



**MINUTES**

**KITSAP COUNTY  
BOARD OF COMMISSIONERS  
January 22, 2007**

The Board of Commissioners met on the above-stated date. Present were Chair Chris Endresen, Commissioner Jan Angel, Commissioner Josh Brown, 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 Pledge of Allegiance.

**PROCLAMATIONS/RESOLUTIONS/RECOGNITION:**

**#1** Employee Service Awards. **Staff Contact:** Mary Seals, 337-7185 ex. 3519.

Congratulations and Certificates of Appreciation is presented to the following employees for their years of service to Kitsap County: *Karen Flynn*, Kitsap County Auditor; *Janet Lee Mitchell*, County Clerk's Office; *Christene Endresen* and *Joyce Figuerora de Raschke*, County Commissioners Office; *Chad Robert Dean*, Information Services Department; and *Jacquelyn Aufderheide*, County Prosecutor's Office.

**PUBLIC HEARINGS:**

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

**A.** Public hearing to consider enacting an **Ordinance** setting the speed limit on a portion of McCormick Woods Drive SW in South Kitsap Commissioner District #2. **Staff Contact:** Steve Johnson, 337-3114. **(Note: This item is continued from January 8, 2007).**

Ray McGovern said he supports this ordinance and wants citizens to know that this area is not a speed way.

Discussion is held, comments called for and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Josh Brown that the Board enacts **Ordinance No. 372-2007\*\*** setting the speed limit on a portion of McCormick Woods Drive SW in South Kitsap Commissioner District #2. **Staff Contact:** Steve Johnson, 337-3114. Motion carries unanimously.

**B.** Public hearing to consider enacting an **Ordinance** setting the speed limit on a

portion of NW Holly Road in Central Kitsap Commissioner District #3. **Fiscal Impact:** \$200 in minimal staff time to be paid from the Transportation Fund. **Staff Contact:** Steve Johnson, 337-3114. **(Note: This item is continued from January 8, 2007).** Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Brown and seconded by Commissioner Angel that the Board enacts **Ordinance No. 373-2007\*** setting the speed limit on a portion of NW Holly Road in Central Kitsap Commissioner District #3. **Fiscal Impact:** \$200 in minimal staff time to be paid from the Transportation Fund. **Staff Contact:** Steve Johnson, 337-3114. Motion carries unanimously.

**PUBLIC COMMENTS ON REMAINING 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.)*

**CONSENT ITEMS AND OTHER BUSINESS:**

**Note:** Unless otherwise noted, all expenditures for the remaining agenda items have been included in the 2006 Biennial Budget.

A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves consent agenda. Motion carries unanimously.

**1) MISCELLANEOUS ITEMS:**

B. Approve Minutes of 18 January 8, 2007.

C. Approve Warrant Nos. 3272766 – 3273736 in the amount of \$3,492,374.91.

D. Approve Payroll Warrant Nos. 643547 – 643663 in the amount of \$1,756,393.44.

E. Refer to the Prosecutor's Office and Risk Manager: 1) Claim for Damages filed by Scott Yingling and; 2) Petition for Removal and Request for Jury Trial filed by West Sound Narcotics Enforcement Team and Kitsap County.

**2) AUDITOR'S OFFICE:**

A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the employment contract with **Dolores Gilmore (KC-503-06)** to serve as Elections Manager for the period of January 8, 2007 through January 7, 2010. **Fiscal Impact:** \$79,747 (annually plus cost of living adjustment) to be paid by the General Fund. **Staff Contact:** Karen Flynn, 337-7129. Motion carries unanimously.

**3) DEPARTMENT OF ADMINISTRATIVE SERVICES:**

A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts **Resolution No. 013-2007\*** establishing Community

Development as Department 21 in the General Fund. **Fiscal Impact:** Revised accounting structure. **Staff Contact:** Ben Holland, 337-4504. Motion carries unanimously.

- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the Memorandum of Understanding with **Olympic College (KC-019-07)** for the Kitsap Business Assistance Center services. **Fiscal Impact:** \$25,000 to be paid from the General Admin & Operations Fund. **Staff Contact:** Ben Holland, 337-4504. Motion carries unanimously.
- C. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the contract with the **Kitsap Humane Society (KC-018-07)** for animal control and licensing services for Kitsap County. **Fiscal Impact:** \$563,615 to be paid from the General Admin & Operations Fund. **Staff Contact:** Ben Holland, 337-4504. Motion carries unanimously.

