COMMISSIONERS' MINUTES
KITTITAS COUNTY, WASHINGTON
SPECIAL MEETING - AGENDA SESSION

WEDNESDAY 10:00 A.M. FEBRUARY 18, 2009

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

Others: Julie Kjorsvik, Clerk of the Board; Dan Valoff, CDS Staff Planner; Clayton Myers, Undersheriff; Scott Turnbull, CDS Staff Planner; Joseph Whalen, Human Resources Director; Dan Davis, Chief Building Official; Brenda Larsen, Fire Marshal; Gene Dana, Sheriff; Kirk Holmes, Public Works Director/Interim Community Development Services Director; Jerry Pettit, Auditor and approximately 8 members of the public.

CALL TO ORDER

Chairman Crankovich called the meeting to order.

PLEDGE OF ALLEGIANCE

Chairman Crankovich led the Pledge of Allegiance.

INTRODUCTION OF NEW COUNTY EMPLOYEES - NONE

PROCLAMATIONS

STATEMENT OF SUPPORT GUARD & RESERVE COMMISSIONERS

Commissioner McClain moved to approve and authorize the Chair to sign a Statement of Support for the Guard and Reserve which are essential to the strength of our Nation and well-being for our communities. Commissioner Jewell seconded. Motion carried 3-0.

AWARDS & RECOGNITIONS - NONE

APPROVAL OF AGENDA

Chairman Crankovich noted Consent Items E, F, G and H had been removed and postponed to the March 3, 2009 Agenda; Item L was moved to Board Discussion & Decision and Item V under Board Discussion & Decision had been removed from the Agenda. He indicated there would be an Executive Session at the end of the Agenda Session. Commissioner McClain moved to approve the Agenda as amended. Commissioner Jewell seconded. Motion carried 3-0.
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 Crankovich noted Items E, F, G and H had been removed and postponed to the March 3, 2009 Agenda and Item L had been moved to Board Discussion & Decision. Commissioner Jewell moved to approve the Consent Agenda as amended. Commissioner McClain seconded. Motion carried 3-0.

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RESOLUTION 2009-18    COUNTY WILD FIRE PROTECTION PLAN    FIRE MARSHAL

Approve Resolution No. 2009-18, Declaring the County Support and Adoption of the Kittitas County “County Wild Fire Protection Plan” to be utilized as a guide for planning as related to FEMA Pre-Disaster Mitigation, The National Fire Plan, The Healthy Forest Restoration Act and other purposes as deemed appropriate by the Board of County Commissioners.

LETTER OF UNDERSTANDING    LOCAL 792-CH (COURTHOUSE UNION)    HUMAN RESOURCES

Approve a Letter of Understanding with AFSCME Local 792-CH (Courthouse Union), correcting the step placement and overpayment of wages for ten (10) Union members.

CALL FOR BIDS    OFFICIAL COUNTY NEWSPAPER    COMMISSIONERS

Approve a Notice of Call for Bids for a Contract to Serve as the Official County Newspaper for the period beginning July 1, 2009 through June 30, 2010, to be accepted and read aloud at 10:00 a.m. on Tuesday March 31, 2009 in the Commissioners Auditorium, Room 109, Kittitas County Courthouse 205 West 5th Avenue Ellensburg, Washington, and to authorize the Clerk to publish said notice.

REQUEST TO APPROVE AN AGREEMENT BETWEEN THE CITY OF ROSLYN AND KITTITAS COUNTY FOR LIBRARY SERVICES – ITEM REMOVED AND TO BE ON THE MARCH 3, 2009 AGENDA

REQUEST TO APPROVE AN AGREEMENT BETWEEN THE CITY OF KITTITAS AND KITTITAS COUNTY FOR LIBRARY SERVICES – ITEM REMOVED AND TO BE ON THE MARCH 3, 2009 AGENDA

REQUEST TO APPROVE AN AGREEMENT BETWEEN THE CITY OF ELLENSBURG AND KITTITAS COUNTY FOR LIBRARY SERVICES – ITEM REMOVED AND TO BE ON THE MARCH 3, 2009 AGENDA

REQUEST TO APPROVE AN AGREEMENT BETWEEN THE CITY OF CLE ELUM AND KITTITAS COUNTY FOR LIBRARY SERVICES – ITEM REMOVED AND TO BE ON THE MARCH 3, 2009 AGENDA

INTERLOCAL AGREEMENT    ARCHIVES & RECORDS MANAGEMENT    COMMISSIONERS

Approve and authorize the Chair to sign an Interlocal Agreement No. 818K-1067 for Document Preparation and Imaging Services between Kittitas
Approve the appointment of Tucker White to the Kittitas County Board of Equalization to serve in the Alternate #2 position, filling a three year term beginning immediately and expiring on December 31, 2011.

