

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

TUESDAY

10:00 A.M.

NOVEMBER 3, 2009

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

Others: Julie Kjorsvik, Clerk of the Board; Dan Valoff, Staff Planner; Neil Caulkins, Deputy Prosecutor; Kirk Holmes, Public Works/Interim Community Development Services Director; Brenda Larsen, Fire Marshal 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

JERRY MANN - HOUSING AUTHORITY

COMMISSIONERS

Perry Rowe, Director of the Housing Authority for Kittitas County, extended his appreciation to Jerry Mann for his years of dedicated service and commitment to their program and community.

Commissioner McClain moved to approve a Certificate of Appreciation to Jerry Mann for over twenty-four (24) years of services on the Housing Authority of Kittitas County. Commissioner Jewell seconded. Motion carried 3-0.

APPROVAL OF AGENDA

Commissioner McClain moved to approve the Agenda, as presented. Commissioner Jewell 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 Consent Agenda at the request of a Board member.

MINUTES

COMMISSIONER MEETINGS

COMMISSIONERS

DATE	RE:
9/14/2009	CDS Study Session
10/2/2009	Upper County Centennial Center
10/7/2009	Law & Justice Study Session
10/13/2009	HR Study Session
10/14/2009	Budget Discussion
10/15/2009	HR Study Session
10/19/2009	Office Administration
10/19/2009	Dept. Head Minutes (2)
10/19/2009	Agenda Study Session
10/20/2009	Agenda
10/26/2009	DPW Study Session
10/27/2009	CTI
10/28/2009	Sanda City - Anderson Plaque

RESOLUTION 2009-143

ECONOMIC DEVELOPMENT STRATEGY

COMMISSIONERS

Approve Resolution No. 2009-143, supporting and endorsing the Comprehensive Economic Development Strategy, presented by the Economic Development Group of Kittitas County.

INTERLOCAL AGREEMENT

HOUSING AUTHORITY

HUMAN RESOURCES

Approve an Interlocal Agreement between Kittitas County Human Resource Department and the Housing Authority of Kittitas County, for the production of employee identification cards, for the calendar year 2009.

SET PUBLIC HEARING

FIRE & LIFE SAFETY INSPECTIONS

FIRE MARSHAL

Approve setting a Public Hearing to consider staff recommendations to adopt a fee schedule for fees collected by the Kittitas County Fire Marshal's office, to be held on Tuesday November 17, 2009, at 2:00 p.m. in the Ellensburg City Council Chambers, 501 N. Anderson Street, Ellensburg, Washington, and to authorize the Clerk to publish said notice.

Approve the Kittitas County Developmental Disabilities 2009-2011 Biennial Plan, as recommended by the Kittitas County Mental Health/Developmental Disabilities Board.

CONTRACT AMENDMENT #3-CASCADE RECOVERY RESOURCE SUBSTANCE ABUSE

Approve Amendment #3 to the 2007-2009 Agreement between Kittitas County and Cascade Recovery Resource Services, in the total maximum amount of \$90,871.94, for the period beginning July 1, 2007 through June 30, 2009.

CONTRACT AMENDMENT #4-ALCOHOL DRUG DEPENDENCY SERV. SUBSTANCE ABUSE

Approve Amendment #4 to the 2007-2009 Agreement between Kittitas County and Alcohol Drug Dependency Services, in the total maximum amount of \$780,471.06, for the period beginning July 1, 2007 through June 30, 2009.

INTERAGENCY AGREEMENT CENTRAL WASHINGTON UNIVERSITY PUBLIC HEALTH

Approve an Interagency Agreement between the State of Washington, Central Washington University and the Kittitas County Public Health Department/Health Promotion Program, to maintain the Shape Up website for the Health Promotion Program of the Kittitas County Health Department, in an amount not to exceed \$650.00 (36 hours of development) at \$18.00 per hour, for the period beginning September 25, 2009 through September 24, 2010.

