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

Others: Julie Kjorsvik, Clerk of the Board; Allison Kimball, CDS Assistant Director; Cathy Bambrick, Public Health Co-Director; Susan Merrill, Public Health Administrative Assistant; Rob Omans, Community Development Services Plans Examiner; Katherine Anderson, Fair office Administrative Assistant; approximately 20 members of the public.

APPEAL HEARING DONALD SORENSON BLA APPEAL CDS

At approximately 4:00 p.m. CHAIRMAN BOWEN opened the continued hearing from December 13, 2006 to consider enabling documents relating to the appeal from James T. Denison on behalf of Donald Sorenson (landowner) of the administrative decision of the Community Development Services departments denial of a request for parcel segregation and boundary line adjustment (BLA-06-109). He noted the record was closed.

DARRYL PIERCY, DIRECTOR OF COMMUNITY DEVELOPMENT SERVICES reviewed a draft Resolution upholding the appeal. CHAIRMAN BOWEN noted the Board would hold a hearing in the future relating to intervening ownership and that staff had done what the Board had directed them to do.

RESOLUTION 2006-183 DONALD SORENSON BLA APPEAL CDS

COMMISSIONER CRANKOVICH moved to approve Resolution No. 2006-183, Upholding the Appeal of the Sorenson Segregation. COMMISSIONER HUSTON seconded.

COMMISSIONER HUSTON said he had reviewed the record, but did not review the deliberation portion and would abstain from voting. Motion carried 2-0. (COMMISSIONER HUSTON abstained.).

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At approximately 4:05 p.m. CHAIRMAN BOWEN opened the continued hearing from December 13, 2006 to consider enabling documents on the administrative appeal from Wayne Nelson on behalf of Misty Mountain LLC, of the Koren Short Plat (SP-06-70). He noted the record was closed.

DARRYL PIERCY, DIRECTOR OF COMMUNITY DEVELOPMENT SERVICES reviewed a draft Resolution upholding the Koren Short Plat appeal.

CHAIRMAN BOWEN encouraged staff to be as clear as possible with the Koren's. MR. PIERCY discussions already begun between the Department of Public Works & Community Development Services, and they were hopeful for a quick resolution.

RESOLUTION 2006-184 KOREN SHORT PLAT APPEAL

COMMISSIONER CRANKOVICH moved to approve Resolution No. 2006-184, Upholding the Koren Short Plat Appeal (SP-06-70). COMMISSIONER HUSTON seconded.

COMMISSIONER HUSTON noted he was present at the initial hearing, but did not attend the following one, so he would abstain from voting. Motion carried 2-0. (COMMISSIONER HUSTON abstained).

At approximately 4:07 p.m. CHAIRMAN BOWEN opened the public hearing to consider amending the 2006 County budget.

JUDY PLESS, BUDGET & FINANCE MANAGER noted an addition to the previous proposed budget amendments for the wiring project at the Fairgrounds, therefore the total proposed budget amendment for 2006 is $1,556,919.00. (General Fund $953,958.00; EIS Trust $100,000.00; $122,000.00 Recreation; $43,600.00 Public Health; $10,000.00 Noxious Weed; $7,000.00 Prosecutor Victim Witness; $25,861.00 Refund Fund; and $294,500.00 Capital Improvements).

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

RESOLUTION 2006-185 2006 BUDGET AMENDMENT

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COMMISSIONER CRANKOVICH moved to approve Resolution No. 2006-185, amending the 2006 budget in the total amount of $1,556,919.00. COMMISSIONER HUSTON seconded. Motion carried 3-0.

PUBLIC HEARING TWIN CITY FOODS, INC. LEASE PUBLIC WORKS

At approximately 4:13 p.m. CHAIRMAN BOWEN opened the public hearing to consider a Lease with Twin City Foods, Inc. for the Lease of 25 acres of County property in the Southerly portion of Hansen Pit located in the SW ¼ of Section 13, Township 17 North, Range 19 East, W.M.

BRANDON DREXLER, DIRECTOR OF PUBLIC WORKS explained the proposed lease agreement was identical to the previous one other than changes to the start and ending dates.

