

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

**TUESDAY**

**10:00 A.M.**

**OCTOBER 20, 2009**

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

Others: Julie Kjorsvik, Clerk of the Board; Brent Bottoms, Deputy Prosecutor; Jan Ollivier, Transportation Manager; Cathy Bambrick, Public Health Administrator; Christina Wollman, Public Works Planner and 4 members of the public.

**CALL TO ORDER**

Vice-Chairman Jewell called the meeting to order.

**PLEDGE OF ALLEGIANCE**

Vice-Chairman Jewell led the Pledge of Allegiance.

**INTRODUCTION OF NEW COUNTY EMPLOYEES - NONE**

**PROCLAMATIONS - NONE**

**AWARDS & RECOGNITIONS - NONE**

**APPROVAL OF AGENDA**

Vice-Chairman Jewell noted Item 0 under the Consent Agenda had been removed from the Agenda until a later date.

Commissioner McClain moved to approve the Agenda, as amended. Vice-Chairman Jewell seconded. Motion carried 2-0.

**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 Consent Agenda at the request of a Board member.

Vice-Chairman Jewell noted Item 0 had been removed from the Agenda. Commissioner McClain moved to approve the Consent Agenda, as amended. Vice-Chairman Jewell seconded. Motion carried 2-0.

<b>DATE</b>	<b>MEETING</b>	<b>RE:</b>
9/30/2009	Special Meeting	Security Follow-Up
10/2/2009	Special Meeting	CLC TDR
10/5/2009	Special Meeting	Budget Discussion
10/5/2009	Regular Meeting	Dept. Head Minutes (2)
10/5/2009	Regular Meeting	Office Admin.
10/5/2009	Regular Meeting	Agenda Study Session
10/5/2009	Regular Meeting	Cont'd Agenda Study Session
10/6/2009	Regular Meeting	Agenda
10/6/2009	Special Meeting	Public Hearings
10/7/2009	Special Meeting	Executive Session
10/7/2009	Special Meeting	Budget
10/8/2009	Special Meeting	Prosecutor - PDR Reorganization
10/12/2009	Regular Meeting	Office Admin.
10/12/2009	Regular Meeting	Dept. Head Minutes (3)
10/12/2009	Special Meeting	Executive Session
10/12/2009	Regular Meeting	DPW Study Session
10/12/2009	Special Meeting	Upper County Centennial Center
10/13/2009	Special Meeting	Emergency Declaration

**AGREEMENT                      AMENDMENT - HORTICULTURAL PEST & DISEASE BOARD                      AUDITOR**

Approve Amendment No. 1 to Grant Contract No. K256, between Kittitas County and the Kittitas County Horticultural Pest and Disease Board, for spraying services provided by B&F Services, increasing the amount from \$40,000.00 to \$51,000.00.

**CONTRACT                                      WA. STATE MILITARY DEPT. - E911                                      COMMISSIONERS**

Approve Contract No. E10-062, between Kittitas County and the Washington State Military Department for Enhanced 911 Funds, in the total amount of \$336,356.00, for the period beginning July 1, 2009 through June 30, 2010.

**SET PUBLIC HEARING                      AMEND CODE - OFFICIAL MEETING TIMES                      COMMISSIONERS**

Approve setting a Public Hearing to consider Amending Kittitas County Code Chapter 2.04.010, Official Meeting Time of the Kittitas County Board of Commissioners, to be held on Tuesday November 3, 2009 at 2:00 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse 205 West 5<sup>th</sup> Avenue, Ellensburg, Washington, and to authorize

the Clerk to publish said notice.

**LEASE AGREEMENT**

**ELLENSBURG CHAMBER OF COMMERCE**

**FAIR**

Approve a Lease Agreement between Kittitas County and the Ellensburg Chamber of Commerce, to house the Chamber Cowboy's "Two Headed Car", "Jail" and trailer at the Kittitas Valley Event Center, 512 N. Poplar, Ellensburg, Washington, in storage shed #3 located at the Native American Facilities, beginning October 20, 2009 through October 20, 2010, with the exception of seventeen days beginning the Monday two weeks preceding the advertised first day of the Ellensburg Rodeo at 7:00 a.m. and shall end the Wednesday following Labor Day at 9:00 p.m.

**APPOINTMENT**

**CLAYTON MYERS - FAIR BOARD**

**COMMISSIONERS**

Approve the appointment of Clayton Myers to the Kittitas County Fair Board, filling a vacancy of a three year term, effective immediately and expiring on December 31, 2010.

**RESOLUTION 2009-136**

**DECLARATION OF EMERGENCY-H1N1**

**PUBLIC HEALTH**

Ratify Resolution No. 2009-136, a Declaration of Emergency regarding the H1N1 (Swine Flu) Pandemic, as approved by the Board of County Commissioners during a Special Emergency Meeting held on October 13, 2009 at 4:20 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse, 205 West 5<sup>th</sup> Avenue Ellensburg, Washington.

