

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

**TUESDAY**

**2:00 P.M.**

**MARCH 21, 2017**

Board members present: Chairman Paul Jewell; Vice-Chairman Laura Osiadacz; and Commissioner Obie O'Brien.

Others: Mandy Buchholz, Deputy Clerk of the Board II; Lucas Huck, Engineer; Dan Carlson, CDS Director; Mark Cook, Public Works Director; Kathy Jurgens, Finance System Manager; Doc Hansen, Planning Official; Mike Flory, Building Official/Plans Examiner and 3 members of the public.

**PUBLIC HEARING    IRRIGATION FRANCHISE - ZAC WITHERS    PUBLIC WORKS**

At 2:01 p.m. **CHAIRMAN JEWELL** opened a Public Hearing to consider an Irrigation Franchise with Zac Withers along Denmark Road.

**LUCAS HUCK, ENGINEER**, reviewed a Staff Report relating to a Non-Exclusive Irrigation Water Franchise within the Denmark Road Right-of-Way. He said the proposed project was for placing and irrigation pipe along Denmark Road.

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

**AGREEMENT                    IRRIGATION FRANCHISE - ZAC WITHERS                    PUBLIC WORKS**

**COMMISSIONER OSIADACZ** moved to approve a Non-Exclusive Irrigation Water Franchise to Use County Roads, Rights-of-Way and Other County Property within Kittitas County, between Kittitas County and Zac Withers. **COMMISSIONER O'BRIEN** seconded. Motion carried 3-0.

**PUBLIC HEARING                    BIG CREEK TRAILS-SHORELINE SD PERMIT                    CDS**

At 2:04 p.m. **CHAIRMAN JEWELL** opened a Public Hearing to consider the approval or disapproval of the Substantial Development Permit required as a condition of approval for the Big Creek Trails Planned Unit Development.

**DOC HANSEN, PLANNING OFFICIAL** reviewed a Staff Report and explained that D.K. Professional Consultants, Inc. submitted and received conditional approval for rezone application to change the current Rural Recreation and Rural 5 zoning on parcels of land to a Planned Unit Development (PUD) allowing the development of 58 single family

**APPROVED**  
4-4-17

homes over 290 acres. Such development is allowed per KCC 17.36.15.02. One of the conditions of the approved rezone and creation of the PUD is to obtain a substantial development permit under the Shoreline Master Program (SMP) adopted by the County in 1975.

**COMMISSIONER O'BRIEN** questioned if the shoreline setback changes would impact the applicant. **MR. HANSEN** assured the Board that all requirements had been met by the applicant.

**CHAIRMAN JEWELL** opened up the discussion to allow for public comment. **DOC HANSEN, PLANNING OFFICIAL** explained that because this was a Closed Record Hearing it should not be opened up for public comment. He reminded the Board that this is a recommendation from the Hearings Examiner and a Public Hearing was conducted by the Hearings Examiner. **CHAIRMAN JEWELL** indicated that if that's the case it should have been listed on the BoCC Regular Agenda Session under Board Discussion and Decision and not as a Public Hearing. He asked the Board if they had any questions for Staff or the applicant.

**SHORELINE PERMIT                    BIG CREEK TRAILS-SHORELINE SD PERMIT                    CDS**

**COMMISSIONER OSIADACZ** moved to approve the Big Creek Trails Shorelines Substantial Development Permit (SD-15-00002), as presented. **COMMISSIONER O'BRIEN** seconded. **COMMISSIONER OSIADACZ** explained that due to the PUD being approved prior to the Hearing and that the Hearing is specific to the Shorelines Substantial Development Permit and the information received to review was in consideration to the Shorelines Substantial Development Permit specifically, reviewed further research that led up to her support for the Big Creek Trails Shorelines Substantial Development Permit (SD-15-00002); and she was in agreement with the Hearings Examiner Findings of Fact and Conclusion of Law as they met the goals of the program. **COMMISSIONER O'BRIEN** indicated that there has been a great deal of discussion and there is a very large record that the Board has read and reviewed on a number of occasions which left him comfortable with the approval. **CHAIRMAN JEWELL** offered an amendment to the motion and that they adopt the Hearings Examiner Findings of Fact and Conclusion of Law, Decision and Conditions of Approval and direct Staff to prepare enabling documents to that effect. **COMMISSIONER OSIADACZ** seconded. Motion carried 3-0.

Amended motion to approve the Big Creek Trails Shorelines Substantial Development Permit (SD-15-00002) and to adopt the Hearings Examiner Findings of Fact and Conclusion of Law, Decision and Conditions of Approval and direct Staff to prepare enabling documents to that effect approved 3-0.

**PUBLIC HEARING    CDS - FEE SCHEDULE    CDS**

At 2:14 p.m. **CHAIRMAN JEWELL** opened a Public Hearing continued from March 7, 2017 to consider Adopting the 2017 Kittitas County Community Development Services Fee Schedule. He noted the record was closed.

**DAN CARLSON, CDS DIRECTOR** reviewed a Staff Report and explained that throughout this process and while reviewing the expenditures relative to the proposed fees, Staff discovered an error related to non-labor expenditures in the fee model. He stated that they have corrected the error with the current 2017 budgeted expenditures, resulting in amended fees and recommended fees either stay the same or are reduced below the fees proposed on February 7, 2017. He stated that Staff also discovered an error related to revenue generated from Building Fixture permits not being accounted for in the multiplier model for new construction. He stated that this will allow for a contribution to the fund balance for supporting a staffing reserve to ensure minimum staffing levels are maintained in the event of a significant decrease in workload and revenues. He noted that the 5% technology and equipment surcharge would remain on all building permits. He indicated that all the suggested new fees are the same or less than what was originally proposed. **MR. CARLSON** stated that at the last Study Session with the BoCC they indicated that they intended to open the Public Hearing up for comment. He stated that he provided a copy of the proposed fees to the Central Washington Home Builders Association and a letter of support was received from them (CWHBA) and they would like to add it to the record.

