COMMISSIONERS' MINUTES  
KITTITAS COUNTY, WASHINGTON  
AGENDA SESSION  

TUESDAY  10:00 A.M.  OCTOBER 20, 2009

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

Others: Julie Kjorsvik, Clerk of the Board; Brent Bottoms, Deputy Prosecutor; Jan Ollivier, Transportation Manager; Cathy Bambrick, Public Health Administrator; Christina Wollman, Public Works Planner and 4 members of the public.

CALL TO ORDER

Vice-Chairman Jewell called the meeting to order.

PLEDGE OF ALLEGIANCE

Vice-Chairman Jewell led the Pledge of Allegiance.

INTRODUCTION OF NEW COUNTY EMPLOYEES – NONE

PROCLAMATIONS – NONE

AWARDS & RECOGNITIONS – NONE

APPROVAL OF AGENDA

Vice-Chairman Jewell noted Item O under the Consent Agenda had been removed from the Agenda until a later date.

Commissioner McClain moved to approve the Agenda, as amended. Vice-Chairman Jewell seconded. Motion carried 2-0.

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.

Vice-Chairman Jewell noted Item O had been removed from the Agenda. Commissioner McClain moved to approve the Consent Agenda, as amended. Vice-Chairman Jewell seconded. Motion carried 2-0.
<table>
<thead>
<tr>
<th>DATE</th>
<th>MEETING</th>
<th>RE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>9/30/2009</td>
<td>Special Meeting</td>
<td>Security Follow-Up</td>
</tr>
<tr>
<td>10/2/2009</td>
<td>Special Meeting</td>
<td>CLC TDR</td>
</tr>
<tr>
<td>10/5/2009</td>
<td>Special Meeting</td>
<td>Budget Discussion</td>
</tr>
<tr>
<td>10/5/2009</td>
<td>Regular Meeting</td>
<td>Dept. Head Minutes (2)</td>
</tr>
<tr>
<td>10/5/2009</td>
<td>Regular Meeting</td>
<td>Agenda Study Session</td>
</tr>
<tr>
<td>10/5/2009</td>
<td>Regular Meeting</td>
<td>Cont’d Agenda Study</td>
</tr>
<tr>
<td>10/6/2009</td>
<td>Regular Meeting</td>
<td>Agenda</td>
</tr>
<tr>
<td>10/6/2009</td>
<td>Special Meeting</td>
<td>Public Hearings</td>
</tr>
<tr>
<td>10/7/2009</td>
<td>Special Meeting</td>
<td>Executive Session</td>
</tr>
<tr>
<td>10/7/2009</td>
<td>Special Meeting</td>
<td>Budget</td>
</tr>
<tr>
<td>10/8/2009</td>
<td>Special Meeting</td>
<td>Prosecutor - PDR</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reorganization</td>
</tr>
<tr>
<td>10/12/2009</td>
<td>Regular Meeting</td>
<td>Office Admin.</td>
</tr>
<tr>
<td>10/12/2009</td>
<td>Regular Meeting</td>
<td>Dept. Head Minutes (3)</td>
</tr>
<tr>
<td>10/12/2009</td>
<td>Special Meeting</td>
<td>Executive Session</td>
</tr>
<tr>
<td>10/12/2009</td>
<td>Regular Meeting</td>
<td>DPW Study Session</td>
</tr>
<tr>
<td>10/12/2009</td>
<td>Special Meeting</td>
<td>Upper County Centennial Center</td>
</tr>
<tr>
<td>10/13/2009</td>
<td>Special Meeting</td>
<td>Emergency Declaration</td>
</tr>
</tbody>
</table>

AGREEMENT AMENDMENT - HORTICULTURAL PEST & DISEASE BOARD AUDITOR

Approve Amendment No. 1 to Grant Contract No. K256, between Kittitas County and the Kittitas County Horticultural Pest and Disease Board, for spraying services provided by B&F Services, increasing the amount from $40,000.00 to $51,000.00.

CONTRACT WA. STATE MILITARY DEPT. - E911 COMMISSIONERS

Approve Contract No. E10-062, between Kittitas County and the Washington State Military Department for Enhanced 911 Funds, in the total amount of $336,356.00, for the period beginning July 1, 2009 through June 30, 2010.

SET PUBLIC HEARING AMEND CODE - OFFICIAL MEETING TIMES COMMISSIONERS

Approve setting a Public Hearing to consider Amending Kittitas County Code Chapter 2.04.010, Official Meeting Time of the Kittitas County Board of Commissioners, to be held on Tuesday November 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.

LEASE AGREEMENT      ELLENSBURG CHAMBER OF COMMERCE      FAIR

Approve a Lease Agreement between Kittitas County and the Ellensburg Chamber of Commerce, to house the Chamber Cowboy’s “Two Headed Car”, “Jail” and trailer at the Kittitas Valley Event Center, 512 N. Poplar, Ellensburg, Washington, in storage shed #3 located at the Native American Facilities, beginning October 20, 2009 through October 20, 2010, with the exception of seventeen days beginning the Monday two weeks preceding the advertised first day of the Ellensburg Rodeo at 7:00 a.m. and shall end the Wednesday following Labor Day at 9:00 p.m.

