

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

TUESDAY

10:00 A.M.

MAY 20, 2014

Board members present: Chairman Paul Jewell; Vice-Chairman Gary Berndt and Commissioner Obie O'Brien.

Others: Julie Kjorsvik, Clerk of the Board; Lindsey Ozbolt, Staff Planner; Marsha Weyand, Assessor; Darren Higashiyama, Operations Commander; Jeff Watson, Staff Planner; Robin Read, Public Health Administrator; Candi Blackford, Administrative Assistant; Erin Moore, Permit Tech.; Holly Myers, Environmental Health Supervisor; Michael Nigrey, Deputy Prosecutor; Jim Goeben, Information Technology Director; Judy Pless, Budget & Finance Manager; Kirk Holmes, Public Works Director/Interim Building Official; Mike Houghardy, Appraiser and approximately 40 members of the public.

CALL TO ORDER

Chairman Jewell called the meeting to order.

PLEDGE OF ALLEGIANCE

Chairman Jewell led the Pledge of Allegiance.

INTRODUCTION OF NEW COUNTY EMPLOYEES

Marsha Weyand introduced Mike Houghardy as their new Appraiser.

PROCLAMATION - NONE

AWARDS & RECOGNITIONS - NONE

APPROVAL OF AGENDA

Chairman Jewell noted Consent Items E and O had been moved to Board Discussion & Decision.

Commissioner Berndt moved to approve the Agenda, as amended.
Commissioner O'Brien 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 Jewell noted Consent Items E and O had been moved to Board Discussion & Decision.

Commissioner Berndt moved to approve the Consent Agenda, as amended. Commissioner O'Brien seconded. Motion carried 3-0.

MINUTES

DATE	MINUTES
03/06/2014	Public Hearing - Compliance Effort
04/02/2014	Law and Justice Council
04/28/2014	Office Admin.
04/29/2014	Executive Session
05/05/2014	Office Admin.
05/05/2014	Dept. Head - Juvenile Probation
05/05/2014	Dept. Head - Maintenance
05/05/2014	Agenda Study Session
05/05/2014	Public Hearing - Comp. Plan
05/05/2014	Lean Event Report
05/06/2014	Agenda
05/06/2014	Public Hearing - ATV
05/06/2014	Executive Session
05/06/2014	Suncadia WUIC
05/07/2014	Law and Justice Council
05/08/2014	Solid Waste Meeting - Cancelled
05/12/2014	Office Admin.
05/12/2014	Dept. Head - Cancelled
05/12/2014	Armory Meeting
05/12/2014	Dept. Public Health

CALL FOR BIDS

RECYCLING OF OIL & ANTIFREEZE

SOLID WASTE

Approve a Notice of Call for Bids for the Recycling of Oil and Antifreeze from the Kittitas County collection sites, to be accepted until June 3, 2014 at 2:00 p.m. at the Kittitas County Solid Waste Office located at 925 Industrial Way Ellensburg, WA and to authorize the Clerk to publish said notice.

SPECIAL EVENT**MANASTASH METRIC BIKE RIDE****COMMISSIONERS**

Approve the Special Event Application to hold the annual Manastash Metric Bike Ride - The Drier Ride, on October 4, 2014 and to grant a waiver to Kittitas County Code Chapters 5.20.100 (Penal Bond-Bond of Indemnity) and 5.20.160 (Closing Hours) since the event is scheduled to begin before 10:00 a.m. and conditioned upon complying with the recommendations from the Kittitas County Public Works Department.

RESOLUTION 2014-089**KITTITAS VALLEY HEALTHCARE - SANE****PUBLIC HEALTH**

Approve Resolution No. 2014-089, Authorizing an Interlocal Agreement with Kittitas Valley Healthcare for the Sexual Assault Nurse Examiner (SANE) program services, effective September 1, 2013 through August 31, 2015, in an amount not to exceed \$5,000.00 per year.

REQUEST TO APPROVE A RESOLUITON PROVIDING FOR THE ESTABLISHMENT OF A SPECIAL REVENUE FUND WITHIN THE KITTITAS COUNTY TREASURY ENTITLED LEASED WATER FUND #126 - ITEM MOVED TO BOARD DISCUSSION & DECISION

AGREEMENT**DEPARTMENT OF SOCIAL & HEALTH SERVICES****SUBSTANCE ABUSE**

Approve Amendment No. 8 to Agreement Number 1163-27314 between the Washington State Department of Social & Health Services, Division of Behavioral Health and Recovery and Kittitas County, increasing the contract amount by an additional \$10,558.00 beginning March 1, 2014 through June 30, 2015.

