

**COMMISSIONERS' MINUTES
KITITAS COUNTY, WASHINGTON
COMMISSIONERS' AUDITORIUM
SPECIAL MEETING**

MONDAY

1:30 P.M.

FEBRUARY 4, 2009

Board members present: Chairman Alan Crankovich; Vice-Chairman Paul Jewell, Commissioner Mark McClain.

Others present: Catherine Dunn, Deputy Clerk of the Board; Dan Valoff, Planner; Neil Caulkins, Deputy Prosecutor.

Others present: James Denison representing Jack Price; Jack and Linda Price; Traci Shallbetter representing interested neighbors; and approximately 14 members of the public.

PUBLIC HEARING

JACK PRICE CUP APPEAL HEARING

CDS

At 1:30 p.m. **CHAIRMAN CRANKOVICH** opened the public hearing continued from January 5, 2009 to consider an appeal of the administrative decision by Community Development Services to revoke the Conditional Use Permit issued to Jack C Price for the Happy Trails Horse Adventures guest ranch operations at 551 Pioneer Trails RD in Cle Elum, WA (CUP 08-01). He noted that the public hearing had left off at the Interested Parties Testimony. Witnesses expected to be called were sworn in.

COMMISSIONER McCLAIN noted that the Board had received nothing from John Ufkes, regarding the representation of the neighbors. **TRACI SHALLBETTER** said that she was representing Bob and Dawn Kissinger but not the other neighbors. **COMMISSIONER McCLAIN** asked if any of the neighbors understood that Mr. Ufkes was representing them. He noted that the focus of the hearing was whether CDS Planner, Dan Valoff, had the authority to revoke the Conditional Use Permit.

TRACI SHALLBETTER said that Kittitas County Code Chapter 15A gave the authority to the CDS Director or his designee. She then spoke on the merits of the revocation.

BONNIE WAILES, 341 Pioneer Trail RD spoke of the number of trips in and out of the road and the dust and safety issues involved with those trips.

GEORGE HALLWORTH, 261 Pioneer Trail RD spoke about the public safety issues with high rates of speed on their private road.

LINDA JONES, 111 Pioneer Trail RD said that they hadn't known about the business when they built their house. The traffic hadn't increased until recent years. When the neighbors try to slow down the traffic, the drivers just get mad and go faster.

COLETTE RARDON, 50 Pioneer Rd, submitted a packet of letters and maps showing lack of 60 foot easement on the road as well as the lack of sufficient easement at the intersection of the properties at the end of Pioneer RD to conform to the International Fire Code.

DARON RARDON spoke against the business being able to use the private road.

The public testimony was closed at 2:05 p.m.

ATTORNEY JOYCE HERITAGE submitted a Notice of Association.

CDS PLANNER DAN VALOFF had no final argument.

JIM DENISON representing Jack and Linda Price, gave the final argument for the continuation of the Conditional Use Permit stating that the conditions did not require a new Road Maintenance Agreement but that the current one satisfied the requirement. He also noted that the time for the revocation was within the 21 day appeal period.

After some discussion of due process, **COMMISSIONER McCLAIN** moved to overturn the decision of the Community Development Services official to revoke the CUP and to direct staff to draft documents including findings of fact and conclusions of law.

VICE-CHAIRMAN JEWELL seconded the motion. Motion carried, 3-0.

COMMISSIONER McCLAIN moved to continue the public hearing to February 18, 2009 at 10:00 a.m. in the Commissioners' Auditorium to consider draft documents. **COMMISSIONER JEWELL** seconded the motion. Motion carried, 3-0.

Meeting adjourned at approximately 2:25 p.m.

DEPUTY CLERK OF THE BOARD

Catherine Dunn

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

Alan Crankovich, Vice-Chairman