

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

TUESDAY

2:00 P.M.

DECEMBER 7, 2010

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

Others: Catherine Dunn, Deputy Clerk of the Board; Kirk Holmes, Public Works/Interim Community Development Services Director; Jan Ollivier, Transportation Manager and Interim Planning Manager; Dan Valoff, Staff Planner; Jeff Watson, Staff Planner; Kelly Bacon, Engineering Tech; Neil Caulkins and Stephanie Happold, Deputy Prosecutors; Jill Arango, Cascade Land Conservancy; Jim Hutchinson and Jeff Hutchinson, Ellensburg Cement Products; Catherine Clerf and approximately 40 members of the public.

PUBLIC HEARING 2010 ANNUAL AMENDMENT COMPREHENSIVE PLAN CDS

At 2:00 p.m. **CHAIRMAN McCLAIN** opened the public hearing continued from November 2, 2010 to consider fourteen docketed items for the 2010 annual amendment of the Kittitas County Comprehensive Plan. He noted the record was closed.

JAN OLLIVIER, INTERIM PLANNING MANAGER, said that items 2010-01, 2010-02, 2010-05, 2010-07 and 2010-15 have been withdrawn from consideration.

2010-03 BDG Forest Land De-Designation: **VICE-CHAIRMAN JEWELL** said there was no specific development proposal and the application was outside the process for the County. **COMMISSIONER CRANKOVICH** said these were admirable goals and he liked the open space component but the process was not the one used by the County. **CHAIRMAN McCLAIN** said he was not persuaded by the application.

VICE-CHAIRMAN JEWELL moved to deny the application and direct staff to prepare enabling documents. **COMMISSIONER CRANKOVICH** seconded the motion. Motion carried, 3-0.

2010-04 Murphy Forest Land De-Designation: **VICE-CHAIRMAN JEWELL** said there was no specific development proposal and the application was outside the process for the County. **COMMISSIONER CRANKOVICH** said there was opposition from USFS and WSDOT. **CHAIRMAN McCLAIN** said the elements necessary for the amendment had not been satisfied.

APPROVED
1/4/2011

VICE-CHAIRMAN JEWELL moved to deny the application and direct staff to prepare enabling documents. **COMMISSIONER CRANKOVICH** seconded the motion. Motion carried, 3-0.

2010-08 Mapping Correction: **VICE-CHAIRMAN JEWELL** moved to approve the amendment and direct staff to prepare enabling documents. **COMMISSIONER CRANKOVICH** seconded the motion. Motion carried, 3-0.

2010-09 Adoption by Reference of the EDG of Kittitas County's Economic Development Strategic Plan: **VICE-CHAIRMAN JEWELL** moved to approve the amendment and direct staff to prepare enabling documents. **COMMISSIONER CRANKOVICH** seconded the motion. Motion carried, 3-0.

2010-10 Development Regulation Amendments for Consistency and Clarity: **JAN OLLIVIER** said that staff had some suggested changes to the application. **VICE-CHAIRMAN JEWELL** said they were good changes and suggested striking in KCC 16.12.080, "for a period of 5 years." **COMMISSIONER CRANKOVICH** felt that was like saying a person could re-apply within 5 years. **JEFF WATSON, STAFF PLANNER**, said that wording was in the original code. **VICE-CHAIRMAN JEWELL** said that would allow large subdivision without SEPA review, which is the only opportunity for review and mitigation. **COMMISSIONER CRANKOVICH** agreed.

VICE-CHAIRMAN JEWELL asked referring to KCC 17.08.475, Sand and Gravel Excavation, whether all previously approved gravel pits be able to crush. **DAN VALOFF, STAFF PLANNER**, said no they wouldn't as it is a vesting problem. The applications are vested with the operations listed in the application. They would need to amend the Conditional Use Permit. **NEIL CAULKINS, DEPUTY PROSECUTOR**, said gravel pits in outright permitted zones would be able to start crushing but if a CUP is needed, that would be necessary. **COMMISSIONER CRANKOVICH** said the change is recommended because it is a part of the sand and gravel extraction. **CHAIRMAN McCLAIN** recommended no action on this issue. **VICE-CHAIRMAN JEWELL** agreed but said they need to continue with more conversations.

