

MINUTES GRANT COUNTY BOARD OF COMMISSIONERS

MONDAY, SEPTEMBER 1, 2008:

CLOSED FOR LABOR DAY

TUESDAY, SEPTEMBER 2, 2008:

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|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9:00 a.m. – 9:50 a.m. | D Nelson, Dept. of Community Development Update |
| 10:00 a.m. – 10:20 a.m. | L Stoltman, Conservation District Update |
| 10:30 a.m. – 10:50 a.m. | Open Record Public Hearing, Firearm Control Area along Crab Creek |
| 1:30 p.m. – 2:50 p.m. | D Pohle, PW Update |
| 2:00 p.m. – 2:20 p.m. | Open Record Public Hearing, Establishing County Road, Broadway Ave. S, in Mattawa |
| 2:00 p.m. – 3:00 p.m. | C Carter, WSAC Logo Conference Call |
| 3:30 p.m. – 4:00 p.m. | Consent Agenda and Commissioners Work Session |
| | <ol style="list-style-type: none">1. Resolution for a Notice of Hearing in the matter of declaring certain county-owned property surplus and ordering the sale thereof; and setting the hearing for September 5, 2008 at 8:00 am.2. Request from the Juvenile Court to purchase two 32" television monitors in the amount of \$1,752.30 using JABG Grant funds |
| 4:30 p.m. – 4:50 p.m. | J Strickler, ASC Update and Misc. BOCC Action |
| | <ol style="list-style-type: none">1. Vouchers for indigent defense and/or insurance.2. Professional Services Agreement For Legal Representation of Indigent Individuals in Grant County Superior Court (Adult Felony Only) Full time Contractor, between Grant County and Melissa A. MacDougall, effective September 1, 2008 through December 31, 2009. |

The Grant County Commissioners session was called to order at 9:00 am with all the Commissioners in attendance with the Clerk of the Board.

OPEN RECORD PUBLIC HEARING, FIREARM CONTROL AREA ALONG CRAB CREEK

The Commissioner held an Open Record Public Hearing to take public comment to consider an Ordinance adding a portion of Crab Creek to the Firearm Control Area of Grant County. Glen Gray has a deer farm and is wondering how he is going to slaughter his deer. He believes it is law enforcement issue, not a firearm control issue. Mark Darlington, petitioner for this control area, says he does not have an issue with Mr. Gray shooting his deer, but an issue for the hunters who are shooting at his property. Sharyl Darlington, petitioner for this control area, spoke in favor of the control area. Believes their houses are too close for hunting. Renae Hall, is wondering if this firearm control area is too large an area? Dave Alsup says his property has been hit by gun shots 17 of the 19 years he has lived in "Millerville".

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Bob Jackson spoke against the area and said that those people who have had their house shot need to go and speak to the person who is shooting. Feels the issue should be handled by law enforcement. Wendy Thomas, owns 10 acres across from Millerville, would not feel safe if she could not use her firearm to protect herself. Mark Darlington, rebutted issues, says the problem is hunters who are shooting directly in the direction of houses. Richard Carpenter is against the Ordinance. Says he bought his property to hunt and feels that his rights are being taken away. Says those in favor of the Ordinance should move. Sharyl Darlington, been there 50 years and doesn't want to take away others rights. She only wants to protect her property. Sherri Pride, does not believe that this is the time to restrict firearms. Bob Jackson reiterated that he believes that this is a law enforcement issue. Jay Meade, spoke against the Ordinance. Shelly Brown spoke in favor of the Ordinance. She wants to protect her property. Pete Thompson, spoke in favor of the ordinance. Toni Cruz, spoke of pit bulls in the area that have attacked her animals and grandchildren. She does not want her right to bear arms taken away. Wendy Thomas says that pit bulls are running at large in the area and wants to be able to protect themselves. Undersheriff John Turley spoke of the Ordinance and stated that he does not believe that "complete prohibition of firearms" is the answer. He believes that people should be able to bear arms and believes the issue is hunting and irresponsible hunters. Sherri Pride said the property owners along Crab Creek should be more engaged. Glen Gray stated that the dogs running loose are a big problem. Richard Carpenter believes that the property owners affected need to handle their own issues. Commissioner Carter moved to close the public comment portion of the hearing, Commissioner Allison seconded and the motion passed unanimously. Commissioner Stevens added to the record, 2 letters received from Clarence and Darlene Dybing and from Carol and Mark Stiles who are in opposition to the Ordinance. Commissioner Allison noted that at the bottom of the petition, it states that the petitioners are requesting a "hunting ban" and that the Department of Fish and Wildlife should be involved. Commissioner Stevens noted that the original petition did not include the large area that is being considered today. Fish and Wildlife should be included. Commissioner Allison read the exemptions for use of firearms as stated in the existing Ordinance. The Commissioners showed the map of the proposed area and the property owners in attendance showed where they were lived. Undersheriff Turley stated that the way development is moving in the area is the reason why the Sheriff's Office proposed such a large firearm control area. Commissioner Allison moved to deny the proposed firearm control area Ordinance as presented. Commissioner Carter seconded and the motion passed unanimously.