Approve setting a public hearing to consider a 2% increase in the current Transient Occupancy Tax levied by Kittitas County Code Chapter 3.20 as authorized by RCW 67.28.180 and subsequent formation of a County Lodging Tax Advisory Committee as required by RCW 67.28.180, to be held on Tuesday March 3, 2009 at 2:00 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse 205 West 5th Avenue, Ellensburg, Washington and to authorize the Clerk to publish said notice.

Approve Resolution No. 2009-19, Designating Persons to Administer the Provisions of the Kittitas County Code including Lisa Iammarino, Code Enforcement Officer; Brenda Larsen, Fire Marshal; Dan Davis, Interim Building Official; Barry Kerth, Plans Examiner/Deputy Fire Chief.

Approve setting a public hearing to consider Repealing Kittitas County Code Chapter 9.60, Designating Weapon Restricted Areas in County Buildings, to be held on Tuesday March 3, 2009 at 2:00 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse 205 West 5th Avenue, Ellensburg, Washington and to authorize the Clerk to publish said notice.

Approve a Contract between Kittitas County and Gerald Lauinger, to properly evacuate all chlorofluorocarbons (CFC’s), hydrochlorofluorocarbons beginning February 1, 2009 through February 1, 2010.
CONTRACT IBS OF APPLE VALLEY SOLID WASTE

Approve a Contract between Kittitas County and IBS of Apple Valley, to pick up and dispose of lead batteries received by the County, for the period February 1, 2009 to February 1, 2010.

CONTRACT EMERALD RECYCLING SERVICES, INC. SOLID WASTE

Approve a Contract between Kittitas County and Emerald Recycling Services, Inc. to receive, transport, recycle or dispose of all used waste oil & waste antifreeze generated from household and Small Quality Generators within Kittitas County, for the period February 1, 2009 to February 1, 2010.

CONTRACT BRC, INC. SOLID WASTE

Approve a Contract between Kittitas County and BRC, Inc. for the removal and recycling of metal from the Kittitas County Transfer Station, for the period February 1, 2009 to February 1, 2010.

REQUEST FOR PROPOSALS COMPOST TURNER SOLID WASTE

Approve a Request for Quotes on a Pull Type Compost Turner for the Kittitas County Solid Waste Compost Facility, including the delivery and 16 hours of training for the operator in addition to other specifications outlined by the Kittitas County Solid Waste Department, to be accepted until March 3, 2009 at 1:00 p.m. at 925 Industrial Way, Ellensburg, Washington, and to authorize the Clerk to publish said notice.

CALL FOR BIDS YARD WASTE COMPOSTING FACILITY SOLID WASTE

Approve a Call for Bids for the construction of a yard waste composting facility adjacent to the Ellensburg Transfer and Recycling Station, including all necessary labor, materials, and equipment, to be accepted until 2:00 p.m. on Friday March 6, 2009 at the Solid Waste Department, 925 Industrial Way, Ellensburg, Washington, and to authorize the Clerk to publish said notice.

AGREEMENT GRANT WITH DEPARTMENT OF ECOLOGY SOLID WASTE

Approve and authorize the Chair to sign a Coordinated Prevention Grant Agreement No. G0900149 between the State of Washington, Department of Ecology and Kittitas County Solid Waste, for the Kittitas County Compost Facility Enhancement Project, in the amount of $210,000.00 (State Grant) and $70,000.00 (Local Share), for the period beginning January 1, 2009 through December 31, 2010.
REQUEST TO APPROVE A CONTRACT WITH PHOENIX PROTECTIVE CORP—SECURITY –
ITEM REMOVED FROM THE AGENDA AT REQUEST OF SHERIFF’S DEPARTMENT

SET PUBLIC HEARING  FLOOD PERMIT APPLICATION FEES  CDS

Approve setting a public hearing to consider modifying the flood permit application fees collected by the Community Development Services, to be held on Tuesday March 3, 2009 at 2:00 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse 205 West 5th Avenue, Ellensburg, Washington and to authorize the Clerk to publish said notice.

