

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

TUESDAY

2:00 P.M.

APRIL 21, 2009

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

Others: Julie Kjorsvik, Clerk of the Board; Steve Panattoni, Patrol Sergeant; Bob Gubser, Commander; Clayton Meyers, Undersheriff; Skip Mynar, Executive Director of Alcohol Drug Dependency Services; Stephanie Happold, Deputy Prosecutor; Judy Pless, Budget & Finance Manager; Paula Hocter, Commander; Zera Lowe, Deputy Prosecutor; Jerry Pettit, Auditor; Neil Caulkins, Deputy Prosecutor and 5 members of the public.

PUBLIC HEARING PURCHASE OF PROPERTY - UMP TANUM COMMISSIONERS

At approximately 2:00 p.m. Chairman Crankovich opened a public hearing to consider a Resolution funding the purchase of real estate located at 307 W. Umptanum, Ellensburg, Washington.

NEIL CAULKINS, DEPUTY PROSECUTOR reviewed a Resolution and Statutory Warranty Deed for the Boards consideration if they chose to purchase the subject property. He explained he had reviewed the title report provided by Stewart Title as well as the appraisal which had been conducted by Lembeck Appraisal & Consulting, Inc. He said the appraisal looked at the property from 3 different values which ranged between \$1.7 million dollars and 2 million dollars. He noted there is an access for a utility easement on the east side boundary of the property, but did not have any concerns relating to that.

JUDY PLESS, BUDGET & FINANCE MANAGER explained the funding source would come from the 1/10th of 1% increase in sales tax that had been approved by the voters back in February of 1996 and then formally adopted by the Board of County Commissioners in Ordinance No. 95-16. She said that as of December 31, 2009 there was approximately \$2,514,085.38 available in that fund and the first quarter of 2009, there was \$181,167.37 brought in. She recommended purchasing the building using those funds and include in their motion that they may or may not use those expenses to be part of the costs to go out to bond.

CLAYTON MYERS, UNDERSHERIFF explained how the voters approved the increase of 1/10th of 1% sales tax to address problems with the jail facility, and the proposed purchase of property would help address even more than that specific issue. He said the voters were clear

they wanted more deputies on street and additional space in the jail. He indicated they had looked at suitable areas and properties with an ability to expand. He noted there are no monies being committed from the 3/10th increase, stating it is totally separate. He explained they tried to encompass all their current and long range needs to include having enough space for an Emergency Operations Center and being able to keep all their equipment inside, in a centralized location to assist in reducing their response time. They do not currently have a secured storage area for investigations and with the new facility, it allows for the space to put vehicles in while they obtain additional information if needed, without having to move the evidence. He said they have had space issues for a long period of time and with the additional personnel that were approved by the voters, it has only made it worse. He said by acquiring the property it would be the first of three phases. He thought Phase II would be to repair the existing jail facility and Phase III would be to expand it. He said the property being considered by the Board would be a permanent location for a long range plan.

THOSE PRESENT & TESTIFYING: CATHERINE CLERF noted she had been part of the 3/10th committee. She thought with the economy being down, and the property owner having built the building as speculative, without any tenant in mind, she felt the Board should to wait on making a decision to purchase the property. She wanted the public to know if the property was in foreclosure or not because if so, the County could wait and purchase it in a Trustees sale, for pennies on the dollar instead of paying full price for it now. **CHARLES WEIDENBACH** supported getting the Sheriff's Administration out of the jail, but he had not been aware of the lease of the building and questioned the price. He indicated his long term concern was the cost factor relating to the distance between the Sheriff's Department and the jail. **THERE BEING NO ONE ELSE REQUESTING TO TESTIFY THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER McCLAIN said although he appreciates the comments made, by leasing the building the County would be paying \$11,500.00 per month and approximately \$138,000.00 annually, and it makes more sense to pay down towards the value by purchasing it. He said it works out to be approximately \$160.00 per square foot and the County could not build a new building any cheaper than that. He expressed his support of purchasing the property out of 1/10th sales tax fund. **COMMISSIONER JEWELL** said he had been very involved with all parties and the negotiations. He said he does not have any information on foreclosure status on the property. He said the Sheriff's Department came to the Board with the suggestion and indicated it would provide for long term growth. He felt a lease would be throwing money away. **CHAIRMAN CRANKOVICH** said although they did not anticipate it coming up at this time, it did and the County needs to act on the

opportunity. He indicated he had no knowledge of foreclosure on property either. He noted there would be no 3/10th money spent on the purchase and gave his support of acquiring the property.

RESOLUTION 2009-65 PURCHASE 307 UMP TANUM ROAD COMMISSIONERS

COMMISSIONER McCLAIN moved to approve Resolution No. 2009-65, Ratifying the Purchase and Sale Agreement and authorizing expenditure of funds for the purchase of real property commonly known as 307 Umptanum Road, Ellensburg, Washington, to be paid out of 1/10th juvenile & adult sales tax and to keep it open for possible bonding at a future date. **COMMISSIONER JEWELL** seconded.