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

LEASE AGREEMENT TWIN CITY FOODS, INC. PUBLIC WORKS

COMMISSIONER CRANKOVICH moved to approve and authorize the Chair to sign a Lease Agreement with Twin City Foods, Inc. for property at the Hansen Pit, beginning December 1, 2006 through November 30, 2011, in the amount of $3,500.00 plus leasehold tax. COMMISSIONER HUSTON seconded.

COMMISSIONER HUSTON gave a history of the lease with Twin City Foods, stating it was for depositing their wash water used relating to activities such as canning and freezing. He said it keeps the wash water out of the city’s plant, and in past testing, it shows there is no harm done to the environment.

Motion carried 3-0.

PUBLIC HEARING ELLensburg Rodeo Lease Agreement PUBLIC WORKS

At approximately 4:17 p.m. CHAIRMAN BOWEN opened the public hearing to consider amendments and renewal of the Lease Agreements between Kittitas County and the Ellensburg Rodeo Association for the use of the Fairgrounds Facility.

CHAIRMAN BOWEN recognized a draft Lease Agreement that had been reviewed by the Prosecutor’s office. The Prosecutor’s office made several suggestions to the document including adding an inflation/cost of living adjustment since the proposal is for a ten year duration; concerns of Main Grandstands bond payments and

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recommended a provision be placed to eliminate or minimize the possibility of free access to the Fair during slack time etc. Other recommendations was for a provision requiring the Rodeo to obtain written permission from the Board of County Commissioners relating to Capital improvements; include a precise location and scope of the lease area; County tickets for box seats, was it removed deliberately or an oversight; and some language relating to Western Town or Western Village.

RICK COLE, REPRESENTING THE ELLensburg RODEO referenced the consumer price index, and felt the Rodeo Board has consistently made plans for improvements to the facilities, and have done so in the past including the Gold Buckle building and Western Village. He said the improvements they make annually to prepare for event, carries over to other areas of the facility and more than compensates for any increase in rent for the facility. He said the only area of concerns relating to the Fair admittance is slack. He said they could close off main areas to Main Grandstand and did not see it as a problem. He recognized that they could not make any Capital improvements without first obtaining the County's approval. He felt he had cleaned up the language relating to the description of leased area. He said they provide the County Fair staff and Directors with passes to their event, and the Commissioners should receive them as well.

THOSE PRESENT & TESTIFYING: BILL ALLISON, FAIR BOARD PRESIDENT said most of their concerns had been addressed, but wanted to ensure the comp tickets given out by the Rodeo Board were included with their accounting; clarifying the parking revenue fees which are waived; including Friends of Fair in the insurance; and concern for the number of vendors that are allowed inside. He asked that the Fair Board be able to keep their box seats as well. THERE BEING NO ADDITIONAL TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

MR. COLE responded to the Fair Boards concerns relating to the certified accounting, claiming it includes all of the comp tickets. He indicated they only have one food vendor and with a very limited amount of space and they do not want to compete with the Fair. He felt the relationship between the two Boards has been better than ever before and thanked the Fair Board members. He said he would change the insurance information to read Friends of the Fair in the document.

COMMISSIONER HUSTON reviewed the history and how the Fair was once an enterprise fund and now it is under the General Fund. CHAIRMAN BOWEN wanted to be sure to include bond payment to the explore language for Fair admittance. COMMISSIONER CRANKOVICH commended the Rodeo Board for their efforts for getting the agreement done a year before it expired.
CHAIRMAN BOWEN moved to continue the public hearing to December 27, 2006 at 10:00 a.m. to consider enabling documents. COMMISSIONER CRANKOVICH seconded. Motion carried 3-0.

PUBLIC HEARING	KC CODE TITLE 15A - HEARINGS EXAMINER	CDS

At approximately 4:50 p.m. CHAIRMAN BOWEN opened the public hearing to consider modifications to the Kittitas County Code Title 15A to provide for the implementation of a Hearings Examiner System.

