



MINUTES

**KITSAP COUNTY
BOARD OF COMMISSIONERS
December 5, 2005**

The Board of Commissioners met on the above-stated date. Present were Chair Chris Endresen, Commissioner Jan Angel, Commissioner Patty Lent, County Administrator Cris Gears and Clerk of the Board Opal Robertson. (THE BOARD OF COMMISSIONERS' PUBLIC MEETINGS AND PUBLIC HEARINGS ARE AUDIO AND VIDEO TAPED).

10:00 AM) Meeting Called to Order with Flag salute.

PROCLAMATIONS/RESOLUTIONS/RECOGNITION:

1) Recognition of "Employee of the Month" (Susan Smith, Personnel & Human Services). **Staff Contact:** Erin Neff, 337-4447.

Congratulations and a Certificate of Appreciation is presented to Susan Smith, Personnel & Human Services on being selected "Employee of the Month" for December.

PUBLIC HEARINGS:

**** Please note that starting times are estimates and may be impacted by the amount of public input.**

10:05) Continuation of the public hearing to consider a **Resolution** adopting the **2006-2011 Six-Year Transportation Program** in accordance with RCW 36.81 and WAC 136-15. **Staff Contact:** Randy Casteel, 337-4866.

Randy Casteel, Public Works Director, said staff received one comment from the Port of Bremerton and the county is presently partnering with the Port to identify the access point for the proposed technology boulevard for the South Kitsap Industrial area. He said the study is near completion and would be moving to the design of the intersection and channelization for the proposed road on Highway #3, north of the airport. He said after meeting with the Port, the county needs to amend item #8 on the 6-year Transportation Program adding an additional \$2,000 to reflect the county's portion of the design work. Casteel said the county also needed to do the same for Annual Road Program adding an

additional \$2,000 to item #7. He said the \$2,000 is taken from item # 70 on the 6-Year Program and item #41 on the Annual Road Program but the bottom line remained the same.

Discussion is held, comments called for and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board adopts **Resolution No. 219-2005*** approving the **2006-2011 Six-Year Transportation Program** in accordance with RCW 36.81 and WAC 136-15. Motion carries unanimously.

10:07) Continuation of the public hearing to consider a **Resolution** adopting the **2006 Annual Road Program** in accordance with RCW 36.81 and WAC 136-15. **Staff Contact:** Randy Casteel, 337-4866.

Discussion is held, comments called for and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board adopts **Resolution No. 220-2005*** approving the **2006 Annual Road Program** in accordance with RCW 36.81 and WAC 136-15. Motion carries unanimously.

10:10) Public hearing to consider a **Petition to Vacate** a portion of a county road known as **Laurel Grove Avenue** filed by **Robert and Carolee Pedersen**. The proposed vacation is located in North Kitsap, Commissioner District #1. **Staff Contact:** Molly Foster, 337-3686.

Molly Foster, Public Works Department, gave a brief summary of the petition to vacate a portion of Laurel Grove Avenue and states staff supports the vacation. She said it was requested that a statement be added to the final order regarding the access/future access to State Route # 305 in that any future access would coincide with the Department of Transportation regulations.

Discussion is held, comments called for and hearing no objection, a **motion** is made by Chair Endresen and seconded by Commissioner Angel that the Board approves the Petition to Vacate a portion of a county road known as Laurel Grove Avenue filed by Robert and Carolee Pedersen; further that an Order be executed so stipulating. Motion carries unanimously.

10:15) Public hearing to a **Petition to Vacate** a portion of a county road known as **6th Avenue and Prospect Street** filed by **Vilas Jr. and Alison O'Sullivan**. The proposed vacation is located in South Kitsap, Commissioner District # 2. **Staff Contact:** Rob McGinley, 337-3924.

Rob McGinley, Public Works Department, gave a brief summary of the petition to vacate a portion of 6th Avenue and Prospect Street and states staff supports the vacation.

Discussion is held, comments called for and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board approves the Petition to Vacate a portion of a county road known as 6th Avenue and Prospect Street filed

by Vilas Jr. and Alison O'Sullivan; further that an Order be executed so stipulating. Motion carries unanimously.

10:25) Public hearing to consider a **Resolution amending the 2005-2006 Kitsap County Biennial Budget** and if approved, this resolution will increase expenditures in all funds in the amount of \$878,637.00 in 2005 and \$356,282.00 in 2006. These expenditures are primarily offset by the receipt of additional revenue mainly in the form of grants, bond proceeds, or reduction in current fund balances. **Staff Contact:** Ben Holland, 337-4503.

Arley Bright, Department of Administrative Services, summarizes the proposed resolution to amend the 2005-2006 Biennial Budget and recommends adoption by the Board.

Discussion is held, comments called for and hearing no objection, a **motion** is made by Commissioner Lent and seconded by Commissioner Angel that the Board adopts **Resolution No. 221-2006*** amending the 2005-2006 Kitsap County Biennial Budget. Motion carries unanimously.

