

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

TUESDAY

2:00 P.M.

DECEMBER 17, 2024

Board members present: Chairman Brett Wachsmith; Vice-Chairman Osiadacz and Commissioner Cory Wright.

Others: Julie Kjorsvik, Clerk of the Board; Mandy Buchholz, Office Administrator; Josh Fredrickson, Public Works Director; Cameron Curtis, Engineer; Jamey Ayling, Planning Official; Stephanie Hartung, Chief Civil Deputy Prosecutor; Bryan Elliott, Auditor; Brian Carlson, Budget & Finance Director; Mike Hougardy, Assessor; and approximately 12 members of the public.

PUBLIC HEARING

TAX LEVY RATES

AUDITOR

At 2:00 p.m. **CHAIRMAN WACHSMITH** opened a Public Hearing to consider possible tax increases for the Tax Levy Rates and amount of Taxes Levied in 2024 to be collected in 2025 for the County General Fund, County Road Fund, and County Flood Control District.

BRIAN CARLSON, BUDGET & FINANCE DIRECTOR, reviewed proposed Resolutions that are statutorily required to set and certify the Tax Levy for real property to be collected in 2025.

THOSE PRESENT & TESTIFYING: PAT KELLEHER said in the 2025 Budget Hearing, the Chairman said they were committed to the resources that were adopted without the 1% proposed tax and recommended the County live within what was allocated. He said the voters have voiced their opinion to live within what the County has available. **THERE BEING NO OTHERS REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

RESOLUTION 2024-205

GENERAL FUND MUNICIPAL PURPOSES

AUDITOR

VICE-CHAIRMAN OSIADACZ moved to approve Resolution No. 2024-205, Certifying the General Fund Levy for Municipal Purposes of Kittitas County, Washington for the Year 2025 According to the Assessed Valuation as Determined in the Year 2024, in the amount of \$10,950,000.00. **COMMISSIONER WRIGHT** seconded. Motion carried 3-0.

RESOLUTION 2024-206

COUNTY ROAD FUND

AUDITOR

VICE-CHAIRMAN OSIADACZ moved to approve Resolution No. 2024-206, Certifying the Levy for the County Road Fund for Municipal Purposes of Kittitas County, Washington for the Year 2025 According to the

Assessed Valuation as Determined in the Year 2025, in the amount of \$9,185,000.00. **COMMISSIONER WRIGHT** seconded. Motion carried 3-0.

RESOLUTION 2024-207 FLOOD CONTROL ZONE DISTRICT AUDITOR

VICE-CHAIRMAN OSIADACZ moved to approve Resolution No. 2024-207, Certifying the Levy for the County Flood Control Zone District for Municipal Purposes of Kittitas County, Washington for the Year 2025 According to the Assessed Valuation as Determined in the Year 2024, in the amount of \$1,000,000.00. **COMMISSIONER WRIGHT** seconded. Motion carried 3-0.

RESOLUTION 2024-208 GENERAL FUND FOR MUNICIPAL PURPOSES AUDITOR

COMMISSIONER WRIGHT moved to approve Resolution No. 2024-208, for Levying Taxes for the General Fund for Municipal Purposes of Kittitas County, Washington for the Year 2025 According to the Assessed Valuation as Determined in the Year 2024. **VICE-CHAIRMAN OSIADACZ** seconded. Motion carried 3-0.

RESOLUTION 2024-209 LEVYING TAXES COUNTY ROAD FUND AUDITOR

VICE-CHAIRMAN OSIADACZ moved to approve Resolution No. 2024-209, Levying Taxes for the County Road Fund for Municipal Purposes of Kittitas County, Washington for the Year 2025 According to the Assessed Valuation as Determined in the Year 2024. **COMMISSIONER WRIGHT** seconded. Motion carried 3-0.

RESOLUTION 2024-210 FLOOD CONTROL ZONE DISTRICT AUDITOR

VICE-CHAIRMAN OSIADACZ moved to approve Resolution No. 2024-210, for Levying Taxes for the County Flood Control Zone District for Municipal Purposes of Kittitas County, Washington for the Year 2025 According to the Assessed Valuation as Determined in the Year 2024. **COMMISSIONER WRIGHT** seconded. Motion carried 3-0.

PUBLIC HEARING MARKOVICH ROAD RIGHT-OF-WAY PUBLIC WORKS

At approximately 2:14 p.m. **CHAIRMAN WACHSMITH** opened a Public Hearing to consider a Road Vacation of a portion of Markovich Road public right-of-way.

CAMERON CURTIS, ENGINEER, reviewed a Staff Report outlining a request to vacate an unopened Markovich Road Public Right-of-Way that exists south of the County Road (approximately MP 0.58 to MP 1.00). He said the right-of-way could provide access to up to seven parcels, but at least two of the affected parcels access their property from a location other than the unopened right-of-way. The Public Lands Access Committee reviewed the proposal and recommended proceeding with the vacation noting alternative access routes to the

Public Land which shares a corner with the right-of-way. After reviewing the information, the Public Works Department recommended approval of the proposed vacation of Markovich Road.

