

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

TUESDAY

10:00 A.M.

MARCH 4, 2008

Board members present: Chairman Mark McClain, Vice-Chairman Alan Crankovich and Commissioner David Bowen.

Others: Julie Kjorsvik, Clerk of the Board; Darryl Piercy, Director of Community Development Services; Mike Elkins, Staff Planner; Sandy DeSalles, Fair Director; Jerry Pettit, Auditor; Joanna Valencia, Staff Planner; Brandon Drexler, Director of Public Works; Marsha Weyand, Assessor; Cathy Bambrick, Public Health Director; Judy Pless, Budget & Finance Manager; Sue Higginbotham, Deputy Administrator; Sylvia Newkirk, Elections Deputy; Clayton Myers, Undersheriff; Fred Slyfield, Patrol Sergeant; Don Anderson, Deputy Prosecutor; Neil Caulkins, Deputy Prosecutor and approximately 11 members of the public.

CALL TO ORDER

Chairman McClain called the meeting to order.

PLEDGE OF ALLIEGANCE

Chairman McClain led the Pledge of Allegiance.

INTRODUCTION OF NEW COUNTY EMPLOYEES

Brandon Drexler, Director of Public Works, introduced Willie Adams as the new Shop Supervisor.

PROCLAMATIONS - NONE

AWARDS & RECOGNITIONS

CERTIFICATES

CERTIFICATE OF RECOGNITION

COMMISSIONERS

Commissioner Crankovich moved to approve the following Certificates of Recognition. Commissioner Bowen seconded. Motion carried 3-0.

Jerry Pettit, Auditor, for maintaining his status as a Certified Elections Administrator.

Susan Higginbotham, Deputy Administrator, for maintaining her status as a Certified Elections Administrator.

Sylvia Newkirk, Elections Deputy, for maintaining her status as a Certified Elections Administrator.

Joe Gilbert, Environmental Health Specialist, for obtaining a Certificate of Competency for On-Site Wastewater Treatment Systems Inspector.

James Rivard, Environmental Health Specialist, for completing training in Hazardous Waste Operations and Emergency Response.

APPROVAL OF AGENDA

Chairman McClain noted the items which had been added to Administrative Matters, he said Items Y, Z, AA and BB was moved from Consent to Board Discussion & Decision, and a Travel Authorization request had been added to Miscellaneous.

Commissioner Crankovich moved to approve the Agenda as amended. Commissioner Bowen 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 that Items Y, Z, AA and BB had been moved to Board Discussion & Decision. Commissioner Crankovich moved to approve the Consent Agenda as amended. Commissioner Bowen seconded. Motion carried 3-0.

MINUTES

DATE	MEETING	RE:
9-6-07	Special Meeting	Public Hearing
10-23-07	Regular Meeting	PH Study Session
11-27-07	Regular Meeting	PH Study Session
1-22-08	Regular Meeting	PH Study Session
2-5-08	Special Meeting	Suncadia Performance Guarantee
2-19-08	Regular Meeting	BOCC Office Admin Meeting

2-19-08	Regular Meeting	BOCC Dept Head Meeting Minutes
2-19-08	Regular Meeting	BOCC Agenda
2-20-08	Special Meeting	Friends of the Fair
2-22-08	Special Meeting	Travel Authorization
2-25-08	Regular Meeting	BOCC Office Admin Meeting
2-25-08	Regular Meeting	BOCC Dept Head Meeting Minutes

LETTER

KITTITAS COUNTY COMMUNITY NETWORK

SHERIFF

Acknowledge a letter from the Kittitas County Community Network, approving a funding request in the amount of \$139.07 towards the purchase of a hand held radar unit which is being primarily funded through a WASPIC equipment grant.

AMENDMENT

WASHINGTON STATE PATROL

SHERIFF

Acknowledge Amendment No. 1 to Contract No. C071131FED between the Washington State Patrol and the Kittitas County Sheriff's office, revising the contract amount from \$2,000.00 to \$3,435.08 for the marijuana eradication support, and to approve a budget amendment reflecting the change.

GRANT

WASHINGTON SHERIFF'S & POLICE CHIEFS

SHERIFF

Acknowledge a Grant Agreement between the Washington Sheriff's & Police Chief's and the Kittitas County Sheriff's Office, in the amount of \$799.00 for one hand held radar, and to approve a budget amendment reflecting the award.

APPOINTMENT

MARIANNE DEE DOSCH - BOE

COMMISSIONERS

Approve the appointment of Marianne Dee Dosch to the Alternate position #1 on the Kittitas County Board of Equalization, for a three year term effective immediately and expiring on December 31, 2010.