**COMMISSIONER O'BRIEN** questioned the stability of multiplier. **MR. CARLSON** said it will allow them to adjust for changes and is based on the current budget as well as other financial details and their long term sustainability. **CHAIRMAN JEWELL** suggested that the record be reopened for the public testimony portion of the hearing due to the fee schedule changing so much from what was initially proposed. **COMMISSIONER O'BRIEN** and **COMMISSIONER OSIADACZ** were in support of **CHAIRMAN JEWELL'S** suggestion to reopen the public testimony.

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

**COMMISSIONER OSIADACZ** moved to continue the Public Hearing to April 4, 2017 at 10:00 a.m., under Board Discussion and Decision for final action by the Board as well as allow for written comment until March 31, 2017 @ 4:00 p.m. **COMMISSIONER O'BRIEN** seconded. Motion carried 3-0.

**PUBLIC HEARING**

**PUBLIC WORKS FEE SCHEDULE**

**PUBLIC WORKS**

At 2:25 p.m. **CHAIRMAN JEWELL** opened a Public Hearing continued from March 7, 2017 to consider Amending the 2012 Kittitas County Public

Works Department Fee Schedule and adopt the 2017 Kittitas County Public Works Fee Schedules.

**KATHY JURGENS, FINANCE SYSTEM MANAGER** reviewed a Staff Report and provided an updated fee schedule. She explained that previous comments and suggested changes have been made to amend the fee schedule as well as changes to the Airport Fund noting a gate key expense increase. She noted that Schedule B over the counter fees had no changes to the previous recommendation; County Road Fund Schedule B there was a Road Standard Variance Appeal Public Works was asked to match with other similar Appeals after looking at CDS fees and talking to the Boards Office they have increased that fee to \$1,580.00 to be consistent with CDS new fee. She stated that they were directed to revise their Short Plat Fee and Final Plat Fee down to 25% which brings the Short Plat Fee to \$420.00, and the Final Plat Fee to \$985.00. She stated that in addition to those changes are that the Cluster Plat (4 lots or less) \$420.00 and Cluster Plats (5 lots or more) \$985.00. She explained that DPW was asked to break down the cost for alternative energy they determined that for less than 5 megawatts it would be \$4,945.00 + cost and more than 5 megawatts would be \$9,625.00 + cost. **MS. JURGENS** explained that they were tasked with taking a look at the cost for SEPA review and have revised as requested down to \$250.00. **MARK COOK, PUBLIC WORKS DIRECTOR** explained that they were tasked with follow up information regarding setting thresholds on concurrency. He suggested the BoCC consider 25% cost recovery for anything greater than 4 lots as a fee for concurrency plus cost. **CHAIRMAN JEWELL** questioned what the minimum fee would be. **MR. COOK** indicated that it would be \$980.00. **CHAIRMAN JEWELL** questioned the break down for the alternative energy and at what point the review kicks in and asked that more definition/clarification be added for future Boards. **MR. COOK** suggested adding "non-residential" and if that would work to eliminate the concern expressed by Chairman Jewell. **CHAIRMAN JEWELL** suggested "commercial", and stated that this is being produced for the market definition not to offset our consumption definition. **MR. COOK** suggested a "personal use exemption". **COMMISSIONER O'BRIEN** reviewed some potential language in bills coming before the house. He gave an example of an individual who may put a turbine in a canal allowing water pressure to generate electricity to offset the cost of pumping for the farmer. He questioned if 5 megawatts is a good cutoff for this type of project and questioned if the proposed project would be below or above the 5 megawatts. **MR. COOK** stated it was his opinion that it would be below. He defaulted to Chairman Jewell as he felt he had more knowledge pertaining to "alternative energy". **CHAIRMAN JEWELL** explained that in most cases it would be below, but this wouldn't fall under this type of permit because they would be considered personal consumption type projects/uses and provided examples of other small scale projects that fall under this fee that are for personal consumption or are to offset personal consumption and would not be caught up in this permit.

**CHAIRMAN JEWELL** suggested that again the Board reopen the record for public testimony due to the fee schedule changing so much from what was initially proposed. **COMMISSIONER O'BRIEN** and **COMMISSIONER OSIADACZ** were in support of **CHAIRMAN JEWELL'S** suggestion to reopen the public testimony.

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

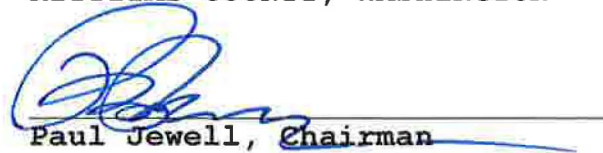
**COMMISSIONER OSIADACZ** moved to continue the Public Hearing to April 4, 2017 at 10:00 a.m., under Board Discussion and Decision for final action by the Board as well as allow for written comment until March 31, 2017 @ 4:00 p.m. **COMMISSIONER O'BRIEN** seconded. Motion carried 3-0.

The meeting was adjourned at 2:37 p.m.

**DEPUTY CLERK OF THE BOARD**

  
Mandy Buchholz

**KITTITAS COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON**

  
Paul Jewell, Chairman