

**COMMISSIONERS' MINUTES
KITITAS COUNTY, WASHINGTON
AGENDA SESSION**

TUESDAY

10:00 A.M.

FEBRUARY 2, 2010

Board members present: Chairman Mark McClain; Vice-Chairman Paul Jewell and Commissioner Alan Crankovich.

Others: Julie Kjorsvik, Clerk of the Board; Patti Johnson, Solid Waste Director; Dan Valoff, Staff Planner; Brent Bottoms, Deputy Prosecutor; Jan Ollivier, Transportation Manager and 5 members of the public.

CALL TO ORDER

Chairman McClain called the meeting to order.

PLEDGE OF ALLEGIANCE

Chairman McClain led the Pledge of Allegiance.

INTRODUCTION OF NEW COUNTY EMPLOYEES - NONE

PROCLAMATIONS - NONE

AWARDS & RECOGNITIONS - NONE

APPROVAL OF AGENDA

Chairman McClain noted Item S under the Consent Agenda had been moved to Board Discussion & Decision. He also noted there may be a possible Executive Session at the end of the Agenda.

Commissioner Crankovich moved to approve the Agenda, as amended. Commissioner Jewell seconded. Motion carried 3-0.

CONSENT AGENDA

Items listed under the Consent Agenda were distributed to the Board of County Commissioners in advance for study and were enacted by one motion with separate discussion to the extent any items were removed from the Consent Agenda at the request of a Board member.

Chairman McClain noted Item S had been moved to Board Discussion & Decision. Commissioner Jewell moved to approve the Consent Agenda, as amended. Commissioner Crankovich seconded. Motion carried 3-0.

DATE	MINUTES
10/27/2009	HR Study Session
12/08/2009	HR Study Session
12/09/2009	HR Study Session
12/22/2009	HR Study Session
12/30/2009	Dept. of Ecology
01/05/2010	Budget Reduction Update
01/06/2010	Con't. Budget Reduction
01/11/2010	Executive Session
01/12/2010	HR Study Session
01/12/2010	Upper District Court Discussion
01/15/2010	Executive Session
01/18/2010	BOCC Office Admin.
01/18/2010	Dept. Head Meetings (cancelled)
01/18/2010	Agenda Study Session
01/19/2010	Agenda
01/19/2010	Public Hearings
01/19/2010	ADDS Contracts
01/21/2010	Monthly Finance Meeting
01/22/2010	Monthly Finance Meeting Con't.
01/25/2010	DPW Study Session

REPORT

2009 TAXPAYER REFUNDS

TREASURER

Acknowledge the Kittitas County Treasurer's report of a List of Refunds made to Taxpayers during the Year 2009.

AGREEMENT

TERRASCAN, INC.

TREASURER

Approve a Software License and Use Agreement between TerraScan, Inc. and Kittitas County for the implementation of Real Estate Tax Automation documents to the Washington State Department of Revenue,

RESOLUTION 2010-10

UNCOLLECTABLE PERSONAL PROPERTY TAXES

TREASURER

Approve Resolution No. 2010-10, to Cancel Uncollectable Personal Property Taxes in the Amount of \$53,927.82.

RESOLUTION 2010-11

KVEC & FAIR UNCOLLECTABLE DEBT

FAIR

Approve Resolution No. 2010-11, to Allow the Kittitas Valley Event Center and Kittitas County Fair to forgive \$2,403.90 in Uncollectable Debt.

MEMORANDUM OF AGREEMENT NATIONAL STOCKPILE ANTIVIRAL PUBLIC HEALTH

Ratify the Public Health Officer's signature on Memorandum of Agreements between the Kittitas County Public Health Department and the Kittitas Valley Community Hospital Pharmacy, Super One Pharmacy, Downtown Healthmart Pharmacy, Fred Meyer Pharmacy, Cavalini's Pharmacy, Community Health of Central Washington Pharmacy, Safeway Pharmacy, Central Washington University and Cle Elum Drug, for the purpose of dispensing antiviral medications provided from the Strategic National Stockpile for the Influenza Virus H1N1 outbreak.

CONTRACT AMENDMENT DEPARTMENT OF HEALTH PUBLIC HEALTH

Approve and ratify the Public Health Administrator's signature on Amendment 21, to the 2007-2011 Consolidated Contract No. C14952, between the Department of Health and the Kittitas County Public Health Department, in the amount of \$178,990.00.

