

**COMMISSIONERS' MINUTES
KITITAS COUNTY, WASHINGTON
PUBLIC HEARING**

TUESDAY

4:00 P.M.

JUNE 3, 2003

Board members present: Max A. Golladay, Perry D. Huston & Bruce Coe.

Others: Julie Kjorsvik, Clerk of the Board; Paul Bennett, Public Works Director; David Taylor, Community Development Services Director and approximately 8 members of the public.

✓ **PUBLIC HEARING VACATION OF RAMPART DRIVE - HYAK ESTATES PUBLIC WORKS**

At approximately 4:11 p.m. **CHAIRMAN GOLLADAY** opened a public hearing to consider the vacation of a portion of Rampart Drive East Right-of-Way, Hyak Estates No. 4.

PAUL BENNETT, PUBLIC WORKS DIRECTOR reviewed an Engineers Report. He said the extension of Rampart Drive East was not planned to be constructed by Kittitas County, and the right-of-way does provide for future development and construction by private developers. The vacation of the right-of-way would leave a section of dedicated right-of-way accessible only by a United States Forest Service Road or private property. The public would benefit with a minimal increase in property taxes. He explained to avoid the potential of land locking a public right-of-way, it would be advisable to preserve the Rampart Drive East right-of-way. He recommended denying the request, due to the potential growth and development occurring in the Hyak area, and the elimination of legal access to Parcel 22-11-15033-0022.

THOSE PRESENT & TESTIFYING: **PAT DENEEN** said he owned property surrounding the property in question, and expressed opposition to the request. He noted he was speaking on behalf of himself and the James K. Schuler and Associates, Inc. **DON DANIELS** said he was the one who had petitioned the County to vacate a portion of Rampart Drive East. He spoke in favor of the request and said he wanted to build down from a slope, and would only need to purchase approximately 5-10 feet of right-of-way. He was hopeful that he and Mr. Deneen could possibly work something out. **WENDY JOHNSON-MENION** submitted a letter into the record, objecting to the proposal, stating if it were approved, it would leave their property at 153251 SE Summit Road, landlocked. **RON GIBSON** said he was a resident of Rampart Drive East, and questioned where the space came from for the cul-de-sac. He wanted a guarantee from the County, if they were to grant the request to vacate a portion of Rampart Drive

APPROVED

East, that he would always have access, in the future, to his property. **THERE BEING NO FURTHER TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER COE said he agreed with the Engineer's Report and recommendations, and felt there were no concerns requiring immediate attention. He was hopeful the property owners could work out their differences between themselves. **CHAIRMAN GOLLADAY** felt there was no current benefit to the County by vacating the right-of-way at the present time. **COMMISSIONER HUSTON** was not in favor of the proposed vacation with the possibility of future development. He said he had no issue with revisiting the request again in the future.

COMMISSIONER COE moved to deny the request to vacate a portion of Rampart Drive East, as recommended by the Public Works Department. **COMMISSIONER HUSTON** seconded. Motion carried 3-0.

✓ **PUBLIC HEARING** **VACATE PORTION - FIRST ST. RONALD** **PUBLIC WORKS**

At approximately 4:50 p.m. **CHAIRMAN GOLLADAY** opened a public hearing to consider the vacation of First Street in Ronald, Washington.

PAUL BENNETT, PUBLIC WORKS DIRECTOR reviewed an Engineer's Report, and said there were no compelling circumstances requiring the road to be vacated, since it is currently on the County Road system and is in use by the public. He said a vacation of the road may result in land locking parcels, and there would be no benefit to the public, other than a minimal amount of revenue received from property taxes. He explained several concerns relating to public safety, claiming the First Street intersection (with SR 903), provides more sight visibility when entering onto SR 903, and the grade is much flatter than that of the First Street Connection. He said the least impact on the traveling public would be to vacate the First Street Connection, and based on the safety factors and historic use of the roadway, the potential of land locking of a parcel, he recommended denying the request to vacate First Street Road.