VICE-CHAIRMAN JEWELL moved to approve 2010-10 Development Regulations noting the strike through on KCC 16.12-080 and no action on KCC 17.08 and directed staff to prepare enabling documents. **COMMISSIONER CRANKOVICH** seconded the motion. Motion carried, 3-0.

2010-11 KCC 16.09 Performance Based Cluster Plat: **VICE-CHAIRMAN JEWELL** noted a scrivener's error on 16.09.025. He said he thought the Agriculture 20 and Forest & Range 20 should be reinstated in 16.09.030(3). **COMMISSIONER CRANKOVICH** asked if these changes would have a negative impact on the current court case. **NEIL CAULKINS**

said they would not. **VICE-CHAIRMAN JEWELL** moved to approve the amendment and direct staff to prepare enabling documents. **COMMISSIONER CRANKOVICH** seconded the motion. Motion carried, 3-0.

2010-12 & 2010-13 Ellison Thorp LAMIRD III Expansion: **VICE-CHAIRMAN JEWELL** said that in comments received from Kittitas County Conservation, they stated that no correct public notice occurred. He showed affidavits showing publication on August 12 and 19, 2010, in the Daily Record and August 12, 2010 in the Northern Kittitas County Tribune, that the Comprehensive Plan Amendments were listed including these amendments. He asked legal counsel whether these complied with State Law. **NEIL CAULKINS** replied that they did.

VICE-CHAIRMAN JEWELL said he liked this proposal and mentioned comments from the WA ST Department of Commerce. He asked if the boundary can be expanded by law. **NEIL CAULKINS** said the LAMIRD statue talks about types of LAMIRD's and talks in terms of development. The Type III LAMIRD talks of ramping up intensity but not of changing size. **VICE-CHAIRMAN JEWELL** said this is not residential sprawl, but is a commercial activity. **COMMISSIONER CRANKOVICH** noted it was the old Bingo gas station. **MR. CAULKINS** asked if this was being looked at as an error at this time of the original designation and not all of the property was included. He said that could be done under the Growth Management Act. **VICE-CHAIRMAN JEWELL** said as it was adjacent to I-90, he thought it would be compatible.

COMMISSIONER CRANKOVICH moved to approve 2010-12 and 13 and direct staff to prepare enabling documents. **VICE-CHAIRMAN JEWELL** seconded the motion. Motion carried, 3-0.

2010-14 Concrete Batch Plant CUP clarification: **VICE-CHAIRMAN JEWELL** moved to approve the amendment and direct staff to prepare enabling documents. **COMMISSIONER CRANKOVICH** seconded the motion. Motion carried, 3-0.

VICE-CHAIRMAN JEWELL moved to continue the public hearing to December 21, 2010 at 10:00 a.m. in the Commissioner's Auditorium for enabling documents. **COMMISSIONER CRANKOVICH** seconded the motion. Motion carried, 3-0.

PUBLIC HEARING ESTABLISH TDR PERMIT FEES COMMUNITY SERVICES

At 3:10 p.m. **CHAIRMAN McCLAIN** opened a public hearing to consider establishing TDR permit fees collected by CDS. **VICE-CHAIRMAN JEWELL** said this was the last item for the TDR process.

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

VICE-CHAIRMAN JEWELL moved to approve Resolution 2010-128 to establish a TDR permit fee of \$400 for processing TDR sending site certification applications. **COMMISSIONER CRANKOVICH** seconded the motion. Motion carried, 3-0.

PUBLIC HEARING**MOA WA ST PARKS COLOCKUM ROAD****PUBLIC WORKS**

At 3:12 p.m. **CHAIRMAN McCLAIN** opened a public hearing to consider a Memorandum of Agreement between Washington State Parks and Recreation and Kittitas County to designate Colockum Road from Mile Post 5.44 to Mile Post 15.6, a groomed snowmobile trail from December 15th through March 31st each year.