D POHLE, PUBLIC WORKS UPDATE

The Commissioners approved and signed a Land Use Agreement No. 19990283 (Supplement No. 1) between Grant County and the Department of Energy Bonneville Power Administration to include the construction, use, and maintenance of a 14' asphalt access road.

OPEN RECORD PUBLIC HEARING, ESTABLISHING COUNTY ROAD, BROADWAY AVE. S. IN MATTAWA

The Commissioners held an Open Record Public Hearing to consider the establishment of a County Rd in Mattawa – Broadway Ave. S. Derek Pohle, Public Works Director discussed the proposal. Jim Harmon spoke about his property and its land use designation. He owns a wrecking yard in the area. He states that the road is poorly maintained and it should be paved. Discussion ensued. It was determined that Mr. Harmon's issue did not have relevance to today's hearing. Commissioner Allison moved to close the public comment portion of the hearing, Commissioner Carter seconded and the motion passed unanimously. Commissioner Carter moved to approve the road as presented, Commissioner Allison seconded and the motion passed unanimously. The hearing adjourned. **(Resolution No. 08-071-CC)**

CONSENT AGENDA:

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Commissioner Carter moved to approve the Consent Agenda, Commissioner Allison seconded and the motion passed with unanimously, as presented below:

COMMISSIONERS' OFFICE:

Commissioners Office Vouchers

Special Occasion License application for Moses Lake J.E.T.S. Wrestling Team, 1396 Fairway Dr., Moses Lake, WA 98837, from the Washington State Liquor Control Board.

EMERGENCY MANAGEMENT

Proclamation declaring September 2008 National Preparedness Month and NOAA Weather Radio Awareness Month.

COMMISSIONERS WORK SESSION

The Commissioners approved and signed item 1 and assigned it **Resolution No. 08-072-CC**.

The Commissioners approved item 2 as listed above.

J STRICKLER, ASC UPDATE AND MISC. BOCC ACTION

The Commissioners approved and signed items 1 and 2 as listed above.

As there was no further business to come before the Board the session was continued until September 3, 2008.

WEDNESDAY, SEPTEMBER 3, 2008:

9:00 a.m. – 9:50 a.m.	B West, Fairgrounds Update
10:00 p.m. – 2:00 p.m.	R Stevens at Leg Steering Ctte Meeting (Sea-Tac)
10:00 a.m. – 11:00 a.m.	C Carter at Canvassing Board (Elections)
1:30 p.m. – 1:40 p.m.	Closed Record Public Hearing, Eric Huber Preliminary Plat
3:00 p.m. – 3:10 p.m.	Open Record Public Hearing, Prosecuting Attorney and Fairgrounds Budget Extensions
4:00 p.m. – 4:20 p.m.	Open Record Public Hearing, CDBG General Purpose Grant Informational Meeting <u>Rescheduled</u>
4:30 p.m. – 4:50 p.m.	J Potts, Legislative Update
7:00 p.m. – 8:30 p.m.	PLANNING COMMISSION

