

**COMMISSIONERS' MINUTES
KITITAS COUNTY, WASHINGTON
AGENDA SESSION**

TUESDAY

10:00 A.M.

SEPTEMBER 15, 2009

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

Others: Julie Kjorsvik, Clerk of the Board; Jerry Pettit, Auditor; Brent Bottoms, Deputy Prosecutor; Dan Valoff, CDS Staff Planner; Mandy Weed, Administrative Assistant; Ryan Berge, Road Foreman; Johnny Martinez, Equipment Operator and 8 members of the public.

CALL TO ORDER

Chairman Crankovich called the meeting to order.

PLEDGE OF ALLEGIANCE

Chairman Crankovich led the Pledge of Allegiance.

INTRODUCTION OF NEW COUNTY EMPLOYEES - NONE

PROCLAMATIONS - NONE

AWARDS & RECOGNITIONS

CERTIFICATE

JOHNNY MARTINEZ - PUBLIC WORKS

PUBLIC WORKS

Commissioner McClain moved to approve a Certificate of Recognition for Johnny Martinez, for five years of dedicated service to the citizens of Kittitas County. Commissioner Jewell seconded. Motion carried 3-0.

APPROVAL OF AGENDA

Chairman Crankovich noted Items B, C and X were removed from the Agenda and there would possibly be an Executive Session at the conclusion of the Agenda Session. Commissioner Jewell moved to approve the Agenda as amended. Commissioner McClain seconded. Motion carried 3-0.

CONSENT AGENDA

Items listed under the Consent Agenda were distributed to the Board of County Commissioners in advance for study and were enacted by one motion with separate discussion to the extent any items were removed from the

APPROVED
10/6/2009

Limited Dataset(s) between the State of Washington Department of Health and the Kittitas County Public Health Department, beginning March 31, 2009 through March 31, 2011.

RESOLUTION 2009-124

YAKIMA HEALTH DISTRICT

PUBLIC HEALTH

Approve Resolution No. 2009-124 and ratify the Public Health Administrators signature on Amendment #5 to Contract Number N11531, between the Yakima Health District and the Kittitas County Public Health Department, for provisions of HIV Services, effective September 15, 2009.

CONTRACT

WASHINGTON STATE UNIV. STUDENT AFFILIATION PUBLIC HEALTH

Approve and authorize the Chair to sign Contract Number 6408 between Washington State University and the Kittitas County Public Health Department, to provide a clinical learning experience provided at the Training Site for nursing students who are enrolled in WSU's course of study.

APPOINTMENT

BRENDA LARSEN-BOARD OF ADJUSTMENT

COMMISSIONERS

Approve the appointment of Brenda Larsen to the Kittitas County Board of Adjustment, representing District #1, for a six year term effective immediately and expiring on December 31, 2014.

AGREEMENT

ADMINISTRATIVE OFFICE OF THE COURTS

JUVENILE

Approve Interagency Agreement Number IAA10174, between the State of Washington, Administrative Office of the Courts and the Kittitas County Juvenile Court, to process Becca Bill programs including Truancy, At Risk Youth (ARY) and Child in Need of Services (CHINS), beginning July 1, 2009 through June 30, 2011.

AGREEMENT

CONSOLIDATED, DISPOSITION ALTERNATIVES

JUVENILE

Approve and authorize the Chair to sign a Program Agreement Number 0963-67949, between the State of Washington, Department of Social and Health Services (DSHS) and Kittitas County, for Consolidated, Disposition Alternatives & Various Services, beginning July 1, 2009 through June 30, 2010.

AGREEMENT

EVIDENCE BASED EXPANSION

JUVENILE

Approve and authorize the Chair to sign a Program Agreement Number 0963-66970, between the State of Washington, Department of Social and Health Services (DSHS) and Kittitas County, for Evidence Based Expansion, beginning July 1, 2009 through June 30, 2011.

Approve a Request for Proposals for the Transfer Station Operations and Municipal Solid Waste Hauling and Disposal, to be received until November 13, 2009 at 11:00 a.m. in the Kittitas County Solid Waste Department, 925 Industrial Way, Ellensburg, Washington, and to authorize the Clerk to publish said notice.

ORDINANCE 2009-20

AKEHURST REZONE & PLAT

CDS

Approve Ordinance No. 2009-20, In the Matter of Amending the Kittitas County Zoning Atlas for the Akehurst Rezone (RZ-08-00012) and Preliminary Plat (LP-08-00033), an application from Don and Gregory Akehurst, landowners, for a zone change of approximately 71.26 acres from Agriculture 20 to Agriculture-5 and Preliminary Plat, located East of Wilson Creek Road, West of Naneum Road, South of Lone Willow Lane, off the North side of Brickmill Road, Ellensburg, Washington (Map Numbers 18-19-20020-0006, 18-19-20020-0013, 18-19-20054-0001 and 18-19-20054-000).

