COMMISSIONERS' MINUTES
KITTITAS COUNTY, WASHINGTON
SPECIAL MEETING

TUESDAY 4:00 P.M. AUGUST 15, 2006

Board members present: Chairman David Bowen; Vice-Chairman Commissioner Alan Crankovich and Commissioner Perry Huston.

Others: Julie Kjorsvik, Clerk of the Board; Patti Johnson, Interim Public Works Director; Patrick Butler, CDS Staff Planner; Scott Turnbull, CDS Staff Planner; Darryl Piercy, Director of Community Development Services; Brandon Drexler, Public Works Construction Manager; Todd Davis, Noxious Weed Control Board Director; Neil Caulkins, Deputy Prosecutor and approximately 15 members of the public.

PUBLIC HEARING IRRIG. FRANCHISE-KITTITAS HWY. PUBLIC WORKS

At approximately 4:00 p.m. CHAIRMAN BOWEN opened a public hearing to consider granting a Non-Exclusive Irrigation Franchise on Kittitas Highway near the intersection of Kittitas Highway and No. 6 Road.

BRANDON DREXLER, PUBLIC WORKS CONSTRUCTION MANAGER reviewed a request from Trinity Farms for an Irrigation Franchise for the placement of a new irrigation pipe across the County right-of-way, near the intersection of Kittitas Highway and No. 6 Road.

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

FRANCHISE AGREEMENT TRINITY FARMS PUBLIC WORKS

COMMISSIONER CRANKOVICH moved to approve a Non-Exclusive Irrigation Franchise to Use County Roads, Rights-of-Way and other County Property within Kittitas County, with Trinity Farms for Tax Lot Number P442233. COMMISSIONER HUSTON seconded. Motion carried 3-0.

PUBLIC HEARING IRRIG. FRANCHISE–DENMARK/TJOSSEM RD. PUBLIC WORKS

At approximately 4:03 p.m. CHAIRMAN BOWEN opened a public hearing to consider granting a Non-Exclusive Irrigation Franchise on Denmark Road near the Intersection of Denmark Road and Tjossem Road.

BRANDON DREXLER, PUBLIC WORKS CONSTRUCTION MANAGER reviewed a request from Robert Dodge, for an Irrigation Franchise to replace a failing culvert pipe within the County Right-of-Way located near Denmark and Tjossem Road.
THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

FRANCHISE AGREEMENT  ROBERT DODGE  PUBLIC WORKS

COMMISSIONER CRANKOVICH moved to approve a Non-Exclusive Irrigation Franchise to Use County Roads, Rights-of-Way and other County Property within Kittitas County, with Robert Dodge for Tax Lot Number 17-19-14000-0007.  COMMISSIONER HUSTON seconded. Motion carried 3-0.

PUBLIC HEARING  SILVERTON ROAD  PUBLIC WORKS

At approximately 4:05 p.m. CHAIRMAN BOWEN opened a public hearing to consider adopting Silverton Road on to the Kittitas County Road Maintenance System.

PATTI JOHNSON, INTERIM PUBLIC WORKS DIRECTOR reviewed a petition received from Attorney Steve Lathrop representing Mr. Larry Hillis, President of D&H Ranch, Inc. requesting the County to adopt Silverton Road onto the County Road System. She indicated that Mr. Jeff Slothower was filling in for Mr. Lathrop, who is handling the request.

JAN OLLIVIER, PUBLIC WORKS DEPARTMENT TRANSPORTATION MANAGER reviewed the findings of fact included on an Engineer’s Report. She said the High Valley Ranchettes final plat approval was on June 6, 2006 and identified Silverton Road as an easement, not a dedicated right-of-way and as-built plans were approved on May 12, 2006. She said the road was inspected and met most requirements for Kittitas County, with the exception of being there was not a dedicated 60’ right-of-way. She said Silverton Road was created by a boundary line adjustment in 1997, and the recording document indicated that 30 feet is to be dedicated to the public, however a boundary line adjustment does not dedicate the property, a deed is needed, which there is no record of, only an easement. The letter Public Works received from Mr. Lathrop on April 19, 2006 stated the property owner still wants to proceed with this plat under the current County Road Standards as adopted in September 5, 2005, and those standards require a road that accesses 15-40 lots must have a minimum right-of-way of 60 feet. The dedication deed that was signed in April of 2006 includes a strip of land that is west of the 30 foot easement that ranges from 5.36 feet to 23.03 feet on the west side of the 30 foot easement. She recognized a letter from Paul Bennett dated August 12, 2006, recommending the Board deny the applicants request until they have acquired the property right of way.
JEFF SLOTHOWER, ATTORNEY REPRESENTING THE APPLICANT suggested the Board look at the survey that was referenced by Public Works. He indicated the road was built and met County standards that were in place at the time of approval. He indicated the County had been treating the road as being on system. The problem arose when a letter was received from the Ellensburg School District, stating the Public Works Department informed them they are no longer maintaining the roads into the housing development. He felt Mr. Lathrop would want to respond to Mr. Bennett’s letter personally, and was unable to attend the public hearing.

