

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

WEDNESDAY

10:00 AM

SEPTEMBER 9, 2009

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

Others: Catherine Dunn, Deputy Clerk of the Board; Brent Bottoms, Deputy Prosecutor; Cathy Bambrick, Public Health Administrator; Tom Tebb, Regional Director, Department of Ecology and Shannon Cogan, a member of the public.

PUBLIC HEARING DOE MEMORANDUM OF AGREEMENT COMMISSIONERS

At 10:00 a.m. **Chairman Alan Crankovich** opened the public hearing continued from September 2, 2009 to consider a Memorandum of Agreement with the WA ST Department of Ecology regarding exempt wells in Upper County. The record was closed.

The Board read the email received from **Jay Manning**, Director of Ecology in response to the letter sent by Vice-Chairman Jewell.

Vice Chairman Paul Jewell reported that he and the Prosecuting Attorney had been actively negotiating with Tom Tebb and DOE Director, Jay Manning. **Tom Tebb** agreed and said he had been on the phone kicking concepts around with Director manning and they were actively engaged. **Vice-Chairman Jewell** asked if Ecology was waiting for language from the county or were they going to take the conversations he had with them and construct language from that. **Mr. Tebb** said they were waiting for some language from the county.

Vice-Chairman Jewell asked the Board members and others present if they were aware of what took place in the conversations or would they like to consult in Executive Session.

At 10:05 **Chairman Crankovich** announced that the Board would retire into Executive Session for 15 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 following. Those included

in the Executive Session were Brent Bottoms, Cathy Bambrick and Tom Tebb.

At 10:20 a.m., the Board reconvened from Executive Session and announced they would retire to Executive Session for 15 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 following. Those included in the Executive Session were Brent Bottoms and Cathy Bambrick.

At 10:30 a.m. the Board reconvened from Executive Session. No action was taken.

Vice-Chairman Jewell moved to continue the public hearing until September 10, 2009 at 11:00 a.m. in the commissioner's Conference Room and if there is no outcome, continue it again to September 15, 2009 at 2:00 p.m. in the commissioner's Auditorium. **Chairman Crankovich** seconded the motion. Motion carried, 2-0.

The meeting was adjourned at 10:40 a.m.

DEPUTY CLERK OF THE BOARD

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

Catherine Dunn

Alan Crankovich, Chairman