DARRYL PIERCY, DIRECTOR OF COMMUNITY DEVELOPMENT SERVICES gave a staff report. He noted there were a wide variety of options available to the Board, as a legislative body. He said a Hearings Examiner would not eliminate the function of Planning Commission relating to changes to code, etc. He said with the current proposal, the Hearings Examiner makes recommendations to the Board, and they are not a decision making authority for quasi-judicial matters (platting, rezones). He indicated if the Board chose to move forward, the first step would be to require changes to zoning code as well as need implement an Ordinance outlining duties, roles & responsibility. He indicated the public hearing was to receive public comment on whether or not is appropriate director or not to support concept.

CHAIRMAN BOWEN said he spoke with three of the current Planning Commission members about the idea of a Hearings Examiner and he said he had received a positive reaction from them since it would lessen their work load. He explained that when he has spoke with other Counties, a Hearings Examiner is trained in receiving the information, applying applicable laws and being consistent. COMMISSIONER CRANKOVICH said his consideration is in respect to the time that is being required of the Planning Commission on a volunteer basis.

THOSE PRESENT & TESTIFYING: LARRY FULLER felt it was a wrong move of the County to give the authority to just one person. He said the Planning Commission had done a good job and did not feel it was appropriate to hire a Hearings Examiner. He was in support of obtaining input from a variety of people in all areas of the County. WAYNE NELSON appreciated the efforts of the Planning Commission members, and noted it requires a lot of time and energy on their part. He said there are often inconsistencies with the Planning Commission and often is a lack of a quorum, so meetings get cancelled and continued. He supported the proposed amendment of a Hearings Examiner in an advisory role to the Board of County Commissioners. JAN SHARAR REPRESENTING HERSELF presented a letter into the record giving a historical prospective and felt the advice
of the Planning Commission has often been ignored by the County Commissioners. She asked various questions relating to a Hearings Examiner and what their responsibilities would be. She felt due to the highly charged nature of land use matters in the County; whomever they hire should not have a history in land use matters in Kittitas County. JERRY MARTINS cautioned the Board on what they are looking at in a Hearings Examiner. He felt there is far too much State law for a volunteer to understand and the Planning Commission is already overworked, but a Hearings Examiner would look at the information in a different way. He supported the idea of a Hearings Examiner, but would like the Board to make sure they understand what exactly they are looking for. HARVEY DODGE felt the Planning Commission is the only way to give his opinion on rezones. He did not know how one Hearings Examiner would represent himself or the Agriculture community and questioned the duties they would have. CHARLES WEIDENBACH expressed concerns of having a Hearings Examiner. He said he would like to see a comparison and other options that are available for the County to consider. He thought having an annual process to review rezones may work for the County. MARK KIRKPATRICK REPRESENTING ENCOMPASS ENGINEERING was in full support of implementing a Hearings Examiner. He felt the Planning Commission had gone above and beyond their call of duty the past couple of years with the increased work load. He recommended having citizen participation on the interview process or what duties should be included in a Hearings Examiner. THERE BEING NO ADDITIONAL TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

COMMISSIONER HUSTON suggested defining a target. He explained the Planning Commission would still be involved with the legislative process, noting the Board of County Commissioners are the decision making body on all final decisions. He said a lot of the concerns that continue to be raised need to be addressed at the Comprehensive Plan level. CHAIRMAN BOWEN said he would like to have the option of having a Hearings Examiner available in County Code, if they ever wanted to move forward at some point in the future. He thought there were a lot of questions that still needed to be addressed. He wanted to ensure there are clear records, consistency, and clear thought process, with an analysis done that included all laws and codes which were to be applied. He was unsure what direction he wanted to go, but felt the current workload is so heavy, they need to do something different. COMMISSIONER CRANKOVICH said his major concern was for the Planning Commission members and their workload being a volunteer Board. He supported the recommendation of having citizen participation in setting up the requirements and duties of a Hearings Examiner. COMMISSIONER CRANKOVICH suggested closing the public hearing and re-noticing it at a later date once something more defined has been created and then advertise for another public hearing to obtain additional public comment.
CHAIRMAN BOWEN said if the discussion is placed on a Study Session with Community Development Services, it will be noted on their Agendas.

