



## MINUTES

### KITSAP COUNTY BOARD OF COMMISSIONERS January 26, 2009 – 7:00 p.m.

The Board of Commissioners met on the above-stated date. Present were Chair Steve Bauer, Commissioner Josh Brown, Commissioner Jan Angel, County Administrator Nancy Buonanno Grennan and Clerk of the Board Opal Robertson. *(The Board of Commissioners' public meetings is audio and video taped. By signing in or speaking at this meeting, you grant your permission to be taped. Minutes of this public meeting are posted on Kitsap County's webpage).*

**7:00 PM)** Meeting Called to Order with Pledge of Allegiance.

**#1)** Employee Service Awards for January. **Staff Contact:** Joy Crema, 337-7185.

Congratulations and Certificates of Appreciation is presented to the following employees for their years of service to Kitsap County: Mark Abernathy, *Administrative Services*; Gregory Sandstrom, *Coroner's Office*; Eric Bockelie and David Ewert, *Sheriff's Office*.

**#2)** Recognition of January *Employee of the Month* (Susan Donahue and Lisa Lewis, Community Development) **Staff Contact:** Erin Neff, 337-4447.

Congratulations and Certificates of Appreciation is presented to the following employees on being selected employees of the month for January; Susan Donahue and Lisa Lewis, Community Development.

**OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ON REGULAR  
BUSINESS AGENDA, INCLUDING CONSENT AGENDA & GENERAL ISSUES:  
TOTAL TIME LIMITED TO 15 MINUTES**

(Please limit individual comments to **3 minutes**. Written comments may also be submitted to the Board, if this timeframe is insufficient.) Comments on items slated for public hearing will be deferred until the hearing.

- A. Paul Nuchims, South Kitsap resident, addresses the Board with concerns about paying property taxes and suggested the county consider postponing payment of taxes for property owners that are in danger of losing their homes.
- B. Michael Gustavson addresses the Board with concerns about shoreline plans.
- C. Vivian Henderson addresses the Board with concerns about why the Board held its retreat in Quilcene as opposed to Kitsap County, why it was held in a private home and contracting with a consultant without knowing the cost.
- D. Jim Sommerhauser addresses the Board with concerns about Legislative update issues.

**CONSENT ITEMS AND OTHER BUSINESS:**

**Note:** Unless otherwise noted, all expenditures for the remaining agenda items have been included in the Annual Budget.

- A. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the Consent Agenda; subject to taking item 5. A. off consent. Motion carries unanimously.

**1) MISCELLANEOUS ITEMS:**

- B. Approve Minutes of January 12, 2009.
- C. Approve Warrant Nos. 3398585 – 3398674 in the amount of \$4,134,024.03.
- D. Approve Payroll Warrant Nos. 662589 – 662654 in the amount of \$1,913,362.20.
- E. Refer to the Prosecutor’s Office and Risk Manager: 1) Claim for Damages filed by J & K Shaw; 2) Claim for Damages filed by J. Jensen 3) Claim for Damages filed by M. Reeves; 4) Claim for Damages filed by J. Reeves; 5) H. Conner; and 6) G. Romaine.

**2) DEPARTMENT OF PERSONNEL & HUMAN SERVICES:**

- A. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves and executes the [Interlocal agreement](#) with the **Hoh Tribe (KC-452-08)** providing mental health services to local Native American communities. **Fiscal Impact:** \$21,400 is 100% grant funded by DSHS. **Staff Contact:** Anders Edgerton, 337-4886. Motion carries unanimously.
- B. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves and executes the [Contract amendment](#) with **Consolidated Food Management, Inc (KC-337-02H)** providing all meals services to clients of the Kitsap Recovery Center for the period of January 1, 2009 through

December 31, 2009. **Fiscal Impact:** \$110,000 for calendar year 2009 – Kitsap Recovery Center. **Staff Contact:** Bert Furuta, 337-7185. Motion carries unanimously.

- C. **Contract amendment** with **Able Opportunities (KC-245-07C)** increasing the contract amount by \$89,216 for development disabilities support services for the period of July 1, 2007 – June 30, 2009. **Fiscal Impact:** \$89,216 is 100% grant funded by DSHS. **Staff Contact:** Kelly Oneal, 337-4624. **(Note: At the request of staff, this item is pulled)**
- D. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves and executes the **Contract** with **Olympic Consortium & WA State Employment Security Dept (KC-461-08)** providing core services, intensive services and training services for laid-off workers in Kitsap County. **Fiscal Impact:** \$241,993 is 100% grant funded by WIA. **Staff Contact:** Bob Potter, 337-3526. Motion carries unanimously.