KIRK HOLMES, DIRECTOR OF PUBLIC WORKS, said that the Department had not been aware the road was closed until complaints started coming in last year because someone was issuing citations to those vehicles on the Colockum Road. **COMMISSIONER CRANKOVICH** asked how it was that this road has been groomed in the past without the approval of the Board of Commissioners. **MR. HOLMES** replied that they became aware of it a year ago. **COMMISSIONER CRANKOVICH** said he had received calls about the tickets numerous times last year. **MR. HOLMES** said they asked agencies in the area, but were unable to determine who was actually issuing the tickets.

WAYNE McLAUGHLIN, WA ST PARKS, 111 ISREAL ROAD SW, OLYMPIA, said they were surprised as well to find there was no agreement with the County for the grooming. Colockum Road has been on the Groomed Trail Roads map for the last 10 years. He said there was interface between vehicles and snowmobiles because of the low snow amounts.

CHAIRMAN McCLAIN asked who pays for the grooming. **MR. McLAUGHLIN** said the snowmobile registration self funds the grooming, enabling it to be self-sustaining. The Apple Country Snowmobile Club grooms the trail at a cost of approximately \$51,000 for this year. The contract includes a Certificate of Liability.

CHAIRMAN McCLAIN asked who does the enforcement. **MR. McLAUGHLIN** said RCW 46.10 includes anyone who is allowed to enforce snowmobile laws may enforce the trail and closure, when a trail is designated a snowmobile route and closed to vehicular traffic. He said this was the only groomed access in Kittitas County.

THE PUBLIC TESTIMONY WAS OPENED.

LEE DAVIS, 909 RAINIER DR, ELLENSBURG, KITTITAS COUNTY FIELD AND STREAM, said they have 250 members and they support all recreation. There are 80 maintained motorized snowparks in Washington State with 2,000 miles of groomed trails with over 500 miles in Kittitas County. Naneum Ridge has 2 motorized snowparks and 2 non-maintained snowparks covering 71,000 acres. He asked with 4 existing access points and 100 miles of existing groomed trails, why do they need another 10 miles. Colockum Road is bordered on the East by Wildlife Winter Range which is not opened to snowmobiles. Colockum Rd is the only road in the Naneum Ridge State Forest that can be traveled by hunters after December 15, cougar hunting extends to December 31. The snowmobile registration provides \$57/person/year while hunters provide \$750/person/year. Colockum RD is a county road and should not be restricted to motor vehicle traffic.

BILL ESSMAN, 8007 BRICK MILL RD, said cougar and coyote permits run to March 31. He said the only other road to Colockum is Schnebly Canyon RD. He said he would like to see dual purpose roads.

GORDON HARRIS, 9000 COLOCKUM ROAD, said it should be open to the public traffic year round. He said the road is not up to Recreation access. He expressed concern about getting up to his property if the road is closed.

TORREY WING, 1302 N ALDER, ELLENSBURG speaking for the Windy City Wheelers, said the County Road should be accessible to all County vehicles. Ten more miles of groomed trails are not needed. The vehicles should be street legal.

JEFF BRUNSON, 1585 TJOSSEM ROAD, said he thought the roads should be open for vehicles and closed for snowmobiles. There are not many places to go for jeeping. He said he didn't think the MOA should be signed.

DALE WILSON, 200 S ELLIOTT, said Colockum Road doesn't have adequate parking for snowmobiles, and this is the last loop available for jeeps.

RANDY STRAUGHAN, WENATCHEE, APPLE COUNTRY SNOMOBILERS, said he thought there could be a happy medium. He submitted pictures for the record. He said he thought 4x4's were tearing up the snow.

CHUCK CRUSE, 2619 WILLOWDALE RD shared the concerns of those opposed to the MOA and is nervous about accessing his property on the Colockum RD. The citation for accessing closed road is a misdemeanor and he thought there was no happy medium.

CATHERINE CLERF, 60 MOE ROAD, asked the Board not to sign the MOA as it is a County road.

WAYNE MCLAUGHLIN said to clarify that the dual use doesn't work, and the wheeled use takes away the grooming. The grooming of the road enables the wheeled users to use the roads. He said it is either groomed surface or roadway.

JOHN ERICSON, 3720 YAXTON CANYON RD, CASHMERE said he is a retired Fish and Wildlife enforcement officer and he has never seen bird watchers or hunters when snow is on the ground. He felt a happy medium could be reached through discussion.