SET CLOSED RECORD HEARING  TUMBLING RIDGE PUD & REZONE  CDS

Approve setting a Closed Record Hearing to consider the Tumbling Ridge Planned Unit Development (PUD) Rezone (Z-07-16) and Preliminary Plat (P-07-61), a 14-lot Preliminary Plat on approximately 17.74 acres of land that is currently zoned Rural-3, ranging in size from .05 to 0.75 acres in size with 10 acres dedicated as Open Space, located West of the City of Cle Elum, off of Bullfrog Road and Jenkins Drive, Cle Elum, Washington, to be held on Tuesday March 3, 2009 at 10:00 a.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse 205 West 5th Avenue, Ellensburg, Washington and to authorize the Clerk to publish said notice.

QUIT CLAIM DEEDS  CITY OF ELLENSBURG  PUBLIC WORKS

Approve three Quit Claim Deeds with the City of Ellensburg, for Lot C-16 of the Kittitas County Airport Binding Site Plan containing 0.29 acres; Lot C-29 of the Kittitas County Airport Binding Site Plan containing 0.08 acres; Lot C-28 of the Kittitas County Binding Site Plan containing 0.04 acres.

AGREEMENT  DALE DYK  PUBLIC WORKS

Approve an Agreement between Kittitas County and Dale Dyk for improvements to the private irrigation system located in the County right-of-way on the North Side of Weaver Road, located in Section 31, Township 18 North, Range 18 East, W.M. in the amount of $9,000.00.

SET PUBLIC HEARING  IRRIGATION FRANCHISE—GILBERT ROAD  PUBLIC WORKS

Approve setting a public hearing to consider a Non-exclusive Irrigation Franchise on Gilbert Road, located in Section 19, of Township 18, Range 20, Ellensburg, Washington, to be held on March 17, 2009 at 2:00 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse 205 West 5th Avenue Ellensburg, Washington and to authorize the Clerk to publish said notice.

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AGREEMENT  MULTIPLE PROJECTS – HDR ENGINEERING, INC.  PUBLIC WORKS

Approve an Agreement between Kittitas County and HDR Engineering, Inc. for engineering and geotechnical services on the Red Bridge Road repair and slide analysis as a result of the January 2009 flood.

CORRESPONDENCE – NONE

ADMINISTRATIVE MATTERS

ORDINANCE 2009-01  MANNA FUNDING REZONE (Z-06-46)  CDS

Commissioner Jewell moved to approve Ordinance No. 2009-01, Approving the Manna Funding Rezone (Z-06-46) request, for a rezone from Forest & Range to Rural-3 of 100.31 acres located East of SR-903 and North of Mountain Ridge Drive, Roslyn, Washington, submitted by Wild Horse Ranch, LLC, Peregrine Skies, LLC, Premier Property and Development Group, LLC, and Wild Rivers Crossing, LLC, landowners, pursuant to Kittitas County Superior Court Memorandum of Decision dated February 5, 2009, Cause No. 07-2-00340-04, ordering Kittitas County to approve the rezone request. Chairman Crankovich seconded.

Commissioner McClain said he continues to disagree with the rezone and felt the elements for the decision were covered and was disappointed in the Superior Court’s ruling to overrule the Board of County Commissioners decision. Chairman Crankovich said he philosophically agreed with Commissioner McClain and felt the Board’s review supported the denial, but felt it was time to move on.

Motion carried 2-1 (Commissioner McClain opposed the motion).

CITIZEN COMMENTS ON NON-AGENDA ITEMS

Jan Sharar proposed questions relating to the County Capital Facilities Plan and hiring of a consultant. She asked to be provided information on the consultant’s expectation and hoped it would include a land capacity analysis. Chairman Crankovich said staff may be able to answer her questions more fully by the end of the week.

BOARD DISCUSSION/DECISION ITEMS

APPEAL  JACK PRICE CUP (CUP-08-01)  CDS

Commissioner McClain moved to approve the Findings of Fact, Conclusions of Law, Decision and Conditions declaring the letter dated November 26, 2008 from the Community Development Services revoking the Jack Price Conditional Use Permit (CUP-08-01) was ineffective. Commissioner Jewell
seconded. Motion carried 3-0.

REQUEST FROM THE CITY OF CLE ELUM FOR MUNICIPAL ANNEXATION OF A PORTION OF THE COAL MINES TRAIL – ITEM REMOVED UNTIL FURTHER NOTIFIED BY THE CITY OF CLE ELUM

CONTRACT

Commissioner McClain moved to approve and authorize the Chair to sign a Contract between Kittitas County and the Washington State Higher Education Coordinating Board, for a Work Study student from Central Washington University for the period beginning January 6, 2009 through January 6, 2011. Commissioner Jewell seconded. Motion carried 3-0.

