

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

TUESDAY

10:00 A.M.

NOVEMBER 17, 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; Clayton Myers, Undersheriff; Superior Court Judge Scott Sparks; Cathy Bambrick, Public Health Administrator; Robin Raap, Office Administrator; and 5 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 - NONE

APPROVAL OF AGENDA

Chairman Crankovich noted that Item H was moved from the Consent Agenda to Board Discussion & Decision, and there were a couple amendments to the Minutes.

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 Consent Agenda at the request of a Board member.

Chairman Crankovich noted that Item H was moved from the Consent Agenda to Board Discussion & Decision, and there were a couple amendments to

the Minutes.

Commissioner McClain moved to approve the Consent Agenda, as amended. Commissioner Jewell seconded. Motion carried 3-0.

MINUTES

COMMISSIONER MEETINGS

COMMISSIONERS

DATE	RE:
8/11/2008	Public Works Study Session
12/8/2008	Public Works Study Session
12/22/2008	Public Works Study Session
1/12/2009	Public Works Study Session
1/26/2009	Public Works Study Session
2/23/2009	Public Works Study Session
3/23/2009	Public Works Study Session
9/14/2009	Public Works Study Session
10/8/2009	Solid Waste/Maintenance/Fair Study Session
10/26/2009	BOCC Office Admin.
10/26/2009	Dept. Head - Public Health (3)
10/26/2009	Dept. Head - Maintenance
10/26/2009	Dept. Head - Prosecutor
11/2/2009	BOCC Office Admin.
11/2/2009	Dept. Head - Solid Waste
11/2/2009	Dept. Head - Prosecutor
11/2/2009	Agenda Study Session
11/2/2009	Executive Session
11/3/2009	Agenda
11/4/2009	Executive Session
11/9/2009	BOCC Office Admin.
11/9/2009	Dept. Head - Cancelled
11/9/2009	Executive Session - 11:00
11/9/2009	Executive Session - 1:00
11/9/2009	Public Works Study Session
11/9/2009	CDS Study Session

APPOINTMENT ROBERT GREGERICH-NOXIOUS WEED CONTROL BOARD COMMISSIONERS

Approve the appointment of Robert Gregerich to the Kittitas County Noxious Weed Control Board, for Section #2, for a term effective immediately and expiring in March 2011.

APPOINTMENT BERNARD KRAMER-LODGING TAX ADVISORY COMMITTEE COMMISSIONERS

Approve the appointment of Bernard Kramer, Director of Catering and Conference Planning for Suncadia, to the Kittitas County Lodging Tax Advisory Committee.

APPOINTMENT MARGARET NOVER-SOLID WASTE ADVISORY COMMITTEE COMMISSIONERS

Approve the appointment of Margaret Nover as an Ad-Hoc member on the Kittitas County Solid Waste Advisory Committee, for a term effective immediately.

APPOINTMENT JEFFREY ST. JOHN - CIVIL SERVICE COMMISSIONERS

Approve the appointment of Jeffrey St. John to the Kittitas County Civil Service Commission, for a term effective immediately and expiring June of 2015, noting the requirements to have party affiliation on the Commission, and Mr. St. John's Democrat affiliation.

APPOINTMENT JEFFREY ST. JOHN - VETERAN'S ADVISORY COMMISSIONERS

Approve the appointment of Jeffrey St. John to the Kittitas County Veterans Advisory Board, for a term effective immediately.

SET PUBLIC HEARING CDBG PUBLIC SERVICE GRANT COMMISSIONERS

Approve setting a Public Hearing to consider the 2010 Community Development Block Grant (CDBG), Public Service funds in the total amount of \$110,965.00, to be held on Tuesday December 1, 2009, at 2:00 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse 205 West 5th Avenue, Ellensburg, Washington, and to authorize the Clerk to publish said notice.

REQUEST TO APPROVE A RESOLUTION AWARDDING FUNDING FOR A SPECIAL GRANT PURSUANT TO THE LAW & JUSTICE COUNCIL'S RECOMMENDATION ON SPENDING OF 1/10TH OF 1% SALES TAX RESERVE - MOVED TO BOARD DISCUSSION & DECISION

INTERLOCAL AGREEMENT FRANKLIN COUNTY - WORK RELEASE INMATES SHERIFF

Approve an Interlocal Agreement between Franklin County and Kittitas County for Kittitas County Supervising Franklin County's Work Release Inmates.

AGREEMENT RETROSPECTIVE RATING PLAN AUDITOR

Approve an Individual Retrospective Rating Plan Agreement with the Department of Labor & Industries, for the period January 1, 2009 through December 31, 2010.

LEASE AMENDMENT - VANTAGE WIND ENERGY SOLID WASTE

Approve a Lease Amendment with Vantage Wind Energy for a Lease at Ryegrass, which outlines the legal description of the property.

CHANGE ORDER

BELSAAS & SMITH

SOLID WASTE

Approve Change Order No. 4 between Kittitas County Solid Waste and Belsaas & Smith, in the amount of \$10,647.61, for the Compost Facility project, bringing the total adjusted contract amount to \$897,986.84.

RESOLUTION 2009-146

MARION PERFORMANCE BASED CLUSTER PLAT

CDS

Approve Resolution No. 2009-146, Granting Preliminary Plat Approval of the Marion Performance Based Cluster Plat (P-06-06), submitted by Chad Bala of Terra Design Works, Inc., authorized agent for Fowler Creek Trust, landowner, for 12-lots, on approximately 18.02 acres of land that is zoned Agriculture-3, 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).