APPOINTMENT

ROBERT MARTIN - BOA

COMMISSIONERS

Approve the appointment of Robert Martin to the Board of Adjustment, for a six year term effective immediately and expiring on December 31, 2008, (noting he is finishing a term from a previous Board member).

APPOINTMENTS**BOARDS & COMMITTEES****COMMISSIONERS**

Approve a revised listing of Boards and Committee appointments that the Kittitas County Board of Commissioners serve on for the year 2008.

SET PUBLIC HEARING**AMEND 2007 BUDGETS****AUDITOR**

Approve setting a public hearing to consider amending the 2007 budgets, in the total amount of \$7,900.00, to be held on Tuesday March 18, 2008 at 2:00 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse 205 West 5th, Ellensburg, Washington, and to authorize the Clerk to publish said notice.

CERTIFICATION**RURAL ARTERIAL PROGRAM****AUDITOR**

Approve and authorize the Chair to sign the Rural Arterial Program Certification of Road Fund Expenditures for Traffic Law Enforcement, in the total amount of \$188,700.00.

RESOLUTION 2008-42**SET PUBLIC HEARING - SURPLUS PROPERTIES****FAIR**

Approve a Resolution No. 2008-42, to Set a Public Hearing to consider the surplus of four (4) vacated residential properties located at 804 Maple Street, 1001 8th Avenue, 1003 8th Avenue, 1003½ 8th Avenue, Ellensburg, Washington, to be held on Tuesday March 18, 2008 at 2:00 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse 205 West 5th Avenue, Ellensburg, Washington, and to authorize the Clerk to publish said notice.

CONTRACT**GERALD LAUINGER****SOLID WASTE**

Approve and authorize the Chair to sign a Contract between Kittitas County and Gerald Lauinger, to remove the chlorofluorocarbons (CFC's), hydrochlorofluorocarbons (HCFC's) and oil from refrigeration units received at the Ellensburg Transfer Station and the Cle Elum Transfer Station, for the period February 1, 2008 through February 1, 2009.

RESOLUTION 2008-45**CITY OF ELLENSBURG-GIS****INFORMATION SERVICES**

Approve Resolution No. 2008-45, Approving an Interlocal Agreement between Kittitas County and the City of Ellensburg for sharing on Geographic Information Services (GIS) resources.

RESOLUTION 2008-43**EXPENDITURE OF HISTORIC FUNDS****COMMISSIONERS**

Approve Resolution No. 2008-43, regarding the expenditure of historic documents and preservation funds, in accordance with HB 1386, noting the Board will limit awards up to \$5,000.00 and will be limited to material

CALL FOR BIDS

SELF-PROPELLED ROAD SWEEPER

PUBLIC WORKS

Approve a Notice of Call for Bids for one new self-propelled road sweeper, to be accepted until March 19, 2008 at 2:00 p.m. at the Department of Public Works 411 North Ruby, Suite #1, Ellensburg, Washington, and to authorize the Clerk to publish said notice.

MYLARS

TIMOTHY LANE PLAT (P-05-34)

CDS

Approve and authorize the Chair to sign the mylars granting final approval of the Timothy Lane Plat (P-05-34).

MYLARS

CASCADE TRAILS PLAT (P-07-14)

CDS

Approve and authorize the Chair to sign the mylars granting final approval of the Cascade Trails Preliminary Plat (P-07-14).

MYLARS

SUMMERSIDE PLAT (P-06-23)

CDS

Approve and authorize the Chair to sign the mylars granting final approval of the Summerside Plat (P-06-23).

SET PUBLIC HEARING

MODIFICATIONS MOUNSTAINSTAR RESORT

CDS

Approve setting a public hearing to consider proposed modifications to the Development Agreement with Mountain Star Resort aka Suncadia, to include conditions of approval, design elements and standards and process, to be held on Tuesday March 18, 2008 at 2:00 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse 205 West 5th Avenue, Ellensburg, Washington, and to authorize the Clerk to publish said notice.