CLOSED RECORD PUBLIC HEARING, ERIC HUBER PRELIMINARY PLAT

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The Commissioners held a Closed Record Public Hearing regarding a preliminary subdivision application from Eric Huber to subdivide 3.56 acres into six single family residential lots in the Urban Residential 2 zoning district. The site fronts on the north side of Fairway Dr, east of West Shore Drive and south of Mae Valley Rd, West of Moses Lake. The property is located in a portion of the NE quarter of S 30, T 19 N, R 28 E, W M (Parcel no. 17-085-5000). Commissioner Allison moved to uphold the Planning Commission recommendation and approve the application as presented, recognizing the 10 Conditions of Approval and 7 Findings of Fact. Commissioner Carter seconded and the motion passed with 2 Commissioners in attendance. The hearing adjourned. **(Resolution No. 08-073-CC)**

OPEN RECORD PUBLIC HEARING, PROSECUTING ATTORNEY'S OFFICE AND FAIRGROUNDS BUDGET EXTENSIONS

The Commissioners held an Open Record Public Hearing regarding the following budget extension requests:

- Grant County Fairgrounds Fund #001, Department #142 in the amount of \$105,000.00 for an operating transfer out;
- Grant County Fairgrounds Fund #116, Department #159 in the amount of \$105,000.00 for an operating transfer in for salaries and wages;
- Prosecuting Attorney's Office Fund # 120, Department # 162 in the amount of \$4,500.00 to purchase 2 laptop computers and a video camera for their Crime Victim/Witness Unit.

Commissioner Allison moved to close the public comment portion of the hearing, Commissioner Carter seconded and the motion passed with 2 Commissioners in attendance. Commissioner Allison moved to adopt the budget extension as presented, Commissioner Carter seconded and the motion passed with 2 Commissioners in attendance. The hearing adjourned. **(Resolution No. 08-074-CC)**

MISCELLANEOUS ITEMS

The Commissioners signed the Personnel Action Request (PAR) for the salary, wage, and/or position changes for Barbara J. Vasquez, Commissioners Office.

The Commissioners signed the Grant County Payroll Pick-up sheet for August, 2008.

As of this date, the Board, by a majority vote, does approve for payment those vouchers certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified by the auditing officer as required by RCW 42.24.090, in the amounts of \$170,191.30 and \$515,021.21, as recorded on a listing and made available to the Board.

As there was no further business to come before the Board the session was continued until September 5, 2008.

THURSDAY, SEPTEMBER 4, 2008:

7:00 a.m. – 8:00 a.m.	L Allison at Moses Lake Response Team (Moses Lake) <u>Cancelled</u>
9:00 a.m. – 10:00 a.m.	L Allison at KBSN Radio
9:00 a.m. – 12:00 p.m.	C Carter at Mattawa High School
11:00 a.m. – 11:30 a.m.	S Hallstrom, Appeal Discussions

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1:30 p.m. – 3:30 p.m. R Stevens at EW Area Ageing / Council of Governments Meeting
(Wenatchee)

FRIDAY, SEPTEMBER 5, 2008:

8:00 a.m. – 8:20 a.m. Open Record Public Hearing, Declaring County Property Surplus for Auction

8:30 a.m. – 5:00 p.m. Open Record Public Hearing 2008 Comprehensive Plan Amendments

The session was continued at 9:00 am with all the Commissioners in attendance with the Clerk of the Board.

OPEN RECORD PUBLIC HEARING, DECLARING COUNTY PROPERTY SURPLUS FOR AUCTION

The Commissioners held an Open Record Public Hearing to declare certain county-owned equipment and merchandise surplus and ordering the sale and auction of same. Lists were given by the WSU Extension Office, Technology Services, Grant Mental Healthcare, and Sheriff's Office. Commissioner Allison moved to close the public comment portion of the hearing, Commissioner Stevens seconded and the motion passed with 2 Commissioners in attendance. Commissioner Allison moved to declare the listed equipment as surplus and as presented, Commissioner Stevens seconded and the motion passed with 2 Commissioners in attendance. The hearing adjourned. **(Resolution No. 08-075-CC)**

OPEN RECORD PUBLIC HEARING, 2008 COMPREHENSIVE PLAN AMENDMENTS

The Commissioners held an Open Record Public Hearing for the 2008 Comprehensive Plan Amendments. Damien Hooper stated that the Schulteis and Noor Said amendments are not going to be heard today. Also, the REC Silicon application was withdrawn. As of March 31, 2008, twenty-one applications were received and forwarded to the Planning Commission for review and recommendation. Today, there are 18 amendments for review.