CONTRACT AMENDMENT #18-DEPARTMENT OF HEALTH PUBLIC HEALTH

Approve Amendment #18 to the 2007-2011 Consolidated Contract Number C14952, between the Department of Health and the Kittitas County Public Health Department, increasing the amount by \$62,942.00 for a revised maximum amount of \$1,614,321.00, effective January 1, 2007 through December 31, 2011.

CONTRACT AMENDMENT #19-DEPARTMENT OF HEALTH PUBLIC HEALTH

Approve Amendment #19 to the 2007-2011 Consolidated Contract Number C14952, between the Department of Health and the Kittitas County Public Health Department, increasing the amount by \$12,072.00 for a revised maximum amount of \$1,626,393.00, effective January 1, 2007 through December 31, 2011.

CLOSED RECORD MEETING DAKOTA HEIGHTS CLUSTER PLAT CDS

Approve setting a Closed Record Meeting to consider the Dakota Heights

Performance Based Cluster Plat (P-07-53), an application from Todd and Terry Geiger, landowners, for a 14-lot cluster plat on approximately 21.03 acres of land that is zoned Ag-3, located Southeast of the City of South Cle Elum, located off of Upper Peoh Point Road, Cle Elum, Washington (Map Number 19-16-06010-0019), to be held on Tuesday November 17, 2009 at 10:00 a.m.

CLOSED RECORD MEETING

TAKE FIVE PLAT

CDS

Approve setting a Closed Record Meeting to consider the Take Five Preliminary Plat, an application submitted by Otto Sieber, landowner, for a 7-lot preliminary plat on approximately 37.38 acres of land that is zoned Ag-5, located off of Rosa View Drive, Ellensburg, Washington (Map Number 15-19-22000-0027 & 0029, 15-19-21000-0016 & 0019), to be held on Tuesday November 17, 2009 at 10:00 a.m.

RESOLUTION 2009-144 CREATE SNOW & ICE MAINTENANCE POLICY PUBLIC WORKS

Approve Resolution No. 2009-144, Creating a Snow and Ice Maintenance Policy and to replace Resolution No. 2001-155, for Road Priority for Snow and Ice Maintenance.

SET PUBLIC HEARING

LEASE - AIRPORT BINDING SITE PLAN

PUBLIC WORKS

Approve setting a Public Hearing to consider an assignment of Lease for Lot H-40 of the Kittitas County Airport Binding Site Plan in Section 25, Township 18, Range 18, Kittitas County, Washington, to be held on Tuesday December 1, 2009 at 2:00 p.m. in the Ellensburg City Council Chambers, 501 N. Anderson Street, Ellensburg, Washington, and to authorize the Clerk to publish said notice.

LEASE

PANATTONI STORAGE UNITS - SUPPORT DIVISION

PROSECUTOR

Approve a Lease Agreement between the Kittitas County Prosecutors office and Panattoni Storage Units, at a rate of \$105.00 per month, for three months, to store furniture from the Support Enforcement office, which had been evicted from their current location.

CORRESPONDENCE - NONE

ADMINISTRATIVE MATTERS - NONE

CITIZEN COMMENTS ON NON-AGENDA ITEMS - NONE

BOARD DISCUSSION/DECISION ITEMS

PUBLIC HEARING

EVENT PERMITS & EXISTING CUP'S

PROSECUTOR

At 10:05 a.m. Chairman Crankovich opened the Public Hearing continued from October 20, 2009, to consider proposed amendments to Kittitas County Code, establishing a permitting procedure for County review of public events and a procedure for reconsideration of existing CUP's. He noted the record was closed.

Commissioner McClain wanted to be sure the changes were included by the Prosecutors office, such as the timeline for application and review, bonding if necessary and at the Board's discretion, and posting the Ordinance. Commissioner Jewell felt the document satisfied his concerns.

Chairman Crankovich said although he was absent at the Public Hearing, he had reviewed the record and felt comfortable voting on the issue.

