

**COMMISSIONERS' MINUTES  
KITTTITAS COUNTY, WASHINGTON  
WEBEX  
SPECIAL MEETING**

**TUESDAY**

**2:00 P.M.**

**SEPTEMBER 21, 2021**

Board members present via WebEx: Chairman Brett Wachsmith; Vice-Chairman Laura Osiadacz; and Commissioner Cory Wright.

Others: Julie Kjorsvik, Clerk of the Board; Taylor Crouch, Administrative Assistant; Katrina Mankus, Juvenile Court Administrator; Kari Elkins, Office Administrator; Sarah Keith, Superior Court Administrator; Mark Cook, Public Works Director; Carly Brettmann, Communications Director; Paul Sander, Lower District Court Judge; Nicole Ogan, Environmental Transportation Planner; Barb Demory, Lower District Court Administrator; Neil Caulkins, Deputy Prosecutor; Mike Hougardy, Assessor; Greg Zempel, Prosecutor; Lisa Murray, Administrative Supervisor; Amy Cziske, Treasurer; Mandy Buchholz, Administrative Supervisor; and approximately 31 members of the public.

This meeting was provided to the public via WebEx and they were previously notified on the Agenda as to where they could access and provide public comments.

**PUBLIC HEARING**

**AMEND COUNTY CODE CHAPTER 2.55**

**JUVENILE**

At 2:00 p.m. **CHAIRMAN WACHSMITH** opened a Public Hearing to consider an Ordinance Amending Kittitas County Code Chapter 2.55.

**KARI ELKINS, OFFICE ADMINISTRATOR** provided a Staff Report and said she was requesting the Board to Amend Kittitas County Code Chapter 2.55 on behalf of the Records Management Committee. The proposed amendments have been reviewed and approved by the Records Management Committee and Prosecutors office.

**THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

**ORDINANCE 2021-011**

**AMEND COUNTY CODE CHAPTER 2.55**

**JUVENILE**

**VICE-CHAIRMAN OSIADACZ** moved to approve Ordinance No. 2021-011, Amending Kittitas County Code Chapter 2.55 Regarding Public Records Disclosure to Remove a Section No Longer Effective. **COMMISSIONER WRIGHT** seconded. Motion carried 3-0.

**APPROVED**

10/19/21

**PUBLIC HEARING                      AMEND COUNTY CODE CHAPTER 2.09                      DISTRICT COURT**

At 2:05 p.m. **CHAIRMAN WACHSMITH** opened a Public Hearing to consider an Ordinance Amending Kittitas County Code Chapter 2.09.

**JUDGE PAUL SANDER, LOWER COUNTY DISTRICT COURT** reviewed a Staff Report and said the Washington State Bar Association adopted revised "Standards for Indigent Defense Services". He said in a subsequent meeting of the Judges of the Courts in Kittitas County, the revision was noted and recognized leading to a need to amend Kittitas County Code 2.09.

**THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

**ORDINANCE 2021-012                      AMEND COUNTY CODE CHAPTER 2.09                      DISTRICT COURT**

**VICE-CHAIRMAN OSIADACZ** moved to approve Ordinance No. 2021-012, Amending Kittitas County Code Chapter 2.09 Regarding Delivery of Public Defense Services to Reflect Changes in the WSBA Standards. **COMMISSIONER WRIGHT** seconded. Motion carried 3-0.

**PUBLIC HEARING                                      SURPLUS COUNTY EQUIPMENT                                      PUBLIC WORKS**

At 2:10 p.m. **CHAIRMAN WACHSMITH** opened a Public Hearing to consider equipment surplus to the Kittitas County's needs and to authorize disposal.

**MARK COOK, PUBLIC WORKS DIRECTOR** reviewed a Staff Report and said the following equipment was surplus to the County's needs: 2006 Sterling Dump Truck, 2005 Falls Plow 312-R, and HP T1100ps Large Format Color Printer.

**THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

**RESOLUTION 2021-146                                      SURPLUS COUNTY EQUIPMENT                                      PUBLIC WORKS**

**VICE-CHAIRMAN OSIADACZ** moved to approve Resolution No. 2021-146, to Declare Equipment Rental and Revolving Fund Equipment Surplus Not to the County's Needs and Authorize Disposal. **COMMISSIONER WRIGHT** seconded. Motion carried 3-0.

**PUBLIC HEARING                                      REAL ESTATE EXCISE TAX                                      PUBLIC WORKS**

At 2:13 p.m. **CHAIRMAN WACHSMITH** opened a Public Hearing to consider Amending Kittitas County Code Chapter 3.09 (0.10) Real Estate Excise Tax.

**MARK COOK, PUBLIC WORKS DIRECTOR** reviewed a Staff Report. He said the Prosecutor's office has verified that Real Estate Excise Tax rate may be increased by one quarter of one percent without County elective process. Kittitas County Code 3.06.02 requires revision from the current one quarter of one percent to a new one half of one percent; consistent with the Board's legislative authority. He reviewed the 6-year Capital Facilities Plan including a new County Park; improvements to an existing County park; participation in an indoor soccer field with Rotary; development of ATV trails in the Upper County; etc.

**THOSE PRESENT & TESTIFYING: JAMES DALEY** said he did understand why the tax is being requested and felt it made a lot of sense with the additional people coming into the County. He said the people who will be using the services will help a good share of the costs.