BEARING SEA 344 C/O VIC JANSEN FILE #08-5068

This request is for an Urban Growth area boundary amendment for the City of Moses Lake to include this site of approx. 317 acres and re-designate the site from Rural Remote and Rural Industrial to Urban Industrial, Urban Commercial and Residential Low Density. The subject area is located in a portion of S 30, T 20 N, R 28 E, W M (Parcel no. 17-1024-000) near the southern-most intersection of Neppel Rd and Highway 17.

Commissioner Allison moved to close the public comment portion of the hearing, Commissioner Carter seconded and the motion passed unanimously. Commissioner Allison moved to uphold the Planning Commission recommendation recognizing the 9 Findings of Fact, Commissioner Carter seconded and the motion passed unanimously.

ML DEVELOPMENT, INC. FILE #07-4887

The subject area is approx. 100 acres in size with a Comp Plan Land Use Designation of Rural Residential 1. The applicant has submitted an application requesting the subject property be included within the boundary of the City of Moses Lake Urban Growth Area and a site specific land use re-designation to Residential, Medium Density.

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The property is located at the northern end of West Shore Dr in a portion of S 6, T 19 N, R 28 E, W M (Parcel no. 17-0172-000).

Larry Angel was here at the hearing to answer any questions the Board may have.

Commissioner Carter moved to close the public comment portion of the hearing, Commissioner Allison seconded and the motion passed unanimously. Commissioner Allison moved to uphold the Planning Commission recommendation recognizing the 9 Findings of Fact, Commissioner Carter seconded and the motion passed unanimously.

NORTH POINT HOLDINGS LLC 384 FILE #07-4894

The subject area is approx. 384 acres in size with a Comprehensive Plan Land Use Designation of Rural Residential 1. The applicant is requesting the property be included within the boundary of the City of Moses Lake Urban Growth Area and a site specific land use re-designation to Residential, Low Density.

Larry Angel was here at the hearing to answer any questions the Board may have.

Commissioner Carter moved to close the public comment portion of the hearing, Commissioner Allison seconded and the motion passed unanimously. Commissioner Allison moved to uphold the Planning Commission recommendation recognizing the 9 Findings of Fact, Commissioner Carter seconded and the motion passed unanimously.

ROBERT SCHIFFNER FILE# 07-4891

The subject area is approx. 80 acres in size with a Comprehensive Plan Land Use Designation of Rural Residential 1. The applicant has submitted an application requesting the subject property be included within the boundary of the City of Moses Lake Urban Growth Area and a site specific land use re-designation to Residential. Low Density.

The subject area is generally located north and west of the northern terminus of West Shore Dr in a portion of S 6, T 19 N, R 27 E, W M (Parcel no. 17-0170-000).

Commissioner Carter moved to close the public comment portion of the hearing, Commissioner Allison seconded and the motion passed unanimously. Commissioner Allison moved to uphold the Planning Commission recommendation recognizing the 9 Findings of Fact, Commissioner Carter seconded and the motion passed unanimously.

MARGARET SCHIFFNER FILE #07-4892

The Subject are is approx.320 acres in size with a Comprehensive Plan Land Use Designation of Rural Residential 1. The applicant has submitted an application requesting the subject property be included within the boundary of the City of Moses lake Urban Growth Area and a site specific land use re-designation to Residential, Low Density.

The subject area is generally located south of the Panorama Heights neighborhood and east of Rd E NE in a portion of S 1, T 19 N, R 27 E, W M (Parcel no. 16-1353-000).

