

**COMMISSIONERS' MINUTES
KITITAS COUNTY, WASHINGTON
PUBLIC HEARING**

TUESDAY

4:00 P.M.

APRIL 1, 2003

Board members present: Max A. Golladay, Perry D. Huston & Bruce Coe.

Others: Julie Kjorsvik, Clerk of the Board; David Taylor, Community Development Services Director; Judy Pless, Budget & Finance Manager and three members of the public.

PUBLIC HEARING

TRI-COUNTY WATER RESOURCE AGENCY

COMMISSIONERS

At approximately 4:00 p.m. **CHAIRMAN GOLLADAY** opened the public hearing to consider if an injunction should be sought to enjoin further meetings of the Tri-County Water Resource Agency, in violation of the enabling Inter-local Agreement.

COMMISSIONER HUSTON reviewed the proposed Resolution relating to the termination of the Tri-County Water Resource Agency. He explained that in order to extend the existence of the agreement, the Agency must have the unanimous agreement of all the initiating governments, and both the City of Ellensburg and Kittitas County have taken action in open public meetings to not extend the agreement (that expired December 31, 2002), and neither has withdrawn from the Tri-County Water Resource Agency. The Resolution also proposed that Kittitas County initiate legal process to obtain an injunction against any future meetings of the Tri-County Water Resource Agency, as authorized by the Watershed Planning Bill, and created by the Third Amended Intergovernmental Agreement, and nullify all actions taken by that agency since December 31, 2002, and to obtain damages including but not limited to legal fees, staff time expenditures, publication of notices, etc. from the member agencies. Kittitas County would also offer the initiating governments of the Tri-County Water Resource Agency an opportunity to avoid litigation by rescinding their decision to extend the Tri-County Water Resource Agency and to facilitate the elimination of all staff and the closure of all office facilities to include, but not be limited to, the storage and maintenance of records, disposal of equipment and other assets, and the termination of all lease arrangements by April 30, 2003. **COMMISSIONER GOLLADAY** said everyone that entered into the Agreement did it with good intentions. He said the Executive Director has been using the name without permission and on issues that are not in the best interest of Kittitas County.

THOSE PRESENT & TESTIFYING: **COMMISSIONER MAX BENITZ JR., CHAIRMAN OF THE BENTON COUNTY BOARD OF COMMISSIONERS,** announced he was not representing the majority of the Benton County Commissioners. He explained the large amount of hard work that went into putting together the Third Amendment. **COMMISSIONER BENITZ** submitted a letter into the record, from the Benton County Prosecuting Attorney, stating the Agreement would not be extended, unless by written agreement approved and signed by each initiating Government's legislative authority, prior to December 31, 2002. He further stated the Board of County Commissioners need to adhere to the law, and supported the proposed Resolution. **THERE BEING NO FURTHER TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER COE said the actions being taken by the other parties involved were illegal. He felt dishonesty had been exemplified by the parties moving forward to the legislature with Phase 4 plan. He expressed appreciation to Commissioner Huston for preparing the Resolution.

✓ RESOLUTION 2003-41 TRI-COUNTY WATER RESOURCE AGENCY COMMISSIONERS

COMMISSIONER HUSTON moved to approve Resolution No. 2003-41, pertaining to the termination of the Tri-County Water Resource Agency. **COMMISSIONER COE** seconded. Motion carried 3-0. It was noted the Board would forward a copy of the Resolution to all parties involved with the Tri-County Water Resource Agency and to the local legislative representatives.

✓ PUBLIC HEARING KCAC/CDBG PUBLIC SERVICE FUNDS COMMISSIONERS

At approximately 4:27 p.m. **CHAIRMAN GOLLADAY** opened a public hearing to consider whether Kittitas County should continue to contract with Kittitas County Action Council (KCAC) for the delivery of community services, as specified in the Community Development Block Grant.

MICHELLE CADIGAN, KITTITAS COUNTY ACTION COUNCIL'S INTERIM EXECUTIVE DIRECTOR, explained that their appeal to the Department of Community, Trade & Economic Development, relating to issues of non-compliance, had been accepted, and is scheduled to be heard in September. She announced that KCAC has been working hard trying to complete their list of items that require compliance verification. Although times had been tough, they managed to continue services to the residents of Kittitas County, with no disruptions. **COMMISSIONER COE** questioned their assets versus debts. **MS. CADIGAN** explained that KCAC had received notification from the Housing Trust Fund, approving their request to refinance their shelter, noting it is a "forgivable loan", as long as it remains being


used as a "shelter". The total amount they are in debt for the year 2002 and part of 2001, is a total of \$200,000, but they remain optimistic to only be in debt between \$50,000 and \$75,000 by July 1st. They have reduced staff from a total of 47 to 18 employees, and the administrative staff went from 7-8 to a total of 3. She felt KCAC is now on a good course with all of the fiscal policies and procedures that are now in place. **COMMISSIONER GOLLADAY** requested that KCAC keep the Board updated. **MS. CADIGAN** offered to forward all reports KCAC sends to the County that they send on to the Department of Community, Trade & Economic Development. **THERE BEING NO FURTHER TESTIMONY, THE PUBLIC HEARING WAS CLOSED.**

Meeting adjourned at 4:55 p.m.

CLERK OF THE BOARD


Julie A. Kjorsvik

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON


Max A. Golladay, Chairman