**SANDY THOMAS** questioned why the decision wasn't going to be made by the entire County, instead of just three Commissioners. **TOM CHINI** said he actively participated in the increase of 1/10<sup>th</sup> of 1% for in law enforcement tax and everyone pays it. He said the proposed increase is specific to the Capital Facilities Plan, and therefore it needs to be promoted to everyone and develop a funding package.

**WAYNE MOLER** said he previously submitted an email to the Board prior to the Public Hearing, and he believes the proposal should be inclusive of all residents of the County instead of just the unincorporated areas. **CARLO NARDUZZI** reviewed some comments which were in the Daily Record on September 18<sup>th</sup> and the proposed increase to the growth in the County. He said the management of the money is the reality of business and not charity. He didn't believe the tax should sit on the shoulders of those in the unincorporated areas.

**COLETTE RARDEN** spoke on behalf of the Association of Kittitas County Realtors. She said she's heard a lot from Commissioner Wright about misinformation from the real estate campaign. She said whatever the statute says the Board of County Commissioners has always had the authority to go to the people for an advisory vote, including the REET statute. She asked the Board to table the vote and see if they can assist with alternative funding sources. **GENEVIEVE GILLMAN** agreed it should be put to a vote of the people to decide if it's what they want. She said over the past five years property values have almost doubled and so when people go to sell their home, they will have to pay a lot more due to taxes & fees. She asked the Board to not put the burden on the home sellers. **GORDON SCHOLL** said he is a 3<sup>rd</sup> generation realtor. He felt realtors need to do a better job of messaging and as their job they need to be completely transparent and represent everyone they work with. **HAILEY HOLBROOK** requested the Board to put the issue to the vote of the people. She didn't feel the decision should be made by the County Commissioners. **JIM BROWN** spoke in favor of putting the proposal up for public vote. **JESSICA KARRAKER** said she was torn on giving public comment either way on the proposed tax. She said most people who would be voting on the tax do not own property nor grasp the concept of REET. She said most

of the people didn't show up to the Mental Health tax which would have affected everyone. She encouraged people to look more into what REET is to see what benefits there could be for the County. **JIM BECKER** said he was part of the Towns to Teanaway and felt the County needed to have a Recreation Department. He felt it had been misrepresented to the public by saying the taxes were going to double, as it's a very benign tax and benefits would out way any tax liabilities. **KEN RUSCH** said he was a local realtor in Kittitas County and understands what REET 2 could do for the community. He said the realtors put together the campaign to make the public aware of what was going on, not against the Commissioners. **KITTY WALLACE** said she was a realtor and property owner in Kittitas County. She thanked Commissioners Wright for his video that had clear and concise information on the proposed tax. She encouraged the Commissioners to allow their constituents to vote on the matter. **MATTHEW LUNDH** thanked the Board for making the tough call and doing the best for the citizens of Kittitas County. **NICKY PASI** said she fully supported the tax increase. She felt the quality of outdoors and ability to access it drives the value and quality of life in Kittitas County. **PAT DENEEN** expressed his opposition to the negative campaign that was put out by the realtors. He said he personally supported the REET 2 tax as it's being presented. He felt the County needed a parks department for trails; parking; improved access to county streams; and better roads. **RORY SAVAGE** said he did not support the REET 2 increase however, he understands County issues, but it should be applied by the vote of the people. **MARGO CORDINOR** said she didn't feel the County should make the decisions on their own. She felt if they were allowed to make those decisions, they would keep doing it and she didn't feel comfortable with it.

**THERE BEING NO OTHERS REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

**COMMISSIONER WRIGHT** moved to approve Ordinance No. 2021-011, Amending Kittitas County Code Chapter 3.09 Real Estate Excise Tax. The motion died for the lack of a second.

**VICE-CHAIRMAN OSIADAZ** moved that the Board of County Commissioners work with the Auditor's office to place REET 2 on the ballot for the vote of the people for either a final or advisory vote on the 2022 General Elections Ballot whichever is legally allowable, then to decide on whether to enact REET 2 based on the majority vote. **CHAIRMAN WACHSMITH** seconded.

**COMMISSIONER WRIGHT** said the public vote for this Board has been asked, answered, and he's disappointed to hear it. He said the law states the increase may be approved by the legislative body and precedence was previously set by a previous Board by voting in REET 1 with a 2-1 vote. He said an advisory vote has significant costs associated by the County and questioned why money should be spent

when it's not necessary. He noted how cities have the option to pass it by a legislative body vote as well.

**VICE-CHAIRMAN OSIADACZ** said Kittitas County has received more money through REET 1 through the increase in real estate sales however it does not account for the unfunded mandates from the State of Washington. She explained how Kittitas County has taken money from the Road Fund to keep the County afloat and we are now looking into the future where people will have to make some tough decisions. She said she was appalled by the realtors for a misleading campaign by only a small number of members. She said having it go to a vote before the citizens is consistent with her vote on the proposed Mental Health tax, even if it's just for an advisory vote.

**CHAIRMAN WACHSMITH** felt it was refreshing to see the amount of people engaged. He wished the proposed Mental Health tax is more of a pressing need, he does support the REET tax and sees the benefit but is in favor of sending it to the vote of the people.


Motion approved 2-1. Commissioner Wright voted against the motion.

The meeting was adjourned at 1:31 p.m.

**CLERK OF THE BOARD**

  
Julie Kjorsvik

**KITTITAS COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON**

  
Brett Wachsmith, Chairman