Kim Foster, ASPI Group, wanted to be on the record supporting this application.

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Larry Angel stated that he is here to answer any questions.

Commissioner Carter moved to close the public comment portion of the hearing, Commissioner Allison seconded and the motion passed unanimously. Commissioner Allison moved to uphold the Planning Commission recommendation recognizing the 9 Findings of Fact, Commissioner Carter seconded and the motion passed unanimously.

REC SOLAR GRADE SILICON, LLC – WITHDRAWN

SUN RANCH, INC. JOHN ENRIGHT FILE #07-4888

The subject area is approx. 110 acres in size with a Comprehensive Plan Land Use Designation of Rural Residential 1. The applicant has submitted an application requesting the subject property be included within the boundary of the City of Moses Lake Urban Growth Area and a site specific land use re-designation to Residential, Low Density.

The Department of Transportation submitted comments on their traffic concerns in the area.

The subject area is generally located north and south of Rd 3 NE and west of Rd F NE in a portion of S 13 and 24, T 19 N, R 27 E, W M (Parcel nos. 15-0570-001, 16-1420-000, 16-1421-000, 16-1422-000, 16-1428-000, 16-1429-000, 16-1495-001, 31-2408-000, and 16-1474-000).

Howard Wagner, agent, in attendance to answer questions.

Commissioner Carter moved to close the public comment portion of the hearing, Commissioner Allison seconded and the motion passed unanimously. Commissioner Allison moved to uphold the Planning Commission recommendation recognizing the 9 Findings of Fact, Commissioner Carter seconded and the motion passed unanimously.

VAUGHN HUNSAKER FILE #08-5073

The subject area is approx. 50 acres in size with a Comprehensive Plan Land Use Designation of Rural Residential 1. The applicant is requesting the property be included within the boundary of the City of Moses Lake Urban Growth Area and a site specific land use re-designation to Residential, Low Density.

The subject area is generally located south of Winesap Rd and west of Malaga Dr NE in a portion of S 19, T 19 N, R 28 E, W M (Parcel no. 14-1691-001, 17-0756-001, 14-1691-000, 14-1693-000, and 14-1693-001).

Larry Angel discussed the issue regarding "islands" and submitted letters from neighbors in the area.

Commissioner Carter moved to close the public comment portion of the hearing, Commissioner Allison seconded and the motion passed unanimously. Commissioner Allison moved to uphold the Planning Commission recommendation recognizing the 9 Findings of Fact, Commissioner Carter seconded and the motion passed unanimously.

CHARLES AND PHYLLIS LYBBERT FILE #07-4896

The subject area is approx. 29 acres in size with a Comprehensive Plan Land Use Designation of Rural Residential 1. The applicant is requesting to be included within the boundary of the City of Moses Lake Urban Growth Area and a site specific land use re-designation to Residential, Low Density.

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The subject area is generally located south of Mae Valley Rd and west of Rd F NE in a portion of S 25, T 19 N, R 27 E, W M (Parcel no. 16-1527-000).

Larry Angel stated he is here to answer any questions.

Commissioner Carter moved to close the public comment portion of the hearing, Commissioner Allison seconded and the motion passed unanimously. Commissioner Allison moved to uphold the Planning Commission recommendation recognizing the 9 Findings of Fact, Commissioner Carter seconded and the motion passed unanimously.

GRANT COUNTY PUD AND RON BAKER FILE #08-5074

The subject area is approx. 21.5 acres in size with a Comprehensive Plan Land Use Designation of Rural Residential 2 and Rural Commercial. The applicant is requesting that the property be included within the boundary of the City of Moses Lake Urban Growth Area and a site specific land use re-designation to Residential, Low Density.

The subject area is generally located at Stratford Rd and Kinder Rd in a portion of S 11, T 19 N, R 28 E, W M (Parcel no. 17-0499-000, 17-0530-006, 11-0682-000, 11-0684-000, and 11-0686-000).

