

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

**THURSDAY**

**1:30 P.M.**

**MAY 28, 2009**

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

Others Present: Catherine Dunn, Deputy Clerk of the Board; Brent Bottoms, Deputy Prosecutor; Cathy Bambrick, Public Health Administrator; Jan Sharar and Mike Marvich.

**SPECIAL MEETING**

**DOE MEMORANDUM OF AGREEMENT**

**COMMISSIONERS**

Chairman Crankovich opened the special meeting at 1:35 p.m. to consider the Memorandum of Agreement with the Department of Ecology over exempt wells.

Chairman Crankovich said that the Board had received an email from Tom Tebb, Regional Director for Department of Ecology stating that Ecology was disappointed in the Board's decision to seek an Attorney General's Opinion. DOE also stated that they have not made any final decisions regarding the extension to dispute resolution and they will not be attending the scheduled meeting today.

Commissioner McClain suggested reaching out to the Department of Ecology suggesting that their email was unclear and that the County would like to meet again.

Vice-Chairman Jewell said that a letter should be drafted for the Chairman's signature to set a meeting to discuss the Memorandum of Agreement.

Commissioner McClain said that he had talked with Attorney General Rob McKenna and he is aware of this dispute and the request for an opinion.

Chairman Crankovich suggested entering into the MOA pending the Attorney General's Opinion. Deputy Prosecutor Brent Bottoms said that we do not agree to enforce that part.

Commissioner McClain said that the Board can say that they were close to DOE on many issues.

Vice-Chairman Jewell said that it was important part of his signing the document is whether the Attorney General says it is a lawful document.

Deputy Prosecutor Brent Bottoms said that with two provisions he can sign the MOA as to form. He said he hasn't seen the final document.

Commissioner McClain moved to have the Chairman draft a response (to Tom Tebb's email) addressing what has been discussed today with regard to the Memorandum of Agreement. Vice-Chairman Jewell seconded the motion. Motion carried, 3-0.

Chairman Crankovich said that they have been working to iron out this confusion. He said they are very close. He thanked Deputy Prosecutor Bottoms for his work on this.

Commissioner McClain volunteered to work on a press release and give it to the Chairman to release with the letter.

Meeting adjourned at 2:00 p.m.

**DEPUTY CLERK OF THE BOARD**

**KITTITAS COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON**

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**Catherine Dunn**

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**Alan Crankovich, Chairman**