4) **SHERIFF'S OFFICE:**

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the employment contract with **Dennis Bonneville (KC-592-02A)** to serve as Under Sheriff for the period of January 1, 2007 through December 31, 2010. **Fiscal Impact:** 2007 - \$112,174 to be paid by the Sheriff's Administration Fund. **Staff Contact:** Steve Boyer, 337-7145. Motion carries unanimously.
- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board Contract with the **City of Port Orchard (KC-404-06)** for the detention and incarceration of adult person arrested and/or committed to confinement by the city for the period of January 1, 2007 through December 31, 2008. **Fiscal Impact:** Revenue to the County of \$65 per person confined for each 24-hour period of confinement or portion thereof for 2007 and \$67.53 per person for 2008. **Staff Contact:** Ned Newlin, 337-7107.

5) **DEPARTMENT OF PUBLIC WORKS:**

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the contract amendment with **Perteet (KC-188-06A)** extending the contract end date to June 30, 2008 for the Bucklin Hill Road – Tracyton Blvd intersection improvement in Central Kitsap Commissioner District #3. **Staff Contact:** Dick Dadisman, 337-3556. Motion carries unanimously.
- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the contract with **WA State Department of Ecology (KC-014-07)** for Phase I of the 2007-2008 Coordinated Prevention Grant for the period of January 1, 2007 through December 31, 2008. **Fiscal Impact:** \$150,000 paid by DOE and \$50,000 paid by the Solid Waste Fund. **Staff Contact:**

Gretchen Olsen, 337-4626. Motion carries unanimously.

- C. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the interlocal agreement with the **Kitsap Conservation District (KC-496-06)** implementing the District's portion of the Surface and Stormwater Program for the period of January 1, 2007 through December 31, 2007. **Fiscal Impact:** \$324,296 – Surface & Stormwater Utility Fees. **Staff Contact:** David Tucker, 337-7292. Motion carries unanimously.
- D. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the contract with **Brown & Caldwell, Inc (KC-490-06)** for the Central Kitsap Wastewater Treatment Plant Phase III upgrades. **Fiscal Impact:** \$340,384 to be paid by the Sewer Construction Fund. **Staff Contact:** Barbara Zaroff, 337-3663. Motion carries unanimously.
- E. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the contract with **BHC Consultants (KC-491-06)** for the south central force main replacement project in Central Kitsap Commissioner District #3. **Fiscal Impact:** \$684,288 to be paid by the Sewer Construction Fund. **Staff Contact:** Barbara Zaroff, 337-3663. Motion carries unanimously.
- F. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts **Resolution No. 014-2007\*** establishing the 2007 rental rates for ER&R Equipment. **Staff Contact:** Mark Stanisich, 337-4895. Motion carries unanimously.

**6) DEPARTMENT OF PERSONNEL AND HUMAN SERVICES:**

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the contract amendment with **Cascade Recovery Center (KC-331-05D)** increasing the contract amount by \$46,800 for additional adult outpatient chemical dependency treatment services for the period of July 1, 2005 through June 30, 2007. **Fiscal Impact:** \$46,800 is 100 % grant funded by DSHS. **Staff Contact:** Betsy Bosch, 337-4880. Motion carries unanimously.
- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the interlocal agreement with **Kitsap County Health District (KC-485-06)** providing support services, resources, counseling and referral, social support and child care for Latino/Hispanic parents/caregivers for the period of January 1, 2007 through December 31, 2007. **Fiscal Impact:** \$3,200 – Human Services-Marriage License Surcharge. **Staff Contact:** Mary Ellen de la Pena, 337-4878. Motion carries unanimously.
- C. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the contract amendment with **WA State**

**Family Policy Council (KC-396-05B)** increasing the contract amount by \$8,000 providing funds and authority to the Kitsap County Commission on Children and Youth to invest in service projects and to conduct a review of community efforts for the period of July 1, 2005 through June 30, 2007. **Fiscal Impact:** Funding is 100% grant funded by WA State Family Policy Council. **Staff Contact:** Gay Neal, 337-4879. Motion carries unanimously.

D. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the contract amendment with **Kitsap Mental Health Services (KC-352-06A)** ensuring mental health services for Medicaid recipients and low income individuals in Kitsap County for the period of September 1, 2006 through June 30, 2007. **Fiscal Impact:** \$50,000 is 100 % grant funded by DSHS. **Staff Contact:** Anders Edgerton, 337-4886. Motion carries unanimously.

E. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the contract with **Olympic Educational Service District #114 (KC-003-07)** providing training services to county child care providers to with infants and toddlers with developmental disabilities and chronic illnesses for the period of November 1, 2006 through June 30, 2007. **Fiscal Impact:** \$4,000 is 100 % grant funded by DSHS. **Staff Contact:** Kelly Oneal, 337-4624. Motion carries unanimously.

F. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts **Resolution No. 015-2007\*** concerning the annual leaves benefits for Julia Watkins effective upon employment. **Staff Contact:** Penny Starkey, 337-7185. Motion carries unanimously.

G. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the Collective Bargaining agreement with **WA State Council of County and City Employees, AFSCME Local 1308 (KC-040-07)** establishing the terms and conditions of employment for courthouse employees for the period of January 1, 2007 through December 31, 2009. **Staff Contact:** Rob Gudmundson, 337-4484. Motion carries unanimously.

H. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts **Resolution No. 016-2007\*** establishing salary adjustments and title changes for certain non-represented employees. **Fiscal Impact:** 2006 General Fund - \$17,350; Non-General Fund - \$15,975 and 2007 General Fund: \$35,850; Non-General - \$33,055. **Staff Contact:** Lynn Flanig, 337-3536. Motion carries unanimously.

7) **DEPARTMENT OF COMMUNITY DEVELOPMENT:**

A. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Brown and seconded by Commissioner Angel that the Board approves and executes the contract with the **Department of Ecology (KC-483-06)**

receiving grant funds to identify and design storm water facilities that infiltrate storm water into the shallow aquifer to improve stream flows and aquifer levels for the period of November 1, 2006 through December 31, 2007. **Fiscal Impact:** \$70,000 to be paid by Ecology Grant. **Staff Contact:** Keith Folkerts, 337-7098. Motion carries unanimously.

- B. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the contract with **HWA Geo-Sciences, Inc (KC-484-06)** to identify and design storm water facilities that infiltrate storm water into the shallow aquifer to improve stream flows and aquifer levels for the period of December 1, 2006 through December 31, 2007. **Fiscal Impact:** \$70,000 to be paid by Ecology Grant. **Staff Contact:** Keith Folkerts, 337-7098. Motion carries unanimously.
- C. Discussion is held, comments called for and hearing no objection, a motion is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and authorizes the Notice of Lien for abatement for property located at 1501 SW Horseshoe Avenue SW in South Kitsap Commissioner District #2. **Staff Contact:** Linda Jones, 337-4605. Motion carries unanimously.

**8) COMMISSIONERS OFFICE:**

- A. Discussion is held, comments called for and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts **Resolution No. 017-2007\*** appointing *Steven Tobias* to the **Peninsula Regional Support Network Advisory Board**. **Staff Contact:** Jan Koske, 337-4650. Motion carries unanimously.
- B. Discussion is held, comments called for and hearing no objection, a **motion** is made by Chair Endresen and seconded by Commissioner Brown that the Board adopts **Resolution No. 018-2007\*** reappointing *Esther Bryant and Linda O'Neil* to the **Aging Advisory Council**. **Staff Contact:** Jan Koske, 337-4650. Motion carries unanimously.
- C. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Brown and seconded by Commissioner Angel that the Board adopts **Resolution No. 019-2007\*** reappointing *Natalie Bryson, Sue Fox and Hank Mann-Sykes* and appointing *Robert Moyer and Roger Zabinski* to the **Central Kitsap Community Council**. **Staff Contact:** Jan Koske, 337-4650. Motion carries unanimously.
- D. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Brown and seconded by Commissioner Angel that the Board **Resolution** reappointing *John Poppe* to the **Civil Service Commission**. **Staff Contact:** Bert Furuta, 337-7185. Motion carries unanimously.