AGREEMENT**ALCOHOL DRUG DEPENDENCY SERVICES****SUBSTANCE ABUSE**

Approve Amendment No. 3 between Kittitas County and Alcohol Drug Dependency Services increasing the Contract amount by an additional \$10,558.00 beginning July 1, 2013 through June 30, 2015.

SET PUBLIC HEARING**DISPOSITION OF COUNTY ASSETS****AUDITOR**

Approve Setting a Public Hearing to Consider the Disposition of County Assets to be held on Tuesday June 3, 2014 at 2:00 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse 205 West 5th Avenue Ellensburg, WA and to authorize the Clerk to publish said notice.

GRANT**RECREATIONAL BOATING SAFETY****SHERIFF**

Acknowledge a Washington State Parks and Recreation Commission Federal Financial Assistance Grant for Recreational Boating Safety, in the amount of \$16,373.00 beginning April 1, 2014 through September 30, 2014.

RESOLUTION 2014-090**ANNUAL WEED SPRAY PROJECT****PUBLIC WORKS**

Approve Resolution No. 2014-090, Awarding a Contract for the 2014 Annual Weed Spray Project to Woodland Resource Services, in the amount of \$23,635.26 and to Authorize the sign Public Works Director to sign the contract documents.

RESOLUTION 2014-091**ON-CALL ENGINEERING - WATERSHED****PUBLIC WORKS**

Approve Resolution No. 2014-091, Authorizing the Chair's Signature on an On-Call Engineering Services Contract with Watershed Science & Engineering, Inc. and to provide authority to the County Engineer for Task Orders totaling less than \$50,000.00 per project.

RESOLUTION 2014-092**ANNUAL PAINT STRIPE PROGRAM****PUBLIC WORKS**

Approve Resolution No. 2014-092, Awarding a Contract to Stripe Rite, Inc. in the amount of \$218,848.19 for the 2014 Annual Paint Stripe Program and to authorize the Public Works Director to sign the contract documents.

RESOLUTION 2014-093**RECREATIONAL TRAILS PROGRAM GRANT****PUBLIC WORKS**

Approve Resolution No. 2014-093, Authorizing a Letter of Support for the Washington State Parks Recreation's RCO Recreational Trails Program Grant Request, for maintaining Sno-Parks and to groom winter trails in Kittitas County.

RESOLUTION 2014-094**ENGINEERING SERVICES NO 6 ROAD****PUBLIC WORKS**

Approve Resolution No. 2014-094, Awarding the Local Agency Standard Consultant Agreement for Engineering Services for the No 6 Road Safety Improvements Project, to JUB Engineers, Inc. in the amount of \$214,390.00.

REQUEST TO CONSIDER GRANT APPLICATIONS AND RECOMMENDATIONS FROM THE HOMELESS AND AFFORDABLE HOUSING COMMITTEE IN RESPONSE TO THE RFP REGARDING ESSHB 2163 FUNDS - ITEM MOVED TO BOARD DISCUSSION & DECISION

CORRESPONDENCE - NONE

ADMINISTRATIVE MATTERS - NONE

CITIZEN COMMENTS ON NON-AGENDA ITEMS

John Ufkes asked for the County Commissioners to repeal the recent Ordinance updating the County Code that relates to the manufacturing and processing of marijuana. He thought the Board should allow for more

public comment because people may not have been aware of the significance. He submitted a petition into the record from people objecting to the proposed marijuana factory for processing and production in the Badger Pocket area and other agricultural zoned properties.

Brian Cortese, representing the Timothy Hay Growers & Suppliers in Kittitas County submitted a letter into the record expressing concerns relating to the growth and production of marijuana in the County. He indicated weeds could negatively impact the sale of hay to foreign buyers, and if they found marijuana growing in a single timothy field in the valley, all buyers would abandon buying hay from the Kittitas Valley for years to come. They were also worried about water usage and the massive amounts of water that may be taken from the farming community for the facilities.

Steve Verhey submitted a copy of frequently asked questions about the I-502 Proposed Rules from the Washington State Liquor Control Board, dated October 31, 2013. He said the local legislative authority could choose to relocate if they were to decide they do not belong where it was designated such as the light industrial areas.