REQUEST TO APPROVE A RESOLUTION DENYING THE TAYLOR PERFORMANCE BASED CLUSTER PRELIMINARY PLAT (P-07-24) - ITEM MOVED TO BOARD DISCUSSION & DECISION

REQUEST TO APPROVE A RESOLUTION DENYING THE TAYLOR PERFORMANCE BASED CLUSTER PRELIMINARY PLAT (P-07-26) - ITEM MOVED TO BOARD DISCUSSION & DECISION

REQUEST TO APPROVE A RESOLUTION DENYING THE FREMMERLID PERFORMANCE BASED CLUSTER PRELIMINARY PLAT (P-07-34) - ITEM MOVED TO BOARD DISCUSSION & DECISION

REQUEST TO APPROVE A RESOLUTION DENYING THE CAMERON PERFORMANCE BASED CLUSTER PRELIMINARY PLAT (P-07-36) - ITEM MOVED TO BOARD DISCUSSION & DECISION

CORRESPONDENCE - NONE

ADMINISTRATIVE MATTERS

VOUCHERS

VOUCHER APPROVAL

AUDITOR

Commissioner Bowen moved to approve Voucher Number 810196848 - 810196938 in the amount of \$4,981.09 and Number 810196939 - 810196955 in the amount of \$217,914.51. Commissioner Crankovich seconded. Motion carried 3-0.

AGREEMENT

EXTENSION OF AGREEMENT IN PRINCIPLE - DOE

CDS

Commissioner Crankovich moved to approve and authorize the Board to sign an Extension of Agreement in Principle with the Department of Ecology, regarding Exempt Wells for an additional sixty (60) days from the March 8, 2008 expiration date. Commissioner Bowen seconded. Motion carried 3-0.

AGREEMENT

MEMORANDUM OF AGREEMENT - DOE

CDS

Commissioner Bowen moved to direct staff to release a draft Memorandum of Agreement between the Department of Ecology and Kittitas County for public comment. Commissioner Crankovich seconded. Motion carried 3-0.

CITIZEN COMMENTS ON NON-AGENDA ITEMS - NONE

BOARD DISCUSSION & DECISION

RESOLUTION 2008-28 ADD SECURITY OFFICER TO SECURITY COMMITTEE SHERIFF

Commissioner Crankovich moved to approve Resolution No. 2008-28, adding the Security Officer position as a representative on the Courthouse Security committee. Commissioner Bowen seconded. Motion carried 3-0.

FUNDING REQUEST

WEST ELLENSBURG PARK

COMMISSIONERS

Brad Case, Director for the City of Ellensburg Parks & Recreation indicated they had been successful in their grant application and will be going before the City Council for final approval. He presented the Board with a cost breakdown for the new baseball field and field lighting which totaled \$266,000.00. He addressed the park impact fees and said they have approximately \$300,000.00 in a fund balance at year end which have not been allocated yet for 2008, due to them not knowing until recent of the grant funding. He said the amount they would need to supplement from the impact fees would depend on the County's contributions. He said Rotary has received \$25,000.00 from Fairpoint they will be seeking assistance from the Ellensburg School District for

bleachers.

Tom Morris representing Rotary thanked the Board of County Commissioners for their involvement and continued support of the West Ellensburg Park expansion project.

Commissioner Bowen felt the project was important for the community and economics. He noted the County has other projects but may be limited to the amount of funding that's available.

Commissioner Crankovich said he was caught off guard at the previous Agenda when Rotary asked for additional funding in the amount \$100,000.00 in addition to the City's request of \$120,000.00. He said he would consider an amount to be split between the two entities and let them use it how they see fit. He felt the project was extremely beneficial to the community and has tremendous economic impact to the County as a whole. Commissioner McClain said he did some math and realized some other parks may come forward for funding assistance and suggested giving \$61,000.00 and have the City use it how they best see fit. Commissioner Bowen suggested the City of Ellensburg and the Rotary split \$120,000.00 between the two of them.

Commissioner Bowen moved to approve \$120,000.00 to come from the Real Estate Excise Tax funds to be split 50/50 between the City of Ellensburg and Rotary for the West Ellensburg Park projects. Commissioner Crankovich seconded. Motion carried 3-0.

RESOLUTION 2008-29 AWARD BID - JOHN DEERE TRACTOR FAIR

Commissioner Bowen moved to approve Resolution No. 2008-29, awarding a bid to purchase a John Deere #6603 (95 PTO hp) tractor with cab for the Kittitas Valley Event Center, to Liberty Farm & Lawn, LTD, in the amount of \$41,200.94 and to approve a budget amendment reflecting the change. Commissioner Crankovich seconded. Motion carried 2-1. (Chairman McClain voted against the motion).

RESOLUTION 2008-30 LEVIES FOR 2008 TAX COLLECTION ASSESSOR

Commissioner Crankovich moved to approve Resolution No. 2008-30, approving the Kittitas County Levies for 2008 Tax Collection. Commissioner Bowen seconded. Motion carried 3-0.

