

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

TUESDAY

3:00 P.M.

FEBRUARY 3, 2004

CALL TO ORDER

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

Others: Julie Kjorsvik, Clerk of the Board; Judy Pless, Budget & Finance Manager; Paul Bennett, Public Works Director; Allison Kimball, Community Development Services Operations Supervisor; David Taylor, Community Development Services Director; Nora Ludlow, Public Health Administrative Assistant; Clay White, Staff Planner; Jane Wright, Public Health Department Staff; James Hurson, Deputy Prosecutor; John Wolpers, Environmental Health Director; and approximately 3 members of the public.

Chairman Huston acknowledged Commissioner Coe' temporary absence from the Agenda Session, due to a phone call of a situation going on in the Upper County.

INTRODUCTION OF NEW COUNTY EMPLOYEES - NONE

AWARDS & RECOGNITIONS

Commissioner Golladay moved to present a Certificate of Appreciation to Steve Wells, for eight years of service on the Board of Health Advisory Committee. Chairman seconded. Motion carried 2-0.

The Board acknowledged Mr. Wells for his faithful attendance at all the Committee meetings and for lending his expertise in the medical field. Jane Wright, Public Health Department, also thanked Mr. Wells for his hard work and dedication on behalf of the citizens of Kittitas County.

APPROVAL OF AGENDA

Chairman Huston acknowledged items being added to Administrative Matters including a letter from the City of Roslyn and the City of Ellensburg. He announced that Commissioner Coe would give an update on the County's computer system.

He announced the Board would go into an Executive Session at the end of the Agenda, for approximately 15 minutes relating to Possible Litigation and Personnel Matters. He did not anticipate any action being taken by the Board following the Executive Session, other than direction to

staff.

Commissioner Golladay moved to approve the agenda, as amended. Chairman Huston seconded. Motion carried 2-0.

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 Huston acknowledged Item F on the Consent Agenda had been removed and placed under Board Discussion Decision.

Commissioner Golladay moved to approve the Consent Agenda, as amended. Chairman Huston seconded. Motion carried 2-0.

MINUTES

01-16-04	Public Hearing	Ringler, Berry & Haskell SP; Ranch Rd.; Mountain Creek Drive
01-12-04	Study Session	BOCC/Public Works Dept.
01-13-04	Public Hearing	Amend Road Standards
01-14-04	Special Meeting	High Valley Ranchettes; Cascade Irrigation Districts Board
01-14-04	Study Session	BOCC/Dept. Heads
01-20-04	Agenda Session	BOCC
01-20-04	Public Hearing	S. Thorp Hwy.; Faust Rd.; Old Sunset Hwy; Snowmobiles; Brown Rd.; School Bus Stops; Ringler, Berry & Haskell SP; Mountain Creek Rd.

RESOLUTION 2004-12 UNCOLLECTABLE PERSONAL PROP. TAXES TREASURER

Approve Resolution No. 2004-12, Canceling Uncollectable Personal Property Taxes, in the total amount of \$10,912.21.

REPORT LIST OF REFUNDS - 2003 TAXPAYERS TREASURER

Acknowledge receipt of a List of Refunds in the total amount of \$73,014.80, made to Taxpayers during the year of 2003, as required by RCW 84.69.020.

AGREEMENT COLLECTIVE BARGAINING - LINE DEPUTIES HUMAN RESOURCES

Approve a Collective Bargaining Agreement between the Kittitas County Board of Commissioners, the Kittitas County Sheriff's Department and the General Teamsters Local No. 760, representing the Line Deputies in the Sheriff's Department, from January 1, 2002 to December 31, 2004.

SET PUBLIC HEARING

UPPER CO. SATELLITE OFFICE

PUBLIC HEALTH

Approve Setting a Public Hearing to consider entering into a Lease Agreement to Locate the Upper County Satellite Office of the Kittitas County Health Department, be held Tuesday March 2, 2004 at 4:00 p.m. in the Commissioner's Auditorium, Room 109, County Courthouse, and to authorize the Clerk to publish said notice.

GRANT

DOE/SOLID WASTE

SOLID WASTE

Approve a Grant Agreement between the State of Washington Department of Ecology and Kittitas County Solid Waste, in the total amount of \$150,346.00, to fund for Waste Reduction and Recycling Activities and Household Hazardous Waste Collection and Disposal in Kittitas County, from January 1, 2004 through December 31, 2005.