Hilary Ivarson said there was the potential of an 180,000 square foot building in the Ag-20 zone behind her place. She said the proposed type of facility does not belong in that type of land uses, but rather in a commercial industrial area. She asked the Commissioners to stop, repeal and rethink Ordinance No. 2014-004.

Karen Kratz said she lived next door to the Carroll Road proposal. She said it was the voters intent to decriminalize marijuana and not to be grown in back yards of residences. She said it was time to slow down, as once the flood gates are open the County would have a difficult time backing down.

Ralph Kratz expressed concerns relating to the depreciation of property values and aesthetic issues if facilities were allowed near homes. He said the County Commissioners previously placed a 6 month moratorium on a wind power proposal to research additional information, and that this is the same type of issue. He encouraged the County to repeal the Ordinance or they may end up in a bad situation down the road.

Jane Kratz said she didn't want the area she lives in to be ruined by a pot farm. She said if that were to happen, her parents would not allow her to play outside. She didn't understand how it could have been approved by the County and that the Commissioners should be protecting the citizens of Kittitas County.

Matt Fry said he had been in several places that when drugs moved into

an area, the good moved out and couldn't see how it wouldn't happen here. He said people worked hard for years to get people to stop smoking, and now the County wants to provide the opportunity. He urged the County Commissioners to repeal the Ordinance and to not leave their legacy to the children of allowing marijuana manufacturing or processing.

Gary Reynolds said he lived in the Badger Pocket area and is employed by the export hay industry in the community. He said the new industry may create some jobs, but it is putting the hay industry at risk and felt the facilities should be located in the light industrial zones.

Phil Kenison submitted comments into the record and said an Environmental Impact Statement was never conducted. He didn't believe that seed could not get out of a facility and was concerned about it getting into the irrigation water. He said if a bale of hay were to go to Japan and they find marijuana seeds in it, it would immediately shut down the industry.

Julie Ufkes submitted information into the record for the Board's review. She questioned the County Commissioners and thought if there was any doubt in their mind the Ordinance was not in the best interest of the citizens, then they should repeal it. She explained how the cash value going in and out would only attract crime and by legalizing marijuana it would not change anything. She suggested making a "pot zone" and dedicate special law enforcement to that area.

Daniel Wagner expressed concerns of seeds being blown around the County because of the high winds in the valley and there is a lot to lose in the hay industry if that were to happen. He said the investors in the marijuana industry who make the crops are not from this valley and was concerned they would come in and destroy the community.

Mike Hajney, Wesco International described possible impacts to the export market due to the production and processing of marijuana being in the County. He said it was a tremendous market and the County was putting the community at risk.

Wel Bartsma said he has been farming since 1985 and he has finally been able to make it as his main income. He said he would hate to see the farmer's livelihood at stake.

Brian Williams explained how marijuana was illegal under Federal Law in the United States and how the Fed's would eventually come in and close down the facilities. He thought there was an unbalance of licenses from the Washington State Liquor Control Board. He questioned what would happen to the local farmers if they couldn't sell their hay.

BOARD DISCUSSION/DECISION ITEMS

RESOLUTION 2014-087

CITY OF CLE ELUM

INFORMATION TECHNOLOGY

Commissioner O'Brien moved to approve Resolution No. 2014-087, Authorizing an Interlocal Agreement with the City of Cle Elum for certain technical support and services related to information technology systems. Commissioner Berndt seconded. Motion carried 3-0.

ORDINANCE 2014-006

ALL-TERRAIN VEHICLES

SHERIFF

Commissioner Berndt moved to approve Ordinance No. 2014-006, Amending Kittitas County Code 10.24 to Allow the Operation of Wheeled All-Terrain Vehicles, as described in RCW 46.09, on County Maintained Roads with Posted Speed Limits of 35 Miles Per Hour or Less. Commissioner O'Brien seconded. Motion carried 3-0.