CLAIM FOR DAMAGES MARILYN & CHUCK ALLRED PROSECUTOR

Don Anderson, Deputy Prosecutor, reviewed a Claim for Damages filed by Marilyn & Chuck Allred.

Brandon Drexler, Director of Public Works said he spoke with Jim Van de

Venter Public Works Maintenance Manager, and he said although some damages could have resulted to their vehicle, the cost was high for what damage could have been done.

Commissioner Crankovich said he would not approve the Claim as presented, and those similar claims have been historically denied for excessive damages. He said they may have received minor chipping to the paint and window, but not as much damage as they have claimed.

Commissioner Crankovich moved to deny the Claim for Damages filed with the Kittitas County Auditor's office on November 26, 2007 by Marilyn & Chuck Allred. Commissioner Bowen seconded. Motion carried 3-0.

RESOLUTION 2008-31 AMEND NANEUM RD. BRIDGE RESOLUTION PUBLIC WORKS

Commissioner Crankovich moved to approve Resolution No. 2008-31, Amending Resolution No. 2008-24, awarding a bid for the Naneum Road Bridge Replacement project, noting there was a minor calculating error on the contractors (Columbia Asphalt & Gravel, Inc.) behalf which was discovered after the award was made bringing the award amount to \$559,966.13, a difference of \$29,568.14. Commissioner Bowen seconded. Motion carried 3-0.

RESOLUTION 2008-32 DON KUEHN - VARIANCE APPEAL CDS

Commissioner Bowen moved to approve Resolution No. 2008-33, reversing the decision of the Road Variance committee and approving the variance filed by Don Kuehn. Commissioner Crankovich seconded. Motion carried 3-0.

RESOLUTION 2008-33 COOPER PASS, LLC - VARIANCE APPEAL CDS

Commissioner Crankovich moved to approve Resolution No. 2008-33, reversing the decision of the Road Variance committee and approving the variance filed by Wayne Nelson, authorized agent for Cooper Pass, LLC. Commissioner Bowen seconded. Motion carried 3-0.

RESOLUTION 2008-34 BILL WEIAND - VARIANCE APPEAL CDS

Commissioner Crankovich moved to approve Resolution No. 2008-34, reversing the decision of the Road Variance committee and approving the variance filed by Bill Weiand, authorized agent for JNG, LLC. Commissioner Bowen seconded. Motion carried 3-0.

RESOLUTION 2008-35 JB DEVELOPMENT SHORT PLAT APPEAL CDS

Commissioner Bowen moved to approve Resolution No. 2008-35, upholding the appeal filed by James T. Denison, Jr. attorney for JB Development,

LLC, relating to a 4-lot Short Plat on approximately 20.03 acres of land that is zoned Agriculture 3, located North of the City of Ellensburg, Southwest of Bowers Field on Bowers Road, Ellensburg, Washington. Commissioner Crankovich seconded. Motion carried 3-0.

CLOSED RECORD HEARING

GRANDPA'S RANCH REZONE (Z-06-42)

CDS

Joanna Valencia, Staff Planner, reviewed an application from Jeff Slowthower, authorized agent for Grandpa's Ranch LLC, landowner for a zone change from Forest & Range to Rural 3 of approximately 150.00 acres, located West of Pasco Road and South of I-90, Cle Elum, Washington. The Kittitas County Comprehensive Plan's Land Use Element designates the subject property as rural and the current zoning is Forest and Range. She said the Planning Commission voted 3-2 to forward a recommendation of denial for the request and noted the minority voting members who voted on the project felt the project met all the criteria for approval of the rezone.

Commissioner Crankovich moved to follow the Planning Commission's recommendation to deny the Grandpa's Ranch Rezone request and to direct staff to prepare enabling documents. Chairman McClain seconded.

Commissioner Crankovich explained that he had reviewed the entire record including the letters of opposition, but noted most of the information was a matter of opinion. He noted the County is in the midst of a battle to keep the 3 acre zoning and said although the zoning request was appropriate, Fowler Creek Road is in very bad shape. He explained they had to shut it down last week to try and keep it from further deterioration. He said although he realizes that the rezone request is not project specific, but due to the extreme circumstances regarding the condition of Fowler Creek Road, he could not support the request. He indicated the road improvements must be made to allow for safe public use and emergency vehicle access and would not support a request that would potentially increase traffic until the matter has been resolved.

