

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

MONDAY

3:00 P.M.

AUGUST 9, 2004

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

Others: Julie Kjorsvik, Clerk of the Board; Joy Potter, Public Works Department; James Hurson, Chief Civil Deputy Prosecutor; Kelly Carlson, Public Works Administrative Assistant, and approximately five members of the public.

RESOLUTION 2004-92 SET PUBLIC HEARING/S. THORP HWY. PUBLIC WORKS

Commissioner Golladay moved to approve Resolution No. 2004-92, to Declare the County's Intention to Vacate a Portion of the South Thorp Highway near the Yakima River Bridge to the City of Ellensburg in Accordance with RCW 36.87.130, and to set a public hearing to be held on Tuesday August 31, 2004 at 4:00 p.m. in the Commissioner's Auditorium, Room 109, County Courthouse, Ellensburg, and to authorize the Clerk to publish said notice. Commissioner Coe seconded. Motion carried 3-0.

PUBLIC HEARING

WATER CONSERVANCY BOARD

COMMISSIONERS

At approximately 3:05 p.m. **CHAIRMAN HUSTON** opened the public hearing to consider the continuation of the Kittitas County Water Conservancy Board.

CHAIRMAN HUSTON reviewed the history creating the Water Conservancy Board, since it was formally adopted by Resolution No. 2000-88. He said there was a sunset clause of August 15, 2004, and the Board could decide either letting it expire automatically, continue forward or set another sunset clause.

THOSE PRESENT & TESTIFYING: MARY BURKE, CHAIRMAN OF THE WATER CONSERVANCY BOARD, announced they had a number of pending applications and have a meeting scheduled for August 24, 2004. She reviewed the application process, and felt the Board had been successful and working well for the citizens. Currently, the Water Conservancy Board is the only way for citizens to get water transfers approved, in a timely manner. She requested the Board's support in urging the legislature to obtain funding for the Water Conservancy Board. The Board would like to request an alternate member, so when there are conflicts of interest, there would be more

than two members hearing the application. She suggested approving the continuation of the Water Conservancy Board and either putting another sunset clause in place or at least until there is a different solution for citizens or the Department of Ecology performs its functions. **JEFF SLOTHOWER, ATTORNEY** encouraged the Board to grant the continuation of the Water Conservancy Board. He felt the sunset clause was put into place four years ago, because it was a new process. He felt putting in another sunset clause of possibly seven (7) years would be beneficial, because it's always good to review process every so often. He explained the process of trying to get water transfers approved without having the Water Conservancy Board, which are both very expensive and time consuming for the applicant. He felt the Water Conservancy Board has been beneficial and working well in Kittitas County. **RICHARD BURROWS** spoke in favor of keeping the Water Conservancy Board in place. He said citizens need assistance on the local level, which the Board provides. **GREG McELROY, ATTORNEY** said there were no other good alternatives for citizens to obtain water transfers other than the Water Conservancy Board. He said he has clients ready to begin submitting their applications to the Board. He was in favor of keeping the process at the local level, instead of leaving it up to the Department of Ecology.

CHAIRMAN HUSTON moved to reaffirm the Water Conservancy Board and its Bylaws adopted in Resolution No. 2001-139, effective August 9, 2004, to retain a sunset clause of August 17, 2011, and to direct staff to prepare enabling documents for the Boards consideration on August 17, 2004 at 3:00 p.m. **COMMISSIONER COE** seconded.

CHAIRMAN HUSTON spoke in favor of the Water Conservancy Board, stating it was a valuable resource to the citizens of Kittitas County. He said the only reason he suggested a sunset clause of seven (7) years, was because it would be in the middle of an election cycle, and it could be reviewed by another Board of County Commissioners. **COMMISSIONER GOLLADAY** felt all laws should have a sunset clause, and the future operations of Water Conservancy Boards are unknown. The Board thanked the volunteer members of the Water Conservancy Board for their hard work and many hours spent reviewing applications and information.

Motion carried 3-0.

CHAIRMAN HUSTON moved to continue the public hearing to August 17, 2004 at 3:00 p.m. to consider enabling documents, noting the record is closed to public testimony. **COMMISSIONER COE** seconded. Motion carried 3-0.

Meeting adjourned at 3:35 p.m.

CLERK OF THE BOARD

Julie A. Kjorsvik

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Perry D. Huston, Chairman