Staff stated that a portion of the site is vacant and is owned by Ron Baker. The PUD and Mr. Baker are in the process of negotiating a purchase and sale agreement for Mr. Baker's parcel. In their application materials, the PUD has requested that the Planning Commission consider a condition of approval for this request that the PUD obtain title ownership of the site within one year of the Grant County Commissioners approval of this application, otherwise the Ron Baker property falls out of the UGA and retains its current land use designation of Rural Residential 2 and Rural Commercial as shown on the mapping contained in the application. This is a condition that has been utilized in previous years when an applicant has not yet secured title ownership of a property involved in the Comprehensive Plan amendment cycle.

Commissioner Carter moved to close the public comment portion of the hearing, Commissioner Allison seconded and the motion passed unanimously. Commissioner Allison moved to uphold the Planning Commission recommendation recognizing the 1 Condition of Approval and the 9 Findings of Fact, Commissioner Carter seconded and the motion passed unanimously.

Commissioner Allison noted for the record the hard work of Planning Dept staff and the Planning Commission.

CITY OF SOAP LAKE FILE #07-4898

The subject area is approx. 341 acres in size with a Comprehensive Plan Land Use Designation of Rural Residential 1. The City is requesting that the subject properties be included within the boundary of the City of Soap Lake Urban Growth Area and a site specific land use re-designation to Residential, Low Density for the majority of the area and one parcel to be designated urban Commercial.

Staff spoke of a petition received in opposition of this application.

The area is generally located east of Highway 17 just north of the existing City limits and west of the Bureau of Reclamation canal in a portion of S 13 and 18, T 22 N, R 27 E, W M (Parcel nos. 16-1898-000, 16-1899-006, 81-6332-02, 81-6332-14, 16-1899-003, 16-1899-001, 31-1991-000, 31-1990-000, 31-1989-000, 16-1894-000, 16-0968-000, 16-0969-001, and 16-1893-000).

Curt Sheppard, brought with him a petition requesting denial of this application. He mentioned that 120 acres of the property is an old landfill and if disturbed could be an issue with wells.

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The area residents are upset because the City never contracted them to give them an idea of what they are planning to do with the land.

Lyle Nicolette, lives in Soap Lake, spoke in opposition of the application.

Mathew Hanson, Alliance Consulting, representing the City, states that the Mayor of Soap Lake has no intention of annexing the residential properties.

Frederick Slough, Developer of the property in Soap Lake, says that he knows most of the property owners in the area and believes that none of the property owners in the area are in favor of this application. He believes this is taking property rights away from the owners and he thinks it puts a large burden of proof on the petitioner for this to prove that it is something that is eminently avoiding a disaster for the petitioner or for public safety. He does not think it can be just an idea or a scheme that they have to add this and he wanted to refute the idea of it being necessary to be in compliance with the GMA. He stated to add to your buildable property inventory you don't add developed property for that purpose. These are 2 acre estates with \$400,000.00 houses on it. The property owners have invested their life savings and futures into these properties because of the views. In the inventory area, it has cliffs and rock bluffs, it perfectly describes Soap Lake Terrace. It is not developable ground and has already been developed to the highest use. The owners are going to be damaged by this scheme because they are not going to know what the purpose of forcing it into the GMA is going to be, there will be rumors which will run down property prices. Trying to sell these homes would not be easy. There has been a small increase in building in Soap Lake. He states that there is 207 acres of developable land inside the City right now.

Commissioner Stevens asked if a problem with selling land in Soap Lake is due to the fact that the land owners do not want to sell. Mr. Slough stated that Samis Co. is now starting to sell their land, approx. 6 lots per year.

Wayne Hovde, Mayor of Soap Lake, says its impossible for the City to Annex the homes in the area. Spoke in favor of the application.

Discussion ensued.

Mathew Hanson, Alliance Consulting, discussed the 2025 population projections by the state.

Commissioner Carter moved to close the public comment portion of the hearing, Commissioner Allison seconded and the motion passed unanimously. Discussion ensued. Commissioner Allison moved to continue this hearing until more information is received, Sept 18, at 10:00 am, Commissioner Carter seconded and the motion passed unanimously.