LEE COLLIER, WENATCHEE, APPLE COUNTRY SNOWMOBILERS, has ridden snowmobiles in the areas many times and also has hunted the area off a snowmobile. He hoped for a solution perhaps by closing the road to wheeled traffic at the power lines.

BRIAN COOKE, ELLENSBURG said he had gone many times in the 1970's to Reecer Creek Road to sled in a jeep when it was groomed. Then when Reecer Creek was closed to vehicles, he moved to Colockum Road. He said the groomers haven't been below the lower power lines.

LANA THOMAS-CRUSE, 2619 WILLOWDALE said most roads are closed to jeeps except Parke Creek RD and Colockum RD. She urged keeping the Colockum open.

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

COMMISSIONER CRANKOVICH said he had spent 23 years in the Department of Public Works and he was disappointed this has happened without the Board's knowledge. He felt there are conflicts between snowmobiles and wheeled vehicles and snowmobiles disregard speed limits. He said he could live with the MOA without Condition #4 as it is a County Road. He said he supports snowmobiles and have helped to make safer parking off the County roads for snowmobiles, but he is not willing to close a County Road.

VICE-CHAIRMAN JEWELL said he could go either way. He said as a hunter and fisherman, he identified with all the interests but it seems the people in the room wish to keep the road open.

VICE-CHAIRMAN JEWELL moved to reject the Memorandum of Agreement with Washington State Parks. **COMMISSIONER CRANKOVICH** seconded the motion. Motion carried, 3-0.

PUBLIC HEARING

SIX YEAR TRANSPORTATION PLAN

PUBLIC WORKS

At 4:10 p.m. **CHAIRMAN McCLAIN** opened the public hearing to consider amending the Six Year Transportation Improvement Plan & the 2011

Annual Construction program. **JAN OLLIVIER** said that adjustments have been made to the Transportation Plan and Annual Construction Program because of budget constraints. The Changes include:

Increase Kittitas Highway Reconstruction from \$4,758,000 to \$4,958,000;
Increase Industrial Park ST Improvements from \$1,860,000 to \$2,720,000;
Decrease Teanaway RD & NF Teanaway RD from \$17,500,000 to \$17,200,000;
Decrease Run-off RD Improvements from \$705,000 to \$600,000;
Increase Alford RD/Wilson Creek Intersection from \$85,000 to \$170,000;
Decrease Brown RD/Umptanum RD Intersection from \$85,000 to \$80,000;
Remove Reecer Creek RD/Robbins RD Intersection removing \$85,000;
Decrease Dust Control/Soil Stabilization from \$60,000 to \$50,000;
Add Riverbottom RD/Jensen Levee expenditures of \$1,036,000;
Add Badger Pocket RD Bridge carryover of \$63,000;
Add Cleman RD Bridge carryover of \$63,000;
Add Carroll RD Bridge carryover of \$63,000;
Decrease total Chip Seal expenditures from \$15,370,000 to \$14,720,000;
Remove Turnarounds (countywide) \$10,000.

COMMISSIONER CRANKOVICH asked if Caribou RD would continue to have soil stabilization. **KIRK HOLMES** said Public Works is prepared to continue on with existing soil stabilization Level of Service.

THE PUBLIC TESTIMONY WAS OPENED.

CATHERINE CLERF, 60 MOE RD, agreed with the proposed changes. She asked that more money not be taken off the Transportation Plan, as roads are the lifeblood of agricultural community. She noted that outside monies are drying up.

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

RESOLUTIONS 2010-129 & 2010-130 TRANSPORTATION PLAN PUBLIC WORKS

VICE-CHAIRMAN JEWELL moved to approve Resolutions 2010-129 Six Year Transportation Plan and 2010-130 2011 Annual Construction Program. **COMMISSIONER CRANKOVICH** seconded the motion. Motion carried, 3-0.

The public hearings were adjourned at 4:17 p.m.

DEPUTY CLERK OF THE BOARD

Catherine Dunn
Catherine Dunn

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

Mark McClain
Mark McClain, Chairman

Paul Jewell for Mark McClain