- E. Discussion is held, comments received and hearing no objection, a **motion** is made by Chair Endresen and seconded by Commissioner Brown that the Board **Resolution** reappointing *Denise Lietz and Susan Duffin* to the **Kingston Citizen Advisory Council**. **Staff Contact:** Jan Koske, 337-4650. Motion carries unanimously.
- F. Discussion is held, comments received and a **motion** is made by Commissioner Brown and seconded by Chair Endresen that the Board **Resolution** appointing *Robert Dietz* to the **Kitsap County Council for Human Rights**. **Staff Contact:** Jan Koske, 337-4650. Motion carries. Commissioner Angel voted No.
- G. Discussion is held, comments called for and a **motion** is made by Commissioner Brown and seconded by Chair Endresen that the Board adopts **Resolution No. 023-2007\*** establishing a Kitsap County position concerning a potential professional motor sports facility at the South Kitsap Industrial Area in South Kitsap Commissioner District #2. **Staff Contact:** Cris Gears, 337-5361. Motion carries. Commissioner Angel voted No.

Cris Gears, County Administrator, gave a brief overview of the proposed resolution stating staff has been working with the county's consulting team over the last few days to draft what is believed to be the different discussion points that the Board has brought forward over the course of the past year. He then introduces Peter Moy, FCS Group and Hugh Spitzer, Foster, Pepper Law Firm for further discussion of the proposed resolution.

Hugh Spitzer, Foster, Pepper Law, said the firm has been assisting the county with the proposed speedway project for approximately a year and a half. He said there have been a number of discussions with International Speedway Corporation (ISC) that included issues regarding a draft of legislation. After consulting with the Board and county staff, Spitzer said he has met informally with the Office of Financial Management (OFM) and the State to review the data that has been generated on some of the impacts, in particular, financial impacts. He said they have met with ISC to discuss the legislation that they were working on. He gave comments reflecting issues discussed with the Board of Commissioners and ISC adjusted the drafts to respond to those issues. Remaining issues were related to return of admissions tax to the County if such a facility were built under state stature, the lease-hold excise tax, the property tax catch-up amount for land that is taken out of forest/timber open space as well as issues that directly affect county taxpayers and rate payers in terms of responsibility for costs of infrastructure to serve the proposed facility. During discussions, Spitzer said ISC believed it was appropriate to delay any kind of final position on the issue of money because they were viewing in the context as an overall proposal. Spitzer then gave a brief summary of the proposed resolution.

Commissioner Angel states she does not support the resolution. She said the past couple of years Great Western Sports has worked with Kitsap County's designated representatives to discuss the county's questions and to address the county's concerns. She said it has been her understanding from the briefings received by the Board, that Great Western Sports has indicated they would make numerous changes and modifications to address the county's concerns. She said now at today's meeting, the Board is asked to consider a resolution concerning Great Western Sports, a company that was invited to consider Kitsap County as their home. She said a bill is forthcoming per the newspapers that will present a new proposal and the sponsor of this bill has been announced as well. Why then is this Board considering this resolution today? She believes it is premature to require all of this information to be answered and provided before the Board has formally seen the new proposal. She said the Board has not yet been asked to permit this facility and the project is still in its initial phases of investigating whether it can have a partnership with the state. Commissioner Angle said this project could result in the largest tourism opportunity this county could possibly imagine. She believes the County needs to give this company as we would any other company, the opportunity to explore the possibility of locating here in South Kitsap and not close the door on an opportunity before it even gets off the ground. Commissioner Angel said South Kitsap has been working for over twenty years to develop the area around the Port with economic development. Could this be anchor tenant catalyst to help South Kitsap Industrial Area (SKIA) to become a reality? She said the Board knows from the recent economic impact reports that the scenario including the track is better than a SKIA fully developed without it. Let's ask or consider what if this project could be the catalyst that would develop new businesses, new jobs and create stability and profits for our local existing businesses. In three, five or years down the road we would be growing a community and not just receiving tax revenues that grow just local government. She said these issues must be considered and discussed. She said let's complete due diligence on the many important issues in order to have and make rational and educated decisions later.