THOSE PRESENT & TESTIFYING: DAVE CHASE introduced himself as a Water Commissioner in the area of question. He expressed various concerns relating to the water lines being deleted and/or relocated, and urged the Board of County Commissioners to deny the request to vacate First Street. **FRANK CERNICK** said he was representing 41 other citizens in Ronald, who are opposed to the proposed vacation of First Street. He said the road had been used on a daily basis for over 70 years, and it's been the most frequently used route to SR903 and the Lake Cle Elum Recreation area and beyond. The alternate routes are much less

PAUL BENNETT, PUBLIC WORKS DIRECTOR reviewed a Staff Report. He said on November 12, 2002, the Board of County Commissioners approved a temporary moratorium on the issuance of building permits, due to the developer failing to meet all conditions of the Short Plats. On January 17, 2003, the Board conducted a public hearing to consider extending the moratorium, and as a result, it had been continued until May 12, 2003. As of May 12, 2003 the conditions had still not been met. As of June 3, 2003 construction of Ranch Road has been underway and significant amounts of water have been encountered thus slowing progress. He said the Burke-Hartman Ditch was evacuated and a 36' squashed culvert was installed, and irrigation water was currently flowing through the pipe. He said based upon construction progress, the roads should be completed within 90 days or at the end of August. Two additional access permits had been requested and letters from the developer granting access along Ranch Road are in the Public Works files. Based upon the information to date, he recommended extending the moratorium until August 31, 2003, and should the road be finished prior, he would recommend lifting the moratorium. He also recommended the two remaining homes in varying degrees of construction be granted building permits or Certificates of Occupancy, at the discretion of the Community Development Services Director. **COMMISSIONER GOLLADAY** asked if the Burkes had been notified of the proceedings? **MR. BENNETT** said he thought they had been, but would have to verify it with his office staff. **COMMISSIONER HUSTON** said all notices should be sent out to all parties involved, and especially to the Burkes. **COMMISSIONER COE** wanted to be sure that as soon as the Wolves had been granted their temporary access permit, access to the Burke ditch would be revoked. He questioned if the Burke/Hartman ditch should be referenced within the proposed Ordinance. **MR. BENNETT** felt there was no need to reference it in the Ordinance. **DAVID TAYLOR, DIRECTOR OF COMMUNITY DEVELOPMENT SERVICES**, recommended that the Board schedule a public hearing to be held on August 25, 2003, for an update and the possible consideration of extending the moratorium further. He explained the Community Development Services department has the final say if a Certificate of Occupancy is issued. **THERE BEING NO PUBLIC IN ATTENDANCE TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER HUSTON moved to amend the proposed Ordinance on Page 2, changing the expiration date of the moratorium, from December 3, 2003 to August 31, 2003, and to include a clause, which states that once the two other parties (that have begun building), have met all requirements, the Community Development Services department may bring forth their recommendations to the Board of County Commissioners for action. **COMMISSIONER COE** seconded. Motion carried 3-0.

COMMISSIONER HUSTON moved to continue the public hearing to 3:00 p.m. Tuesday June 17, 2003, for Board Discussion and Decision, and to

consider setting a public hearing to be held on August 19, 2003.
COMMISSIONER COE Seconded. Motion carried 3-0.

✓ PUBLIC HEARING NON-EXCLUSIVE IRRIGATION FRANCHISES PUBLIC WORKS

At approximately 6:26 p.m. **CHAIRMAN GOLLADAY** opened the public hearing to consider Irrigation Franchises within the County Rights-of-Way, located on Pfenning, Hart, Mohar, and Teanaway roads.

PAUL BENNETT, PUBLIC WORKS DIRECTOR presented Non-Exclusive Irrigation Franchises to use county roads, rights-of-way and other county property within Kittitas County. He recommended the Board approve the agreements. **THERE BEING NO PUBLIC IN ATTENDANCE TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER COE moved to approve a Non-Exclusive Irrigation Franchise agreement to use County Roads, Rights-of-Way and other County Property within Kittitas County, with Michael J. Cheyne; Brian Woldseth; Dorothy Crosetto; Thor and Kathleen Albro. **COMMISSIONER HUSTON** seconded. Motion carried 3-0.

Meeting adjourned at 6:30 p.m.

CLERK OF THE BOARD


Julie A. Kjorsvik

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON


Max A. Golladay, Chairman