

**COMMISSIONERS' MINUTES
KITITAS COUNTY, WASHINGTON
PUBLIC HEARING**

TUESDAY

4:00 P.M.

SEPTEMBER 14, 2004

Board members present: Chairman Perry D. Huston, Vice-Chairman Bruce Coe and Commissioner Max Golladay.

Others: Julie Kjorsvik, Clerk of the Board, Paul Bennett, Kelly Carlson, Public Works Department Administrative Assistant; and approximately 4 members of the public.

PUBLIC HEARING

CABLE FRANCHISE - FALCON CABLE

PUBLIC WORKS

At approximately 4:00 p.m. **CHAIRMAN HUSTON** opened the continued public hearing to consider granting Charter Communications a County Wide Franchise for Cable Services.

PAUL BENNETT, DIRECTOR OF PUBLIC WORKS said he had no updates or changes since the previous public hearing, and his recommendation remains the same. He recognized receipt of letters from Snoqualmie Pass Cable TV (9/14/04), Ellensburg Telephone (9/14/04), and Inland Telephone (9/13/04).

THOSE PRESENT & TESTIFYING: CHRISTOPHER SCHMIDT, COMPUTER BUSINESS OWNER opposed the proposed franchise with Charter Cable. He felt the County should allow internet access to other providers as well. **RANDY LEE, REPRESENTING CHARTER COMMUNICATIONS** felt Mr. Bennett's recommendation was reasonable and made sense. He spoke in favor of granting a franchise to Charter Cable, and said the County would benefit if the fiber was being used. He was open to suggestions and said he would be in favor of a bid process if the County was to go in that direction. **THERE BEING NO ADDITIONAL TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER GOLLADAY questioned what was in it for the citizens of Kittitas County. He was unsure if a competitive bid process was a good or bad idea. He didn't have a problem with a franchise, only how it is used as a County asset. **CHAIRMAN HUSTON** said using the fiber is good for the County, but the way it is used does matter. He compared exclusive franchises versus non-exclusive franchises. He said if a specific franchise was granted to Charter Cable, he would like to remove all references of "dark fiber", and have that go through a separate process. **COMMISSIONER COE** spoke in favor of having a separate fiber lease, and suggested having the Inet partners submit their input. **MR. BENNETT** explained how the County

was trying to standardize all of their franchise agreements, and mentioned if the Board wanted to approve a franchise agreement with Charter, he could remove all the language relating to dark fiber.

CHAIRMAN HUSTON moved to direct staff to prepare a franchise agreement between Kittitas County and Charter Communications, striking all language referencing dark fibers, and to authorize staff to continue entering into negotiations with Charter Cable. **COMMISSIONER GOLLADAY** seconded. Motion carried 3-0.

CHAIRMAN HUSTON moved to close the public hearing, and to direct staff to re-notice a public hearing at a later date when negotiations have been completed. **COMMISSIONER GOLLADAY** seconded. Motion carried 3-0.

VOUCHERS -

The Kittitas County Board of Commissioners approved the following warrants:

#810147024 - #810147304 9/14/04 \$ 590,226.64

Meeting adjourned at 4:35 p.m.

CLERK OF THE BOARD

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Julie A. Kjorsvik

Perry D. Huston, Chairman