

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

TUESDAY

10:00 A.M.

MAY 6, 2014

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

Others: Julie Kjorsvik, Clerk of the Board; Lindsey Ozbolt, Staff Planner; Robin Read, Public Health Administrator; Neil Caulkins, Deputy Prosecutor; Amy Kocher, DD Program Coordinator; Michael Nigrey, Deputy Prosecutor; Jeff Watson, Staff Planner; Brenda Larsen, Fire Marshal; Kirk Holmes, Public Works Director/Interim Building Official; Roy Chance, Construction Manager and 10 members of the public.

CALL TO ORDER

Chairman Jewell called the meeting to order.

PLEDGE OF ALLEGIANCE

Chairman Jewell led the Pledge of Allegiance.

INTRODUCTION OF NEW COUNTY EMPLOYEES

Robin Read, Public Health Administrator introduced Amy Kocher as the new Developmental Disabilities Program Coordinator.

PROCLAMATION

OLDER AMERICANS MONTH

COMMISSIONERS

Commissioner Berndt moved to approve a Proclamation declaring May as Older Americans Month in Kittitas County and urge citizens to take the time to recognize older adults and the people who serve and support them as powerful and vital individuals who greatly contribute to the community. Commissioner O'Brien seconded. Motion carried 3-0.

PROCLAMATION

NATIONAL POLICE WEEK

SHERIFF

Commissioner Berndt moved to approve a Proclamation declaring May 11 - 17, 2014 as Police Week in Kittitas County and salutes the service of law enforcement officers in our community and in communities across the nation. Commissioner O'Brien seconded. Motion carried 3-0.

PROCLAMATION

PUBLIC WORKS WEEK

PUBLIC WORKS

Commissioner Berndt moved to approve a Proclamation declaring May 18 - 24, 2014 as Public Works Week and urge all citizens to recognize our public employees, and to recognize the substantial contributions they have made to our national health, safety, welfare and quality of life. Commissioner O'Brien seconded. Motion carried 3-0.

AWARDS & RECOGNITIONS - NONE

APPROVAL OF AGENDA

Chairman Jewell noted Consent Items C & Z had been removed from the Agenda.

Commissioner Berndt moved to approve the Agenda, as amended. Commissioner O'Brien 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 Jewell noted Consent Items C & Z had been removed from the Agenda.

Commissioner Berndt moved to approve the Consent Agenda, as presented. Commissioner O'Brien seconded. Motion carried 3-0.

MINUTES

DATE	MINUTES
02/25/2014	Executive Session - Project Updates
03/11/2014	Executive Session
03/25/2014	Staffing Meeting
04/07/2014	Public Hearing - CDS, Ag Activities
04/08/2014	Meeting - Rental Contract, PSA
04/10/2014	Meeting - Cancelled
04/10/2014	Executive Session
04/14/2014	Office Admin. Meeting
04/14/2014	Dept. Head - Lower Court
04/14/2014	Dept. Head - Maintenance
04/14/2014	Agenda Study Session
04/14/2014	IT Meeting
04/15/2014	Agenda

04/15/2014	Public Hearing - CDBG Public Service Grant
04/15/2014	Public Hearing - ATV
04/16/2014	Public Hearing - ATV Cont.
04/21/2014	Office Admin. Meeting
04/21/2014	Dept. Head - Misd. Probation
04/21/2014	Dept. Head - Auditor
04/21/2014	Dept. Head - Public Works
04/21/2014	Maintenance Meeting
04/22/2014	Meeting - Cancelled
04/23/2014	Fairgrounds Update
04/28/2014	Executive Session
04/28/2014	Dept. Head - Public Health
04/28/2014	Dept. Head - HR
04/28/2014	2014 Work Plan

RESOLUTION 2014-078

CLERK'S OFFICE HOURS

CLERK

Approve Resolution No. 2014-078, Amending the Clerk's Office Hours to 8:30 a.m. to 12:00 p.m. and 1:00 p.m. to 4:30 p.m. to allow for better customer service to the users of Superior Court.

REQUEST TO APPROVE A NOTICE OF CALL FOR BIDS FOR OIL AND ANTIFREEZE RECYCLING: ITEM REMOVED FROM THE AGENDA

AGREEMENT

CANON SOLUTIONS AMERICA

PROBATION SERVICES

Approve a Maintenance Agreement with Canon Solutions America, Inc. for a Multi-Function Print Device (Copier) in the Misdemeanant Probation Services Department.

SPECIAL EVENT

WHISKY DICK TRIATHLON & 10K RUN

COMMISSIONERS

Approve a Special Event Application from BuDu Racing to hold the 2014 Whisky Dick Triathlon & Whisky Dick 10K Run on July 27, 2014; granting a waiver to Kittitas County Code Chapters 5.20.100 (Penal Bond - Bond of Indemnity) and 5.20.160 (Closing Hours), conditioned upon complying with the requirements set forth by the Public Health Department, Public Works Department and Sheriff's Department.