10:30) **Closed Record Appeal** filed by **Peter and Heather Ross** of the Hearing Examiner's decision to approve subject to conditions the project known as **Allen's Corner Stormwater Drainage-Shoreline Substantial Development Permit**. The project proposes to repair, replace and upgrade the existing 15-inch conveyance to a 24-inch conveyance and relocate the outfall to the north of the existing system to allow for discharge at a more stable location. The proposed project is located on the eastern shore of Dyes Inlet between Windy Point and Tracyton in Central Kitsap, Commissioner District #3. **Staff Contact:** Dave Greetham, 337-4603. (**NOTE: Said matter for DECISION ONLY.**)

A **motion** is made by Commissioner Lent and seconded by Commissioner Angel that the Board affirms the Hearing Examiner's decision thereby denying the appeal and further adds Condition #11 to the decision that states the applicant shall conduct a cultural resource assessment. Motion carries unanimously.

OPPORTUNITY FOR PUBLIC COMMENTS ON AGENDA ITEMS ONLY:

(Please limit comments to 3 minutes or less. Written comments may also be submitted to the Board if 3 minutes is insufficient.)

A. Ron Ross addresses the Board about possibly applying for a job with the County.

OTHER BUSINESS AND CONSENT ITEMS:

1) MISCELLANEOUS ITEMS:

A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board:

A. Approves Consent Agenda.

- B. Approve Minutes of November 28, 2005.
- C. Approve Warrant Nos. 3209211 through 3210332 in the amount of \$4,985,327.74.
- D. Approve Payroll Warrant Nos. 635849 through 636031 in the amount of \$1,731,416.90.
- E. Refer the following to the Prosecutor's Office and Risk Management: 1) Claim for Damages filed by Harvey George Boyce; 2) Complaint for Damages filed by Marilyn Bishop; and 3) Complaint for Damages filed by William Thomas Johnston.

Motion carries unanimously.

2) DEPARTMENT OF PUBLIC WORKS:

- A. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Lent and seconded by Commissioner Angel that the Board approves and executes the contract with **Thompson Bros Excavating Inc (KC-600-05)** for the Silverdale Way NW Clear Creek Bridge and Stream project in North Kitsap, Commissioner District #1. **Total Fiscal Impact:** \$1,070,102. **Source of Funds:** Road Fund. **Staff Contact:** Dick Dadisman, 337-5777 x3556. Motion carries unanimously.

3) DEPARTMENT OF PERSONNEL AND HUMAN SERVICES:

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board approves and executes the collective Bargaining agreement amendment with **WA State Council of County & City Employees Local 1308-S (KC-505-03B)** implementing 2003 tentative agreement preventing a member (B. Hauschel) from losing annual leave that would have been accrued under the Teamsters CBA as affected by the transfer to Facilities, Park & Recreation Dept. **Total Fiscal Impact:** \$2,420. **Source of Funds:** General Fund. **Staff Contact:** Rob Gudmundson, 337-4884. Motion carries unanimously.
- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board approves and executes the collective Bargaining agreement amendment with the **Kitsap County Sheriff's Support Guild (KC-560-05)** for a 3-year contract effective January 1, 2005 through December 31, 2007. **Total Fiscal Impact:** Estimated at \$1,404,014-2005; \$1,459,938-2006 and \$1,522,832-2007. **Source of Funds:** General Fund. **Staff Contact:** Rob Gudmundson, 337-4884. Motion carries unanimously.
- C. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board approves and executes the contract with **Bremerton Services Association (KC-593-05)** to provide senior citizen nutrition services for the period of

January 1, 2006 through December 31, 2006. **Total Fiscal Impact:** \$346,255 is 100% Grant Funded. **Source of Funds:** WA State DSHS. **Staff Contact:** Linda Hanna, 337-7068. Motion carries unanimously.

4) **AUDITOR'S OFFICE:**

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board adopts **Resolution No. 222-2005*** voiding all outstanding salary warrants from January 1, 2003 through December 31, 2003. **Total Fiscal Impact:** N/A. **Source of Funds:**. **Staff Contact:** Lillian Shierk, 337-4909. Motion carries unanimously.

5) **COUNTY CLERK'S OFFICE:**

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board approves and executes the contract amendment with the **Steve Tyner Law Firm (KC-114-05A)** to provide legal representation of indigent persons charged with crimes or offenses in Kitsap County Superior Court. **Total Fiscal Impact:** N/A. **Source of Funds:** General Fund. **Staff Contact:** Joanne Cruz, 337-7015. Motion carries unanimously.
- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board approves and executes the contract amendment with the **Steve Tyner Law Firm (KC-124-05A)** to provide legal representation of indigent persons charged with crimes or offenses in Kitsap County Superior Court and District Court. **Total Fiscal Impact:** N/A. **Source of Funds:** General Fund. **Staff Contact:** Joanne Cruz, 337-7015. Motion carries unanimously.
- C. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board approves and executes the contract amendment with the **Steve Tyner Law Firm (KC-220-05A)** to provide legal representation of indigent persons detained in involuntary commitment and involuntary alcohol commitment cases in Kitsap County Superior Court. **Total Fiscal Impact:** N/A. **Source of Funds:** General Fund. **Staff Contact:** Joanne Cruz, 337-7015. Motion carries unanimously.
- D. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board approves and executes the contract amendment with the **Steve Tyner Law Firm (KC-304-05A)** to provide legal representation of indigent persons charged with crimes or offenses in Kitsap County Superior Court. **Total Fiscal Impact:** N/A. **Source of Funds:** General Fund. **Staff Contact:** Joanne Cruz, 337-7015. Motion carries unanimously.
- E. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board approves and executes the contract amendment with the **Steve Tyner Law Firm (KC-427-05A)** to provide legal representation of indigent persons charged with homicide in Kitsap County Superior Court. **Total Fiscal Impact:** N/A.