APPOINTMENT          CLAYTON MYERS – FAIR BOARD       COMMISSIONERS

Approve the appointment of Clayton Myers to the Kittitas County Fair Board, filling a vacancy of a three year term, effective immediately and expiring on December 31, 2010.

RESOLUTION 2009-136   DECLARATION OF EMERGENCY–H1N1    PUBLIC HEALTH

Ratify Resolution No. 2009-136, a Declaration of Emergency regarding the H1N1 (Swine Flu) Pandemic, as approved by the Board of County Commissioners during a Special Emergency Meeting held on October 13, 2009 at 4:20 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse, 205 West 5th Avenue Ellensburg, Washington.

RESOLUTION 2009-137   RESCIND DECLARATION OF EMERGENCY    PUBLIC HEALTH

Approve Resolution No. 2009-137, Rescinding a Declaration of Emergency as outlined in Resolution No. 2009-05, which declared a Local State of Emergency, due to unusual weather conditions consisting of significant snowfall, warm weather and heavy rains causing extensive flooding.

CONTRACT AMENDMENT    WA. STATE MILITARY DEPARTMENT    PUBLIC WORKS

Approve Amendment B to Grant Contract No. D09-584, with the Washington State Military Department and Federal Emergency Management Agency, for federal reimbursement of eligible damages resulting from the severe winter storm flood event beginning January 7, 2009.

RESOLUTION 2009-138   UPPER CO. SHOP FACILITY PROJECT    PUBLIC WORKS

Approve Resolution No. 2009-138, Awarding a Bid in the amount of $67,000.00 plus sales tax, to Steel Structures America, Inc. for the Upper County Shop Maintenance Facility Garage project, and to authorize the Director of Public Works to sign the contract documents for said project.
RESOLUTION 2009-139  CHELAN COUNTY–COLOCKUM PASS ROAD  PUBLIC WORKS

Approve Resolution No. 2009-139, Approving an Interlocal Agreement between Kittitas County and Chelan County for Chelan County to conduct routine maintenance of a portion of Colockum Pass Road in Kittitas County.

RESOLUTION 2009-140  ESTABLISH FLOOD MITIGATION TASK FORCE  PUBLIC WORKS

Approve Resolution No. 2009-140, a Notice of Intent to Establish the Kittitas County Flood Mitigation Task Force.

RESOLUTION 2009-141  COOKE CANYON ROAD BRIDGE PROJECT  PUBLIC WORKS

Approve Resolution No. 2009-141, for County Road Project No. 2009-244, for the Cooke Canyon Road Bridge Replacement Project, from Milepost 4.54 to Milepost 4.54, in the total amount of $85,000.00.

CONTRACT AMENDMENT  WA. MILITARY DEPARTMENT  PUBLIC WORKS

Approve Amendment B to Grant Contract No. D09-581, with the Washington State Military Department and Federal Emergency Management Agency, for federal reimbursement of eligible damages resulting from the severe winter storm flood event beginning January 7, 2009.

REQUEST TO APPROVE A RESOLUTION FOR AN INTERLOCAL AGREEMENT BETWEEN FRANKLIN COUNTY AND KITITAS COUNTY FOR KITITAS COUNTY TO SUPERVISE FRANKLIN COUNTY’S WORK RELEASE INMATES — ITEM REMOVED FROM AGENDA

RESOLUTION 2009-142  LAW & JUSTICE COUNCIL GRANTS  PROSECUTOR

Approve Resolution No. 2009-142, Awarding Funding for Grants Pursuant to Law & Justice Council Recommendations on Spending of 1/10th of 1% Sales Tax Reserves, in the total amount of $25,994.00.

SET CLOSED RECORD MEETING  AIRPORT HEIGHTS PUD REZONE & PLAT  CDS

Approve Setting a Closed Record Meeting for Tuesday November 3, 2009 at 10:00 a.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse, 205 West 5th Avenue, Ellensburg, Washington, to consider the Airport Heights PUD Rezone (RZ-08-00009) and Preliminary Plat (LP-08-00026), a request from Terra Design Group, authorized agent for Schuler Deneen Family Ranch, LLC, Schuler, James K. care of Deneen, Pat, PDQ Construction, landowners, for a rezone from Ag-3 to PUD along with a Preliminary Plat to subdivide approximately 24.36 acres into 14-lots, an additional 9.93 acres included in the rezone were identified as Urban Redevelopment Land as part of the Lannigan Meadows Performance Based
Cluster Plat (P-05-38). The proposed lots range in size from 0.92 to 3.48 acres with one 5.43 acre Open Space Tract. The property is located East of the City of Cle Elum, North of Airport Road, off Danko Road, Cle Elum, Washington (Map Numbers 20-16-30030-0004), 0008 and 0009.