JOSEPH AND DEBBIE BYRD FILE #08-5069

The subject property consists of one parcel totaling approx. 21 acres with a Comprehensive Plan Land Use Designation of Agricultural Resource (Irrigated). The application is requesting a Site Specific Land Use Re-Designation to Rural Residential 1. The property is located on the south side of Rd 20 NE approx. one mile west of Adrian Rd; and is a portion of S 27, T 22 N, R 27 E, W M (Parcel no. 20-0051-001)

Todd Lolkus, agent, says that the soil in the area is poor.

Commissioner Carter moved to close the public comment portion of the hearing, Commissioner Allison seconded and the motion passed unanimously. Commissioner Allison moved to uphold the Planning Commission recommendation recognizing the 12 Findings of Fact, Commissioner Carter seconded and the motion passed unanimously.

GEORGE CODDINGTON FILE #08-5070

The property consists of two parcels totaling approx. 36 acres with a Comprehensive Plan Land Use Designation of Agricultural Resource (Irrigated). The application is requesting a Site Specific Land Use Re-Designation to Rural Residential 1.

The property is located approx. 3 miles southwest of the City of George on the west side of Rd S SW; and is a portion of S 24, T 18 N, R 23 E, W M (Parcel nos. 15-0451-000 and 15-0450-000).

John Thomason spoke in opposition of the proposal. He is a farmer in the area and states that the ground is prime ground for mint growing.

Todd Lolkus, Agent, stated there is no development proposed at this time and if there was, a wetland survey would need to be done. It is contiguous with other RR1 lands so it is not "spot zoning".

John Thomason stated that he believes that changing the zoning is an "aggressive action" and that there must be some sort of development plan.

Commissioner Stevens mentioned that this is only a land use re-designation hearing, that if development is planned in the future it would have to go through the process.

Commissioner Carter moved to close the public comment portion of the hearing, Commissioner Allison seconded and the motion passed unanimously. Commissioner Allison moved to uphold the Planning Commission recommendation recognizing the 12 Findings of Fact, Commissioner Carter seconded. Discussion ensued. The motion passed unanimously.

FRENCHMAN HILLS ESTATES –LARRY MYRICK FILE #08-5071

The subject property consists of one parcel totaling approx. 90 acres with a Comprehensive Plan Land Use Designation of Agricultural Resource. The application is requesting a Site Specific Land Use Re-Designation to Rural Residential 1.

The location is approx. 11 miles west of the Royal City on the east side of Highway 26; and is in a portion of 31/17/24; 1/16/23; 6/17/23 E (Parcel nos. 15-0990-000, 15-0230-010, and 15-0907-002).

Staff stated that currently the applicant does not own parcel no. 15-0990-000 but have submitted a copy of the real estate purchase and sale agreement for the site. The Planning Commission forwards this to the Board of County Commissioners with a vote of 4 to 3 to deny. Planning Department Staff recommend approval.

Larry Myrick, applicant, stated that he is the legal owner of the access ground to the parcel.

Commissioner Carter moved to close the public comment portion of the hearing, Commissioner Allison seconded and the motion passed unanimously. Commissioner Carter moved to deny the Planning Commission recommendation and approve the application as presented, recognizing the 12 Findings of Fact and contingent upon the purchase of parcel no. 15-0990-000, Commissioner Allison seconded. Discussion ensued. The motion passed unanimously.

STEVEN AND SUSAN GILBERT FILE #08-5072

The property consists of one parcel totaling approx. 27 acres with a Comprehensive Plan Land Use Designation of Agricultural Resource. The application is requesting a Site Specific Land Use Re-Designation to Rural Residential 1.

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The area is located approx. 7 miles east of Royal City and is adjacent to the Royal Camp LAMIRD . The site is located in a portion of S 17, T 27 N, R 31 E, W M (Parcel no. 21-1060-000).

This application is forwarded to the Board with a recommendation to Deny by the Planning Commission and the Planning Department.