CLOSED RECORD MEETING

RED'S FLY SHOP (CU-13-00003)

CDS

Lindsey Ozbolt, Staff Planner, reviewed a Conditional Use Permit (Red's Fly Shop CU-13-00003) application submitted by Steve Joyce, authorized agent for Jack Eaton, land owner, for a commercial sporting clay course and potential archery training area on the northern 100 acres of an approximate 306 acre parcel that is zoned Forest & Range. The property is located approximately 12 miles southeast of Ellensburg on the east side of SR 821 (Canyon Hwy) at approximately Milepost 13 (Assessor's Map 16-19-33000-0001). She indicated the Hearing Examiner held a hearing and recommended approval with recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval. The Board asked questions of Staff and for clarification.

Commissioner Berndt moved to approve Red's Fly Shop (CU-13-00003) Conditional Use Permit, adopting the Findings of Fact, Conclusions of Law and Conditions as recommended by the Hearing Examiner and to direct Staff to prepare enabling documents. Commissioner O'Brien seconded. Motion carried 3-0.

CLOSED RECORD MEETING

HELENA STREET SUBSTATION (CU-13-00008)

CDS

Jeff Watson, Staff Planner, reviewed a Conditional Use Permit (Helena Street Substation CU-13-00008) application submitted by Wayne Weidert, Electrical Engineer for the City of Ellensburg Energy Services Department, for a new Electrical Substation to deliver electrical power to commercial and residential customers around the site. He said the current zoning of the site is Urban Residential and the proposed use falls under KCC 17.61.020(6) Special Utilities. The project is located approximately 1.5 miles north of downtown Ellensburg at 721 Helena Avenue (Assessor's Map 18-18-25030-0008). The Hearing Examiner held a

hearing and recommended approval with recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval. The Board asked questions of Staff and for clarification on items.

Commissioner O'Brien moved to approve the Helena Street Substation Conditional Use Permit (CU-13-00008), and adopting the Findings of Fact, Conclusions of Law and Conditions as recommended by the Hearing Examiner, correcting the scrivener's errors and direct Staff to prepare enabling documents. Commissioner Berndt seconded. Motion carried 3-0.

RESOLUTION 2014-088 LEASED WATER FUND #126 AUDITOR

Commissioner Berndt moved to approve Resolution No. 2014-088, Establishing a Special Revenue Fund within the Kittitas County Treasury Entitled "Leased Water Fund" #126 to receive \$2,045.00 of each Leased Water Mitigation Certificate Fee collected by the Kittitas County Public Health Department. Commissioner O'Brien seconded. Motion carried 3-0.

RESOLUTION 2014-090 LEASED WATER FUND #126 AUDITOR

Approve Resolution No. 2014-090, Establishing a Special Revenue Fund within the Kittitas County Treasury Entitled "Leased Water Fund" #126 to receive \$2,045.00 of each Leased Water Mitigation Certificate Fee collected by the Kittitas County Public Health Department.

GRANT APPLICATIONS HOMELESS & AFFORDABLE HOUSING COMMISSIONERS

The Board reviewed four Grant Applications that were received to help address local homeless priorities, utilizing the ESSHB 2163 funds. The amount advertised was \$250,000.00 and the applications received totaled \$735,902.00. The four applications received were from: Entrust Community Services for the Homeless Assistance Program (HAP), Alcohol and Drug Dependency Services and 24.7 Homeless Housing Hotline; HopeSource Project FREEDOM Rapid Housing; Kittitas Yakima Valley Community Land Trust (3-Year Plan toward Self-Sufficiency); and People for People (One Call Kittitas Connect), along with recommendations from the Homeless and Affordable Housing Committee.

The following addressed questions from the Board on their applications: Tom Gaulk and Carole Miller Rhodes from EnTrust Community Services; Sarah Bedsaul, Kittitas Yakima Valley Community Land Trust and John Raymond, HopeSource. At the conclusion of the presentations the Board said they still had many questions and would like additional time to review the application as they hadn't received them until the day before.

Commissioner O'Brien moved to set a Special Meeting for Tuesday May 27, 2014 at 2:00 p.m. in the Commissioners Auditorium, Room 109, Kittitas

County Courthouse 205 West 5th Avenue Ellensburg, WA to consider the four Grant Applications. Commissioner Berndt seconded. Motion carried 3-0.

EXECUTIVE SESSION - NONE

ADJOURNMENT

Commissioner O'Brien moved to adjourn the meeting at 1:27 p.m.
Commissioner Berndt seconded. Motion carried 3-0.

Meeting adjourned at 1:27 p.m.

CLERK OF THE BOARD


Julie Kjorsvik

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**


Paul Jewell, Chairman