

BOARD OF YAKIMA COUNTY COMMISSIONERS

IN THE MATTER OF AFFIRMING THE)
DECISION OF THE HEARING EXAMINER) RESOLUTION 407-2017
IN APL17-005 MENSONIDES & FRYSLAN)

WHEREAS, on February 25, 2016 Tim Bardell, of B7 Engineering submitted a Type 3 Conditional Use Permit application (CUP2016-00019) on behalf of Fryslan Ranch for a proposed concentrated animal feeding operation (CAFO) southeast of the City of Mabton; and,

WHEREAS, on July 6, 2017 the Yakima County Hearing Examiner held a properly advertised open record public hearing to take public testimony on CUP2016-00019; and,

WHEREAS, on August 1, 2017 the Yakima County Hearing Examiner issued a decision approving CUP2016-00019; and,

WHEREAS, Brian Iller, Rettig Forgette Iller Adamson, LLP on behalf of Art and Teresa Mensonides, Mensonides Dairy, LLC filed a closed record appeal to the Board of Yakima County Commissioners (Board) on August 15, 2017 of the Hearing Examiner's decision of CUP2016-00019; and,

WHEREAS, in accordance with the procedural provisions in Yakima County Code (YCC) Title 19 Unified Land Development Code and YCC 16B Project Permit Administration, the Yakima County Administrative Official provided public notices of the application and the closed record public hearing; and,

WHEREAS, the Board conducted a closed record public hearing on November 28, 2017 to act on the Hearing Examiner's Decision in accordance with YCC 16B.03.030(1)(d); and,

WHEREAS, after closing the hearing, the Board deliberated and determined to affirm the Hearing Examiner's Decision to approve the Conditional Use Permit (CUP2016-00019); now, therefore,

BE IT HEREBY RESOLVED by the Board of County Commissioners of Yakima County, Washington that:

Section 1. Findings. The Board hereby makes the following findings:

- A. Findings, Conclusions, and Decision of the Hearing Examiner. The Board hereby affirms the Hearing Examiner's Decision dated August 1, 2017, including its Findings and Conclusions, attached hereto as Attachment A.
- B. The Board hereby reaffirms condition number 3 of the Yakima County Hearing Examiner's decision, an ongoing inspection plan shall be established with Yakima County for the ongoing inspection of the wells as outlined in the Well Monitoring Covenant

Section 3. Effective Date. This resolution shall be effective immediately.

DONE this 19th Day of December, 2017



Handwritten signature of Tiera L. Girard in black ink.

Attest: Tiera L. Girard
Clerk of the Board

Handwritten signature of J. Rand Elliott in black ink.

J. Rand Elliott, Chairman

Handwritten signature of Ron Anderson in black ink.

Ron Anderson, Commissioner

Handwritten signature of Michael D. Leita in black ink.

Michael D. Leita, Commissioner
Coordinating the Board of County Commissioners
for Yavapai County