ITEM F - REQUEST TO SET A PUBLIC HEARING TO AMEND KCC CHAPTERS 10.08 "SPEED LIMITS" AND CHAPTER 10.12 "STOP & YIELD SIGNS" ON RANCH ROAD LOCATED OFF OF BURKE ROAD: MOVED TO BOARD DISCUSSION & DECISION

QUIT CLAIM DEEDS

STRANDE ROAD

PUBLIC WORKS

Approve Quit Claim Deeds between Elderberry Property Development, LLC; Western Star Property Development, LLC; Rosehip Property Development, LLC; and Kittitas County, for the Strande Road right-of-way.

CORRESPONDENCE - NONE

ADMINISTRATIVE MATTERS

LETTER

CITY OF ROSLYN/COAL FIRE-RONALD

PUBLIC HEALTH

John Wolpers, Environmental Health Director, acknowledged a letter from City of Roslyn Mayor, Jerri Francisco-Porter, requesting payment of a bill in the amount of \$1,117.50, for water testing, relating to the coal fire in Ronald. Mr. Wolpers read a letter drafted by Public Health Administrator, Nancy Goodloe. He said the Department of Health and Department of Ecology made a decision resulting in the water testing ordered on December 18, 2003, with no abnormalities in the chemical levels at that time. Those were the only tests that the Kittitas County Public Health Department required to date, and are the only tests, which they will assume financial responsibility for.

Commissioner Golladay moved to approve and authorize the Public Health Administrator to send the draft letter to City of Roslyn Mayor, Jeri Francisco-Porter, notifying her that Kittitas County assumes no financial responsibility for a bill in the amount of \$1,117.50 from

Laucks Testing Laboratories, Inc., and notify them of the County's process of filing a Claim for Damages. Chairman Huston seconded. Motion carried 2-0. It was noted Commissioner Coe was in attendance at the agenda session, and abstained from the vote.

LETTER CITY OF ELLENSBURG - LAW & JUSTICE APPOINTMENT COMMISSIONERS

Commissioner Golladay moved to authorize the Clerk of the Board to send a letter to the City of Kittitas, with a copy of a letter from the City of Ellensburg, requesting that the Board of County Commissioners appoint Ellensburg City Council Member Shannon Carlson to the Law and Justice Council, and request that they either concur, object, or submit another name for appointment to the Law & Justice Council, for the position to be filled by an elected city official from either the City of Ellensburg or the City of Kittitas. Commissioner Coe seconded. Motion carried 3-0.

CITIZEN COMMENTS ON NON-AGENDA ITEMS - NONE

BOARD DISCUSSION & DECISION

RESOLUTION HIGH VALLEY RANCHETTES CDS

David Taylor, Community Development Services Director, requested to postpone consideration of a Resolution approving the High Valley Ranchettes.

Commissioner Golladay moved to postpone consideration of a Resolution approving the High Valley Ranchettes Preliminary Plat, until February 17, 2004 at 3:00 p.m. Commissioner Coe seconded. Motion carried 3-0.

PUBLIC HEARING RANCH ROAD - ONTO COUNTY ROAD SYSTEM PUBLIC WORKS

Paul Bennett, Public Works Director, announced he had not received a maintenance bond and suggested continuing the public hearing until a later date.

Commissioner Coe moved to continue the public hearing and postpone consideration of a Resolution approving Ranch Road onto the County Road Maintenance System, until Tuesday March 2, 2004 at 3:00 p.m. in the Commissioners Auditorium, Room 109, County Courthouse. Commissioner Golladay seconded. Motion carried 3-0. Commissioner Golladay noted he was giving the owner the benefit of the doubt, and would not be in favor of another continuation after March 2, 2004.

RESOLUTION 2004-10 DENY/VACATION FAUST ROAD RIGHT-OF-WAY PUBLIC WORKS

Commissioner Golladay moved to approve Resolution No. 2004-10, denying the vacation of a portion of Faust Road Right-of-Way. Commissioner Coe

seconded. Motion carried 3-0.

ORDINANCE 2004-02 NO PARKING AREAS/SCHOOL AREA - BUS STOPS PUBLIC WORKS

Commissioner Golladay moved to approve Ordinance No. 2004-02, Amending Chapter 10.07 "No Parking Areas" of the Kittitas County Code Section 10.07.030(a) "School Areas - Bus Stops". Commissioner Coe seconded. Motion carried 3-0.

ORDINANCE 2004-03 CHAPTER 10.32 - SNOWMOBILES PUBLIC WORKS

Commissioner Golladay moved to approve Ordinance No. 2004-03, Amending Chapter 10.32 of the Kittitas County Code, opening Kachess River Road (from M.P. 0.00 to M.P. 0.48) and Evergreen Way (from M.P. 0.00 to M.P. 0.20) for snowmobile use. Commissioner Coe seconded. Motion carried 3-0.

