

**COMMISSIONERS' MINUTES
KITITITAS COUNTY, WASHINGTON
COMMISSIONERS AUDITORIUM
SPECIAL MEETING**

TUESDAY

2:00 P.M.

APRIL 15, 2008

Board members present: Chairman Mark McClain and Vice-Chairman Alan Crankovich. The Commissioner District #1 position is currently vacant.

Others: Julie Kjorsvik, Clerk of the Board; Allison Kimball, Assistant Director of Community Development Services; Darryl Piercy, Director of Community Development Services; Brandon Drexler, Public Works Director and six members of the public.

PUBLIC HEARING

VANTAGE WIND POWER PROJECT (WSA-07-01)

CDS

At approximately 2:00 p.m. **CHAIRMAN McCLAIN** opened the public hearing continued from April 1, 2008 to consider an application submitted by Inenergy Wind North America (IWNA) for the Vantage Wind Power Project (WSA-07-01). He noted the record had been closed to public comment.

DARRYL PIERCY, DIRECTOR OF COMMUNITY DEVELOPMENT SERVICES gave a brief background on the Vantage Wind Power application and proposed project. He explained the Planning Commission voted to recommend approval of the project by a vote of 5-0 with one member abstaining due to them not being present at the previous hearing. He noted the Board had been provided with a draft Development Agreement along with proposed modifications suggested by Invenergy Wind, County staff and Commissioner McClain which was based on public testimony.

COMMISSIONER CRANKOVICH noted concerns expressed of there not being a seated Commissioner from District #1. **CHAIRMAN McCLAIN** noted the doctrine of necessity and felt the Board can move forward because each Commissioner represents the entire county and not just one District.

COMMISSIONER CRANKOVICH noted issues relating to the two residential structures, DOT and Ryegrass facility around the project. **MR. PIERCY** said there were errors on the map and those would be corrected and anticipated an agreement with the property owners for a ½ mile set back from placements of turbines. He said he has spoken with representatives of the applicant and they need to discuss it further with the Department of Transportation. **CHAIRMAN McCLAIN** said they put word "structure" and not residence and an analysis should

be conducted for noise & visual impact for the existing structures. **COMMISSIONER CRANKOVICH** said they had tried to cover everything possible, but sometimes things come up that were an unintended consequence. **MR. PIERCY** agreed to work with the applicant to conduct an analysis. **COMMISSIONER CRANKOVICH** questioned whether the applicant was notified and the County delegated responsibility relating to County property to the Solid Waste Director.

COMMISSIONER CRANKOVICH said he used the Development Agreement for the Wild Horse Development Agreement to compare language in the documents. The Board reviewed proposed changes to the Development Agreement with staff.

MR. PIERCY suggested continuing the hearing to May 6, 2008 and felt they would have the analysis completed along with the suggested changes.

COMMISSIONER CRANKOVICH moved to continue the public hearing to Tuesday May 6, 2008 at 2:00 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse, 205 West 5th Avenue, Ellensburg, Washington. **CHAIRMAN McCLAIN** seconded. Motion carried 2-0.

PUBLIC HEARING

PUBLIC DEFENSE SERVICES

COMMISSIONERS

At approximately 2:45 p.m. **CHAIRMAN McCLAIN** opened a public hearing to consider adopting standards for the delivery of public defense services as required by the State of Washington, in accordance with RCW 10.101.030.

CHAIRMAN McCLAIN reviewed a proposed Ordinance which would adopt standards for the delivery of public defense services. He said he had received assistance and input creating the document from the Superior Court Judges, Lower District Court Judges as well as the Office of Public Defender. He reviewed the minimum qualifications, involvement, experience, representation in specific classes of cases. He also reviewed disposition of client's complaints and how those are dealt with. He said the State has provided \$20,000.00 and then \$45,000.00 in the 2008 budget for improvement in public defense services and so Kittitas County must have the Ordinance in place in order to obtain those funds.

COMMISSIONER CRANKOVICH asked about the standards for the amount of cases that are assigned who made the determination? **CHAIRMAN McCLAIN** said it would be the obligation of attorneys to not accept them, and it would work in conjunction with tracking the amount of cases and reports that are done on an annual basis. **COMMISSIONER CRANKOVICH** asked about the requirements for death penalty cases and felt that

trying to find someone who has that type of experience may be difficult. **CHAIRMAN McCLAIN** said they were only guidelines and not mandates for the Courts.

THOSE PRESENT & TESTIFYING: CATHERINE CLERF said this had been an issue that the sales tax committee was concerned about and she was in favor of the proposed ordinance which would assist citizens in the County to have access to a public defender. **THERE BEING NO ADDITIONAL TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

ORDINANCE 2008-12 PUBLIC DEFENSE SERVICES COMMISSIONERS

COMMISSIONER CRANKOVICH moved to approve Ordinance No. 2008-12, relating to Public Defender services and adding a new Chapter to the Kittitas County Code adopting standards for the delivery of those services. **CHAIRMAN McCLAIN** seconded. **COMMISSIONER CRANKOVICH** thanked Chairman McClain for working on the project.

Motion carried 2-0.

Meeting adjourned at 2:55 p.m.

CLERK OF THE BOARD

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Julie A. Kjorsvik

Mark McClain, Chairman