Board of County Commissioners
CDS Director Meeting
Minutes

DATE: 5-3-04 and 5-4-04

TIME: 3:00 PM and 9:00 AM

COMMISSIONERS PRESENT: Max Golladay, Bruce Coe and Perry Huston

THOSE PRESENT: Jim Hurson, Allison Kimball and Catherine Dunn

OTHERS PRESENT: Chad Bala, Lisa McPherson, Steve Lathrop, George Cockill and Richard Weinman

TOPICS:
1. Conversion Option Harvest Plans (COHP's)
2. Patera Violation
3. Permit Fee Public Hearing
4. MountainStar Issues (continued to 5-4-04)

ATTACHMENTS:
1. Letter from DNR to Dave Berry; email from Bruce Coe re: COHPS
   Packet from Chad Bala
2. Patera file packet
3. Agenda Staff report, memo from Allison Kimball

DISCUSSION:
1. MountainStar Issues will be tomorrow
2. Huston said that the County process has been to review the COHP's for completeness, send letters to DNR and the homeowner and then send it up to DNR and leave it to them. Bala agreed that was the process when he was employed by Kittitas County and reviewed COHP's. He added that the County has no permit to approve. Huston agreed that once the application is complete and the letters sent, the County's work is done. Coe remarked that the applicants should have their lawyers challenge DNR on this. Unless it is more directly aimed at the county, he didn't think that the County should challenge it. Huston looked up the WAC cite in the letter and said that DNR isn't included in it. He said to find out what are the check points, to check for other permits and critical areas is the County's part of these plans. He asked who

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was speaking as Kittitas County in the letter. Coe said that he had talked with some County and State agencies earlier last year regarding stormwater runoff and the Clean Water Act. This may have started from that meeting. Huston said that we should crank off a letter explaining the County position and send it off. He added that the County letters could be better worded. He was told that the wording dates back several planners. Coe suggested having a public hearing with DNR involved and discuss it at that time.

3. Discussion was held about the Patera violation and the letter offered by the contractor as justification. If the letter was sent in error, it can be rescinded or if there is a misunderstanding of the parameters of the letter. Dunn will research other sites where excavating gravel to make a pond occurred. McPherson will follow up with Dunn. A suggestion was made to proposed amendments to the Zoning regulations after issuing letters of this sort to bring the code up to date.

4. Kimball reported the figures she had for the public hearing on Permit fees.

4. Lathrop explained that the need for this meeting was to clear up any confusion on what needed to be done. He asked if MountainStar was expected to change the procedure of the 3 way contacts established during the EIS process and subsequent approvals. Huston said that he did not want to change the policy of having CDS come to the Board with administrative changes to the MountainStar MPR. He also did not want to have changes made that would mean going through the EIS process again. Lathrop said that they will do a SEPA checklist every time with possible addendums to the EIS. They are trying not to have to have a supplemental EIS. As MountainStar makes changes they are getting continual readings from Huckell/Weinman as to the EIS needs. Coe asked if the questions are more related to problems with Huckell/Weinman or would it be different if there was another consultant. Huston said that he wanted the work to be assigned by the CDS staff with Huckell/Weinman acting as a staff planner with the regular Planning Commission process and eventual Board of Commissioner action. Lathrop said he wanted to be sure that the Board was comfortable with the three-
way communication. They have worked with Huckell/Weinman through the process developing the plan, coordinating the review and packaging the application much as they would have with a planner on staff. He said that it had worked well in the past. Huston said that he wanted CDS to be in the loop. He wanted requests for meetings to go through CDS staff for scheduling. Golladay said that if it is coordinated through CDS that would answer any questions that he had. Coe asked what the concern was. Lathrop said that he had looked at the letters from Huckell/Weinman and CDS and wanted to be sure that Huckell/Weinman was not assigning some different because of a conflict of interest. Weinman said that they had come up with the conflict of interest concern because they felt it might have been a problem to have Chris Lawson and himself work on the project because they were so involve with the EIS. This would have them reviewing the projects against work they had done earlier. They are confident that they can review the projects without prejudice but didn’t want to have an appearance of conflict of interest in the two roles as the County’s EIS consultant and the contract planner for the County. Huston asked who better to review than those who had written the EIS. Weinman said that part of the review is to go back to the EIS to make sure that the EIS fulfills the requirements of SEPA for the project. In reality he had no questions, but would like to know what the Board thought. Huston said that the process is one the County routinely uses. It is business as usual for the planners. Huston said that the only thing he asked was to keep the County staff involved. Lathrop said that David Taylor was always apprised of what was in the future to plan for it. Huston said that he wanted the county staff more involved but that is not to say the County can afford to send them to all meetings—a conference call would suffice. Coe said to expect six to eight months of disruption until a new director is hired and brought up to speed on all projects. His desire was to have MountainStar understand that they cannot expect to have boxes arrive with strict schedules. Huston agreed saying that he would not go through all sorts of convoluted activities to get these scheduled. Cockill said that their concern is missing the summer selling season.
Lathrop said that MountainStar needed to bring staff up to speed for the schedules. Huston said that new contracts would be necessary for these activities. Hurson said that they are currently working on them. Huston said to write the contracts in the normal way for County activities. Lathrop said that there will be 8 future projects to come in this year at a 30 day application schedule. These consist of 2 plat alterations; 2 shorelines substantial development permits for bridges; 2 or 3 more plats; a comprehensive plan and conceptual master plan change and a rezone of several little parcels. Some of these will be applied for together.

**ACTIONS:**

1. Huston to write letter to DNR regarding COHP's.
2. Dunn will check on the files and report findings to McPherson
3. 