**RESOLUTION 2009-137**

**RESCIND DECLARATION OF EMERGENCY**

**PUBLIC HEALTH**

Approve Resolution No. 2009-137, Rescinding a Declaration of Emergency as outlined in Resolution No. 2009-05, which declared a Local State of Emergency, due to unusual weather conditions consisting of significant snowfall, warm weather and heavy rains causing extensive flooding.

**CONTRACT AMENDMENT**

**WA. STATE MILITARY DEPARTMENT**

**PUBLIC WORKS**

Approve Amendment B to Grant Contract No. D09-584, with the Washington State Military Department and Federal Emergency Management Agency, for federal reimbursement of eligible damages resulting from the severe winter storm flood event beginning January 7, 2009.

**RESOLUTION 2009-138**

**UPPER CO. SHOP FACILITY PROJECT**

**PUBLIC WORKS**

Approve Resolution No. 2009-138, Awarding a Bid in the amount of \$67,000.00 plus sales tax, to Steel Structures America, Inc. for the Upper County Shop Maintenance Facility Garage project, and to authorize the Director of Public Works to sign the contract documents for said project.

**RESOLUTION 2009-139                    CHELAN COUNTY-COLOCKUM PASS ROAD                    PUBLIC WORKS**

Approve Resolution No. 2009-139, Approving an Interlocal Agreement between Kittitas county and Chelan County for Chelan County to conduct routine maintenance of a portion of Colockum Pass Road in Kittitas County.

**RESOLUTION 2009-140    ESTABLISH FLOOD MITIGATION TASK FORCE    PUBLIC WORKS**

Approve Resolution No. 2009-140, a Notice of Intent to Establish the Kittitas County Flood Mitigation Task Force.

**RESOLUTION 2009-141                    COOKE CANYON ROAD BRIDGE PROJECT                    PUBLIC WORKS**

Approve Resolution No. 2009-141, for County Road Project No. 2009-244, for the Cooke Canyon Road Bridge Replacement Project, from Milepost 4.54 to Milepost 4.54, in the total amount of \$85,000.00.

**CONTRACT AMENDMENT                    WA. MILITARY DEPARTMENT                    PUBLIC WORKS**

Approve Amendment B to Grant Contract No. D09-581, with the Washington State Military Department and Federal Emergency Management Agency, for federal reimbursement of eligible damages resulting from the severe winter storm flood event beginning January 7, 2009.

**REQUEST TO APPROVE A RESOLUTION FOR AN INTERLOCAL AGREEMENT BETWEEN FRANKLIN COUNTY AND KITTITAS COUNTY FOR KITTITAS COUNTY TO SUPERVISE FRANKLIN COUNTY'S WORK RELEASE INMATES - ITEM REMOVED FROM AGENDA**

**RESOLUTION 2009-142                    LAW & JUSTICE COUNCIL GRANTS                    PROSECUTOR**

Approve Resolution No. 2009-142, Awarding Funding for Grants Pursuant to Law & Justice Council Recommendations on Spending of 1/10<sup>th</sup> of 1% Sales Tax Reserves, in the total amount of \$25,994.00.

**SET CLOSED RECORD MEETING                    AIRPORT HEIGHTS PUD REZONE & PLAT                    CDS**

Approve Setting a Closed Record Meeting for Tuesday November 3, 2009 at 10:00 a.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse, 205 West 5<sup>th</sup> Avenue, Ellensburg, Washington, to consider the Airport Heights PUD Rezone (RZ-08-00009) and Preliminary Plat (LP-08-00026), a request from Terra Design Group, authorized agent for Schuler Deneen Family Ranch, LLC, Schuler, James K. care of Deneen, Pat, PDQ Construction, landowners, for a rezone from Ag-3 to PUD along with a Preliminary Plat to subdivide approximately 24.36 acres into 14-lots, an additional 9.93 acres included in the rezone were identified as Urban Redevelopment Land as part of the Lannigan Meadows Performance Based

Cluster Plat (P-05-38). The proposed lots range in size from 0.92 to 3.48 acres with one 5.43 acre Open Space Tract. The property is located East of the City of Cle Elum, North of Airport Road, off Danko Road, Cle Elum, Washington (Map Numbers 20-16-30030-0004), 0008 and 0009.