RESOLUTION 2004-11 WOODS & STEELE PRELIMINARY PLAT PUBLIC WORKS

Commissioner Golladay moved to approve Resolution No. 2004-11, Granting Preliminary Approval for Woods and Steele Terrace II (P-03-12), for approximately 7.36 acres in the Rural 3 Zone into 2 platted lots, one at 3.00 and one at 4.36 acres, located in Section 7, T19N., R15E., Kittitas County. Commissioner Coe seconded. Motion carried 3-0.

CLAIM FOR DAMAGES KASEY KILTS - DENIED PROSECUTOR

Commissioner Golladay moved to deny a Claim for Damages filed with the County Auditor on January 2, 2004, by Kasey Kilts, as recommended by the Prosecutor. Commissioner Coe seconded. Motion carried 3-0.

CLAIM FOR DAMAGES WALTER & BETTY DARROW - APPROVED PROSECUTOR

Commissioner Golladay moved to approve a Claim for Damages filed with the County Auditor on January 14, 2004, by Walter and Betty Darrow, in the total amount of \$161.55, as recommended by the Prosecutor. Commissioner Coe seconded. Motion carried 3-0.

CONTRACT DEPT. OF SOCIAL & HEALTH SERVICES MH/DD

Commissioner Golladay moved to approve and endorse a letter to Paul Reynolds, referencing Contract #036336448, relating to the administrative costs in the amount of \$39,356, incorporating in the County's Spending Plan, in an attempt to protect County services, if there were further reductions in direct services, for the Division of Developmental Disabilities program. Commissioner Coe seconded. Motion carried 3-0.

AMENDMENT #3 GREATER COLUMBIA BEHAVIORAL HEALTH MH/DD

Commissioner Golladay moved to approve and authorize the Chair to sign Amendment No. 3 to Agreement No. KITT01/03-03, with Greater Columbia Behavior Health, in the amount of \$360,078.00. Commissioner Coe seconded. Motion carried 3-0.

AMENDMENT #4 GREATER COLUMBIA BEHAVIORAL HEALTH MH/DD

Commissioner Golladay moved to approve and authorize the Chair to sign Amendment No. 4 to Agreement No. KITT01/03-04, with Greater Columbia Behavioral Health, in the amount of \$13,161.00. Commissioner Coe seconded. Motion carried 3-0.

AGREEMENT GREATER COLUMBIA BEHAVIORAL HEALTH MH/DD

Commissioner Golladay moved to approve and authorize the Chair to sign an Agreement with the Greater Columbia Behavioral Health, for the period beginning January 1, 2004 through June 30, 2005, in the amount of \$120,026.00. Commissioner Coe seconded. Motion carried 3-0.

AGREEMENT DESERT CLAIM EIS CONSULTANT-HUCKLE/WEINMAN CDS

Commissioner Golladay moved to approve and authorize the Chair to sign an Additional Scope of Work related to the Staffing Agreement for the Desert Claim Wind Power Project, entered into on June 17, 2003, for compensation in the amount not to exceed \$735,020.00, for Phase I - III. Commissioner Coe seconded. Motion carried 3-0.

AMENDMENT HIPAA - DEPT. SOCIAL HEALTH SERVICES BOCC

Nora Ludlow, Public Health Administrative Assistant, presented information on Kittitas County's Public Health Department's compliance with HIPAA; issues left to resolve and what Kittitas County would stand to lose if the Department of Health and Social Services cut contracts, due to not signing the document. She said after review with the Deputy Prosecutor, they recommended the Board approve the proposed HIPAA Business Associate Amendment. Doug Mitchell, Deputy Prosecutor, said he had been reviewing the documents and recommended the Board approve and sign the Amendment.

Chairman Huston moved to approve and authorize the Chair to sign a Program Amendment #1 and #2 to Agreement #018344501, for HIPAA Business Associate, with the Department of Social and Health Services, for the period beginning April 14, 2003 through June 30, 2005.

David Taylor, Community Development Services Director, presented the Planning Commission's recommendations on the Currier Creek Estates Plat (P-03-08), for a 207 lot plat on 56.23 acres zoned Residential, located off of Dry Creek Road, Reecer Creek and the Dry Creek Connection, Tax Parcel #18-18-27030-0023 & 18-18-28000-0027. He said the Planning Commission held a public hearing and recommended approval of the request with a unanimous decision, and included 26 mitigated measures. He requested the Board to approve the request, and to direct staff to prepare the enabling documents for the February 17, 2004 Commissioner's Agenda.

