

**COMMISSIONERS' MINUTES
KITITAS COUNTY, WASHINGTON
COMMISSIONERS CONFERENCE ROOM
SPECIAL MEETING**

WEDNESDAY

11:00 A.M.

APRIL 21, 2010

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

Others: Mandy Robinson, Deputy Clerk of the Board; Brent Bottoms, Deputy Prosecutor; Dan Valoff, Staff Planner; Kirk Holmes, Public Works Director/Interim Community Development Services Director.

SPECIAL MEETING WATER AVAILABILITY DISCUSSION COMMISSIONERS

At 11:00 a.m. Chairman McClain opened a special meeting with County staff to discuss water availability.

Commissioner Jewell stated that there should be no building permits until an Affidavit is signed for water availability. He indicated that the County has been approached by Suncadia with a request to accept a letter of intent for them to push through applications, but no building permits are to be done until there is a water certificate provided. He explained that legally he felt this could be done, but wants to know where the affected departments stand with this proposal.

Brent Bottoms, Deputy Prosecutor reviewed the history of what the County has agreed to and also what's on the table for discussion.

A roundtable discussion on process for wells was held. Mr. Bottoms stressed to the Board to not to get in the business of authorizing variances. The Board indicated that there will be no change for now regarding Suncadia's proposal.

Mr. Bottoms was directed to go through Public Health and advise them that for the time being, we will not require an affidavit for water availability.

Commissioner McClain read RCW 58.17.110 and expressed his confusion with this RCW in its entirety. The Board held a roundtable discussion to explain their views on it. Commissioner Jewell explained his feelings on how things have changed and where we are now. He explained his frustrations with the previous Board's decisions to sign a Resolution putting us in the situation we are currently dealing with.

OTHER BUSINESS-

Commissioner McClain questioned what kind of insurance had to be provided on bids, and was concerned it may have to be increased.

Neil Caulkins, Deputy Prosecutor explained that the coverage is driven by the amount of risk and exposure the job has. He indicated that after speaking with Jones & Stokes they quoted 3 million.

Commissioner McClain questioned what the plan moving forward would look like.

Kirk Holmes, Public Works Director/Interim Community Development Services Director explained the new steps in identifying the amount of money in contracts and applications.

SPECIAL MEETING

EXECUTIVE SESSION

COMMISSIONERS

At 12:00 p.m. **Chairman McClain** announced the Board would retire into Executive Session for 15 minutes 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. No anticipated action.

At 12:15 p.m. the Board reconvened from Executive Session. No action was taken. **Chairman McClain** announced the Board would retire into Executive Session for 10 minutes 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. No anticipated action.


At 12:25 p.m. the Board reconvened from Executive Session. No action was taken. The Board entered back into Open Session.

There was a roundtable discussion on the draft letter to Mr. Ted Sturdevant. The Board noted some language changes to be made and a couple of typo's to be fixed after the Prosecutor had reviewed, but was agreed to send the letter once changes had been made.

Commissioner Crankovich moved to approve Board signature on a letter to Mr. Ted Sturdevant, Director of the Department of Ecology after the edits had been made. Commissioner Jewell seconded. Motion carried 3-0.

Meeting adjourned at 12:37 p.m.

DEPUTY CLERK OF THE BOARD


Mandy Robinson

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON


Mark McClain, Chairman