**CORRESPONDENCE - NONE**

**ADMINISTRATIVE MATTERS - NONE**

**CITIZEN COMMENTS ON NON-AGENDA ITEMS - NONE**

**BOARD DISCUSSION/DECISION ITEMS**

**CLOSED RECORD MEETING**

**McINTYRE PRELIMINARY PLAT**

**CDS**

Christina Wollman, Public Works Planner, reviewed an application from Andrew and Michelle Schmidt, landowners, for a 6-lot preliminary plat on approximately 18.06 acres of land that is zoned Agriculture-3. The property is located East of Wilson Creek Road and South of Game Farm Road, Ellensburg, Washington (Map Number 18-19-32010-0006). She indicated the Hearing Examiner recommended approval of the McIntyre Preliminary Plat and suggested Findings of Fact and Conclusions of Law.

Cathy Bambrick, Public Health Administrator, spoke of the recommendation from the Hearing Examiner's note 9B regarding metering being required on all new residential well connections and metering results shall be recorded in a manner consistent with Kittitas County and the Washington State Department of Ecology requirements. She noted with the temporary rules in place on the Memorandum of Agreement, and the new emergency rule requiring a metering statement on final mylars, she did not have a chance to discuss it with the Prosecutors office, and was not prepared to make a recommendation whether to remove it or keep it listed. Vice-Chairman Jewell asked if the Board could just list it as a condition of approval. Brent Bottoms, Deputy Prosecutor, said he had not reviewed the plats, but the Board could have it as a condition, with the records to justify the finding.

Commissioner McClain moved to approve the McIntyre Preliminary Plat (LP-08-00015), as recommended by the Hearing Examiner, with the following amendment to Item 28 to read, that if any such archeological objects as defined by RCW 27.53.030, are discovered or excavated, the owner/developer should stop work immediately and notify the Kittitas County Community Development Services Department and the Washington State Department of Archeology and Historic Preservation, as provided by the RCW, and to direct staff to prepare enabling documents. Vice-Chairman Jewell seconded. Motion carried 2-0.

Christina Wollman, Public Works Planner, reviewed an application for the Windbent Ranch Preliminary Plat (LP-08-00016), for an 8-lot preliminary plat on approximately 25.65 acres of land that is zoned Agricultural-3 , located East of Wilson Creek Road and South of Game Farm Road, in Ellensburg, Washington (Map Number 18-19-32010-0003). She indicated the Hearing Examiner recommended approval of the Windbent Ranch Preliminary Plat and suggested Findings of Fact and Conclusions of Law.

Commissioner McClain moved to approve the Windbent Ranch Preliminary Plat (LP-08-00016), as recommended by the Hearing Examiner, with the following Amendment to Item #28 to read, that if any such archeological objects as defined by RCW 27.53.030, are discovered or excavated, the owner/developer should stop work immediately and notify the Kittitas County Community Development Services Department and the Washington State Department of Archeology and Historic Preservation, as provided by the RCW, and to direct staff to prepare enabling documents. Vice-Chairman Jewell seconded. Motion carried 2-0.

**CLOSED RECORD MEETING**

**TIGER PRELIMINARY PLAT**

Christina Wollman, Public Works Planner, reviewed an application for the Tiger Preliminary Plat (LP-08-00022), for a 7-lot preliminary plat on approximately 21.06 acres of land zoned Agriculture-3, located East of the City of Ellensburg, East of Wilson Creek Road, off Mission View Drive, Ellensburg, Washington (Map Number 18-19-32020-0029). She indicated the Hearing Examiner recommended approval of the Tiger Preliminary Plat and suggested Findings of Fact and Conclusions of Law.

Commissioner McClain moved to approve the Tiger Preliminary Plat (LP-08-00022), as recommended by the Hearing Examiner, with the following Amendment to Item #27 to read, that if any such archeological objects as defined by RCW 27.53.030, are discovered or excavated, the owner/developer should stop work immediately and notify the Kittitas County Community Development Services Department and the Washington State Department of Archeology and Historic Preservation, as provided by the RCW, and to direct staff to prepare enabling documents. Vice-Chairman Jewell seconded. Motion carried 2-0.

**MISCELLANEOUS - NONE**

**EXECUTIVE SESSION**

At 10:18 a.m. Vice-Chairman Jewell announced the Board would recess into an Executive Session for fifteen (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 result in an adverse legal or financial consequence to the agency. He indicated he did not anticipate any action following. Those remaining in the Executive Session were Vice-Chairman Jewell, Commissioner Mark McClain, Brent Bottoms, Deputy Prosecutor, Greg Zempel, Prosecutor and Cathy Bambrick, Public Health Administrator.

At 10:33 a.m. the Board reconvened out of Executive Session. No action was taken.

**ADJOURNMENT**

Commissioner McClain moved to adjourn at 10:33 a.m. Vice-Chairman Jewell seconded. Motion carried 2-0.

Meeting adjourned at 10:33 a.m.

**CLERK OF THE BOARD**

**KITTITAS COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON**

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**Julie Kjorsvik**

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**Vice-Chairman, Paul Jewell**