SET PUBLIC HEARING

ANNUAL COMP PLAN AMENDMENTS & COMPLIANCE ISSUES

CDS

Approve setting a Public Hearing to consider the Planning Commission's recommendation for the Kittitas County Comprehensive Plan GMA Compliance issues and the 2009 Annual Comprehensive Plan Amendments including the Docketed Map and Text Amendments, recommended Development Regulation changes, and Open Space requests, to be held on Tuesday December 8, 2009 at 6:30 p.m. at the Teanaway Hall (Home Arts Building) at the Kittitas Valley Event Center, 512 N. Poplar Street, Ellensburg, Washington, and to authorize the Clerk to publish said notice.

CALL FOR BIDS

MAINTENANCE ROCK

PUBLIC WORKS

Approve a Notice of Call for Bids to Furnish Maintenance Rock for the 2010 Calendar Year, in accordance with specifications prepared by Kittitas County, to be publicly opened and read aloud at 2:00 p.m. on December 2, 2009, and to authorize the Clerk to publish said notice.

CALL FOR BIDS

PETROLEUM & LUBRICANT PROJECTS

PUBLIC WORKS

Approve a Notice of Call for Bids to Furnish Petroleum and Lubricant Products for the 2010 Calendar Year, in accordance with specifications prepared by Kittitas County, to be publicly opened and read aloud at 2:00 p.m. on December 2, 2009, and to authorize the Clerk to publish said notice.

CONFLICT WAIVER

BRENT BOTTOMS - HEAD START

PROSECUTOR

Acknowledge a Conflict Waiver for Deputy Prosecuting Attorney, Brent Bottoms, to hold a position on the Board of Directors of Head Start for Kittitas County.

CORRESPONDENCE - NONE

ADMINISTRATIVE MATTERS - NONE

CITIZEN COMMENTS ON NON-AGENDA ITEMS - NONE

BOARD DISCUSSION/DECISION ITEMS

CLOSED RECORD MEETING

DAKOTA HEIGHTS CLUSTER PLAT

CDS

Dan Valoff, Staff Planner, reviewed the Dakota Heights Performance Based Cluster Plat (P-07-53) application submitted by Todd and Terry Geiger, landowners, for a 14-lot cluster plat on approximately 21.03 acres of land that is zoned Ag-3. The property is 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). The Hearing Examiner held an open record hearing and issues a recommendation of preliminary plat approval of the proposed cluster plat.

Commissioner Jewell commented on the March 16, 2009 letter from the Department of Ecology, noting the Rule that was in place when it was written is not longer in effect and there is now a moratorium in place. Mr. Valoff explained that Brent Bottoms, Deputy Prosecutor, had drafted proposed language to add on the "legacy" plats due to the recent events and current water situation in the Upper County. Commissioner McClain believed there needed to be language added to let the applicant know for certain what would need to occur in order to obtain any final approval.

Commissioner Jewell moved to approve the Dakota Heights Performance Based Cluster Plat (P-07-53) and proposed Findings of Fact, Conclusions of Law, Decision and Conditions, as recommended by the Hearing Examiner, conditioned upon the applicant submitting a determination of water neutrality from the Department of Ecology, noting the requirement may be waived at the final approval stage if Ecology has modified the Upper Kittitas County Ground Water Rule in such a way that a determination is no longer required and the applicant has met all requirements of the modified rule; and if any archeological objects as defined by RCW 27.53.030 are discovered or excavated, the owner/developer/contractor shall stop work immediately and notify the Kittitas County Department of Community Development Services and the Washington State Department of Archaeology and Historic Preservation, as provided by RCW 27.53.020, and to direct staff to prepare enabling documents. Commissioner McClain seconded. Chairman Crankovich noted for the record, that there are no guarantees and the applicants are entering into their own risk with a chance that nothing may happen in the future. Motion carried 3-0.

Dan Valoff, Staff Planner, reviewed the Take Five Preliminary Plat (LP-08-00032) submitted by Otto Sieber, landowner, for a 7-lot Preliminary Plat on approximately 37.38 acres of land zoned Agriculture-5, located off of Rosa View Drive, Ellensburg, Washington (Map Number 15-19-22000-0027 & 0029, 15-19-21000-0016 & 0019). He indicated the Hearing Examiner held an open record hearing and issued a recommendation of preliminary plat approval. He noted the comments received from the Confederated Tribes and Bands of the Yakama Nation.

Commissioner Jewell moved to approve the Take Five Preliminary Plat (LP-09-00032) and proposed Findings of Fact, Conclusions of Law, Decision and Conditions, as recommended by the Hearing Examiner, and to add a condition that states if any archeological objects as defined by RCW 27.53.030 are discovered or excavated, the owner/developer/contractor shall stop work immediately and notify the Kittitas County Department of Community Development Services and the Washington State Department of Archaeology and Historic Preservation, as provided by RCW 27.53.020, and to direct staff to prepare enabling documents. Commissioner McClain seconded. Motion carried 3-0.

RESOLUTION 2009-145

SPECIAL LAW & JUSTICE GRANT

PROSECUTOR

Commissioner Jewell moved to approve Resolution No. 2009-145, Awarding Funding for a Special Grant Pursuant to Law & Justice Council's Recommendation on Spending of 1/10th of 1% Sales Tax Reserves, in the amount of \$10,000.00 for an Impact Assessment Project by Dr. Charles E. Reason, Ph.D., J.D., from Central Washington University, and to direct staff to prepare a Contract for Services with the assistance of the Prosecutors to be placed on a future agenda for the Boards consideration. Commissioner McClain seconded. Motion carried 3-0.

MISCELLANEOUS - NONE

EXECUTIVE SESSION

ADJOURNMENT

Commissioner Jewell moved to adjourn the meeting at 10:27 a.m. Commissioner McClain seconded. Motion carried 3-0.

Meeting adjourned at 10:27 a.m.

CLERK OF THE BOARD

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

Julie Kjorsvik

Chairman Alan Crankovich