SPECIAL EVENT

MFG NINE2FIVE

COMMISSIONERS

Approve a Special Event Application from Low Pressure Promotions, LLC to hold the MFG Nine2Five (Mountain Bike Race) event on Saturday July 26, 2014; granting a waiver to Kittitas County Code Chapters 5.20.100 (Penal Bond - Bond of Indemnity) and 5.20.160 (Closing Hours), conditioned upon complying with the requirements set forth by the Public Works

AMENDMENT

GSI WATER SOLUTIONS, INC.

COMMISSIONERS

Approve an Amendment to the Professional Services Agreement between GSI and Kittitas County for hydrogeologist services for the Upper Kittitas Groundwater study, in an amount not to exceed \$38,514.23, through December 31, 2014.

RESOLUTION 2014-081

KITTITAS COUNTY FIRE DISTRICT #4

AUDITOR

Approve Resolution No. 2014-081, Authorizing an Interlocal Agreement with Kittitas County Fire District #4, to access the County's Small Works and Small Purchases Rosters.

AMENDMENT

DEPARTMENT OF SOCIAL & HEALTH SERVICES

AUDITOR

Approve Amendment No. 1 to Contract No. 1363-73741 between the Washington State Department of Social & Health Services Financial Services and Kittitas County, beginning July 1, 2014 through June 30, 2015.

AGREEMENT

INDIGENT VETERANS' ASSISTANCE PROGRAM

AUDITOR

Approve an Agreement between Kittitas County and the Kittitas County Veterans' Coalition for the Indigent Veterans' Assistance Program, in the amount of \$500.00 per month.

RESOLUTION 2014-082

BID-SUPER SHOT CRACK FILL MACHINE

PUBLIC WORKS

Approve Resolution No. 2014-082, Awarding a Bid to Dispose of E.R.R. Fund Equipment No. 461 - Used 2001 Super Shot Crack Fill Machine and to Award a Bid to Furnish One New 2014 Crack Fill Machine to Arrow Construction Supply, Inc. and to authorize the Public Works Director to sign the Contract documents.

RESOLUTION 2014-083

TEANAWAY ROAD PROJECT

PUBLIC WORKS

Approve Resolution No. 2014-083, Authorizing the Chair to sign Professional Engineering Task Order No. 34 for the Teanaway Road Improvement Project, in the amount of \$214,777.00, to be completed by June 30, 2015.

RESOLUTION 2014-084

CRP TEANAWAY ROAD IMPROVEMENT PROJECT

PUBLIC WORKS

Approve Resolution No. 2014-084, County Road Project No. 259-14, for the Teanaway Road Improvement Project, Road Log No. 28500 from Milepost 0.00 to Milepost 7.29.

SET PUBLIC HEARING SPEED LIMIT ON KITTITAS HIGHWAY PUBLIC WORKS

Approve Setting a Public Hearing to Consider Reducing the Posted Speed Limit on Kittitas Highway from Mile Post 1.34 between Magnolia Street and Pfenning Road, to Mile Post 2.36 at No. 6 Road, to be held on Tuesday June 3, 2014 at 2:00 p.m. in the Commissioners Auditorium, Room 108, Kittitas County Courthouse 205 West 5th Avenue Ellensburg, and to authorize the Clerk to publish said notice.

SET PUBLIC HEARING IRRIGATION FRANCHISE-CEDAR COVE ROAD PUBLIC WORKS

Approve Setting a Public Hearing to Consider an Irrigation Franchise from Cedar Cove Irrigation Holders along Cedar Cove Road, to be held on Tuesday June 3, 2014 at 2:00 p.m. in the Commissioners Auditorium, Room 108, Kittitas County Courthouse 205 West 5th Avenue Ellensburg, and to authorize the Clerk to publish said notice.

SET PUBLIC HEARING IRRIGATION FRANCHISE - FOX ROAD PUBLIC WORKS

Approve Setting a Public Hearing to Consider an Irrigation Franchise crossing Fox Road, to be held on Tuesday June 3, 2014 at 2:00 p.m. in the Commissioners Auditorium, Room 108, Kittitas County Courthouse 205 West 5th Avenue Ellensburg, and to authorize the Clerk to publish said notice.

SET PUBLIC HEARING WATER LINE FRANCHISE-ALL SEASONS DRIVE PUBLIC WORKS

Approve Setting a Public Hearing to Consider a Non-Commercial Water Line Franchise along All Seasons Drive, to be held on Tuesday June 3, 2014 at 2:00 p.m. in the Commissioners Auditorium, Room 108, Kittitas County Courthouse 205 West 5th Avenue Ellensburg, and to authorize the Clerk to publish said notice.

RESOLUTION 2014-085 NO. 6 ROAD PROJECT PUBLIC WORKS

Approve Resolution No. 2014-085, Authorizing Amendment No. 1, Project Agreement for Construction Proposal for No. 6 Road Project No. 1913-01 between Kittitas County and the State of Washington County Road Administration Board.

CALL FOR BIDS LANDOLL HAUL ALL TRAILER/SLIDING AXLE TRAILER PUBLIC WORKS

Approve a Call for Bids to Dispose of E.R.R. Equipment No. 250 - Used 1995 48' Landoll Haul All Trailer and a Call for Bids to purchase One (1) New 2014 53' Sliding Axle Trailer, to be accepted until May 22, 2014 at 2:00 p.m. at the Kittitas County Public Works Department, 411 N. Ruby, Suite 1, Ellensburg, WA and to authorize the Clerk to publish said notice.

