COMMISSIONERS' MINUTES
KITTITAS COUNTY, WASHINGTON
PUBLIC HEARING

TUESDAY 4:00 P.M. MARCH 2, 2004

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

Others: Julie Kjorsvik, Clerk of the Board; Nancy Goodloe, Public Health Administrator; Allison Kimball, Operations Supervisor, Community Development Services; David Taylor, Planning Director; James Hurson, Chief Civil Deputy Prosecutor, and approximately 10 members of the public.

PUBLIC HEARING UPPER COUNTY-HEALTH DEPARTMENT PUBLIC HEALTH

At 4:05 p.m. CHAIRMAN HUSTON opened a public hearing to consider a lease agreement for an upper county satellite office of the Kittitas County Public Health department.

NANCY GOODLOE, PUBLIC HEALTH ADMINISTRATOR said the Kittitas County Public Health Department was considering a lease agreement with Scott Rollins, for a satellite office in Cle Elum, located at 415 E. 1st. She said the office space would be shared with Dr. Bob Davis, from the Ellensburg Eye Clinic, but they would each would have their own private offices. She said the monthly rent of $450.00 would be split equally, between Kittitas County and Dr. Davis. Mr. Rollins will be returning from vacation on March 5th, and could begin negotiations to solidify the rental agreement for the office space. She anticipated having the details ready by April 6th, and requested the Board continue the public hearing until that date.

THERE WAS NO PUBLIC REQUESTING TO TESTIFY AT THE PUBLIC HEARING.

COMMISSIONER GOLLADAY moved to continue the public hearing to consider a lease agreement for an upper county satellite office of the Kittitas County Public Health department, until Tuesday April 6, 2004 at 4:00 p.m. COMMISSIONER COE seconded. Motion carried 3-0.

CLOSED RECORD HEARING HARKER REZONE CDS

DAVID TAYLOR, COMMUNITY DEVELOPMENT SERVICES DIRECTOR, reminded the Board they had previously received the transmittal of Planning Commission recommendations on February 17, 2004, for Virginia Harker's rezone request (Z-2003-09), from Suburban to Residential of

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approximately 20.53 acres. The subject property is located north of the Vantage Highway, east of Pfenning Road and south of Judge Ronald Road, within the Urban Growth Area, of the City of Ellensburg. The Planning Commission recommended approval with a 6-0 decision.

COMMISSIONER GOLLADAY moved to approve the rezone request from Virginia Harker (Z-2003-09), for a zone change of approximately 20.53 acres from Suburban to Residential, and to direct staff to prepare enabling documents for the March 16, 2004 Commissioner Agenda at 3:00 p.m. COMMISSIONER COE seconded. Motion carried 3-0.

CLOSED RECORD HEARING BIG BOULDER, LLC.  CDS

DAVID TAYLOR, COMMUNITY DEVELOPMENT SERVICES DIRECTOR, reminded the Board they had previously received the transmittal of Planning Commission recommendations on February 17, 2004, for Big Boulder LLC's rezone request (Z-2003-08), for approximately 128 acres from Forest and Range to Rural 3. The subject property is located northeast of State Route 903, bordering on the east city limit of the City of Roslyn, Kittitas County. The Planning Commission recommended approval with a 6-0 decision.

COMMISSIONER GOLLADAY moved to approve the rezone request from Big Boulder LLC (Z-2003-08), for approximately 128 acres from Forest and range to Rural 3, located northeast of State Route 903, bordering on the east city limit of the City of Roslyn, and to direct staff to prepare enabling documents for the Commissioners Agenda Session on Tuesday March 16, 2004 at 3:00 p.m. COMMISSIONER COE seconded. Motion carried 3-0.

PUBLIC HEARING YAKIMA RIVER WATERSHED PLAN  CDS

At approximately 4:13 p.m. CHAIRMAN HUSTON opened the continued public hearing (from November 18, 2003) to consider the Yakima River Watershed Plan.

