

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

**TUESDAY**

**10:00 A.M.**

**FEBRUARY 17, 2015**

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

Others: Julie Kjorsvik, Clerk of the Board; Kathy Jurgens, Finance Systems Manager/Interim Public Works Director; Candie Leader, Administrative Assistant/Interim Airport Manager; Judy Pless, Budget & Finance Director; Angela Bugni, Legal Secretary; Christopher Horner, Deputy Prosecutor; Roy Chance, Construction Manager; Lindsey Ozbolt, Staff Planner; Christina Wolman, Staff Planner; Brett Wachsmith, Treasurer; Doug D'Hondt, Engineer; Jim Van De Venter, Maintenance Manager; Neil Caulkins, Deputy Prosecutor; Marsha Weyand, Assessor; Doug Mitchell, Deputy Prosecutor; Mandy Buchholz, Deputy Clerk of the Board; Nick Henderson, Coroner; Jeff Watson, Staff Planner; Robin Read, Public Health Administrator; Tiffany Ray, Tax Roll Deputy; Jan Ollivier, Transportation Manager; Doc Hansen, Planning Official and approximately 18 members of the public.

**CALL TO ORDER**

Chairman Berndt called the meeting to order.

**PLEDGE OF ALLEGIANCE**

Chairman Berndt led the Pledge of Allegiance.

**INTRODUCTION OF NEW COUNTY EMPLOYEES**

Brett Wachsmith, Treasurer introduced Tiffany Ray as their new Tax Roll Deputy.

**PROCLAMATION**

**ROYLENE CRAWFORD DAY**

**COMMISSIONERS**

Commissioner Jewell moved to approve a Proclamation declaring February 19, 2015 as Roylene Crawford Day in Kittitas County. Commissioner O'Brien seconded. Motion carried 3-0.

**AWARDS & RECOGNITIONS - NONE**

**APPROVAL OF AGENDA**

Chairman Berndt explained that due to the holiday closure on Monday February 16, 2015 the Board of County Commissioners did not have an Agenda Study Session therefore they would review each item on the Consent Agenda before making a motion. He noted there was an Executive Session anticipated at the conclusion of the Agenda Session.

Chairman Berndt asked that Consent Item L be moved to Board Discussion & Decision.

Commissioner O'Brien moved to amend the Agenda by moving Consent Item L to Board Discussion & Decision. Commissioner Jewell seconded. Motion carried 3-0.

Commissioner O'Brien moved to approve the Agenda, as amended. Commissioner Jewell 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 Berndt noted Consent Item L had been moved to Board Discussion & Decision.

The following motion was approved upon reviewing each item under the Consent Agenda.

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

**MINUTES**

DATE	MINUTES
01/07/2015	Law & Justice Study Session
01/20/2015	Agenda Session
01/26/2015	Public Works Study Session
01/28/2015	Rodeo Board Contract
01/30/2015	Executive Session
02/02/2015	Office Admin.
02/02/2015	Dept. Head - BOCC
02/02/2015	Dept. Head - Event Center



**RESOLUTION 2015-037****FEDERAL TRANSIT ADMINISTRATION****PUBLIC WORKS**

Approve Resolution No. 2015-037, Revising the Federal Transit Administration FY 2015 Certifications and Assurances for Agreement GCB 1746; to rescind Resolution No. 2015-015 and authorize the Chairman to sign documents.

**RESOLUTION 2015-038****ASPHALT MATERIALS****PUBLIC WORKS**

Approve Resolution No. 2015-038, Awarding a Bid to Furnish the 2015 Asphalt Materials to Granite Construction Company and Columbia Ready Mix, Inc. for Schedules "A" and "B", and to authorize the Public Works Director to sign the Contract documents.

**RESOLUTION 2015-039****LIQUID ASPHALT MATERIALS****PUBLIC WORKS**

Approve Resolution No. 2015-039, Awarding a Bid to Furnish the 2015 Liquid Asphalt Materials to Asphalt Supply, Inc. for Schedule "A" and to Albina Asphalt for Schedule "B", and to authorize the Public Works Director to sign the Contract documents.

**RESOLUTION 2015-040****CRACK SEALANT MATERIALS****PUBLIC WORKS**

Approve Resolution No. 2015-040, Awarding a Bid to Furnish Crack Sealant Materials for 2015, to Special Asphalt Products for Schedule "A" and Arrow Construction Supply for Schedule "B", and to authorize the Public Works Director to sign the Contract documents.

