

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

TUESDAY

1:30 P.M.

JANUARY 12, 2010

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

Others: Catherine Dunn, Deputy Clerk of the Board; Greg Zempel, Prosecutor and Brent Bottoms, Deputy Prosecutor.

SPECIAL MEETING

UPPER DISTRICT COURT

COMMISSIONERS

At 1:30 p.m. **Chairman McClain** opened a special meeting to consider the report of the Redistricting Committee regarding the Upper County District Court and options for relocation. **Chairman McClain** asked what the Board wished to do.

Deputy Prosecutor Brent Bottoms said if the Board wished to do anything they would need to have a public hearing. **Commissioner Crankovich** said according to Judge Ellis and Ken Beckley, on the Committee, nothing needed to be done by the Board.

Mr. Bottoms said the statute requires formulation of a plan at the public hearing.

Commissioner Crankovich said the only reason this has come up is because of bad decisions by previous Boards. He said arguments can be made either way.

Chairman McClain asked if the public was allowed to speak. **Commissioner Crankovich** said there was no one representing the public present, only the Redistricting Committee was present.

Commissioner Crankovich said there always will be a separation between the Upper and Lower portions of the County. If you try to remove a County facility from the Upper County, it will be political suicide. There are perceived County savings if they were combined, but the cost for changing the case numbers is around \$300,000.

Chairman McClain said Yakima County has 1 District Court with multiple divisions and that might solve the numbering problem, or the numbers could be changed, as they go through the system.

Greg Zempel, Prosecutor said the OAC wouldn't go along with that idea.

Chairman Crankovich asked if it would be worth having a public hearing to get public input. **Commissioner Crankovich** said the public opinion might not be as bad as he thinks.

Greg Zempel said that he wasn't convinced there would be a savings to combine the courts. The dollars require more scrutiny, and it is important to remember, that court does things the Lower District Court does not do, protection orders etc. The need for the Upper Court is recognized but it is hard to quantify when you compare case loads and operations, it is similar to a municipality.

Commissioner Crankovich said it had been done badly at the time but it wouldn't be a problem if it had been done correctly and it wasn't meant to be in force this long. Cle Elum was supposed to have had a facility within a few years.

Commissioner Crankovich said the County needs to cut ties with the City of Cle Elum. They sublet from the County, and the owner has a lease with the County and won't negotiate with the City. The City is not in a position to repay the \$163,000 owed to the County.

Chairman McClain said the Board needed to see the figures used for the redistricting report. **Commissioner Crankovich** said he would contact Judge Ellis for them.

Vice-Chairman Jewell asked if the District Court could be a junior taxing district. **Deputy Prosecutor Bottoms** said it could not.

Commissioner Crankovich said a decision needed to be made by May 1, 2010. **Deputy Bottoms** said if redistricting is authorized, be sure to set up a number of Court Commissioners. If that is done, it will eliminate future problems.

The meeting was tabled until the figures are received from Judge Ellis.

SPECIAL MEETING

EXECUTIVE SESSION

COMMISSIONERS

At 2:21 p.m. **Chairman McClain** announced the Board would retire into Executive Session for ten 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 action is anticipated.

At 2:31 p.m. the Board reconvened from Executive Session and **Chairman McClain** announced they would again retire into Executive

Session for ten 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 action is anticipated.

At 2:41 p.m. the Board reconvened from Executive Session and **Chairman McClain** announced they would again retire into Executive Session for ten 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 action is anticipated.

At 2:51 p.m. the Board reconvened from Executive Session and directed staff to set a meeting for an Executive Session on Friday, January 15, 2010 at 3:00 p.m.

Meeting adjourned at 2:51 p.m.

DEPUTY CLERK OF THE BOARD

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Catherine Dunn

Mark McClain, Chairman