**3) DEPARTMENT OF PUBLIC WORKS:**

- A. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board approves **Contract** with **Golder Associates (KC-037-09)** providing scope of work for the Kingston Wastewater Treatment Plant reclaimed water feasibility study in North Kitsap, Commissioner District #1. **Fiscal Impact: \$204,942 - 100% Grant Funded.** **Staff Contact:** Barbara Zaroff, 337-3663. Motion carries unanimously.
- B. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves and executes the **Interlocal agreement** with the **City of Port Orchard (KC-458-08)** to form the Kitsap Peninsula Clean Runoff Collaborative. **Fiscal Impact:** Revenue of \$24,592 –SSWM Funds. **Staff Contact:** Jayna Ericson, 307-4277. Motion carries unanimously.

**4) DEPARTMENT OF ADMINISTRATIVE SERVICES:**

- A. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board adopts **Resolution No. 007-2009\*** establishing the “*Clean Kitsap Fund.*” **Staff Contact:** Shawn Gabriel, 337-4504. Motion carries unanimously.
- B. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board adopts **Resolution No. 008-2009\*** approving the distribution of 2009 funds for the Kitsap County Lodging Tax. **Fiscal Impact:** \$312,000 - Stadium Fund. **Staff Contact:** Shawn Gabriel, 337-4504. Motion carries unanimously.

5) **AUDITOR’S OFFICE:**

- A. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board adopts **Resolution No. 009-2009\*** to amend voting precinct boundaries. **Staff Contact:** Dolores Gilmore, 337-7130. Motion carries unanimously.

6) **DEPARTMENT OF INFORMATION SERVICES:**

- A. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves and executes the **Contract amendment** with **NetVersant (KC-006-04A)** extending the contract term through December 31, 2009 for PBX maintenance for telephone services. **Fiscal Impact:** \$48,738 – IS/Telecommunications Fund. **Staff Contact:** George Geyer, 337-4404. Motion carries unanimously.

7) **SHERIFF’S OFFICE/CORRECTIONS DIVISION:**

- A. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves and executes the **Contract amendment** with the **City of Port Orchard (KC-404-06A)** for the detention and incarceration of adult persons arrested and /or committed to confinement by the City. **Fiscal Impact:** \$80/per inmate for each 24-hour period of confinement – City of Port Orchard. **Staff Contact:** Ned Newlin, 337-7107. Motion carries unanimously.
- B. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves and executes the **Contract** with **Kitsap Community Resources (KC-426-08)** to provide community service as an alternative to incarceration. **Fiscal Impact:** NTE \$69,977 for 2009 and \$70,140 for 2010, saves the county \$80/day by not having to incarcerate eligible individuals. – Jail General Fund. **Staff Contact:** Ned Newlin, 337-7107. Motion carries unanimously.
- C. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves and executes the **Contract** with **Consolidated Food Management (KC-337-02G)** to provide all meal services to inmates of the Kitsap County Corrections Center as well as Corrections staff. **Fiscal Impact:** \$801,885 for 2009 – Jail General Fund. **Staff Contact:** Ned Newlin, 337-7107. Motion carries unanimously.

8) **DEPARTMENT OF PARK & RECREATION:**

- A. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves and executes the conservation **easement agreement** with **Great Peninsula Conservancy (KC-047-09)** for a donated easement on a 10-acre parcel through Barker Creek. **Fiscal Impact:** N/A **Staff Contact:** Matt Keough, 337-5357. Motion carries unanimously.

- B. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves and executes the [contract amendment](#) with **Northwest Abatement Services (KC-386-08A)** for additional costs related to the demolition of the buildings at Kingston Village Greens in North Kitsap Commissioner Dist #1. **Fiscal Impact:** \$7,500 – Parks Capital Project Fund. **Staff Contact:** Matt Keough, 337-5357. Motion carries unanimously.
- C. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board approves and executes the [contract](#) with **Lydel Construction (KC-048-09)** for Island Lake Restroom remodel project. **Fiscal Impact:** \$68,570 – Parks Maintenance Fund. **Staff Contact:** Dori Leckner, 337-5362. Motion carries unanimously.