CONTRACT AMENDMENT DEPARTMENT OF HEALTH PUBLIC HEALTH

Approve and ratify the Public Health Administrator's signature on Amendment 22, to the 2007-2011 Consolidated Contract No. C14952, between the Department of Health and the Kittitas County Public Health Department, in the amount of \$150,853.00.

LEASE AGREEMENT PINELL, INC. SHERIFF

Approve and authorize the Chair to sign a Lease Agreement between Pinnell, Inc. and Kittitas County, for copy machines at the Kittitas County Jail and Sheriff's Office.

AGREEMENT CREST COUNSELING SERVICES JUVENILE

Approve and authorize the Chair to sign an Agreement between Julie Crest, Crest Counseling Services, and the Kittitas County Probation Services (Juvenile Department) for the Special Sex Offender Disposition Alternative evaluation and treatment program.

LEASE AGREEMENT PINNELL, INC. JUVENILE

Approve and authorize the Chair to sign a Lease Agreement between Pinnell, Inc. and Kittitas County, for a copy machine at the Juvenile Court Administration office.

there is any authority the water can be diverted to that place, and if there were any off site impacts listed. Mr. Valoff said it has been used in other projects such as Lannigan Meadows. He said during public testimony, the applicants engineer said the proposed lake would act as a detention pond facility, which would be controlled at the other end. Commissioner Jewell asked if the Department of Ecology would be responsible for permitting and engineering the downstream flows during storm water events, to make sure there are no impacts. Mr. Valoff said it would be the County's responsibility, and the Department of Ecology is responsible for the construction discharge permit. He indicated once construction is complete, an overall storm water plan would be reviewed by the County Engineer (Condition #40). Commissioner Crankovich also mentioned how there were several comments made regarding the flight path from the airport, and noted there is no airport overlay zone. Mr. Valoff said lacking any airport overlay zone adopted for the Cle Elum Airport, there is nothing in code to protect that area or restrict any development in the area. Commissioner Jewell reviewed comments the applicants have requested for adjustments to some of the conditions of approval. Chairman McClain noted the Board could modify conditions as long as they are supported by the record.

Commissioner Jewell moved to approve the Henshaw Lake Performance Based Cluster Plat by amending the Conditions of Approval regarding the site information by striking the minimum average lot width, which shall be 250 feet and by adding minimum lot width requirements from Kittitas County Code Chapter 17.28.030, as they do not apply to Performance Based Cluster Plats; Condition 8 by striking Kittitas County Code 17.28 and add Kittitas County Code Chapter 16.09.060 regarding the minimum lots by striking the average and width and add the area within the Henshaw Lake Performance Based Cluster Plat, striking 250 feet and add that they are to comply with the Health Department requirements; to amend Condition 15 by striking lots 1-15 and lot 26, and add language to include that some of the lots will need to cross the Puget Sound Energy (PSE) easement with private driveways and approval must be obtained by them prior to final approval and to adopt the remainder of Hearings Examiners Findings of Fact, Conclusions of Law and Conditions and to direct staff to prepare enabling documents. Commissioner Crankovich seconded.

Commissioner Crankovich said although there has been a great deal of effort in analyzing the current situation, he was not comfortable approving the request, knowing there has been no off site mitigation to the storm water impacts that continue to be a problem in the area, and seeing there is no relief being provided in the proposal.

Motion carried 2-1 (Commissioner Crankovich opposed the motion).

MISCELLANEOUS - NONE

EXECUTIVE SESSION

At 10:45 a.m. Chairman McClain announced the Board would recess into Executive Session for 15 minutes to discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. He did not anticipate any action following. Those remaining in attendance were the Board of County Commissioners and Brent Bottoms, Deputy Prosecutor.

At 11:00 a.m. the Board reconvened out of Executive Session. No action was taken. Chairman McClain announced the Board would go back into Executive Session for 5 minutes to discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. He did not anticipate any action following.

At 11:05 a.m. the Board reconvened out of Executive Session. No action was taken. Chairman McClain announced the Board would go back into Executive Session for 10 minutes to discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. He did not anticipate any action following.

At 11:15 a.m. the Board reconvened out of Executive Session. No action was taken.

ADJOURNMENT

Commissioner Crankovich moved to adjourn the meeting at 11:15 a.m. Commissioner Jewell seconded. Motion carried 3-0.

Meeting adjourned at 11:15 a.m.

CLERK OF THE BOARD

Julie Kjorsvik

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

Chairman Mark McClain