ORDINANCE 2009-22

EVENT PERMITS & EXISTING CUP'S

PROSECUTOR

Commissioner Jewell moved to approve Ordinance No. 2009-22, Creating a Process for Obtaining an Event Permit and for the modifying or revoking of a Conditional Use Permit. Commissioner McClain seconded. Motion carried 3-0.

PUBLIC HEARING

PINE VALLEY RANCH PLAT AMENDMENT

CDS

At 10:08 a.m. Chairman Crankovich opened the Public Hearing continued from October 20, 2009, to consider the Pine Valley Ranch Plat Amendment (LP-09-00007). He noted the record was closed.

Commissioner McClain moved to deny the Pine Valley Ranch Plat Amendment request and direct staff to prepare enabling documents. Commissioner Jewell seconded.

Commissioner McClain stated his reasons for denying the request and said it was based on the record and testimony presented at the public hearing. He said the road was previously built to the same standards as the others and it needs to remain for emergency access. He felt it has a continued public benefit. Commissioner Jewell said although it was a private road, it was dedicated to the public and cannot be gated. He agreed that Forest Way was constructed to the same standards as the others and why would it be any different now. He said a Board had previously denied the request and finds no reason to change it, stating it could be utilized more in the future. Chairman Crankovich explained he was absent for the initial Public Hearing, but did review the information presented. He said he would abstain from voting on the

issue, unless it was necessary to break a tie vote.

Neil Caulkins, Deputy Prosecutor said staff would be able to prepare Findings of Fact for the Board to consider at a later date.

Motion to deny the Pine Valley Ranch Plat approved 2-0. (Chairman Crankovich abstained).

CLOSED RECORD HEARING

AIRPORT HEIGHTS PUD REZONE

CDS

Dan Valoff, Staff Planner, announced they had received a letter on October 20, 2009, from Chad Bala, Terra Design Group, requesting to withdraw the Airport Heights Planned Unit Development and Plat (RZ-08-00009 & LP-08-00026).

Commissioner Jewell moved to accept the request to withdraw the Airport Heights Planned Unit Development and Plat, as requested by Chad Bala, Terra Design Group. Commissioner McClain seconded. Motion carried 3-0.

MISCELLANEOUS - NONE

EXECUTIVE SESSION

At 10:15 a.m. Chairman Crankovich announced the Board would recess into an Executive Session for thirty (30) 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 asked for Neil Caulkins, Deputy Prosecutor; Greg Zempel, Prosecutor and Kirk Holmes, Public Works/Interim Community Development Services to remain in attendance. He did not anticipate any action following.

At 10:45 a.m. the Board reconvened out of Executive Session. No action was taken. Chairman Crankovich announced the Board would recess back into an Executive Session for thirty (30) 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 did not anticipate any action following.

At 11:15 a.m. the Board reconvened out of Executive Session. No action was taken. Chairman Crankovich announced the Board would go 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 become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. He did not anticipate any action following. Two others County employees were asked to come into the Executive Session: Cathy Bambrick, Public Health Administrator and James Rivard, Environmental Health Supervisor.

At 11:30 a.m. the Board reconvened out of Executive Session. No action was taken. Chairman Crankovich announced the Board would go back into an Executive Session for ten (10) 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. He did not anticipate any action following.

At 11:40 a.m. the Board reconvened out of Executive Session. No action was taken. Chairman Crankovich announced the Board would go back into an Executive Session for five (5) 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. He did not anticipate any action following.

At 11:45 a.m. the Board reconvened out of Executive Session. No action was taken.

ADJOURNMENT

Commissioner McClain moved to adjourn the meeting at 11:45 a.m. Commissioner Jewell seconded. Motion carried 3-0.

Meeting adjourned at 11:45 a.m.

CLERK OF THE BOARD

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

Julie Kjorsvik

Chairman Alan Crankovich