**9) COMMISSIONERS OFFICE/COUNTY ADMINISTRATOR:**

- A. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board adopts [Resolution No. 010-2009\\*](#) appointing **Linley Logan** to the *Art Board* (Dist #3) for 3-year terms ending December 31, 2011. **Staff Contact:** Jan Koske, 337-4650. Motion carries unanimously.
- B. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board adopts [Resolution No. 011-2009\\*](#) appointing **Katrina Collings-Satter** (Dist #3) and **Kitty Candelaria** (Alternate, Dist #3) to the *Kitsap County Board of Equalization* for 3-year terms ending January 25, 2012. **Staff Contact:** Jan Koske, 337-4650. Motion carries unanimously.
- C. A **motion** is made by Commissioner Garrido and seconded by Commissioner Brown that the Board adopts [Resolution No. 012-2009\\*](#) reappointing **Robert Baglio** (Dist #2) to the *Kitsap County Planning Commission* to a 4-year term ending December 31, 2012. **Staff Contact:** Jan Koske, 337-4650. Motion carries unanimously.

**PUBLIC HEARINGS:**

**\*\* Please note that start times are estimates and may be impacted by the amount of public input. Unless otherwise announced by the Chair of the Board, public comments will be 3 minutes per person.**

- A) Continuation of the public hearing to consider enacting an [Ordinance](#) adding a new Section 2.26.030 to the Kitsap County Code setting administrative fees for copying of autopsy reports. **Staff Contact:** Greg Sandstrom, 337-5602.

Greg Sandstrom, Coroner's Office, gave a brief overview of the proposed ordinance stating many of the non-family requests come from insurance companies and attorneys. He said these are the ones the Coroner's Office would likely charge the \$25 fee.

Michael Gustavson said he has concerns about small fees charged by the government. He said it cost money to write the check, to process the bill and often the administrative cost is far greater than the fee charged.

Discussion is held, comments called for and hearing no objection, a **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board enacts **Ordinance No. 423-2009\*\*** adding a new Section 2.26.030 to the Kitsap County Code setting administrative fees for copying of autopsy reports. Motion carries unanimously.

- B)** Public hearing to consider a [Resolution](#) amending the Parks and Recreation Fee Schedule. **Fiscal Impact:** \$14,500 (estimate) – Park Fees. **Staff Contact:** Chip Faver, 337-5355.

Chip Faver, Parks and Recreation, gave a brief overview of the proposed resolution stating during the 2009 budget process, the department proposed increasing some fees to meet the required departmental budget cuts. He said the fees being increased are for the alcohol deposit fee and the day rate at Island Lake and are based on usage rates and market comparisons.

Discussion is held, comments called for and hearing no objections, a **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board adopts **Resolution No. 013-2009\*** amending the Parks and Recreation Fee Schedule. Motion carries unanimously.

- C)** Public hearing to consider enacting an [Ordinance](#) extending the Rural Wooded Incentive Program Moratorium. **Staff Contact:** Katrina Knutson, 337-7181.

Larry Keeton, Community Development, said tonight's hearing is to extend a moratorium imposed by the Board on August 11, 2008 regarding the Rural Wooded Incentive Program. He said staff provided a work plan however it was not completed and needs to be complete by February. Keeton asks the Board to continue the Rural Wooded Incentive Program moratorium based on the revised work plan which addresses the schedule of activities staff will complete within the next six months as well as identify some of the preliminary issues to be addressed.

Vivian Henderson, Kitsap Alliance of Property Owners, said relative to the work plan, why are there are individual meetings scheduled with the Board members in late February. She said she objects to the individual meetings.

William Palmer said he has seen the Board impose moratoriums for the last five years on different subject matters and do not see a justification for any of the moratoriums that are imposed. He questions what the emergency is. Chair Garrido closes the public hearing on this matter.

Discussion is held, comments called for and a **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board enact **Ordinance No. 424-2009\*\*** extending the Rural Wooded Incentive Program Moratorium. Motion carries unanimously.

- D)** Public hearing to consider enacting an **Ordinance** (Emergency Ordinance #421-2008 adopted December 23, 2008) imposing a 180-day moratorium on the acceptance of new applications for permits on nonconforming lots in rural zones for buildings connected to onsite sewage systems designed to serve more than six dwelling units. **Staff Contact:** Katrina Knutson, 337-7181.