COMMISSIONER CRANKOVICH explained that in his many years of working on the Public Works road crew, they never maintained the road in question. COMMISSIONER HUSTON asked if the Homeowners Association had previously submitted a petition to place the road onto the County road on system. MR. SLOTHOWER was unaware if a petition had been previously made, and Mr. Lathrop would be able to answer the question.

PATTI JOHNSON, INTERIM PUBLIC WORKS DIRECTOR reported that Silverton Road is not on the system and the County has not conducted any maintenance to the road.

THOSE PRESENT & TESTIFYING: DAVE DUNCAN VICE-PRESIDENT OF D&H FARMS was unaware of the item being before the Board, and had intended on speaking during a different hearing, but wanted the Board to know he had the road built and was built to County road standards at the time of approval. He felt it was a done deal long ago. The Board left the public comment portion of the hearing open.

COMMISSIONER HUSTON said the key point was to identify where in process milestones took place and look at the common language relating to private roads dedicated to public use and if they were vested in requirements at petition filed, but questioned if a petition was ever filed with the County. Staff was directed to try and track down if any petition had been filed with the County requesting it to be on the road onto the County system.

COMMISSIONER HUSTON moved to continue the public hearing to Tuesday August 29, 2006 at 4:00 p.m. in the Commissioner’s Auditorium, Room 109, County Courthouse, noting the record was still open to both written and verbal testimony. COMMISSIONER CRANKOVICH seconded. Motion carried 3-0.

PUBLIC HEARING CDBG APPLICATION COMMISSIONERS

At approximately 4:26 p.m. CHAIRMAN BOWEN opened a public hearing to consider an application for up to $35,000.00 to fund a planning project that principally benefits low and moderate income persons,
and to review the community development and housing needs, inform citizens of the availability of funds and eligible uses of the state Community Development Block Grant (CDBG) and on the proposed activities, particularly from low and moderate income persons and persons residing in Kittitas County.

MIKE WILLIAMS, VICE-PRESIDENT OF HOPESOURCE reviewed an application for a needs assessment in Kittitas County and organizational capacity building for HopeSources Housing Development Division. He said they were requesting $24,000.00 to provide assistance with the assessment.

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

RESOLUTION 2006-118    CDBG GRANT APPLICATION    COMMISSIONERS

COMMISSIONER HUSTON moved to approve Resolution No. 2006-118, approving the Community Development Block Grant Planning Only Grant application for HopeSource, in the amount of $24,000.00 for an assessment of the need for safe and affordable housing in Kittitas County, and to authorize the Chair to sign a Grievance Procedure. COMMISSIONER CRANKOVICH seconded. Motion carried 3-0.

PUBLIC HEARING    TITLE 18-CODE ENFORCEMENT    CDS

At approximately 4:31 p.m. CHAIRMAN BOWEN opened a public hearing to consider amendments to Kittitas County Code Title 18-Code Enforcement - providing nuisance abatement and enforcement of certain Health Department regulations using the Code Enforcement process.

NEIL CAULKINS, DEPUTY PROSECUTOR reviewed proposed amendments to Kittitas County Code Title 18, Code Enforcement to provide for the abatement of nuisances at the expense of the landowner in the form of a lien against the property that can be foreclosed upon. The changes also provide that certain Health Department regulations will also be enforced using the same procedural mechanism as of the code violations.

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

COMMISSIONER HUSTON moved to approve the proposed amendments and direct staff to prepare enabling documents for the September 5, 2006 2:00 p.m. Agenda Session. COMMISSIONER CRANKOVICH seconded.

COMMISSIONER HUSTON said this has been an ongoing project and appreciated the work done by staff.

Motion carried 3-0.