CORRESPONDENCE - NONE

ADMINISTRATIVE MATTERS - NONE

CITIZEN COMMENTS ON NON-AGENDA ITEMS - NONE

BOARD DISCUSSION/DECISION ITEMS

CLOSED RECORD MEETING  McIntyre Preliminary Plat  CDS

Christina Wollman, Public Works Planner, reviewed an application from Andrew and Michelle Schmidt, landowners, for a 6-lot preliminary plat on approximately 18.06 acres of land that is zoned Agriculture-3. The property is located East of Wilson Creek Road and South of Game Farm Road, Ellensburg, Washington (Map Number 18-19-32010-0006). She indicated the Hearing Examiner recommended approval of the McIntyre Preliminary Plat and suggested Findings of Fact and Conclusions of Law.

Cathy Bambrick, Public Health Administrator, spoke of the recommendation from the Hearing Examiner’s note 9B regarding metering being required on all new residential well connections and metering results shall be recorded in a manner consistent with Kittitas County and the Washington State Department of Ecology requirements. She noted with the temporary rules in place on the Memorandum of Agreement, and the new emergency rule requiring a metering statement on final mylars, she did not have a chance to discuss it with the Prosecutors office, and was not prepared to make a recommendation whether to remove it or keep it listed. Vice-Chairman Jewell asked if the Board could just list it as a condition of approval. Brent Bottoms, Deputy Prosecutor, said he had not reviewed the plats, but the Board could have it as a condition, with the records to justify the finding.

Commissioner McClain moved to approve the McIntyre Preliminary Plat (LP-08-00015), as recommended by the Hearing Examiner, with the following amendment to Item 28 to read, that if any such archeological objects as defined by RCW 27.53.030, are discovered or excavated, the owner/developer should stop work immediately and notify the Kittitas County Community Development Services Department and the Washington State Department of Archeology and Historic Preservation, as provided by the RCW, and to direct staff to prepare enabling documents. Vice-Chairman Jewell seconded. Motion carried 2-0.
Christina Wollman, Public Works Planner, reviewed an application for the Windbent Ranch Preliminary Plat (LP-08-00016), for an 8-lot preliminary plat on approximately 25.65 acres of land that is zoned Agricultural-3, located East of Wilson Creek Road and South of Game Farm Road, in Ellensburg, Washington (Map Number 18-19-32010-0003). She indicated the Hearing Examiner recommended approval of the Windbent Ranch Preliminary Plat and suggested Findings of Fact and Conclusions of Law.

Commissioner McClain moved to approve the Windbent Ranch Preliminary Plat (LP-08-00016), as recommended by the Hearing Examiner, with the following Amendment to Item #28 to read, that if any such archeological objects as defined by RCW 27.53.030, are discovered or excavated, the owner/developer should stop work immediately and notify the Kittitas County Community Development Services Department and the Washington State Department of Archeology and Historic Preservation, as provided by the RCW, and to direct staff to prepare enabling documents. Vice-Chairman Jewell seconded. Motion carried 2-0.

Christina Wollman, Public Works Planner, reviewed an application for the Tiger Preliminary Plat (LP-08-00022), for a 7-lot preliminary plat on approximately 21.06 acres of land zoned Agriculture-3, located East of the City of Ellensburg, East of Wilson Creek Road, off Mission View Drive, Ellensburg, Washington (Map Number 18-19-32020-0029). She indicated the Hearing Examiner recommended approval of the Tiger Preliminary Plat and suggested Findings of Fact and Conclusions of Law.

Commissioner McClain moved to approve the Tiger Preliminary Plat (LP-08-00022), as recommended by the Hearing Examiner, with the following Amendment to Item #27 to read, that if any such archeological objects as defined by RCW 27.53.030, are discovered or excavated, the owner/developer should stop work immediately and notify the Kittitas County Community Development Services Department and the Washington State Department of Archeology and Historic Preservation, as provided by the RCW, and to direct staff to prepare enabling documents. Vice-Chairman Jewell seconded. Motion carried 2-0.

MISCELLANEOUS – NONE

EXECUTIVE SESSION

At 10:18 a.m. Vice-Chairman Jewell announced the Board would recess into an Executive Session for fifteen (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 result in an adverse legal or financial consequence to the agency. He indicated he did not anticipate any action following. Those remaining in the Executive Session were Vice-Chairman Jewell, Commissioner Mark McClain, Brent Bottoms, Deputy Prosecutor, Greg Zempeal, Prosecutor and Cathy Bambrick, Public Health Administrator. At 10:33 a.m. the Board reconvened out of Executive Session. No action was taken.

ADJOURNMENT

Commissioner McClain moved to adjourn at 10:33 a.m. Vice-Chairman Jewell seconded. Motion carried 2-0.

Meeting adjourned at 10:33 a.m.

KITTITAS COUNTY COMMISSIONERS

CLERK OF THE BOARD

KITTITAS COUNTY, WASHINGTON

Julie Kjorsvik

Vice-Chairman, Paul Jewell