STATE WORK STUDY PROGRAM

Commissioner McClain moved to approve a Staffing and Consultant Agreement for the Wild Horse Wind Power Project Expansion, between Puget Sound Energy and Kittitas County, in an amount not to exceed $26,175.00. Commissioner Jewell seconded. Motion carried 3-0.

JUVENILE

CLOSED RECORD MEETING ANGLEMYER ACRES PRELIMINARY PLAT (P-07-25)

Dan Valoff, CDS Staff Planner, reviewed a request from Devin and Christine Anglemyer, landowners, for the Anglemyer Acres Preliminary Plat (P-07-25), for a subdivision of approximately 12.25 acres into four (4) lots, noting the proposed subdivision is a division of Lot 1 of the Anglemyer Short Plat (SP-04-24) recorded on November 12, 2004, and so the division of a short platted lot within a five year period requires a long plat application. The proposed lot sizes range from 3.01 acres to 3.20 acres located North of Ronald located off Morgan Creek and Salmon La Sac Roads, Ronald, Washington (Map Number 21-14-09053-0001). He said the Hearing Examiner conducted an open record hearing and issued a recommendation to approve the Anglemyer Acres Preliminary Plat (P-07-25).

Commissioner McClain questioned the findings of fact from the Hearings Examiner (Item 10b) regarding 5,000 gallons of water per day for domestic-use from the exemption and felt it was premature with where the County is at with Department of Ecology. He did not think it could be imposed or they have the authority to put it on there at this time. Mr. Valoff said the Hearing Examiner put it in the findings reflecting a comment submitted by the Department of Ecology.

Commissioner McClain moved to approve the Anglemyer Acres Preliminary Plat (P-07-25) and to adopt the Hearing Examiner’s recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval, with the exception of Finding 10b, and direct staff to prepare enabling
documents. Commissioner Jewell seconded. Motion carried 3-0.

CLOSED RECORD MEETING  C.I.G. PRELIMINARY PLAT (P-07-59)  CDS

Dan Valoff, CDS Staff Planner reviewed the C.I.G. Preliminary Plat (P-07-59), an application from Cascade Investment Group LLC, authorized agent for Jeffrey Ryberg & Scott Erickson, landowners, for a Long Plat application to subdivide approximately 20 acres into six (6) lots, ranging from 3.00 to 4.48 acres, located North of the Town of Ronald, East of Salmon La Sac Road, off of Anna Bell Road, Ronald, Washington (Map Number 21-14-16000-0005). He indicated the Hearing Examiner held an open record hearing and recommended approval of the request.

Commissioner McClain moved to approve the C.I.G. Preliminary Plat (P-07-59), and to adopt the Hearing Examiner’s recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval, with the exception of Finding 11b, and direct staff to prepare enabling documents. Commissioner Jewell seconded. Motion carried 3-0.

INTERLOCAL AGREEMENT   CHELAN COUNTY REGIONAL JUSTICE CENTER   SHERIFF

Commissioner Jewell moved to approve an Interlocal Agreement between Chelan County and Kittitas County for housing of inmates in the Chelan County Regional Justice Center, for the period January 1, 2009 through December 31, 2009. Commissioner McClain seconded. Motion carried 3-0.

MISCELLANEOUS - NONE

EXECUTIVE SESSION

At 10:32 a.m. Chairman Crankovich announced the Board would recess into an Executive Session for ten (10) minutes to consider the minimum price at which real estate will be offered for sale of lease when public knowledge regarding such consideration would cause a likelihood of decrease price. However, final action selling or leasing public property shall be taken in a meeting open to the public. He did not anticipate any action following the Executive Session.

At 10:42 a.m. the Board reconvened out of Executive Session. No action was taken.

At 10:42 a.m. Chairman Crankovich announced the Board would recess into an Executive Session for twenty (20) minutes 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. He did not anticipate any action following the Executive Session.

At 11:02 a.m. the Board reconvened out of Executive Session. No action was taken.

ADJOURNMENT

Commissioner McClain moved to adjourn the meeting at 11:02 a.m. Commissioner Jewell seconded. Motion carried 3-0.

Meeting adjourned at 11:02 a.m.

CLERK OF THE BOARD

KITTITAS COUNTY COMMISSIONERS

KITTITAS COUNTY, WASHINGTON

Julie A. Kjorsvik

Alan Crankovich, Chairman