Larry Keeton, Community Development, said this moratorium was enacted on December 23, 2008 as an emergency ordinance and tonight is the public hearing as required by state law. He said the issue here relates primarily to large on site septic systems that allows for a higher density in the rural areas. Keeton said this is inconsistent with the County's Comprehensive Plan and the state Growth Management Act. He asks the Board to keep the moratorium in place in order for staff to do a review of Title 16 that addresses legacy lots and similar type systems of non-conforming lots as appropriate and to bring forth code that would be more consistent with the County's Comprehensive Plan and the state Growth Management Act.

William Palmer questions the nature of the emergency and said he sees no justification for this moratorium.

Vivian Henderson said this is social engineering and she objects to the moratorium.

Paul Nuchims asks about the status of the Beaver Creek/Woods View application.

Michael Gustavson questions if onsite septic systems produce water that could easily go into the environment with no apparent harm and which has been proven... then what is the real problem? He said relative to legacy lots or small lots...how small is too small?

Jim Sommerhauser said the gist of this ordinance is not single lots nor is it all non-conforming lots...its non-conforming lots on which six units are placed together on a septic system that might fail.

Jeff Moore, Beaver Creek Conservation Group, agrees with comments made by Sommerhauser as well as commends Community Development staff for having sought to address the issue. He said he is unsure about the mechanism that will be used to solve this issue but asks that a member of the Beaver Creek Conservation Group be included.

Gary Mahan said he agrees with the comments made by Sommerhauser and Moore and applauds the county's goal to prevent urbanization of rural areas. He questions when does rural stop being rural? He believes the correct answer to this problem is lot aggregation.

Chair Garrido closes the public testimony portion of the hearing.

Discussion is held and a **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board maintains **Ordinance No. 421-2008\*\*** imposing a 180-day moratorium on the acceptance of new applications for permits on nonconforming lots in rural zones for buildings connected to onsite sewage systems designed to serve more than six dwelling units. Motion carries unanimously.

**10) OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD:**

(Please limit comments to **3 minutes**. Written comments may also be submitted to the Board if this timeframe is insufficient.)

**11) COUNTY ADMINISTRATOR'S COMMENTS:**

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

- A. Commissioner Bauer said he attended a community planning session in Hansville and commends Community Development staff for helping to facilitate the session.
- B. Commissioner Brown introduces the appointees to the Arts Board (Linley Logan) and the Board of Equalization (Katrina Collings-Satter).
- C. Chair Garrido comments on the Board's retreat held in the Quilcene area.

Public meeting adjourned at 8:26 p.m.

**BOARD OF COUNTY COMMISSIONERS  
KITSAP COUNTY WASHINGTON**

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CHARLOTTE GARRIDO, CHAIR

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JOSH BROWN, COMMISSIONER

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STEVE BAUER, COMMISSIONER

**ATTEST:**

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OPAL ROBERTSON, Clerk of the Board

DATE APPROVED

\* See Resolution Journal Volume No. 64

\*\* See Ordinance Journal Volume No. 18

**OTHER MEETINGS ATTENDED BY THE BOARD:**

01/26/09	12:00 p.m.	Lunch with Elected Officials
	2:00 p.m.	PM Briefing – Port Blakely Conf Room
	7:00 p.m.	BOCC Public Meeting – BOCC Chambers
01/28/09	8:30 a.m.	Work Study- Port Blakely Conf Room
	12:15 p.m.	Lunch with Employee of the Month
02/02/09	10:00 a.m.	Admin Briefing- Port Blakely Conf Room
	2:00 p.m.	PM Briefing – Port Blakely Conf Room
02/03/09	8:00 a.m.	KRCC/Health District Board Meetings
	1:00 p.m.	KCCHA Board Meeting – Bremerton Gov Center
02/04/09	8:30 a.m.	Work Study- Port Blakely Conf Room
	6:00 p.m.	Waaga Way Connector Rd Stakeholder Meeting - Sil C.C.
02/05/09	8:00 a.m.	WSAC Legislative Rally - Olympia
	5:30 p.m.	WSAC Governor's Reception
	7:15 p.m.	WSAC Legislative Dinner
02/06/09	8:00 a.m.	WSAC Legislative Rally - Olympia

**(The Board of County Commissioners public meetings are televised on public access television BKAT (ComCast Ch.12 and Wave Broadband Ch. 3) Mondays at 7:00 PM and Tuesdays at 11:00 AM and 1:00 AM).**

Next regular Board of Commissioners public meeting will be held **February 9, 2009 at 7:00 p.m. in the Board of Commissioners Chambers.**

**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).**