TUESDAY 2:00 P.M. SEPTEMBER 1, 2015

Board members present: Chairman Gary Berndt, Vice-Chairman Obie O’Brien, and Commissioner Paul Jewell.

Others: Julie Kjorsvik, Clerk of the Board; Judy Pless, Budget & Finance Manager; Jerry Pettit, Auditor; Mark Cook, Public Works Director; Kaycee Hathaway, Staff Planner; Lindsey Ozbolt, Staff Planner; Neil Caulkins, Deputy Prosecutor; Christina Wollman, Staff Planner; Roy Chance, Construction Manager; and 8 members of the public.

PUBLIC HEARING  CDBG - WATER DISTRICT #7  AUDITOR

At 2:00 p.m. CHAIRMAN BERNDT opened a Public Hearing to consider the final project performance on the Kittitas County Water District #7 Water System Plan Update, funded by the Community Development Block Grant (CDBG).

JUDY PLESS, BUDGET & FINANCE MANAGER explained how Water District #7 was awarded a Community Development Block Grant through the Department of Commerce in the amount of $24,000.00 for an update to their water system plan. She indicated the project has been completed and recommended that the Board of Commissioners approve the Closeout Performance Report.

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

REPORT  CDBG - WATER DISTRICT #7  AUDITOR

COMMISSIONER O’BRIEN moved to approve the Closeout Performance Report for the Community Development Block Grant Contract No. 13-65400-039 and to authorize the Chair to sign the Beneficiary Summary Page upon submission. COMMISSIONER JEWELL seconded. Motion carried 3-0.

PUBLIC HEARING  NOEL COMMUNICATIONS, INC.  PUBLIC WORKS

At 2:07 p.m. CHAIRMAN BERNDT opened a Public Hearing to consider a Countywide Franchise Agreement with Noel Communications, Inc.

ROY CHANCE, CONSTRUCTION MANAGER reviewed a proposed Countywide Franchise Agreement with Noel Communications, Inc. He said the report...
Franchise would facilitate a planned project providing services from the Ellensburg City limits to a point on Manastash Road located approximately 2700 feet west of the intersection with Strande Road. He recommended approval of the agreement. The applicant explained the public benefits of the Agreement. MR. CHANCE said the Agreement would facilitate the applicant a right to have infrastructure, noting each project would be subject to review by the County Engineer to ensure there are no conflicts.

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

AGREEMENT NOEL COMMUNICATIONS, INC. PUBLIC WORKS

COMMISSIONER O'BRIEN moved to approve a Non-Exclusive Franchise to Use County Roads, Rights-of-Way and other County property within Kittitas County with Noel Communications, Inc. COMMISSIONER JEWELL seconded. Motion carried 3-0.

PUBLIC HEARING TODD FORGEY - CLEMAN ROAD PUBLIC WORKS

At 2:19 p.m. CHAIRMAN BERNDT opened a Public Hearing to consider an Irrigation Franchise Agreement with Todd Forgey along Cleman Road.

ROY CHANCE, CONSTRUCTION MANAGER reviewed a proposed Franchise Agreement with Todd Forgey for the installation of an irrigation pipe along Cleman Road. He said it would be for approximately 400 feet of 12-inch PVC pipe buried under the ditch line and subject to review, approval and oversight by the Kittitas County Engineer. He noted that Mr. Forgey was unable to attend the hearing due to a conflict.

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

AGREEMENT TODD FORGEY - CLEMAN ROAD PUBLIC WORKS

COMMISSIONER O'BRIEN moved to approve a Non-Exclusive Water and/or Sewer Franchise to Use County Roads, Rights-of-Way and other County Property within Kittitas County with Todd Forgey. COMMISSIONER JEWELL seconded. Motion carried 3-0.

PUBLIC HEARING AIRPORT LEASE - LOT C-31 PUBLIC WORKS

At 2:30 p.m. CHAIRMAN BERNDT opened a Public Hearing to consider Leasing Lot C-31 of the Kittitas County Airport Binding Site Plan.
MARK COOK, PUBLIC WORKS DIRECTOR reviewed a request to lease Lot C-31 (1.09 acres - 47,480.40 Sq. Ft.) at the Kittitas County Airport Binding Site Plan. The proposed Lease Agreement would be with Precision Ag Repair beginning September 1, 2015 through August 31, 2020. THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

LEASE

COMMISSIONER O’BRIEN moved to approve a Lease Agreement between Kittitas County and Precision Ag Repair for Lot C-31 of the Kittitas County Airport Binding Site Plan, 1.09 Acres - 47,480.40 Sq. Ft. COMMISSIONER JEWELL seconded. Motion carried 3-0.

PUBLIC HEARING

At 2:37 p.m. CHAIRMAN BERNDT opened a Public Hearing to consider a request to vacate portions of Boondoggle Road and East Boondoggle Road’s unused Right-of-Way. He announced that he recused himself from the Closed Record Meeting previously in the day at the Agenda Session, relating to Wagon Wheel Plat and therefore he would recuse himself again. The meeting was turned over to Commissioner O’Brien.

CHRISTINA WOLLMAN, STAFF PLANNER reviewed a proposed vacation of portions of Boondoggle Road and East Boondoggle Road, unused Right-of-Way. She explained how the legal description on the plat does not correctly define where the roads are physically located. The proposed plat amendment would correctly describe the actual placement of the roads and the road vacation would remove the public Rights-of-Way that are not needed for the public roads. The Public Works Department is coordinating the road vacation with the Community Development Services, who are processing the Teanaway Wagon Wheel plan. The road vacation and plat amendment application are being processed jointly to ensure that the Teanaway Wagon Wheel plat maintains legal access to all of its lots.

BOB BAILEY, SURVEYOR FOR THE PROPONENTS encouraged the Board to approve the request to vacate a portion of Boondoggle Road and East Boondoggle Road. THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

COMMISSIONER JEWELL said he understood Staff’s position but didn’t believe the request is allowed within County Code. He understood the problems with the project but they needed to follow County Code. He felt the County Code would need to be changed to allow for any exceptions to be made. COMMISSIONER O’BRIEN agreed the County Code did not allow the Board any options to approve their request. MARK COOK, PUBLIC WORKS DIRECTOR said the Board could leave it as an open request and allow the applicants to go through Superior Court and
then if they had a favorable action, the County could come behind and vacate, only if the applicant chose to go that route. NEIL CAULKINS, DEPUTY PROSECUTOR said he was not aware of any provisions within the vacation statute stating that decisions must be made.

COMMISSIONER O’BRIEN moved to deny the request for a Vacation of the unused Right-of-Way. COMMISSIONER JEWELL seconded.

COMMISSIONER JEWELL said he empathized with the applicant and had hoped to find a solution for them but he could not. He felt the application was doomed from the beginning as the requirements are not allowed in County Code.

Motion carried 2-0.

CLOSED RECORD MEETING   WAGON WHEEL PLAT AMENDMENT

The Closed Record Meeting continued from the 10:00 a.m. Agenda Session was opened.

COMMISSIONER JEWELL moved to deny the Wagon Wheel Plat Amendment (LP-14-00001), instruct Staff to prepare enabling documents, adopting the Hearing Examiners Findings of Fact, Conclusions of Law. COMMISSIONER O’BRIEN seconded. Motion carried 2-0.

Meeting adjourned at 3:05 p.m.

CLERK OF THE BOARD   KITTITAS COUNTY, WASHINGTON

Julie Kjorsvik   Gary Berndt, Chairman

09/01/2015 MINUTES   4