**RESOLUTION 2015-041****WEED SPRAY MATERIALS****PUBLIC WORKS**

Approve Resolution No. 2015-041, Awarding a Bid to Furnish Weed Spray Materials for 2015, to Helena Chemical Company and Wilbur-Ellis Company, and to authorize the Public Works Director to sign the Contract documents.

**REQUEST TO APPROVE A RESOLUTION ADOPTING THE DISTRIBUTION OF LODGING TAX FUNDS FOR CAPITAL PROJECTS - ITEM MOVED TO BOARD DISCUSSION & DECISION.**

**FINAL MYLARS****SUNCADIA PHASE 1 DIVISION 13B****CDS**

Approve the Final Mylars granting Final Approval of Suncadia Phase 1 Division 13B, Osprey Ridge, located at the end of Big Hill Drive in the center of Section 09, T.20N, R15E, W.M. in Kittitas County (Tax Parcel Number 20-15-19056-0080).

**ADMINISTRATIVE MATTERS - NONE**



Commissioner Jewell; Brett Wachsmith, Treasurer; Neil Caulkins, Deputy Prosecutor and Christopher Horner, Deputy Prosecutor for 20 minutes relating 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. Possible action was anticipated.

At 12:40 p.m. the Board reconvened out of Executive Session. Commissioner O'Brien noted there had been an Agenda item inadvertently left off of the Agenda that should have been carried forward from the previous Agenda relating to a Resolution which would cancel taxes assessed upon Personal Property pursuant to RCW 84.56.240.

Commissioner Jewell moved to remove the item from consideration at this time. Commissioner O'Brien seconded. Motion carried 2-0.

Commissioner Jewell instructed Deputy Prosecutor Horner to look into the previous Treasurer's Bond to see if the County could recover Fair Point's outstanding property taxes as discussed in Executive Session. Commissioner O'Brien seconded. Motion carried 2-0.

Commissioner Jewell moved to continue the Agenda Session until 1:30 p.m. Commissioner O'Brien seconded. Motion carried 2-0.

Meeting recessed at 12:44 p.m. until 1:30 p.m.

The Board reconvened back into the Agenda Session at 1:30 p.m. Chairman Berndt and Commissioner Jewell were in attendance as Commissioner O'Brien had recused himself previously.

Deputy Prosecutor Neil Caulkins explained how the Board did not have the ability to make changes to the Ordinance as it was previously given preliminary approval and if the applicant had met the conditions then they must issue a Final Plat. He indicated any appeal would have had to have been made at the time of the SEPA determination or the Preliminary Plat appeal period. He said there had been no appeals filed at that time. Chairman Berndt asked if they could require off site mitigations. Deputy Caulkins said that as a matter of law you cannot make a landowner do something to another person's property. Lindsey Ozbolt, Staff Planner said SEPA had been a part of the project specific and there was no appeal filed and therefore that is what document is riding with the project.

Commissioner Jewell noted that it had met conditions of approval; they went over all of the water issues and concerns relating to flooding;

Staff claims everything has been met and there had been an analysis conducted by the developer. He said the appropriate time to appeal was at the Preliminary Approval stage and that the present Commissioners are therefore limited on their ability to do anything else.

Commissioner Jewell moved to approve Final Development of Black Horse at Whiskey Creek (RZ-06-00015) and to include an amendment as referenced in Staff Memo dated January 29, 2015 for an additional Plat Note that reads as follows "The Open Space tracts shall be (1) owned in a proportionate and unseverable manner as tenants in common by each lot owner and (2) assessed taxed and foreclosed upon each building lot". Chairman Berndt seconded.

Commissioner Jewell said he was still concerned with the potential impacts to neighboring property, but noted it should have been dealt with previously.

Motion carried 2-0.

**ADJOURNMENT**

Commissioner Jewell moved to adjourn the meeting at 1:54 p.m. Chairman Berndt seconded. Motion carried 2-0.

Meeting adjourned at 1:54 p.m.

**CLERK OF THE BOARD**

  
Julie Kjørsvik

**KITTITAS COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON**

  
Gary Berndt, Chairman