

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

MONDAY

4:00 P.M.

MAY 04, 2009

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

Others: Mandy Robinson, Deputy Clerk of the Board; Kirk Holmes, Director of Public Works and Interim Director of Community Development Services; Brent Bottoms, Deputy Prosecutor; Cathy Bambrick, Public Health Administrator; Mark Larson, Public Health Officer.

SPECIAL MEETING

MEMORANDUM OF AGREEMENT

COMMISSIONERS

At 4:00 p.m. Chairman Crankovich opened a special meeting to hold discussion of the Memorandum of Agreement with the Department of Ecology and explained that it was determined that as they were going to be speaking on pending litigation it would be necessary to recess into Executive Session for this discussion.

Commissioner Jewell questioned the use of Executive Session. He said he had been reviewing the Open Public Meetings Act and was unclear where it was that allowed us to be holding these discussions in an Executive Session. Brent Bottoms explained the RCW and interpreted how it allows the Board to go into Executive Session. He indicated that the bottom line is that risk has been identified in a public meeting and its now a pending litigation issue.

The Board recessed into Executive Session at 4:10 p.m. for thirty 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, with no action anticipated. Those in attendance at the Executive Session Brent Bottoms, Deputy Prosecutor and Kirk Holmes, Director of Public Works and Interim Director of Community Development Services and Cathy Bambrick Public Health Administrator and Mark Larson, Public Health Officer.

At 4:40 p.m. the Board reconvened from Executive Session and announced that they would extend the Executive Session for twenty minutes longer. Action was not anticipated.

At 5:00 p.m. the Board reconvened from Executive Session. Commissioner Jewell moved for Public Health to submit and (RFP) Request for Proposals for automatic meters. Chairman Crankovich seconded the motion. Motion passed, 2-0.

The meeting was adjourned at 5:00 p.m.

DEPUTY CLERK OF THE BOARD

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Mandy Robinson

Alan Crankovich, Chairman