

COMMISSIONERS' MINUTES  
KITTITAS COUNTY, WASHINGTON  
UPPER COUNTY DISTRICT COURT  
700 EAST FIRST STREET  
CLE ELUM, WA  
SPECIAL MEETING

WEDNESDAY

6:00 P.M.

JANUARY 20, 2010

Board members present: Chairman Mark McClain, Vice-Chairman Paul Jewell and Commissioner Alan Crankovich.

Others: Mandy Robinson, Deputy Clerk of the Board; Brent Bottoms, Deputy Prosecutor; Cathy Bambrick, Public Health Administrator; Tom Tebb, Central Regional Director of Ecology and approximately 80 members of the public.

**PUBLIC HEARING**

**DEPT. OF ECOLOGY**

**COMMISSIONERS**

At 6:00 p.m. **CHAIRMAN McCLAIN** opened a public hearing to consider a proposed Memorandum of Agreement between Kittitas County and the Department of Ecology.

**CHAIRMAN McCLAIN** Explained that do to the large attendance the Board will not allow more than three minutes of testimony and any written testimony can be submitted to the Clerk. He introduced County Staff and Mr. Tom Tebb, Department of Ecology Regional Director. Chairman McClain preceded to give an overview of how we got to where we are today.

**TOM TEBB, REPRESENTING ECOLOGY** indicated that at this point they (DOE) would not be withdrawing at this point. He indicated that he has a letter from Mr. Sturdevant that he has been asked to read and present on his behalf. He indicated that the letter was addressed to the Board and noted that although he is new to the scene in a director capacity of DOE, he felt that acknowledgement for the long journey the County and DOE have been on for the past three years has been difficult and often contentious and therefore it has formed strong feelings on all sides. He expressed his appreciation for the persistence that the County has shown in trying to reach an agreement that works for the County's constituents and local economy including the water resources of the basin. Mr. Tebb reviewed the time period outlined in the letter.

**COMMISSIONER JEWELL AND CRANKOVICH** both made statements along with questions pertaining to their ongoing frustrations with the moratorium. They indicated that they were looking forward to the chance to ask Ecology questions in an open forum.

**THOSE PRESENT & TESTIFYING:** Jack Jensen spoke against the MOA and gave suggestions for a new MOA to consider. Thad Vaughn speaking for himself and his company JT Custom Homes spoke in opposition of the MOA and expressed his reservations claiming that it lacked definition and was vague, (he submitted his written comments to the record). Greg Oaks speaking for Cashmere Valley Bank spoke against the MOA as it is currently written. He reviewed some concerns as a financial institution and how it's affecting them. Howard Porter spoke in opposition of the MOA's current language. Jim Sanders spoke against the MOA. Jan Hart expressed her concerns in reference to the 150 day window that the MOA refers to. She indicated she was not in favor of the MOA as it is currently written. Mike Miller spoke against the MOA. Rod Jovanovich spoke in opposition of the MOA. Bill Weiland spoke in opposition of the MOA. Karla Scoon spoke against the MOA. Mark Kirkpatrick representing himself felt that the MOA is better than the moratorium however, he is not happy about either situation. Scott Henely expressed his opposition to both the MOA & MOU. David Mahoney expressed his opposition. Marli McCormick indicated her opposition. Gary Golch indicated that he is disgusted and quite opposed to the MOA. Jackie O'Connor indicated that she was saddened by everything that was going on and wanted it noted that she was opposed to the MOA. Jim Hulbery expressed that he sees no data to show facts to make this proposal okay and he indicated that you can't justify the decisions without the data. Wayne Nelsen indicated he agreed with all comments made this evening. He submitted maps for the record and encouraged the Board to make well thought out decisions. Roy Davis felt that tonight's discussion has been very good. He felt that the answer was very clear and stated that sound minds make sound decisions. Anne Wantanabe spoke in opposition to the MOA. Shannon Cogan spoke in opposition to the MOA and urged the Board to not sign the proposed MOA. Gary Kurtz spoke in opposition to the MOA as it is presently written and noted that the present conditions are impossible. Dee Dosch representing Windermere Real Estate expressed opposition to the MOA. She noted that she would be surprised if anyone in her line of work would speak in favor of it. Roger Weaver representing the Kittitas County Association of Realtors spoke in strong opposition to the MOA he expressed his frustration over the MOA and the confusion of how DOE comes up with its mathematical proposals. David Whitwill representing Central Washington Home Builders Association spoke in opposition and provided a letter for the record. Cordy Cook representing the City of Roslyn in the capacity of Councilmember, indicated that the City of Roslyn supports the Agreement but with some concerns. Debbie Larkin representing herself expressed her opposition to the MOA.

The Board took a ten minute recess at 7:42 p.m.

The Board reconvened at 7:52 p.m.

**Don Tidwell** expressed his frustration with trying to find information on the topic. He stated that he would like more access to information pertaining to the MOA. He stated that he knows this will impact him either way, but was unsure how. **Nathan Weis** indicated that he supported the MOA that was proposed in December but not the current one. He encouraged the Board to keep appeal rights under all circumstances. **Jeff Dantzlar** representing himself spoke in opposition to the MOA. He expressed his lack of trust with DOE and felt DOE needs to make a good faith effort to the citizens of Kittitas County. **Jeff Stubbs** speaking on behalf of himself was opposed to the MOA and he noted the way the domestic use portion is wrote is questionable. **Tom Ring** representing the Yakama Nation submitted a letter for the record on behalf of Ralph Sampson, Jr., Chairman of the Yakama Tribal Council, he indicated that the Nation's position has been the same for the past three years and that they will not support this without the option of mitigation. **Melissa Bates** representing Aqua Permanente indicated that they do not agree with the 150 day rule.

**THERE BEING NO OTHERS REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

The Board indicated that the written record would remain open until 5:00 p.m. Friday January 22, 2010.


**Commissioner Crankovich** moved to continue the Public Hearing to Tuesday February 2, 2010 at 6:00 p.m. in the Upper District Court Courtroom 700 E. 1<sup>st</sup> Street Cle Elum, Washington 98922. Commissioner Jewell seconded. Motion carried 3-0.

Meeting adjourned at 8:15 p.m.

DEPUTY CLERK OF THE BOARD

KITTITAS COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON

  
Mandy Robinson

  
Mark McClain, Chairman