COMMISSIONER HUSTON moved to continue the public hearing for purposes of reviewing enabling documents, to Tuesday September 5, 2006 at 2:00 p.m. in the Commissioners Auditorium, Room 109, County Courthouse, noting the record was closed. COMMISSIONER CRANKOVICH seconded. Motion carried 3-0.
At approximately 4:38 p.m. CHAIRMAN BOWEN opened a public hearing to consider a Special Assessment proposal from the Kittitas County Conservation District. Special Assessments for conservation districts are authorized under RCW 89.08.400. The current proposal for the Kittitas County Conservation District is expected to raise approximately $120,000 through an assessment of $5/parcel and between ½ cent and 10 cents per acre. The funds raised will support and expand Kittitas County Conservation District’s ability to work with private landowners who are managing the resources associated with their properties. Specifically, the funds raised will implement the KCCD long range and annual plans. All programs and assistance are offered on a voluntary basis to private landowners. The KCCD has no regulatory or enforcement authority.

MARK MOORE, REPRESENTING THE KITTITAS COUNTY CONSERVATION DISTRICT introduced staff and Board of Supervisors members. ANNA LAEL, DISTRICT MANAGER FOR THE KITTITAS COUNTY CONSERVATION DISTRICT acknowledged a report that had been previously presented to the Board of County Commissioners on July 31, 2006. She reviewed a power-point presentation including information on the history and background; Conservation District Law; Conservation District Successes; History of the Conservation District; Board of Supervisors; Annual & Long Range Plans; Funding District Activities; 2005 Income & Expenditures; Grant Funded Entities; Special Assessment for Natural Resource Conservation RCW 89.80.400; the other 11 Districts in the State who have assessments; System of Assessments including the cost, noting that public lands owned by the State are subject to the same assessment as private lands; land classification with number of parcels (23,302) and acres (784,439) and rates (total amount to be collected would be $133,295 annually); Programs/Project to Benefit Each Land Classification; Budget including 15% Administration, 17% Education, 25% Technical Assistance, 30% Financial Assistance, and 13% Cooperative Program Development; Special Assessment Timeline; Public Notices. An assessment may not be collected in the following year if a petition objecting to the assessment if filed by December 15, 2006. She reviewed some of the public comments they received during the review process. The cost to the County would be minimal according to the County Treasurer, Assessor and Budget Finance Manager.

COMMISSIONER CRANKOVICH asked if there were any exceptions for low income people. MS. LAEL said she was not aware of any.
THOSE PRESENT & TESTIFYING: DAVE DUNCAN said he had been involved with a lot of water issues in the County and was in 100% support of the local Conservation District. ROB ACHESON supported the proposed assessment and felt the expertise the Conservation District provided was worthwhile and beneficial to the community. MIKE FOREMAN said the Conservation District assists the local farmers in many ways and their efforts are truly appreciated. He supported the proposed assessments. CHUCK MARTIN said he was on a fixed income and did not have acreage to afford any additional taxes. THE BOARD LEFT THE PUBLIC TESTIMONY PORTION OF THE HEARING OPEN.

CHAIRMAN BOWEN said the Farm Bureau would be receiving a presentation from the Conservation District the next day, and would like the Board to wait and see what comments they may have on the proposal before making any decisions.

COMMISSIONER HUSTON moved to continue the public hearing to Tuesday, September 19, 2006 at 4:00 p.m. in the Commissioners Auditorium, Room 109, County Courthouse, noting the record would remain open to both written and verbal testimony. COMMISSIONER CRANKOVICH seconded. Motion carried 3-0.

APPEAL HEARING FERRELL SHORT PLAT APPEAL

At approximately 5:28 p.m. CHAIRMAN BOWEN opened the continued hearing (from August 14, 2006) to consider an appeal filed by Mike Smith, Senior Planner for the City of Ellensburg is appealing the Administrative Decision of the Conditional Preliminary Approval of the Ferrell Short Plat (SP-06-32). The short subdivision is for 3.69 acres into three lots consisting of one 1.52 acre lot, one 1.40 acre lot and one 0.75 acre lot. The location is West of Mathews Road, North of Kittitas Highway, and South of Vantage Highway, Ellensburg, Washington.

PATRICK BUTLER, CDS STAFF PLANNER reviewed a proposed Resolution which remanded the Ferrell Short Plat back to the Community Development Services Department.

RESOLUTION 2006-119 FERRELL SHORT PLAT APPEAL

COMMISSIONER CRANKOVICH moved to approve Resolution No. 2006-119, remanding the Ferrell Short Plat (SP-06-32) back to the Kittitas County Community Development Services Department, for reconsiderations of the conditions of preliminary approval based on the additional information given during the August 3, 2006 public hearing. COMMISSIONER HUSTON seconded. Motion carried 3-0.
Meeting adjourned 5:30 p.m.

CLERK OF THE BOARD

Julie A. Kjorsvik

KITTITAS COUNTY COMMISSIONERS

KITTITAS COUNTY, WASHINGTON

David Bowen, Chairman

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