DAVID TAYLOR, COMMUNITY DEVELOPMENT SERVICES DIRECTOR, explained there had been no recent movement by the legislature. CHAIRMAN HUSTON entered a letter into the record, dated February 26, 2004 to Bernie Sims, Chair of the Tri-County Water Resources Agency, advising him that Kittitas County was still in the process of considering the plan, and is in compliance with the statutory process. He believed it would not create unnecessary delays.

THOSE PRESENT & TESTIFYING: HAL LINDSTROM asked if there would be an opportunity to testify at a later date. CHAIRMAN HUSTON affirmed
that the public would get another chance to testify and submit their comments.

COMMISSIONER COE moved to continue the public hearing until Tuesday March 16, 2004 at 4:00 p.m. in the Commissioner's Auditorium, Room 109, County Courthouse, noting the record would remain open. COMMISSIONER GOLLADAY seconded. Motion carried 3-0.

PUBLIC HEARING ADMIN. POLICY-POTABLE WATER SUPPLY CDS

At approximately 4:20 p.m. CHAIRMAN HUSTON opened a public hearing to consider amending an administrative policy related to potable water supply for subdivisions.

DAVID TAYLOR, COMMUNITY DEVELOPMENT SERVICES DIRECTOR gave a staff report. He suggested that subdivision applications consisting of 6 lots or less, individual wells or a Group B system may be utilized; subdivision applications containing 7 to 14 lots in a Group B water system must be utilized, the Group B water system may include multiple wells, but an Engineers report shall be submitted certifying the Group B water system will not withdrawal more than 5,000 gpd; and subdivision applications containing 15 lots or more shall utilize a Group A water system, which includes the requirement to obtain a water right.

THOSE PRESENT & TESTIFYING: STEVE LATHROP, representing himself and unnamed clients, testified that they rely on clear policies by County departments. He commented on the limited jurisdiction and where the county starts and stops, relating to water rights. He said he read the 2002 policy, and said he didn't even know it existed, or he would have opposed it at the time of conception. JOE PECK testified on water rights and its users. He said the County has the responsibility to its citizens to not restrict water rights. He gave comparisons between ground water and surface water. URBAN EBERHART, CHAIR OF THE KITTITAS COUNTY RECLAMATION DISTRICT said the KRD Board discussed exempt well usage and how it related. WAYNE NELSON said he was unfamiliar with the policy and how detailed it was, and questioned the definition of a complete system. THERE BEING NO ADDITIONAL TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

COMMISSIONER GOLLADAY explained how the proposal had no intent of imposing a condition of having a water right, and the County should stay away from those issues. COMMISSIONER COE commented on how the Department of Ecology was not in charge of development, but their job was to be in charge of water. He said Group A (15 lots or more) would need to show proof of water rights. CHAIRMAN HUSTON said he had read three cases, and compared them. He was not debating the
Department of Ecology and their water permitting requirements, only county policy, in terms of assuring "potable water". He indicated Kittitas County only has to determine a physical availability of water, and the Department of Ecology has clear responsibility. Staff was directed to create language that Kittitas County has the determination whether a potable water supply is available with no guarantees and they need to go through the appropriate venue. Department of Health is the regulatory agent and has to be reflected in policy. He questioned what liabilities we are creating.

COMMISSIONER COE moved to continue the public hearing to March 16, 2004 at 4:00 p.m. in the Commissioners Auditorium, direct staff to prepare enabling documents, noting the record was closed.
COMMISSIONER GOLLADAY seconded. Motion carried 3-0.

RESOLUTION 2004-18  HIGH VALLEY RANCHETTES  CDS

COMMISSIONER GOLLADAY moved to approve Resolution No. 2004-18.
COMMISSIONER COE seconded.

COMMISSIONER GOLLADAY moved to amend Resolution No. 2004-18, by striking findings #15 and #3 in the conditions. COMMISSIONER COE seconded. Motion carried 3-0.

CHAIRMAN HUSTON moved to amend Resolution No. 2004-18 by adding language on the plat as item 3. COMMISSIONER GOLLADAY seconded. Motion carried 3-0.

Motion carried 3-0 approving Resolution No. 2004-18 as amended.

Meeting adjourned at 5:26 p.m.

CLERK OF THE BOARD

[Signature]

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

[Signature]
Perry D. Huston, Chairman

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