Commissioner Bowen said he had struggled with the same issues going on in the area, and realized the Fowler Creek Road needs to be resolved. He noted the Land Use Advisory Committee has been working on maps for consistency. He said there is a process in place and the public needs to be able to rely on the process, and felt the applicant had jumped through all of the hoops required and could not support the motion. Although Commissioner Bowen shared the same concerns as Commissioner Crankovich, he noted the application does not create lots and roads and that would need to be addressed at a later date.

Motion to deny the Grandpa's Ranch Rezone failed 1-2.

Commissioner Bowen moved to approve the Grandpa's Ranch Rezone request

and direct staff to prepare enabling documents. Chairman McClain seconded. Motion carried 2-1. (Commissioner Crankovich opposed the motion).

RESOLUTION 2008-36 GLEASON PERFORMANCE BASED CLUSTER PLAT (P-07-24) CDS

Commissioner Crankovich moved to approve Resolution No. 2008-36, approving the Gleason 14-Lot Performance Based Cluster Plat (P-07-24), a division of one parcel totaling approximately 21.00 acres into a total of fourteen (14) lots submitted by David Gleason, landowner (Map Number 20-16-26000-0006). Chairman McClain seconded. Motion carried 2-0. (Commissioner Bowen abstained since he was not in attendance at the hearing).

RESOLUTION 2008-37 TAYLOR PERFORMANCE BASED CLUSTER PLAT (P-07-26) CDS

Commissioner Crankovich moved to approve Resolution No. 2008-37, approving the Taylor 14-Lot Performance Based Cluster Plat (P-07-26), a division of one parcel totaling approximately 21.00 acres into fourteen (14) lots submitted by John Taylor, landowner (Map Number 20-16-25000-0066). Chairman McClain seconded. Motion carried 2-0. (Commissioner Bowen abstained since he was not in attendance at the hearing).

RESOLUTION 2008-38 FREMMERLID PERFORMANCE BASED CLUSTER (P-07-34) CDS

Commissioner Crankovich moved to approve Resolution No. 2008-38, approving the Fremmerlid 14-Lot Performance Based Cluster Plat (P-07-34), a division of one parcel totaling approximately 21.00 acres into fourteen (14) lots submitted by Mark Fremmerlid, landowner (Map Number 20-16-25000-0013). Chairman McClain seconded. Motion carried 2-0. (Commissioner Bowen abstained since he was not in attendance at the hearing).

RESOLUTION 2008-39 CAMERON PERFORMANCE BASED CLUSTER (P-07-36) CDS

Commissioner Crankovich moved to approve Resolution No. 2008-39, approving the Cameron Performance Based Cluster Plat (P-07-36), a division of one parcel totaling approximately 22.86 acres into fourteen (14) lots submitted by Duane Cameron, landowner (Map Number 20-16-25000-00065 and 20-16-25000-0055). Chairman McClain seconded. (Commissioner Bowen abstained since he was not in attendance at the hearing).

MISCELLANEOUS

TRAVEL AUTHORIZATION JERRY PETTIT - REGIONAL ELECTION CERT. AUDITOR

Jerry Pettit, Auditor, requested authorization for out of State travel to attend the regional certification election training. He indicated the funding would come from the Help America Vote Act (HAVA) funds. He said there are a total of twelve (12) courses to be taken over the next two years and this would be covering five (5) of those at the conference in Florida.

Commissioner Crankovich said his biggest concern is the cost, but noted the HAVA grant would cover the cost, and those funds can only be used for certain things. He said he realizes the importance of the election process and the emphasis on education for those conducting elections as well as the public. He felt it would be an overall benefit to the County.

Chairman McClain was worried about having to take money from County funds to complete the training over the next couple of years. He indicated he was not totally sold on the importance of the training. He said he was satisfied with how the elections are currently being conducted in the county.

Commissioner Crankovich indicated there may be a chance that if the funding is not available, the training may not be able to be completed, but education is beneficial and something is better than nothing.

Commissioner Bowen moved to approve the out of State travel request for Jerry Pettit, Auditor, to attend the regional certification election training in Florida, noting it would be paid out of the HAVA funds. Commissioner Crankovich seconded. Motion carried 2-1. (Chairman McClain opposed the motion).

EXECUTIVE SESSION - NONE

ADJOURNMENT

Commissioner Crankovich moved to adjourn at 11:16 a.m. Commissioner Bowen seconded. Motion carried 3-0.

Meeting adjourned at 11:16 p.m.

CLERK OF THE BOARD

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

Julie A. Kjorsvik

Mark McClain, Chairman