

**COMMISSIONERS' MINUTES  
KITTITAS COUNTY, WASHINGTON  
COMMISSIONER'S CONFERENCE ROOM  
SPECIAL MEETING**

**MONDAY**

**1:00 P.M.**

**JULY 29, 2013**

Board members present: Chairman Obie O'Brien; Vice-Chairman Paul Jewell and Commissioner Gary Berndt.

Others: Mandy Buchholz, Deputy Clerk of the Board; Neil Caulkins, Deputy Prosecutor; Patti Johnson, Solid Waste Director/Project Manager; Judy Pless, Budget and Finance Manager; Robert L. Olson, Special Deputy Prosecutor for Kittitas County (Schlemlein Goetz Fick & Scruggs, PLLC) and one member of the public.

**SPECIAL MEETING**

**EXECUTIVE SESSION**

**COMMISSIONERS**

At 1:05 p.m. Chairman O'Brien opened a Special Meeting and announced the Board would recess into Executive Session for 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. Potential action was anticipated.

At 1:15 p.m. the Board reconvened from Executive Session. No action was taken.

At 1:15 p.m. Chairman O'Brien announced the Board would recess back into Executive Session for an additional 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. Potential action was anticipated.

At 1:25 p.m. the Board reconvened from Executive Session.

Commissioner Jewell moved to approve Kittitas County Special Deputy Prosecutor Robert Olson sending a letter on behalf of the Kittitas County Commissioners to Anthony E. Grabicki, Bankruptcy Trustee in response to Skyline Contractors, Inc. Case No. 13-00487-PCW Analysis of Debtor's Claim against Kittitas County (RLO DRAFT#1). Commissioner Berndt seconded. Motion carried 3-0.

Patti Johnson, Solid Waste Director/Project Manager requested direction regarding the Armory project. She stated that she has met with the two contractors on-site as directed by the Board previously. She stated that both contractors indicated that the increased cost was due to their sub-contractors and the fact that they had to guarantee someone else's work. She indicated that the Board could either reject all bids, go back out to bid or accept the low bidder by Resolution during a future Agenda Session. She stated that if the Board chooses to go out for advertisement again she had some changes to suggest.

Commissioner Berndt questioned if the concept of value engineering had been considered.

Commissioner Jewell stated that the County was expecting a balloon payment into the REET fund due to the Teanaway acquisition. He suggested that staff work with Judy Pless, Budget and Finance Manager to put a financial package together and then have all those involved with the project come together to discuss funding options. He suggested the Board move forward with the low bid.

Patti Johnson, Solid Waste Director/Project Manager indicated that the low bid does not include a contingency plan however due to a lot of the work being done that usually consumes the contingency plans, she was hopeful there wouldn't be much activity impacting the contingency plan. She suggested a 10% contingency to be safe.

Commissioner Jewell suggested staff prepare a Resolution to accept the low bid on the Armory Project for consideration at the next regular Agenda Session.

Meeting adjourned at 1:40 p.m.

**DEPUTY CLERK OF THE BOARD**

  
Mandy Buchholz

**KITTITAS COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON**

  
Obie O'Brien, Chairman