Source of Funds: General Fund. **Staff Contact:** Joanne Cruz, 337-7015. Motion carries unanimously.

- F. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board approves and executes the contract amendment with the **Steve Tyner Law Firm (KC-431-05A)** to provide legal representation for persons entitled to consult with an attorney pursuant to CrRLJ 3.1 and CrR 3.1. **Total Fiscal Impact:** N/A. **Source of Funds:** General Fund. **Staff Contact:** Joanne Cruz, 337-7015. Motion carries unanimously.

7) **CONTRACTS APPROVED BY COUNTY ADMINISTRATOR /OR DEPARTMENT DIRECTORS (Pursuant to Section 3.56.075 Kitsap County Code:**

- A. Summary report of contracts approved for the month of November. (No action required by the Board).

8) **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD:**
(Please limit comments to 3 - 5 minutes. Written comments may also be submitted to the Board if this timeframe is insufficient.)

- A. Jim Avery and Ben Holland gave a brief update on the recently held United Way of Kitsap County campaign.

9) **BOARD OF COMMISSIONER'S COMMENTS:**

- A. Commissioner Lent said she attended/participated in or will be attending the following meetings: Hood Canal Coordinating Council, Critical Areas Ordinance meetings, Habitat for Humanity Builders Warehouse grand opening and the Homebuilders Dinner.
- B. Commissioner Angel said she attended/participated in or will be attending the following meetings: South Kitsap Kiwanis, South Kitsap Highlighters Medieval Dinner, Port Orchard Chamber of Commerce Executive Board and Congratulations to Tadina Crouch and Rick Gagnon on their retirement.
- C. Commissioner Endresen said she attended/participated in or will be attending the following meetings: Lunch with elected officials and Puget Sound Regional Council, Human Rights Commission Conference.

Chair Endresen announces that the Board would go into executive session from 1:30 – 2:00 PM to discuss potential litigation pursuant to RCW 42.30.110 (i) and they Board may or may not take action on the matter.

Public meeting recesses at 11:50 AM.

Public meeting reconvenes at 2:00 PM and Chair Endresen announces the executive

session is continued for an additional 10 minutes.

Public meeting reconvenes at 2:10 PM and Chair Endresen announces that no action was taken at the executive session.

Public meeting adjourned at 2:14 PM.

**BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY WASHINGTON**

CHRIS ENDRESEN, CHAIR

JAN ANGEL, COMMISSIONER

PATTY LENT, COMMISSIONER

ATTEST:

OPAL ROBERTSON
CLERK OF THE BOARD

DATE APPROVED

* See Resolution Journal Volume No. 60

** See Ordinance Journal Volume No. 14

OTHER MEETINGS ATTENDED BY THE BOARD:

12/05/05	12:00 PM	Lunch w/Elected Officials
	1:30 PM	Executive Session (discuss potential litigation)
	2:00 PM	Admin Briefing – BOCC Conference Room
12/06/05	8:00 AM	Kitsap Executive Council
12/07/05	8:30 AM	Work Study Session-Public Works Conf Room 3 rd Floor
	1:00 PM	Meeting with Dept of Ecology re: water resource funding
12/09/05	7:30 AM	Human Rights Conference – Kiana Lodge

(The Board of County Commissioners public meetings are televised on public access television BKAT (ComCast Ch.12 and Wave Broadband Ch. 3) Monday nights at 5 PM, Tuesdays at 8 PM and Wednesday at 1 AM).

The next Board of Commissioners Meeting will be held **December 12, 2005.**

NOTE: Kitsap County does not discriminate on the basis of disability. Individuals who require accommodations should contact the Commissioners Office at (360) 337-7146 OR TDD (360) 337-7275 OR 1-800-816-2782. (Please provide five business days notice for Interpreter Services).

UPCOMING TIMED AGENDA ITEMS:

(PLEASE NOTE: These dates and times are tentative and subject to change)

December 12, 2005:

- 10:10)** Public hearing to consider adopting a **Resolution** on the matter of the proposed Kitsap County 2006 General Property tax levy, County Road property tax levy, Conservation Futures property tax levy and the voted Poulsbo Library Capital Facilities District Bond levy. **Staff Contact:** Arley Bright, 337-4787.
- 10:15)** Public hearing to consider adopting a **Resolution** on the matter of amending the 2005-2006 Kitsap County Biennial Budget and if approved, the resolution will increase expenditures in public works funds in the amount of \$9,183,286 in 2006. **Staff Contact:** Arley Bright, 337-4787.