Chairman Huston questioned the process, and thought in past practice, the Board accepted the Planning Commissions Transmittal of recommendations, and then set a Closed Record Public Meeting, and finally, direct staff to prepare the enabling documents. David Taylor said on plats, the Board has accepted the Transmittal and held the Closed Record Public Meetings the same date, and then they directed staff to prepare the enabling documents.

Commissioner Golladay moved to grant preliminary approval for the Currier Creek Estates Plat (P-03-08), for a 207-lot plat on 56.23 acres of land zoned Residential, located off of Dry Creek Road, Reecer Creek and the Dry Creek Connection, Tax Parcel #18-18-27030-0023 & 18-18-28000-0027, and to direct staff to prepare enabling documents for the Boards consideration on February 17, 2004, at 3:00 p.m. during the Commissioner's Agenda Session. Commissioner Coe seconded. Motion carried 3-0.

David Taylor, Community Development Services Director, presented the Planning Commission's recommendations on the Cameron Plat (P-03-13), a request to divide parcel number 20-16-33053-0003 into 2 lots of 3.22 and 3.54 acres. He said the property is zoned Rural-3 and Ag-3. The Planning Commission held a public hearing and has forwarded their recommendation with a recommendation of approval with a 6-0 decision.

Commissioner Golladay moved to grant preliminary plat approval for the Cameron Plat (P-03-13), to divide parcel number 20-16-33053-0003 into 2 lots of 3.22 and 3.54 acres, and to direct staff to prepare enabling documents for the Board's consideration on February 17, 2004, at 3:00 p.m. during the Commissioners Agenda Session. Commissioner Coe seconded. Motion carried 3-0.

GRANT**WASHINGTON STATE TRAFFIC SAFETY COMMISSION****SHERIFF**

Commissioner Coe moved to acknowledge and approve a Grant Award from the Washington State Traffic Safety Commission, in the amount of \$3,000.00 for reimbursable funds for emphasis patrol time, targeting DUI and Seatbelt violations in conjunction with other law enforcement agencies within Kittitas County, from November 20, 2003 through January 5, 2004. Commissioner Golladay seconded. Motion carried 3-0.

SET PUBLIC HEARING**RANCH ROAD SPEED LIMITS****PUBLIC WORKS**

Commissioner Golladay moved to table the item setting a public hearing to consider speed limits on Ranch Road, as recommended by Paul Bennett, Public Works Director. Commissioner Coe seconded. Motion carried 3-0.

MISCELLANEOUS

Commissioner Coe acknowledged a sewage spill in the Cle Elum lagoons. He said it was contained, non-threatening and non-evasive. The Environmental Health Director has been notified, and they are in the process of cleaning it up.

Commissioner Coe gave an update on the computer systems virus. Computer Services is in the process of putting steps together to disinfect the system.

Chairman Huston moved to authorize Commissioner Coe to act as the Board liaison with Computer Services, and to report back to the Board of County Commissioners at a later date, and to advise them if an Emergency Declaration would be warranted. Commissioner Golladay seconded. Motion carried 3-0.

EXECUTIVE SESSION

At 4:05 p.m. Chairman Huston announced the Board of County Commissioners would be going into an Executive Session for approximately 15 minutes, relating to Personnel Issues and Potential Litigation.

At approximately 4:30 p.m. the Board reconvened out of their Executive Session.

Potential Litigation - No action.

Personnel - Chairman Huston acknowledged two memorandums placed over his signature to David Taylor, Director of Community Development Services, relating to his attendance at an upcoming Legislative Rally and a written synopsis of discussion on January 26, 2004.

VOUCHERS:

<u>WARRANT NUMBER</u>	<u>AMOUNT</u>	<u>DATE APPROVED</u>
#139900 - #139908	\$ 153,139.34	01-16-04
#139738, #139810, #139817, #139663, #139808	\$ 5,659.27 (voided)	01-16-04
#50390 - #50512	\$ 51,615.00	01-20-04
#138261 - #138261	\$ 18,520.13 (voided)	01-23-04
#140086 - #140086	\$ 18,520.13 (reissued)	01-23-04
#140088 - #140307	\$ 428,068.96	01-26-04

ADJOURN

Commissioner Golladay moved to adjourn at 4:31 p.m. Commissioner Coe seconded. Motion carried 3-0.

CLERK OF THE BOARD

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Julie A. Kjorsvik

Perry D. Huston, Chairman