COMMISSIONER McCLAIN said it may be the County's intention to recoup the costs at a later date. Motion carried 3-0.

PUBLIC HEARING DISPOSITION OF PROPERTY - NANUM COMMISSIONERS

At approximately 2:34 p.m. Chairman Crankovich opened a public hearing to consider the disposition of surplus property located at 503 North Nanum Street, Ellensburg, Washington (Map Number 17-18-02055-1007) pursuant to Kittitas County Ordinance No. 2009-04.

COMMISSIONER McCLAIN said he has been working with the Prosecutors office and Alcohol Drug Dependency Services on the issue, and they have reached a point of concern on whether or not they could accept the property.

SKIP MYNAR, EXECUTIVE DIRECTOR OF ALCOHOL DRUG DEPENDENCY SERVICES explained they had been the sole contractor for the County since 1972. They are a Non-profit organization to serve indigent and low income people in the community. In order to continue to serve the people in manner they need to, they need to acquire more space and are in dire need of property. He felt the property on Nanum is an ideal location because most of their clients come from the criminal justice system. He expressed appreciation working with Zera Lowe, Deputy Prosecutor and the Board of County Commissioners being able to surplus the property, but with the requirements of 15(c) of the Ordinance recently passed by the Board, relating to reversion back to the County, they would not be able to find a lender without being able to secure collateral. They have proposal for alternative language which would serve the purpose. He submitted language into the record and said time is of the essence to have a determination made by the Board.

ZERA LOWE, DEPUTY PROSECUTOR said she needed to review the proposed language distributed by Mr. Mynar and if the Ordinance would need to be changed, it would not be able to happen overnight.

MR. MYNAR gave additional information on the history of ADDS, stating they had provided services to County above and beyond what was required and sometimes they don't get paid for their services (for example when Drug Court started). He said they started the Upper County Youth Activities and said if they weren't doing it, the County would be required to take it over or another non-profit agency would need to do it. **CHAIRMAN CRANKOVICH** noted the County has helped fund the Upper County Youth Program over the last 4 years.

THOSE PRESENT & TESTIFYING: CATHERINE CLERF noted she had been on the 3/10th committee and said they recognized there would be problems with space by putting more law enforcement out and more people going through the system. She felt an economical society needs to help people from committing crimes and wanted to make sure Drug Court stays in THE County, and it would not be a gift of funds if ADDS could substantiated. The Board left the public record open and asked Mr. Mynar in the meantime to formalize their dollars given to the County.

COMMISSIONER JEWELL moved to obtain a legal opinion on the language provided by Mr. Mynar and to continue the public hearing to Wednesday May 6, 2009 at 11:00 a.m. in the Commissioners Auditorium, Room 109, Kittitas County, noting the record to remain open. **COMMISSIONER McCLAIN** seconded. Motion carried 3-0.

PUBLIC HEARING

JAIL BOOKING FEES

COMMISSIONERS

At approximately 3:04 p.m. Chairman Crankovich opened a public hearing to consider amending current County policy for jail booking fees and require Kittitas County Jail inmates who are convicted or have pled guilty, a no contest plea or an Alford plea, to pay actual booking costs.

STEPHANIE HAPPOLD, DEPUTY PROSECUTOR explained that Resolution 2003-98 set booking fees and the County's Risk Pool has suggested amending Resolution and policy and fees for collection after disposition. She said the RCW allows to formulate the amount of fees and the jail has come up with a \$50.00 fee. **COMMISSIONER McCLAIN** questioned item (4) regarding refunding the fee if person is acquitted. **MS. HAPPOLD** said that language was taken directly from the Risk Pool attorney.

PAULA HOCTOR, COMMANDER explained how they came up with the \$50.00 fee, including how most officers spends approximately 30-40 minutes when bringing them in, and then staff removes their items, conducts a pat down, medical screens, performs strip searches in certain

crimes, collect and enter criminal history, and if they are from out of Country they may have to contact the Consulate, taking photos, finger prints and issuing items for jail. **MS. HAPPOLD** said the fee is based on actual cost recovery and the process to establish the fee was taken from Risk Pool in conjunction with Sheriff's Department. She said the cities had been notified.

THOSE PRESENT & TESTIFYING: CATHERINE CLERF said she supported the proposed fee. **THERE BEING NO ONE ELSE REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

RESOLUTION 2009-66 JAIL BOOKING FEES SHERIFF

COMMISSIONER McCLAIN moved to approve Resolution No. 2009-66, Amending Resolution No. 2003-98, requiring Kittitas County Jail Inmates who are Convicted or have Pled Guilty, a No Contest Plea or an Alford Plea, to pay action booking costs, to be paid during the Judgment and Sentencing before the proper Court of jurisdiction. **COMMISSIONER JEWELL** seconded. Motion carried 3-0.

Meeting adjourned at 3:15 p.m.

CLERK OF THE BOARD

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Julie A. Kjorsvik

Alan Crankovich, Chairman