re-appointment of Rita Hutchinson to the Kittitas County Board of Equalization, for a three year term, effective immediately and

BOARD DISCUSSION/DECISION ITEMS

CLOSED RECORD HEARING

F&G PERFORMANCE BASED CLUSTER PLAT

CDS

Dan Valoff, Staff Planner, reviewed an application from Cool Water LLC, and Fortune Creek LLC, landowners, for a 51-lot Performance Based Cluster Plat on approximately 89.10 acres of land zoned Rural-3. He explained the property is located southeast of Woods & Steel Road and Forest Service Road #4510, Cle Elum, Washington (Map Numbers 19-15-07000-0029 and 19-15-07000-0030). He said the Hearing Examiner issued a recommendation of preliminary plat approval for the F&G Performance Based Cluster Plat.

Commissioner Jewell noted a correction was needed to the reference of an RCW on Item #26, under the recommended Conditions of Approval. He said he had never seen a proposed Condition such as Item 35, regarding a two-rail split fence design no greater than 42 inches in height, in order to encourage wildlife presence and to facilitate wildlife passage. Mr. Valoff said the application had been submitted back in April of 2008, and a prior Staff Planner had issued the MDNS, and the condition was for a wildlife mitigation standard back then by the Department of Fish & Wildlife, and noted the applicant has no objection to the condition. Commissioner Crankovich asked if should be listed as a covenant instead. Mr. Valoff said it would be more appropriate to be there, but they could also state in conditions, it would be a covenant as well.

Commissioner Crankovich said he struggled with the proposed application and felt an Agreement with the Forest Service should be in place before the County gives preliminary approval, because the entire project is accessed by a Forest Service Road. He said it is his understanding that the Forest Service feels as though they are being "boxed in" by the County giving preliminary approval without an agreement in place with them. Commissioner McClain said he had recalled a meeting with the Forest Service, stating they would like some type of action by the County before engaging with the applicants at the preliminary stage, so they aren't wasting time. Kirk Holmes, Public Works/Interim Community Development Services Director said they are getting two sides to the story, one from the applicant and the other from the Forest Service and they are asking the County to take a position. He said in 2010 they are taking a proactive approach identifying the Forest Service Roads within the County, prior to development. He said the Forest Service wants to get out of the permitting business and does not know what the process will eventually end up looking like.

Commissioner Jewell moved to approve the F&G Performance Based Cluster Plat, adopting the Hearing Examiners recommended Findings of Fact, Conclusions of Law, and Conditions of Approval, noting the amendment to Item #26 correcting the incorrect RCW number, and direct staff to

prepare enabling documents. Commissioner Crankovich seconded.

Commissioner Crankovich said he would not support the application because of the Forest Service Roads, and even though it's a phased project, there has been no secondary access identified. He said with the number of homes in the proposed development, and even though they are within a Fire District, they should have to comply with the Urban Wildlife Interface Code, to assist with fire danger. He also noted there has been no traffic impact analysis completed. Mr. Valoff said when the Public Works Department reviewed the application they did not require a traffic impact analysis to be done at that time. He explained that even though the secondary access has been addressed, there is nothing clear at this point, but would be required prior to obtaining final approval. Mr. Holmes said at the time of application and review, the particular application did not trigger a traffic impact analysis. He explained how they have run into problems in other areas where development and homes have actually been constructed before final approval, and is not caught until a building permit has been applied for with the County. He felt the Board should have a lengthy discussion at a study session, so their department can get direction from them on how to handle these situations. Commissioner Jewell said he looks forward to the discussion, and has extreme concerns of any type of building going on before final plat approval, and he was with the understanding that no type of development should not be going on before that time. Mr. Holmes indicated the applicant will have five years to accomplish a road maintenance agreement with the Forest Service and if they don't, development will not occur.

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

CLOSED RECORD MEETING

STURGIS PRELIMINARY PLAT

CDS

Dan Valoff, Staff Planner, reviewed an application from Chuck Cruise, authorized agent for the Henley Group, Inc., landowner, to subdivide approximately 49.48 acres into 9 lots, currently zoned Ag-5. He said the property is located 12 miles east of Cle Elum, off Highway 97 at Bettas Road and Low Road (Map Numbers 19-17-04051-0001 and 19-17-0451-0002). He said the Hearing Examiner issued a recommendation of preliminary approval for the Sturgis Preliminary Plat (LP-09-00005).

Commissioner Jewell noted there had been no water right found with the Department of Ecology, and if they are using exempt wells, should there be language included that was previously suggested by the Prosecutors office. Mr. Valoff said the proposed project is in the area where there is a moratorium in place and asked if the Board would like to continue the issue to two weeks, since there is a Public Hearing scheduled for tomorrow night regarding a Memorandum of Agreement with the Department of Ecology.

Commissioner Crankovich moved to approve the Sturgis Preliminary Plat (LP-09-00005), adopting the Hearing Examiners recommended Findings of Fact, Conclusions of Law, and Conditions of Approval and direct staff to prepare enabling documents. Commissioner Jewell seconded. Motion carried 3-0.

MISCELLANEOUS

VOUCHER

CENTRAL SERVICES

AUDITOR

Commissioner Jewell moved to approve and authorize the Chair to sign a Voucher for payment in the amount of \$304.59, for Central Services. Commissioner Crankovich seconded. Motion carried 3-0.

VOUCHERS

JANUARY 19, 2010

AUDITOR

Commissioner Jewell moved to approve Voucher Warrant #810220570 through #810220610, in the total amount of \$215,891.25. Commissioner Crankovich seconded. Motion carried 3-0.

EXECUTIVE SESSION - NONE

ADJOURNMENT

Commissioner Jewell moved to adjourn the meeting at 10:25 a.m. Commissioner Crankovich seconded. Motion carried 3-0.

Meeting adjourned at 10:25 a.m.

CLERK OF THE BOARD

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Julie Kjorsvik

Chairman Mark McClain