ORDINANCE 2009-21

DARROW REZONE & PLAT

CDS

Approve Ordinance No. 2009-21, In the Matter of Amending the Kittitas County Zoning Atlas for the Darrow Rezone (RZ-08-00008) and Preliminary Plat (LP-08-00025), an application from Walter Darrow, landowner, for a zone change from Forest & Range to Rural-3 for 27.16 acres ranging in size from 3.01 acres to 12.09 acres and Preliminary Plat, located Northeast of the City of Cle Elum, West of SR 970 off Teanaway Road, Cle Elum, Washington (Map Number 20-16-05020-0017).

RESOLUTION 2009-126

JB DEVELOPMENT

CDS

Approve Resolution No. 2009-126, granting a request for the JB Development Preliminary Plat (LP-08-27), an application from JB Development, LLC, landowners for a 3-lot plat on approximately 10.10 acres of land that is zoned Ag-3, located South of Bowers Road and East of Pioneer Road, Ellensburg, Washington (Map Number 18-18-26089-0003).

RESOLUTION 2009-125

TMC PLAT

CDS

Approve Resolution No. 2009-125, granting a request for the TMC Plat (LP-08-20), an application from Richard Susan, authorized agent for the Tacoma Motorcycle Club, Inc. landowner, for a 5-lot plat on approximately 20.07 acres of land zoned Ag-5, located South of Nelson Siding Road and West of Talmadge Road, Cle Elum, Washington (Map Number 20-14-20030-0003).

Approve a Memorandum of Understanding between Kittitas County, the State of Washington, the Eastern Region Headquarters of the Washington State Parks and Recreation Commission, and the Kittitas Environment Education Network (KEEN), for improvements to Helen McCabe Park.

REQUEST TO APPROVE AN INTERLOCAL AGREEMENT BETWEEN EASTON STATE PARK AND KITTITAS COUNTY PUBLIC WORKS FOR EQUIPMENT AND/OR SERVICES - ITEM REMOVED FROM THE AGENDA AT THE REQUEST OF THE PUBLIC WORKS DEPARTMENT

REQUEST FOR QUALIFICATIONS AIRPORT/BOWERS FIELD DESIGN PUBLIC WORKS

Approve a Request for Qualifications from airport consultants to provide Airport Utilities and Infrastructure Improvements Master Plan for the Bowers Field and Bowers Field Industrial Area to serve the Kittitas County area, to be received until 4:30 p.m. on October 7, 2009, at the Kittitas County Department of Public Works, 411 N. Ruby, Suite 1, Ellensburg, Washington, and to authorize the Clerk to publish said notice.

LEASE AMENDMENT - CASCADE PALLET COMPANY PUBLIC WORKS

Approve Amendment #1 and Amendment #2 between Kittitas County and Cascade Pallet Company for industrial property located at the County Airport.

CORRESPONDENCE - NONE

ADMINISTRATIVE MATTERS - NONE

CITIZEN COMMENTS ON NON-AGENDA ITEMS - NONE

BOARD DISCUSSION/DECISION ITEMS

RECOMMENDATION HEARTH PROJECT COMMISSIONERS

Nancy Goodloe, representing the Homeless & Affordable Housing Committee said the Prosecutors office had reviewed the application submitted by Provident Horizon Group for the HEARTH (Helping Through Employment Access, Resources & Hope) project and said they met the qualifications for grant funding.

AGREEMENT PROVIDENT HORIZON GROUP COMMISSIONERS

Commissioner Jewell moved to approve a Grant Agreement between Kittitas County and the Provident Horizon Group, for the HEARTH project (Helping

through Employment Access, Resources, Training and Hope), in the amount of \$45,212.50, for the period beginning September 15, 2009 through September 30, 2010. Commissioner McClain seconded. Motion carried 3-0.

