

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

TUESDAY

4:00 P.M.

JUNE 15, 2004

Board members present: Chairman Perry D. Huston, Vice-Chairman Bruce Coe and Commissioner Max A. Golladay.

Others: Julie Kjorsvik, Clerk of the Board; Catherine Dunn, Community Development Services Administrative Supervisor; Paul Bennett, Public Works Director; and approximately 5 members of the public.

PUBLIC HEARING

BUILDING CODES

CDS

At approximately 4:07 p.m. **CHAIRMAN HUSTON** called the public hearing (continued from June 1, 2004) to order. He reminded everyone that the public portion of the hearing had been previously closed. **CATHERINE DUNN, COMMUNITY DEVELOPMENT SERVICES OFFICE ADMINISTRATOR**, presented a draft Ordinance which would adopt the State and International codes and appendices. **COMMISSIONER COE** complimented the Community Development Services department and Rob Omans, the Assistant Building Inspector, on their hard work.

ORDINANCE 2004-18

BUILDING CODES

CDS

COMMISSIONER GOLLADAY moved to approve Ordinance No. 2004-18, Amending Kittitas County Code Chapter 14.04, Building Codes, and effective July 1, 2004. **COMMISSIONER COE** seconded. Motion carried 3-0.

PUBLIC HEARING

RENAME DRY CREEK CONNECTION

PUBLIC WORKS

At approximately 4:10 p.m. **CHAIRMAN HUSTON** called the public hearing (continued from June 1, 2004) to order. He reminded everyone that the public portion of the hearing had been previously closed. **PAUL BENNETT, PUBLIC WORKS DIRECTOR** presented an Ordinance, which would rename Dry Creek Connection to Old Highway Ten.

ORDINANCE 2004-19

OLD HIGHWAY TEN

PUBLIC WORKS

COMMISSIONER GOLLADAY moved to approve Ordinance No. 2004-18, Changing Dry Creek Connection Road to Old Highway Ten, and to amend Kittitas County Code Chapters 10.12.010 and 12.03.030. **COMMISSIONER COE** seconded. Motion carried 3-0.

At approximately 4:13 p.m. **CHAIRMAN HUSTON** called a public hearing to order to consider the close out and performance of the CDBG-Lead Base grant project performance which closed January 31, 2003.

MATT FADACH, REPRESENTING THE KITTITAS COUNTY ACTION COUNCIL, explained the Community Development Block Grant Lead Base grant had run out in January 2003. He said there was \$256,000 available in the grant, and \$88,000 had been spent, and since the grant had ended, there was no additional money currently available. He said the grant period was when there were difficulties going on within their organization, which have been rectified. **COMMISSIONER GOLLADAY** asked where the documentation was, since nothing had been provided for the Board's review. **CHAIRMAN HUSTON** noted there had been no documents provided by the County Auditor's office either. **SUSAN GRINDLE, EXECUTIVE DIRECTOR for KITTITAS COUNTY ACTION COUNCIL** advised the Board they would have all documents available prior to the next hearing.

COMMISSIONER GOLLADAY moved to continue the public hearing until July 6, 2004 at 4:00 p.m., and to request that documentation be provided to the Board for their review. **COMMISSIONER COE** seconded. Motion carried 3-0. (Record open).

At 4:17 p.m. **CHAIRMAN HUSTON** opened a public hearing to consider Resolution No. 95-95 regarding a rezone application by Circle Lazy H, Inc. for a rezone of 106 acres from Agriculture-20 to Agriculture-3.

CATHERINE DUNN, CDS ADMINISTRATIVE SUPERVISOR presented a staff report. She explained that on June 30, 1994 an application was submitted for a rezone of approximately 160 acres located in the NE $\frac{1}{4}$ of Section 17, T. 17, R. 18 adjacent to Manastash Road. There were public hearings held by the Planning Commission and the Board of County Commissioners, resulting in approving Resolution No. 95-95 on July 18, 1995. On August 11, 1995, the matter was appealed to Superior Court. During a recent study session with the Board of County Commissioners, CDS was asked to determine whether the conditions of the rezone had been met. Upon contacting the Yakima County Superior Court Clerk's office, the Manastash Sub-basin Adjudication took place after the 18-month deadline in Condition 1.

JAMES HURSON, CHIEF CIVIL DEPUTY PROSECUTOR said there was an agreed stay by parties, and if a case is inactive for a certain period of time, the Superior Court Clerk can file a Notice to Dismiss.

THOSE PRESENT & TESTIFYING: JOHN GILREATH, ATTORNEY REPRESENTING CIRCLE LAZY H, INC. referenced a Declaration of Counsel dated January 22, 1997, stating the status of the claimants' water rights are no different than they were 18 months prior, and the property had not been granted its full amount of claimed natural flow irrigation water, and the rezone approved by the Board should be self-effecting and granted. **THERE BEING NO ADDITIONAL TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

CHAIRMAN HUSTON recognized an email message received from Harriet Bland and family, having no opposition to changing the Møllergaards rezone, but felt the surrounding areas should be given equal consideration. He noted there was no opposition presented at the hearing, and found no reason to go over the whole process again, since it had been previously done before. **COMMISSIONER COE** said the water rights had been affirmed in Condition #1.

COMMISSIONER GOLLADAY moved to direct staff to prepare an Ordinance amending the zoning map, for Circle Lazy H, Inc. for a rezone of 106 acres from Agriculture-20 to Agriculture-3, located in the NE ¼ of Section 17, T.17, R. 18. **COMMISSIONER COE** seconded. Motion carried 3-0.

CHAIRMAN HUSTON moved to continue the public hearing to Tuesday July 6, 2004 at 4:00 p.m. **COMMISSIONER COE** seconded. Motion carried 3-0. It was noted the public record was closed.

Meeting adjourned at 4:42 p.m.

CLERK OF THE BOARD

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Julie A. Kjorsvik

Perry D. Huston, Chairman