COMMISSIONER CRANKOVICH moved to close the public hearing with no action on the proposed language, noting a new draft would be created and re-notice it for a public hearing at a later date. COMMISSIONER HUSTON seconded. Motion carried 3-0.

PUBLIC HEARING CDS/EH PERMIT FEES CDS

At approximately 5:45 p.m. CHAIRMAN BOWEN opened the continued joint public hearing (from December 11, 2006) with the Board of County Commissioners and the Board of Health to consider modifying certain application fees collected by Community Development Services including those for land use applications, building permits and environmental health permits.

DARRYL PIERCY, DIRECTOR OF COMMUNITY DEVELOPMENT SERVICES gave a report on the proposed increase in fees. He provided information on the extension of pending permit or permit applications, stating there is currently no fee and proposed a flat fee of $200.00 for the action. CATHY BAMBRICK, INTERIM CO-DIRECTOR clarified the cost recovery fees for Environmental Health permits and professional hourly rate fee. She requested the Board approve the proposed fees.

THOSE PRESENT & TESTIFYING: JERRY MARTINS said he is active with the Central Washington Home Builders and indicated they sent out a notice of the proposed fee increase to the building community, and they received little response back. He said they conducted an analysis with Yakima County and the proposed increase for Kittitas County and indicated if the County could show what they can do for the proposed increase the building community would better understand it. He said on the planning side of it the Conditional Uses are a broad spectrum (day cares etc.) and felt there needed to be a better understanding of where the fees would be applied and what they would get back. JASON GOEKE said he was a septic installer and supported the permit increases, claiming the fees were fairly low for the work that is being performed. He suggested either adding employees or increase wages due to many vacancies within the Environmental Health department. THERE BEING NO ADDITIONAL TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

CHAIRMAN BOWEN said he was concerned with the fees relating to the Comprehensive Plan Text and Map Amendments, stating he wanted to be careful to not exempt the general public who would like to have their information considered. COMMISSIONER CRANKOVICH felt the
Environmental Health fees are in line and shared the same concerns relating to the fees for Comprehensive Plan Text and Map Amendments.

BOARD OF HEALTH MOTION ON THE 2007 FEE SCHEDULE FOR ENVIRONMENTAL HEALTH:

COMMISSIONER CRANKOVICH moved to approve the proposed Public Health/Environmental Health fee schedule. COMMISSIONER HUSTON seconded. Motion carried 3-0.

RESOLUTION 2006-186  2007 FEE SCHEDULE-PUBLIC HEALTH    PUBLIC HEALTH

COMMISSIONER CRANKOVICH moved to approve Resolution No. 2006-186, Adopting the 2007 Schedule for Fees Collected, effective January 1, 2007. COMMISSIONER HUSTON seconded. Motion carried 3-0.

ALLISON KIMBALL, ASSISTANT DIRECTOR OF COMMUNITY DEVELOPMENT SERVICES said they do not anticipate additional staff at the moment, but it would depend on future permits and noted they are currently working at maximum capacity.

COMMISSIONER HUSTON felt Option 1 maybe a little lean and may provide for some challenges in the future trying to maintain the level of service. He said he understands the notion of keeping things affordable, but the reality is cost recovery. He explained there have been an increased number of appeals which ripples through various offices and the general tax base should not subsidize those. He felt Option 1 was close and Option 2 was not unreasonable. He thought with the software program coming in to place shortly, it should assist with their level of service. The Board agreed on Option 2 fee schedule.

CHAIRMAN BOWEN moved to direct staff to prepare enabling documents Setting the 2007 Community Development Services fees, with the exception of the Text Amendments. COMMISSIONER CRANKOVICH seconded. Motion carried 3-0.

CHAIRMAN BOWEN moved to continue the public hearing to December 27, 2006 at 10:00 a.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse, Ellensburg, Washington. COMMISSIONER CRANKOVICH seconded. Motion carried 3-0.

Meeting adjourned at 6:40 p.m.