

KITTITAS COUNTY
BOARD OF COMMISSIONERS
COMMISSIONERS CONFERENCE ROOM
SPECIAL MEETING

MONDAY

11:00 A.M.

SEPTEMBER 23, 2013

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

Others: Mandy Buchholz, Deputy Clerk of the Board; Greg Zempel, Prosecutor; and two members of the public.

SPECIAL MEETING DYKSTRA-CLARKE PROPOSAL COMMISSIONERS

At 11:08 a.m. Chairman O'Brien opened a Special Meeting to consider a proposal for outside counsel services regarding Kittitas County water resource issues.

Commissioner Jewell stated that with all the work they are doing on finding water solutions for the County, it's come to the point where it's appropriate to enlist council that specializes in water rights. He stated that a copy of a proposal from Bill Clarke, Attorney at Law & Government Affairs and Peter Dykstra, Partner, Plauche & Carr LLP has been provided for the Board review. He stated that bringing these two qualified Attorneys on for the project would require the County Prosecutor to appoint them as "Special Attorneys" to the County as it's temporary and one time money.

Chairman O'Brien questioned where the County Prosecutor was with the request.

Greg Zempel, Prosecutor explained that currently the County Civil Division doesn't have the man-power to handle water banking. He was not opposed to the idea as long as the County is working closely with them throughout the process. He explained that he would like to see the money go towards hiring another in house Deputy for the County and free up Deputy Prosecutor Neil Caulkins time to allow him to tackle the water banking. He stated that this team (Clarke/Dykstra) seems to be very qualified, however he stressed that the proposed 6 month timeline doesn't seem to be realistic and cautioned the Board to plan for additional expenses. He stated that if the team is hired then he would condition it upon them working closely with County Deputy Prosecutor Neil Caulkins because he will be the

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one that will have to defend the County and the water banking in the future.

Commissioner Jewell stressed the importance of hiring experts and at the very minimum and having then get the project off the ground. Mr. Zempel stated that he felt they could hire an in-house Prosecutor to be project specific for 2-3 years and at the end of the project the position goes away. Commissioner Jewell explained why he is not supportive of hiring employees off of one-time funding.

Commissioner Berndt stated that he needed to see deliverables in the proposal and questioned if there were other Attorneys that specialized in water banking and if they had been considered.

Commissioner Jewell encouraged the Board to meet with both Mr. Clarke and Mr. Dykstra. He stated that he would set up another meeting for the Board and Mr. Zempel to meet with both gentlemen and allow everyone to come together and ask questions.

Steve Lathrop, Lathrop, Windbauer, Harrel, Slothower & Denison L.L.P. cautioned the Board on the long term expenses and stated that he (his firm) would like to be considered for setting up the water banking set up.

OTHER BUSINESS

Lila Hanson, Citizen presented the Board with pocket book copies of the constitution. She explained that she had acquired them a long time ago and was going through files and didn't feel right about discarding them since they had the County stamp on them.

The meeting was adjourned at 11:48 a.m.

DEPUTY CLERK OF THE BOARD


Mandy Buchholz

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON


Chairman Obie O'Brien