REQUEST TO APPROVE A PROFESSIONAL SERVICES CONTRACT WITH THE KITTITAS COUNTY CHAMBER OF COMMERCE FOR TOURISM: 2014 PROMOTIONS & MARKETING - ITEM REMOVED FROM THE AGENDA

RESOLUTION 2014-086

RFQ - LODGING TAX

COMMISSIONERS

Approve Resolution No. 2014-086, Authorizing the Kittitas County Lodging Tax Advisory Committee to Advertise a Request for Qualifications for Consulting Firms to Develop a Regionally-Based, Long Term Capital Facilities Plan for Government Owned Tourism Related Infrastructure Projects, to be accepted until May 23, 2014 at 5:00 p.m. in the Kittitas County Commissioners Office 205 West 5th Avenue, Suite 108, Ellensburg, WA and to authorize the Clerk to publish said notice.

CORRESPONDENCE - NONE

ADMINISTRATIVE MATTERS - NONE

CITIZEN COMMENTS ON NON-AGENDA ITEMS

John Ufkes said he lived in the Badger Pocket area and expressed concerns of a 60,000 square foot marijuana production/processing plant going in around his neighborhood. He said the nature of their community is not commercial and requested the Commissioners to go back to their Civil Prosecutors office and go through the Comprehensive Plan amendment process instead. He thought it should be a site specific rezone instead of being able to just walk into the front counter and get a permit administratively.

Stephanie Kendrick agreed with Mr. Ufkes' comments and did not understand how a production/processing plant would fit into an Agriculture community.

Karen Kraft spoke against a marijuana plant going into the area and said she moved away from Seattle and didn't want to see Seattle coming to Kittitas County.

Wendy Mason agreed with the other comments and said she wanted children to be raised to feel safe and it was unacceptable to have a marijuana processing/production plant in the area.

Chris Holt felt it was a mistake and would destroy our community and atmosphere if a marijuana production/processing plant were to go into the area and asked for a vote in Kittitas County to see if it should be allowed or not.

BOARD DISCUSSION/DECISION ITEMS

ORDINANCE 2014-004

PROCESSING & PRODUCTION OF MARIJUANA

CDS

Commissioner O'Brien moved to approve Ordinance No. 2014-004, revising Kittitas County Code Chapter 17, Zoning, for the Purpose of Allowing the Growth and Processing of Marijuana in Unincorporated Kittitas County. Commissioner Berndt seconded.

Commissioner O'Brien explained how it was not an easy vote for him. He said there was already marijuana in the County as the Sheriff's Department took out approximately 6,500 plants last year. He said the applicants will have quite a few hurdles to go through in order to meet the necessary requirements and reminded everyone that retail sales will not be allowed in the unincorporated areas.

Commissioner Berndt said he found I-502 astonishing however, the voters of Washington State approved it even though it was still against Federal law. He reviewed the maximum square footage allowed within the State and how the State plans on taxing every phase.

Chairman Jewell said he appreciated the Board and Staff's work but would be opposing the motion due to various concerns. He said although the County should use their authority to regulate and control marijuana, he felt the proposed restrictions were too simplistic and the impacts were unknown since it's a new industry. A couple of his concerns related to water, signage in rural areas, and thought there should be site specific review of every application. He expressed disappointment on how the State Legislature refused to provide any relief this past session.

Motion carried 2-1 (Chairman Jewell opposed the motion).

CLAIM FOR DAMAGES

JP ULTIMATE ENTERTAINMENT

PROSECUTOR

Commissioner Berndt moved to authorize the Prosecutors office to negotiate through the Insurance Adjuster for an amount up to \$4,000.00, as an adjusted estimate of the value of the claim, less non-recoverable depreciation, for a Claim of Damages filed with the Kittitas County Auditor's office on March 5, 2014, by JP Ultimate Entertainment through Jose Perez and Vicki Holleman. Commissioner O'Brien seconded.

Commissioner Jewell moved to amend the motion to include payment upon receipt of a signed Release of All Claims, prior to issuance of a check. Commissioner O'Brien seconded. Motion carried 3-0.

Main motion approved 3-0.

Commissioner Berndt moved to deny a Claim for Damages from Edward & Julie Harnett, filed in the Kittitas County Auditor's office on April 11, 2014, as recommended by the Prosecutors office. Commissioner O'Brien seconded. Motion carried 3-0.

EXECUTIVE SESSION - NONE

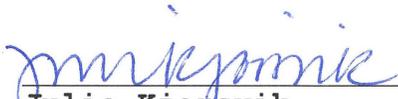
ADJOURNMENT

Commissioner Berndt moved to adjourn the meeting at 11:30 a.m. Commissioner O'Brien seconded. Motion carried 3-0.

Meeting adjourned at 11:30 a.m.

CLERK OF THE BOARD

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**


Julie Kjorsvik


Paul Jewell, Chairman