



PUBLIC HEALTH DEPARTMENT

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KITTITAS COUNTY BOARD OF HEALTH Special Meeting/Public Hearing Minutes

Wednesday, October 25, 2006
Commissioners' Auditorium
Recorded meeting started at 10:05 a.m.

PRESENT: **Board Members:** Commissioner David Bowen, Chair, Commissioner Alan Crankovich, Commissioner Perry Huston, and Don Solberg, M.D., Vice Chair. **Kittitas County Public Health Department Staff (KCPHD):** Environmental Health Manager Cathy Bambrick, Health Officer Mark Larson, M.D., and Clerk of the Board Susan Merrill.

ABSENT: Board member Carolyn Booth

OTHER ATTENDEES:

Kris and Louie Gibson, Gibson & Son Wood Recycling, Cle Elum
Lin L. Holdeman, Sunlight Water County Club, Cle Elum
Rose Ann Holdeman, Sunlight Water County Club, Cle Elum
Brenda Larson, Fire Investigator, Code Enforcement Officer, Kittitas County Fire Marshal's Office
Joanna Valencia, Planner, Community Development Services (CDS)
Darryl Piercy, Director, CDS

This special Board of Health (BOH) meeting is being held to hear public testimony and to consider approval of the Gibson Solid Waste Permit Application. Legal notice of the meeting was published.

Commissioner Bowen convened the meeting.

Commissioner Huston declared that the current permitting process by the BOH has become a quasi-judicial process. In addition, Commissioner Huston clarified that the issue before the BOH was to determine whether or not to issue a solid waste permit for the wood waste recycling facility of Mr. Louis Gibson. Commissioner Huston submitted correspondence (i.e., email correspondence) into the record which clarifies the permitting process as follows: there was no requirement for a public hearing, the Solid Waste meeting on September 27, 2006 was not a public hearing, and today's special meeting of the BOH is a public meeting. Commissioner Huston said the meeting is *de facto* a Public Hearing, and as such, the meeting will proceed as a Public Hearing.

Meeting continued as a Public Hearing (with recorded proceedings): Public Hearing for Kittitas County Board of Health to consider a solid waste application known as the Gibson Wood Waste Recycling Facility

Each of the BOH members made declarations as to having no contact with Mr. Gibson or the Gibson permit matter other than review of staff documents. There were no objections to members remaining seated; consequently, all members remained seated.

Cathy Bambrick gave a staff report on the permit application and facility, and stated that the SEPA Mitigated Determination of Non-Significance (MDNS) was issued and the permit is consistent with the Kittitas County Solid

Waste Plan. Commissioner Bowen asked if BOH members had questions to ask of Ms. Bambrick. Questions and answers ensued, and in response to questions, Ms. Bambrick stated that no appeal had been filed and the Planning Department had found that the permitted use was consistent with zoning. Commissioner Huston asked if CDS staff were present to answer questions. As CDS staff were not present, they were summoned to the hearing.

Mr. Gibson testified that the staff report was accurate.

[CDS staff arrived at hearing.] Commissioner Bowen asked Brenda Larson, Fire Investigator and Code Enforcement Officer, to contribute fire information. Ms. Larson distributed a document entitled “*Findings of Fact and Opinion*” on the facility and a copy of the “*Stop Work*” order currently in place. Ms. Larson proceeded to provide verbal testimony on the type of fuel, description of surrounding land, description of the Gibson site, fire facts relevant to the Gibson site, and mentioned that the site was protected by Fire District #1.

Commissioner Bowen asked for any questions for Ms. Brenda Larson. BOH members had questions for Ms. Larson, and Ms. Larson responded that Mr. Louis had separated piles and adequate breaks existed between rows, and that the current site status was in compliance with SEPA.

Commissioner Bowen opened the meeting to public testimony.

Rose Ann Holdeman, Sunlight Water County Club, Cle Elum, testified against the permit. Ms. Holdeman spoke about past fires, no fire truck servicing for the site, no sprinklers at the site, concern over contamination of water and soil, and said she does not want facility to be located in its present location and that it is not a good location.

Lin L. Holdeman, Sunlight Water County Club, Cle Elum, testified against the permit. Mr. Holdeman stated that his major concerns were over spontaneous combustion, whether adequate water existed at site, and the distance from fire department to the site.

Commissioner Bowen asked if anyone else wanted to speak; no one else was available to speak.

Commissioner Bowen closed the meeting to public testimony.

BOH members asked questions of CDS staff on a variety of issues associated with the permit application, including review of permitted uses, rationale behind CDS’ decision to approve the permit application, notice of application, how CDS staff arrived at their SEPA determination, interpretation of Kittitas County zoning code of *Forest & Range-20* in reference to “*locally harvested forest crops,*” and mechanism of supervision to prevent materials from outside county from being processed at facility, and enforcement actions for any violations.

Commissioner Bowen reopened the meeting for public testimony.

Commissioner Bowen asked if anyone had anything else to add. No additional testimony pertaining to the issue for today’s public hearing was contributed.

Commissioner Bowen closed the meeting to public testimony.

Mr. Gibson stated he had nothing else to add.

Cathy Bambrick explained the rationale behind issuing the Stop Work order.

Brenda Larson answered questions from BOH members and addressed concerns over fire response time, adequacy of onsite water, burn patterns, and past fires in general area (though none are known to have occurred at the site for the Gibson facility).

Mr. Piercy answered questions from BOH members regarding previous arson and fires in Sunlight, as well as, fire patterns and water supply.

BOH members said they were ready to deliberate. Commissioner Bowen said he was leaning toward approval of the application. Commissioner Crankovich listed the items he felt were key (mitigating regulations and response time) and indicated that he was comfortable with approving the permit.

Motion 10-06: Commissioner Huston moved to approve the permit; Commissioner Crankovich seconded. Discussion occurred amongst BOH members.

Commissioner Huston provided an overview of the permitting process and the need for the permit on the Gibson facility; and stated that he did not find anything in the record to indicate that the facility should not be permitted.

Ms. Bambrick volunteered to be the lead in putting together a report on findings for the BOH.

Dr. Solberg said that after testimony and review of papers, he did not see a reason to deny the permit application as presented.

There was no additional discussion.

All approved. Motion 10-06 carried.

BOH members decided to continue the hearing to November 2, 2006 at 1:30 p.m. The date was selected to allow review of staff's report and resolution; and it was selected to allow ample time to submit the permit application to the Department of Ecology within the required 2-week period.

Commissioner Huston instructed Ms. Bambrick to prepare a BOH resolution.

Motion 10--07: Commissioner Huston moved to continue the Public Hearing on the Gibson Solid Waste Permit Application for review of staff's report and Board of Health resolution; Commissioner Crankovich seconded. All agreed. Motion 10-07 carried and Public Hearing was continued to November 2, 2006 at 1:30 p.m.

Public Hearing concluded at 11:01 a.m.

Next Meeting: The Public Hearing on the Gibson Solid Waste Permit Application was continued until November 2, 2006 at 1:30 p.m. in the Commissioners' Auditorium.

David Bowen, Chair of the Board of Health

Catherine Bambrick, Interim Co-Director
Kittitas County Public Health Department

Susan Merrill, Clerk of the Board of Health