

**COMMISSIONERS' MINUTES  
KITITAS COUNTY, WASHINGTON  
COMMISSIONERS AUDITORIUM  
SPECIAL MEETING**

**TUESDAY**

**2:00 P.M.**

**SEPTEMBER 2, 2008**

Board members present: Chairman Mark McClain, Vice-Chairman Alan Crankovich, Commissioner Linda Huber.

Others: Catherine Dunn, Deputy Clerk of the Board; Patti Johnson, Solid Waste Director; Jerry Pettit, Auditor; Judy Pless, Budget and Finance Officer; Neil Caulkins, Deputy Prosecutor; Darryl Piercy, Community Development Services Director; and 3 persons representing the public.

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**PUBLIC HEARING**

**LEASE AT RYEGRASS FACILITY**

**SOLID WASTE**

**CHAIRMAN MCCLAIN** opened the public hearing at 2:00 p.m. to consider the lease of the Eastern portion of the Ryegrass Facility located in Section 16, Township 17 E. Range 21 N. W. M. **PATTI JOHNSON, SOLID WASTE DIRECTOR**, explained that the Vantage Wind Energy LLC wished to lease a portion of the Ryegrass Facility located in the Eastern buffer zone. She had given the Board a copy of the draft lease agreement which allows for 5 wind turbines for 35 years at the rate of \$8,000 base or 4% gross revenue (whichever is greater) with an increase built in every 5 years.

**CHAIRMAN MCCLAIN** asked if this would interfere with the Solid Waste operations. **MS. JOHNSON** said that it would not interfere. She explained that the Vantage Wind Energy LLC had contacted her last year to lease the portion of the property but she has waited to bring the lease forward until the land use action had been completed for the wind farm. She was bringing the lease before the Board now.

**COMMISSIONER HUBER** had questions on weed control and property taxes vs. leaseholder taxes. **COMMISSIONER CRANKOVICH** had questions on construction by the county on the lease property, possible bankruptcy/insolvency of the tenant and who makes the decision of "reasonable" regarding default or termination. The questions on weed control, construction bankruptcy/insolvency and "reasonable" were answered by **MS. JOHNSON or NEIL CAULKINS, CIVIL DEPUTY PROSECUTOR**. The question on property taxes and leaseholder tax will be researched.

**DAVE IADAROLA, VANTAGE WIND ENERGY LLC**, said that the original lease is based on what the other landowners are receiving. He said they needed to be on an even keel. **COMMISSIONER HUBER** said that government cannot be compared to private ownership.

**THOSE PRESENT & TESTIFYING: CATHERINE CLERF**, 60 Moe RD, Ellensburg spoke about the need to standardize contracts so that all government agencies' contracts were written the same and she suggested various methods of writing the contract to insure the County has the best return on the lease. **THERE BEING NO ADDITIONAL TESTIMONY THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

**PATTI JOHNSON, SOLID WASTE DIRECTOR**, said that the current lease was based on the Department of Natural Resources lease with changes based on the RCW's the County had to use. They used the examples **MS. CLERF** cited.

**COMMISSIONER CRANKOVICH** moved to continue the public hearing to Tuesday, September 16, 2008 at 2:00 p. m. in the Commissioners Auditorium with the record closed. **COMMISSIONER HUBER** seconded the motion. Motion carried 3-0.

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**PUBLIC HEARING                      2008 BUDGET AMENDMENT                      AUDITOR**

At approximately 2:15 p. m. **CHAIRMAN MCCLAIN** opened the public hearing to consider amending the 2008 County budget in the amount of \$1,963,173.00.

**JUDY PLESS, BUDGET AND FINANCE OFFICER**, explained the amounts of the budget amendment:

General Fund	\$389,874.00
Vehicle Replacement	19,000.00
Public Health	361,709.00
Noxious Weed	19,500.00
Misdemeanant Probation	14,110.00
Public Defender	50,000.00
Prosecutor Victim Witness	9,000.00
Capital Facilities	27,998.00
Solid Waste	1,071,982.00
Total Amendment	<u>\$1,963,173.00</u>

**MS. PLESS** said that the revenues for these amendments were from grants, new revenues and fund balances. **COMMISSIONER HUBER** noted that 2 items were from the Real Estate Excise Tax fund.

**THERE WAS NO ONE IN ATTENDANCE REQUESTING TO TESTIFY ON THE MATTER.**

**RESOLUTION 2008-128                      2008 BUDGET AMENDMENT                      AUDITOR**

**COMMISSIONER HUBER** moved to approve **RESOLUTION 2008-128 AMENDING THE 2008 BUDGET IN THE AMOUNT OF \$1,963,173.00.** **COMMISSIONER CRANKOVICH** seconded the motion. Motion carried 3-0.

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**PUBLIC HEARING**

**AIRPORT LEASE**

**PUBLIC WORKS**

At approximately 2:30 **CHAIRMAN MCCLAIN** opened the public hearing to consider a lease of County Airport Property Lot C-3 of the Kittitas County Airport Binding Site Plat in Section 25, Township 18N. Range 18E W.M. **DEPUTY PROSECUTOR NEIL CAULKINS**, representing **PUBLIC WORKS** realized he was prepared for the wrong property.

**CHAIRMAN MCCLAIN** opened the **PUBLIC TESTIMONY**. **THERE WAS NO ONE IN ATTENDANCE REQUESTING TO TESTIFY ON THE MATTER**.

**COMMISSIONER CRANKOVICH** moved to continue the public hearing to consider a lease of County Airport property Lot C-3 (Emory LLC) to Tuesday, September 16, 2008 at 2:00 p. m. in the Commissioners Auditorium with the record to remain open. **COMMISSIONER HUBER** seconded the motion. Motion carried 3-0.

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**EXECUTIVE SESSION**

At 2:35 **CHAIRMAN MCCLAIN** announced that the Board would go into Executive Session with **KIRK HOLMES, PUBLIC WORKS DIRECTOR** to evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW 42.30.140 (4), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public; for 30 minutes.

The Board reconvened at approximately 3:00 p.m. **CHAIRMAN MCCLAIN** directed staff to conduct an investigation and report back in two weeks.

Meeting adjourned at 3:05 p.m.

**CLERK OF THE BOARD**

**KITTITAS COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON**

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Catherine G. Dunn, Deputy

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Mark McClain, Chairman