Robert Reed, Knudson Land Surveying, spoke in favor of the application and recommends approval. He states that the irrigation on the land is one of the poorest that exists. He believes that it does have prime soil but it is not prime land.

Commissioner Carter moved to close the public comment portion of the hearing, Commissioner Allison seconded and the motion passed unanimously. Discussion ensued. Commissioner Carter moved to deny the Planning Commission recommendation and Planning Department and approve the application as presented, recognizing the 12 Findings of Fact. Commissioner Allison seconded. Discussion ensued. The motion passed unanimously.

VERN AND MARILEE GRIFFITH FILE #07-4914

The subject property consists of four parcels totaling approx. 60 acres with a Comprehensive Plan Land Use Designation of Agricultural Resource. The application is for a Site Specific Land Use Re-Designation to Rural Residential 1.

The property is located east of Rd J NE just north of the Stratford community and is a portion of S 2, T 22 N, R 28 E, W M (Parcel nos. 17-1183-000, 17-1179-005, 17-1179-006, and 17-1179-007).

Commissioner Carter moved to close the public comment portion of the hearing, Commissioner Allison seconded and the motion passed unanimously. Commissioner Allison moved to uphold the Planning Commission recommendation and approve the application as presented, recognizing the 12 Findings of Fact. Commissioner Allison seconded. The motion passed unanimously.

WILHELM AND KIMBERLY SCHULTS, ET AL FILE #08-5077

The property consists of eleven parcels totaling approx 601 acres with a Comprehensive Plan Land Use Designation of Agricultural Resource. The applicant has submitted an application requesting a Site Specific Land Use Re-Designation to Rural Residential 1.

The subject property is located approx. 8 miles west of the City of Moses Lake on the east side of Hiawatha Rd and south of Rd 4 NE; and is a portion of S 16, T 19 N, R 27 E, and S 15, T 19 N, R 27 E, W M (Parcel nos.

This application is forwarded to the Board with a recommendation to Deny by the Planning Commission and the Planning Department due to good agriculture soil and that it is currently being farmed.

Chuck Yarborough Senior discussed the project and discussed another project like this that was approved. He does not understand why this application was denied.

Todd Lolkus spoke of possible clustering of houses in the area.

Chuck Yarborough Jr. stated that this property is prime developable land.

Commissioner Carter moved to close the public comment portion of the hearing, Commissioner Allison seconded and the motion passed unanimously.

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For discussion, Commissioner Allison moved to deny the Planning Commission recommendation and approve the application as presented, recognizing that Planning Staff will have to draft the 12 Findings of Fact in the affirmative. Commissioner Allison amended his motion to include that the Board recommends clustering wherever possible. Commissioner Carter seconded. The motion passed unanimously.

KEVIN WEBER FILE #08-5078

The property consists of a portion of one parcel totaling approx. 40 acres with a Comprehensive Plan Land Use Designation of Agricultural Resource. The application is for the establishment of a mineral Resource Overlay for a portion of the subject site.

The property is located approx. 8.5 miles south of the City of Ephrata on the north side of Rd 9 NW; and is a portion of S 15, T 20 N, R 25 E, W M (Parcel no. 15-1907-001).

Commissioner Carter moved to close the public comment portion of the hearing. Commissioner Allison seconded and the motion passed unanimously. For discussion, Commissioner Allison moved to uphold the Planning Commission recommendation and approve the application as presented, recognizing the 13 Findings of Fact. Commissioner Carter seconded. The motion passed unanimously.

Since application **CITY OF SOAP LAKE FILE #07-4898** has been continued to September 18, 2008 at 10:00 am, this hearing was adjourned to that date.

As there was no further business to come before the Board the session was continued until September 8, 2008.

SATURDAY, SEPTEMBER 6, 2008:

9:00 a.m. – 12:00 p.m. GRANT COUNTY SURPLUS AUCTION (FAIRGROUNDS)

Signed this _____ day of _____, 2009.

BOARD OF COUNTY COMMISSIONERS
Grant County, Washington

Cindy Carter, Chair

Carolann Swartz

Attest:

Richard Stevens

Clerk of the Board