THOSE PRESENT & TESTIFYING: PAT KELLEHER expressed concerns including how there were no signatures on the application from the petitioners. He said the property should be purchased, even for one dollar, otherwise it should be voided. **THERE BEING NO OTHERS REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

RESOLUTION 2024-211 MARKOVICH ROAD RIGHT-OF-WAY PUBLIC WORKS

VICE-CHAIRMAN OSIADACZ moved to approve Resolution No. 2024-211, Vacating Markovich Public Right-of-Way from the End of the County Road to the End of Public Right-of-Way (Mile Post 0.580 to Mile Post 1.000) and Providing an Access and Utility Easement to the Affected Landowners. **COMMISSIONER WRIGHT** seconded. Motion carried 3-0.

APPEAL SEPA APPEAL – GIBSON CDS

At approximately 2:30 p.m. **CHAIRMAN WACHSMITH** opened a Public Hearing continued from December 9, 2024, to consider a SEPA Appeal of the 2024 Kittitas County Annual Docket of Comprehensive Plan Docket Item #2024-13.

CHAIRMAN WACHSMITH announced he had no personal interest in any of the proposals.

JAMEY AYLING, PLANNING OFFICIAL, reviewed the proposed Gibson Non-Project rezone which had been appealed. He said the appellant claimed the County had not followed procedures but said since it's a non-project rezone, it was processed through the annual docket process, and therefore exempt from the procedures in KCC 15A. He explained how the SEPA appeal needed to be determined by the Board of County Commissioners, prior to considering the Docket Item.

JOSEPH REHBERGER, ATTORNEY REPRESENTING ELLENSBURG CEMENT PRODUCTS, reviewed issues relating to scheduling and processing administrative appeals which are governed set in consultation with Board. He said the record was to be compiled by parties and they haven't received the record. A briefing schedule was to be set which hadn't been done either. He asked the Board to set it over to make sure all parties have received the information, and a briefing schedule has been issued.

He reviewed the merits of the appeal and differences between a project versus non-project action and how SEPA applies to both. He explained reasons why the Board should remand it back to Staff.

JAMES CARMODY, ATTORNEY REPRESENTING THE APPLICANT, addressed issues and said in order to pursue a SEPA appeal, standing needed to be established, which there is none. He said the appeal was filed by a competitor for the purpose of limiting competition (Ellensburg Cement Products). He submitted Exhibit A into the record. He indicated the owners have not made a decision on their intent for the future. He urged the Board to deny the SEPA appeal.

JOSEPH REHBERGER, ATTORNEY REPRESENTING ELLENSBURG CEMENT PRODUCTS responded to the applicant and reviewed all issues that were raised by them had to do with SEPA. He urged the County to reverse the MDNS, obtain more detailed information from the applicant, and then re-evaluate the request.

THOSE PRESENT & TESTIFYING: GEORGE SEUBERT said they tried opening up a pit at Thorp, which was in Ag-20, but they weren't allowed to change it, so he wanted to be able to do the same. **JEFF HUTCHINSON** commented on how they had to go through a different process and the applicant should have to go through the same. He said if it was different, to sign him up. **TOREY WING, ELLENSBURG CEMENT PRODUCTS**, spoke about setting a precedence and how it doesn't seem fair others don't have to play by the rules. **THERE BEING NO OTHERS REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

VICE-CHAIRMAN OSIADACZ moved to affirm the CDS SEPA Threshold Determination and proceed with the hearing of the Gibson Non-Project Rezone (RZ-24-00001). **COMMISSIONER WRIGHT** seconded.

COMMISSIONER WRIGHT explained how the non-project rezone is processed through the annual docket process, therefore is specifically exempt from the procedures in 15A by section 15B.01.010. He said Staff issued an MDNS after review and he would be voting in favor of the motion.

VICE-CHAIRMAN OSIADACZ said after consideration of all the information provided, she would be affirming the SEPA Threshold Determination (MDNS) from Staff.

Motion carried 3-0.

JAMEY AYLING, PLANNING OFFICIAL, reviewed a Staff Report for Docket Item 2024-13, Gibson Non-Project Rezone (RZ-24-00001). He reviewed general information, the Administrative Review, Comprehensive Plan, Rezone Criteria, Environmental Review, Agency and Public Comments, and Project Analysis. He recommended approval of the Gibson Non-Project Rezone (RZ-24-00001) subject to suggested Findings of Fact and Conclusions.

JAMES CARMODY, ATTORNEY described the application and agreed with the evaluation and comments from Staff.

THOSE PRESENT & TESTIFYING: **JEFF HUTCHINSON** said the County were to let them go, ensure they go about it the proper way with conditions. He felt unfair competition was not ok and wished he could have sneaked through years ago because it would have saved him a lot of money. **JOSEPH REHBERGER, REPRESENTING ELLENSBURG CEMENT PRODUCTS,** reviewed the criteria and the applicant's response. He said some of the issues have still not been met. **THERE BEING NO OTHERS REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

VICE-CHAIRMAN OSIADACZ moved to approve Docket Item 2024-13, Gibson Non-Project Rezone (RZ-24-00001), including Findings of Fact and Conditions, and to comply with all applicable regulations and obtain necessary permits. **COMMISSIONER WRIGHT** seconded.

COMMISSIONER WRIGHT explained how the requirements of the request have been met and the Department of Commerce looked over it as well and were in compliance. He said land use has evolved over time and while he understands the concerns from ECP, the County has gone through a significance exercise over time and hoped they'd be good neighbors. **VICE-CHAIRMAN** said although spot zoning was a concern, Staff sufficiently answered the questions she had.

Motion carried 3-0.

The meeting concluded at 3:39 pm

CLERK OF THE BOARD


Julie Kjorsvik

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**


Brett Wachsmith, Chairman