

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

MONDAY

11:30 A.M.

FEBRUARY 2, 2009

Board Members Present: Chairman Alan Crankovich, Vice-Chairman Paul Jewell; Commissioner Mark McClain

Others Present: Catherine Dunn, Deputy Clerk of the Board; Cathy Bambrick, Public Health Administrator; Mark Larsen, MD, Health Officer; Neil Caulkins, Deputy Prosecuting Attorney; Brent Bottoms, Deputy Prosecutor; Kirk Holmes, Director of Public Works and Interim CDS Director and Dan Valoff, Planner II.

Also Present: Tom Tebb, Regional Director, DOE; Mark Schuppe, Brian Fowler, Derek Sandison, Department of Ecology; Jeremy Bach and Anne Watanabe.

SPECIAL MEETING

EXEMPT WELL MOU

PUBLIC HEALTH

Chairman Alan Crankovich opened the meeting at 11:30 a.m. noting that this was a discussion between staff and the staff of the Department of Ecology and not a public hearing therefore no public input would be allowed. Commissioner Mark McClain said that there have been some problems along the way with the MOU. Deputy Prosecutor Bottoms said that there are issues with the Permanent Rule and how it works with the Memorandum of Understanding. He said that there were issues on the termination date of the MOU and the authority of the Department of Ecology.

The first discussion centered on the need for a "sunset clause" for the Memorandum of Understanding and the Permanent Rule.

The next issue was relating to the definitions of "adjacent", "common ownership" and "residential development" with Prosecutor Brent Bottoms maintaining that the definitions are too broad.

Tom Tebb said that DOE focused on the group use as in Campbell-Gwinn. Brian Fowler said that the rules were to give guidance to counties or to the public.

There was an extensive discussion of the use of SEPA to regulate and mitigate exempt well use.

A discussion followed on the use of hydro-geologists, water banks and the amount of water allowed per acre.

Tom Tebb said that they had been working well with Public Health to develop language and flow charts. They worked to get the budget through the Governor's office which will allow a water master for Kittitas County and will be working with USGS on water issues.

It was decided to meet again next week with the lawyers from Kittitas County and the Department of Ecology talking in the meantime.

The meeting was adjourned at 1:30 p.m.

DEPUTY CLERK OF THE BOARD

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Catherine Dunn

Alan Crankovich, Chairman