

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

TUESDAY

2:00 P.M.

MAY 19, 2009

Board members present: Chairman Alan Crankovich; Vice-Chairman Paul Jewell and Commissioner Mark McClain.

Others: Steve Panattoni, Patrol Sergeant; Neil Caulkins, Deputy Prosecutor; Dan Valoff, Community Development Services Staff Planner; Dan Davis, Interim Chief Building Official; Judy Pless, Budget & Finance Manager; Kirk Holmes, Public Works Director/Interim Community Development Services Director and approximately 20 members of the public.

PUBLIC HEARING DISPOSITION OF PROPERTY - NANUM COMMISSIONERS

At 2:00 p.m. Chairman Crankovich opened a public hearing continued from May 12, 2009 to consider the disposition of surplus property located at 503 North Nanum Street, Ellensburg, Washington (Map Number 17-18-02055-1007) pursuant to Kittitas County Ordinance No. 2009-04. He noted the record was closed.

COMMISSIONER JEWELL explained he had received an email from Skip Mynar, Director of Alcohol Drug Dependency Services and he had requested that the Board continue the public hearing to allow him the opportunity to meet with his Board to discuss how they would like to move forward.

COMMISSIONER JEWELL moved to continue the public hearing to Tuesday June 2, 2009 at 2:00 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse. **COMMISSIONER McCLAIN** seconded. Motion carried 3-0. (Chairman Crankovich noted the record is closed).

PUBLIC HEARING

RV'S & PARK MODEL TRAILERS

PROSECUTOR

At approximately 2:01 p.m. **CHAIRMAN CRANKOVICH** opened a public hearing continued from April 7, 2009 to consider proposed Amendments to Title 14 of Kittitas County Code as it relates to the regulation of RV's and Park Model Trailers.

STEPHANIE HAPPOLD, DEPUTY PROSECUTOR requested that the Board not approve the draft Ordinance and to take no action. She said the Critical Areas Ordinance & Zoning Code was approved in 2007 and the information should be re-evaluated in the annual Comprehensive Plan docket process as a proposed amendment. She recommended closing the public hearing and to take no action at this time.

COMMISSIONER McCLAIN explained to the public how the issue would be docketed for this year's Comprehensive Plan Amendments and that a public hearing would take place sometime after October once it's been reviewed by the Planning Commission and notices would be published in the newspaper as well as on the Community Development Services website. He indicated there would be an opportunity for public comments at that time. He said the Community Development Services Department would accept the comments that have already been submitted and that they would become part of the record. **JOHN UFKES** explained he had a written comment to submit on the draft Ordinance as drafted. The Board directed him to submit those to the Community Development Services Department.

COMMISSIONER McCLAIN moved to take no action on the proposed Ordinance at this time and to close the public hearing. **COMMISSIONER JEWELL** seconded. Motion carried 3-0.

PUBLIC HEARING

EDWARD BRYNE MEMORIAL GRANT PROGRAM

SHERIFF

At approximately 2:09 p.m. **CHAIRMAN CRANKOVICH** opened a public hearing to consider the Kittitas County Sheriff's joint application with the City of Ellensburg Police Department for the Edward Bryne Memorial Justice Assistance Grant Program.

STEVE PANATTONI, SHERIFF'S OFFICE explained the Edward Bryne Memorial Justice Assistance Grant application process, which provides funding for various types of law enforcement functions. He reported that this year, they have added funding which is available for both state and local agencies. He said they first needed to determine the eligibility amounts for each local agency which comes from the uniform crime reports. He explained how the application was split between the City of Ellensburg and Kittitas County Sheriff's Office. He said they conducted a needs assessment and at the conclusion, technology seemed to fit best with the dollar amount to be distributed of which \$10,643.00 would be grant funded of the \$11,077.00 for an evidence management system. He reviewed the benefits of an automated evidence management system including the quality of evidence collection and processing, saving officer time as it relates to evidence management, and by gaining confidence and credibility in terms of evidence processing. He explained how the grant has a public hearing component to it and an Interlocal Agreement would be proposed at a special meeting scheduled with the Board of County Commissioners on Thursday morning. Due to two jurisdictions (City and County) they have to submit the information together which the City will have 60% and 40% will go to County. He said he did not foresee any ongoing maintenance or annual agreement for the software system (only at the beginning or as they add more terminals).

THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

Mr. Panattoni said according to the Grant Application process, the Board only needed to hold the public hearing and that no action was necessary.

The Board closed the public hearing with no action being taken.

PUBLIC HEARING**BUDGET AMENDMENTS****AUDITOR**

At approximately 2:18 p.m. **CHAIRMAN CRANKOVICH** opened a public hearing to consider amending the 2009 County Budgets in the total amount of \$1,713,544.00.

JUDY PLESS, BUDGET & FINANCE MANAGER reviewed the proposed budget amendments including a reduction of \$525,909.00 from the General Fund which is based upon study sessions with County departments and the revenue forecasting being somewhat down from what was estimated; \$51,500.00 from the General Fund Vehicle Replacement budget and \$45,000.00 from the Public Health budget. She said there is a need to increase the General Fund budget in the amount of \$2,027,453.00 which reflects the purchase of property for the new Sheriff's Administration office; \$18,500.00 for Public Health's additional grant; \$10,000.00 for Noxious Weed due to an increase in assessments and \$280,000.00 for Solid Waste to pave the compost facility (which is primarily grant funded from the Department of Ecology. She said if the Board approves the Budget Amendments, the total County budget would be \$71,046,086.00.

THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

RESOLUTION 2009-73**2009 BUDGET AMENDMENT****AUDITOR**

COMMISSIONER JEWELL moved to approve Resolution No. 2009-73, Amending the 2009 Budget in the total amount of \$1,713,544.00 **CHAIRMAN CRANKOVICH** seconded. Motion carried 3-0.

PUBLIC HEARING**GOLF COURSE ROAD - WATER FRANCHISE****PUBLIC WORKS**

At approximately 2:27 p.m. **CHAIRMAN CRANKOVICH** opened a public hearing to consider granting a Non-Exclusive Domestic Water Franchise on Golf Course Road between Oakmont Drive and Hermitage Drive and between the intersections with Oakmont Drive and with Hermitage Drive located in Section 36 of Township 20, Range 14, Ellensburg, Washington.

KIRK HOLMES, PUBLIC WORKS DIRECTOR reviewed a request from the Sun Country Estates Maintenance Association for a Non-Exclusive Water and/or Sewer Franchise for the installation of a Ductile Iron and PVC Pressure water pipes, gate valves, thrust blocks, fire hydrants, service meters and other related appurtenances in the County right-of-way between Oakmont Drive and Hermitage Drive and between the intersections with Oakmont Drive and with Hermitage Drive. He recommended the Board approve the Non-Exclusive Water, and/or Sewer Franchise Agreement.

THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

AGREEMENT

FRANCHISE - SUN COUNTRY ESTATES

PUBLIC WORKS

COMMISSIONER JEWELL moved to approve a Non-Exclusive Water and/or Sewer Franchise to Use County Roads, Rights-of-Way and other County property within Kittitas County with Sun Country Estates Maintenance Association. **COMMISSIONER McCLAIN** seconded. Motion carried 3-0.

PUBLIC HEARING

VIA KACHESS RD - WATER FRANCHISE

PUBLIC WORKS

At approximately 2:30 p.m. **CHAIRMAN CRANKOVICH** opened a public hearing to consider granting a Non-Exclusive Domestic Water Franchise on Via Kachess Road from MP 1.22 to MP 2.22 located in Section 17 of Township 21, Range 13, Cle Elum, Washington.

KIRK HOLMES, PUBLIC WORKS DIRECTOR reviewed a request from the Kachess Community Association for a Non-Exclusive Water and/or Sewer Franchise for the installation of PVC pressure water pipes, gate valves, thrust blocks, fire hydrants, service meters and other related appurtenances in the County right-of-way on Via Kachess Road from MP 1.22 to MP 2.22. He recommended the Board approve the Non-Exclusive Water, and/or Sewer Franchise Agreement.

THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

AGREEMENT

FRANCHISE - VIA KACHESS ROAD

PUBLIC WORKS

COMMISSIONER JEWELL moved to approve a Non-Exclusive Water and/or Sewer Franchise to Use County Roads, Rights-of-Way and other County property within Kittitas County with Kachess Community Association. **COMMISSIONER McCLAIN** seconded. Motion carried 3-0.

PUBLIC HEARING

TRANSFER OF DEVELOPMENT RIGHTS

CDS

At approximately 2:31 p.m. **CHAIRMAN CRANKOVICH** opened a public hearing to consider a transfer of development rights draft Ordinance as presented by the Cascade Land Conservancy in their report titled "Conserving Kittitas County Farmlands and Working Forests- - Transfer of Development Rights Program" Report 2 of 2 - Research Findings and Program Recommendations, prepared for the Kittitas County Board of Commissioners by Cascade Land Conservancy July 25, 2008.

COMMISSIONER JEWELL explained there had been some confusion with the public hearing and noted it was the Boards intent to aide them in determining if the issue should be docketed for the annual Comprehensive Plan Amendments. He noted the Board did not anticipate taking any action on a proposed Ordinance at this time.

SKIP SWENSON, REPRESENTING CASCADE LAND CONSERVANCY said back in 2007 they were asked to draft a Transfer of Development Rights Program. He reviewed a power point presentation including

information on the basis for a Transfer of Development Rights; the reasons why Kittitas County should have a program; primary goals; the successes; and the Cascade Land Conservancy's activity to date including community outreach and a draft recommendation. He encouraged everyone to read their report because there is a lot of information contained in there. Mr. Swenson responded to various questions from the Board regarding the proposed program.

THOSE PRESENT & TESTIFYING: **CATHERINE CLERF** felt Interlocal Agreements needed to be signed off with each City in the County. She said she is a proponent of TDR's but was disappointed Kittitas County was not included with the law that just passed. She noted if there is a true market for them, they can work and also believed there should be a State-wide TDR program available. **ROGER WEAVER** said there are a lot of acknowledgements in the report, but in no way was everyone acknowledged, in support of the program. He said there has to be something in the program that addresses who will be responsible for the maintenance of the ground. He said it is a good concept and looks forward to the process. **MR. WITWILL REPRESENTING CENTRAL WASHINGTON HOMEBUILDERS** said they don't have a problem with the concept, but raised concerns relating to a skewed market and without the market aspect, he did not know how the program would go. **ANNE WATANABE REPRESENTING THE EASTON RIDGE LAND COMPANY** said they previously submitted comments regarding procedural issues. She expressed concerns regarding it being voluntary and that the issues of water rights still need to be addressed. She thought there may be hidden costs regarding stewardship and said there should be consideration of smaller than 20 acre sizes and to not limit them. She cautioned the Board to not state their intention of action or endorsement of the proposed language before it has been docketed. **THERE BEING NO OTHERS REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER McCLAIN said he had received many comments about the program and it is evident there is interest in one form or another.

COMMISSIONER JEWELL acknowledged he does not want to accept or endorse the program right now and would like to see the Land Use Advisory Committee review the information and prepare an appropriate document.

DAN VALOFF, STAFF PLANNER explained how it was the original conception that would go before the Planning Commission as part of the annual Comprehensive Plan process for docketed items.

MR. CAULKINS, DEPUTY PROSECUTOR felt what Mr. Valoff recommended would be sufficient but did not know how it would work with their current workload.

COMMISSIONER McCLAIN moved to accept the draft Transfer of Development Rights Program prepared by the Cascade Land Conservancy; send it to the Land Use Advisory Committee and to direct staff to docket the item for consideration for the 2009 annual Comprehensive Plan Amendments. **COMMISSIONER JEWELL** seconded. Motion carried 3-0

Meeting adjourned at 3:42 p.m.

KITTITAS COUNTY COMMISSIONERS

CLERK OF THE BOARD

KITTITAS COUNTY, WASHINGTON

Julie A. Kjorsvik

Alan Crankovich, Chairman