

**COMMISSIONERS' MINUTES
KITTTITAS COUNTY, WASHINGTON
COMMISSIONERS CONFERENCE ROOM
SPECIAL MEETING**

MONDAY

1:30 P.M.

JULY 19, 2010

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

Others: Julie Kjorsvik, Clerk of the Board; Neil Caulkins, Deputy Prosecutor and John Camarata, City of Kittitas Mayor.

SPECIAL MEETING

CITY OF KITTTITAS

COMMISSIONERS

At 1:30 p.m. Chairman McClain opened a special meeting with the City of Kittitas Mayor, John Camarata.

Mayor Camarata explained how the City of Kittitas would like to appeal the recent decision made by the Eastern Washington Growth Management Hearings Board. He indicated their legal staff (Katherine Kennison) would be able to do all the work and the City would pay for the related expenses, but Prosecutor Zempel would have to appoint her to serve as a Special Deputy in the case. Deputy Prosecutor Neil Caulkins was inclined to recommend not appealing the decision, but rather try to and get into compliance, stating it would be a faster way of getting where the City of Kittitas is wanting to be. He was concerned that if an appeal was filed and a Special Deputy was appointed, they would end up coming to him anyways requesting information because he is already familiar with all of the issues. He noted Prosecutor Zempel has no sense of the other person and did not offer a definite answer if he would be willing to appoint a Special Deputy. The Board noted it was the County's Comprehensive Plan that was in question, and not the City of Kittitas'. Mayor Camarata said if the County was not willing to appeal the decision, they would be forced to go back to the old Urban Growth Areas. Mr. Caulkins indicated there is Option 2 that the Board could consider which may have a better chance of getting into compliance. He noted that invalidity could have funding consequences on the County and it is a risk.

Commissioner Jewell said the City of Kittitas would need to work with the Prosecutors office to consider appointing a Special Deputy because they are a separately elected official. He noted there would need to be an Interlocal Agreement or Memorandum of Understanding between the two entities, along with having funds in an account that would be deposited by the City of Kittitas. Mr. Caulkins said the deadline to appeal the decision is July 30, 2010. Commissioner

Crankovich said he was unclear of what the City Council had hoped to gain by appealing, especially if Option 2 has a reasonable chance of being approved by the Hearings Board. He said it would be less time consuming than appealing the decision, which could result in 2-3 years before a decision is made. Mayor Camarata did express some concern of funding the appeal and that the City Council did not specifically outline where the funding would come from. The Board indicated they could continue discussions and allow the City of Kittitas to meet or talk with the Prosecutors office, but they felt it could be approximately \$10,000 up front to even begin the appeal process. There were questions of what would happen if the City of Kittitas were to pull out and the County had to withdrawal their appeal. Mayor Camarata said they may be able to provide \$25,000 to begin the process and then provide increments of \$10,000. The Board said they would like to see a plan of where the funding would come from.


Chairman McClain offered to come out and talk to the City Council about the process and Mayor Camarata encouraged him to do so. The Board said they would continue discussions on the topic to be held on Monday July 26, 2010 at the 1:30 p.m. Public Works/Community Development Services study session.

Meeting adjourned at 2:20 p.m.

CLERK OF THE BOARD


Julie Kjorsvik

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON


Mark McClain, Chairman