

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

WEDNESDAY

2:30 P.M.

JULY 27, 2011

Board members present: Chairman Paul Jewell and Vice-Chairman Alan Crankovich. Commissioner O'Brien was absent.

Others: Catherine Dunn, Deputy Clerk of the Board, Sue Higginbotham, Elections Officer; Zera Lowe, Deputy Prosecutor; DJ Evans, Chief and Dean Evans, Commissioner, Fire District #1; Russ Hobbs, Chief and Bob Cernick, Kent Verbeck, Calvin Beedle, Commissioners and Ray Risdon, Administration, Fire District #7; Eric Melbardis, Horizon Wind Energy and Charles Eiler from the public.

SPECIAL MEETING

FIRE DISTRICT 7 ANNEXATION

COMMISSIONERS

At 2:30 p.m. **Chairman Jewell** opened a Special Meeting to discuss a request from Kittitas County Fire District #1 to rescind an annexation by Kittitas County Fire District #7 completed March 29, 2011.

Zera Lowe, Deputy Prosecutor, presented her report, which was sent to both districts as well as the Board of Commissioners. She said she consulted with Municipal Research and Services Center (MRSC) on the annexation questions. She said there was a dispute over the annexation and she was asked whether the Board had any authority at this point. She said all the correct processes had been followed for the annexation and the only recourse was for Fire District #7 to initiate a withdrawal of the annexation. She said the Board of Commissioners doesn't have any authority over the annexation done under the election method.

Chairman Jewell asked her to explain the election method. **Ms. Lowe** said a Resolution by the initiating Fire District passed upon the request of the electors. 15% of the registered voters in the area are needed to petition for the election. If the amount is 60% or more of the registered voters, an election is not required. There is no public hearing required as the electors signatures are certified and the legal description is verified for eligibility by the Auditor's office. The Fire District may request that no hearing be held.

Chairman Jewell asked if the Board could consider public testimony. **Ms. Lowe** said no hearing was required but there is not a problem with having a hearing so people can give their opinion.

APPROVED
8/2/2011

Chairman Jewell asked about the August 1 deadline he was told about. **Ms. Lowe** said she knew of no deadline pertaining to this annexation. **Dean Evans, Commissioner, Fire District #1**, said they were told that no amendments could be made after August 1. **Chairman Jewell** asked **Ms. Lowe** about amendments. She said that no withdrawals of a particular area could be made without a finding from the annexing District stating the District would lower their levy rate because of the annexation. They would need to pass a resolution and send it to the Board of Commissioners. This would be the only way the Board would have authority to act.

Chairman Jewell said this lays out the fact that the Board cannot do anything about the request from Fire District #1. **Commissioner Crankovich** said in view of the fact the amendment may come before them, the Board cannot consider this any further.

Eric Melbardis, Horizon Wind Energy Operations Manager, asked if there was a process that checks the legal description for accuracy. He said he thought this could have been caught earlier. **Chairman Jewell** said it is checked by the Auditor's Office and the Fire District submitting the annexation.

Russ Hobbs, Chief, Fire District #7, said he apologized for this controversy as he thought everyone was satisfied with the annexation. He said he was also surprised to find five windmills on the newly annexed area.

DJ Evans, Chief, Fire District #1, thanked the Board for having the meeting. He said Fire District #7 had the opportunity to fix this problem but the maps were wrong. He said he appreciated that the Board can only do so much.

Chairman Jewell said if Fire District #7 wants to amend the area, it will come before the Board and they cannot do anything more.

Dean Evans, Commissioner, Fire District #1, thanked the Board for the meeting and said they were willing to work with Fire District #7. **Commissioner Crankovich** said that was the desired outcome.

The meeting was adjourned at 2:55 p.m.

DEPUTY CLERK OF THE BOARD


Catherine Dunn

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON


Paul Jewell, Chairman