CLOSED RECORD MEETING

MARION PERFORMANCE BASED CLUSTER PLAT

CDS

Dan Valoff, CDS Staff Planner, reviewed an application from Chad Bala of Terra Design Works, Inc. authorized agent for Fowler Creek Trust, landowner, for a 12-lot Performance Based Cluster Plat pursuant to Kittitas County Code 16.09 on approximately 18.02 acres of land that is zoned Agriculture-3. The property is located South of Nelson Siding Road and West of the City of Cle Elum and Golf Course Road on Nelson Siding Road, Cle Elum, Washington (Map Number 20-14-27040-0014). He indicated the Hearing Examiner conducted an open record hearing and issued a recommendation of preliminary plat approval for the Marion Performance Based Cluster Plat (P-06-06). He reviewed information he had received from the Prosecutors office which stated that final approval of the plat should be conditioned upon the applicant obtaining a Determination of Water Neutrality from the Washington State Department of Ecology, and if the applicant can show that under the then existing Upper Kittitas County Ground Water Rule, such a determination would not be required, and they would be released from the condition. In order to secure such a release, the applicant must prove that either the withdraw had already commenced before July 16, 2009 or that the Upper Kittitas County Ground Water Rule has changed and that under the new rule, the applicant is not required to obtain a Determination of Water Neutrality and the applicant has met all the conditions that are required by the new rule.

The Board had questions regarding the application being submitted at the same time as another with the same owner, use of roads, and issues relating to exempt wells and provisions under Campbell Gwinn. Deputy Prosecutor Brent Bottoms said he had not had a chance to review the files, and as long as both applications had been filed with the County there needs to be a provision for water and the Board could consider the two applications together. Mr. Valoff said the second application (Spring Tree Plat) would be considered before the Hearing Examiner on October 22nd and then he would be submitting his recommendation, followed by it coming before the Board in later November. Chad Bala, authorized agent for the application said there are senior water rights associated with the application and they would be developing it to a Group A Standard and would consider withdrawing the Spring Tree Plat application.

Commissioner McClain moved to continue consideration of the Marion Performance Based Cluster Plat (P-06-06) to October 6, 2009 at 10:00 a.m. Commissioner Jewell seconded. Motion carried 3-0.

Dan Valoff, CDS Staff Planner, reviewed an application for the Teanaway Ridge Preliminary Plat (P-07-48), submitted by Chad Bala, Terra Design Group, Inc. authorized agent for Teanaway Ridge LLC, landowner, for a 14-lot Preliminary Plat on approximately 54.36 acres of land zoned Agriculture-3, located West of Reecer Creek Road at Hillview Drive, Ellensburg, Washington (Map Number 18-18-22030-0010). He indicated the Hearing Examiner conducted an open record hearing and issued a recommendation of approval for the Teanaway Ridge Preliminary Plat.

Commissioner Jewell questioned item #38 regarding the applicant having to prepare a cultural resource survey on the subject property, and recommended striking it as a condition, based upon their decision regarding the O. Sieber Short Plat appeal. Commissioner McClain agreed with Commissioner Jewell's recommendation and felt State law should dictate the rules.

Commissioner McClain moved to approve the Teanaway Ridge Preliminary Plat (P-07-48), and to direct staff to prepare enabling documents including the Hearing Examiner's recommended conditions, and to strike condition #38 regarding the cultural resource survey. Commissioner Jewell seconded. Motion carried 3-0.

RESOLUTION 2009-121**TEANAWAY SOLAR RESERVE PROJECT****PUBLIC WORKS**

Commissioner McClain moved to approve Resolution No. 2009-121, Approving the Execution of a Memorandum of Agreement for Costs Associated with the review of the Teanaway Solar Reserve Project. Commissioner Jewell seconded. Motion carried 3-0.

MISCELLANEOUS - NONE**EXECUTIVE SESSION**

At 10:30 a.m. Chairman Crankovich announced the Board would go into an Executive Session with Lisa Young, Human Resource Manager, for 15 minutes to evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW 42.30.140(4), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public. He said he did not anticipate any action following.

At 10:45 a.m. the Board reconvened from Executive Session. No action was taken. Chairman Crankovich announced the Board would go back into Executive Session for an additional 10 minutes and did not anticipate any action following.

At 10:55 a.m. the Board reconvened from Executive Session. No action was taken. Chairman Crankovich announced the Board would go back into Executive Session for an additional 5 minutes and did not anticipate any action following.

At 11:00 a.m. the Board reconvened from Executive Session. No action was taken.

ADJOURNMENT

Commissioner Jewell moved to adjourn the meeting at 11:00 a.m. Commissioner McClain seconded. Motion carried 3-0.

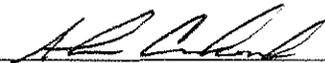
Meeting adjourned at 11:00 a.m.

CLERK OF THE BOARD

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**



Julie Kjorsvik



Alan Crankovich, Chairman