Chair Endresen said the reason legislation is being drafted is due to the county having representatives that have been meeting with the ISC/Great Western people for over a year and if it were a true partnership, possibly the representatives should have seen the legislation prior to reading it was going to be introduced in the newspaper - the we could have commented on it. She also said since the newspaper has reported that there is a draft proposal, since we have not seen it and since ISC has asked the City of Bremerton to annex the property thus taking this possible decision out of the hands of the Kitsap County residents. She said the Kitsap County residents would be affected by the proposed track and felt it was important that the Board let legislators in Olympia know what our concerns were. Chair Endresen said these concerns have been discussed multiple times over last year and this is not a surprise to anyone at Great Western Sports or ISC. She further said these concerns are the same that had been stated since sending a letter to them in February of 2006. Chair

Endresen said she met with ISC representatives at least twice in 2006 and have never refused to meet with them. She said there is pending legislation and they have chosen not to share it and the proposal to annex to Bremerton could have potential long-term, negative effects at least with the relationships between the City of Port Orchard, the City of Bremerton and the County. She said the reason the Board is doing this today is for full disclosure and these are Kitsap County's concerns if the resolution is adopted. She said she wants the legislature to know that as well as our citizens. She said it would have been her preference to have an entire packet to consider all at once, the Board would have had the proposal and would have been able to take 2006 in which to review it. She said ISC and Great Western Sports chose not to do that, they chose to break it up into portions but she believes if the legislature is going to be asked to raise some of our citizens taxes that needed to be discussed and that's why we are here.

Commissioner Brown said his colleague from South Kitsap has made it known that she has been frustrated with the lack of negotiations with ISC. He said there are a lot of idiosyncrasies in trying to put together a deal like this in any county. He said this is corollary to negotiating with ISC to let them know what Kitsap County's standards are. He said the Board is a watchdog when it comes to protecting the local tax payers - the bonds used to build the facility should the county not get the number of tourist monies projected to come into Washington or this region, should be protected. He said he has not heard from one constituent that wants to pay infrastructure cost for this project. Commissioner Brown said there are a lot of sensitive issues including whether individuals want this project in their backyards or whether they view this as great economic opportunity. He said he does not support local control being taken away from Kitsap County by legislators in Olympia. He did not believe any track supporter should be opposed to any of the resolution points and believes if you are a local and concerned about protecting local tax payers you should be supportive of the resolution. He said the county has a long process ahead and he is not comfortable giving local control over to legislators without our voices being heard, particularly when some legislators are not from this region.

Discussion is held between the Board and Spitzer regarding what if the attendance at the two races do not materialize and the revenue from the sales taxes do not generate enough to pay the bond - who is obligated, state-wide taxpayers and general fund bearing the brunt of the impact if there were a decrease in admissions to the races, PSA issued bonds to build for the public to share the facility, bonds are backed by sales tax in Mason, Pierce and Kitsap Counties, the amount of the sales tax, overall plummeting retail sales activity, new economic activity generated from the facility, new money coming into the state, secondary revenue amounts to local governments, secondary economic activity within Kitsap County's attendance at races adjusted downward, leasehold excise taxes, admissions tax and on-site sales taxes.

Peter Moy, FCS Group, said between August and mid September or October, different attendance numbers were produced and those numbers did not show much of a decrease in ticket sales that would affect the admissions tax. He said this was a decrease in the number of individuals that would be attending which would reduce some of the sales taxes. He said according to the consultant, there would be approximately a 95% actual attendance as opposed to the 98% for two races.

1) Virgil Hamilton said he has a problem with the timing of this resolution in that over the last 18 months the county has made failed attempts at having a legitimate amount of resources available to negotiate with ISC. He said the new proposal has many of the things that are in the proposed resolution and questions why this resolution wasn't acted on a year ago.

2) Dee Capola said the proposed track dovetails nicely with Governor's Gregoire's vision to increase tourist dollars to the state. She said tourists come in and spend their dollars and then leave. Capola said there is no need to build tourist houses or provide sewer and septic services. She said the resolution is premature and urges the Board to table it.

3) Rick Flaherty believes there are numerous inaccuracies in the proposed resolution and believes if they are left unresolved that brings leadership into question. He said many of the outcomes in the report and mentioned in the resolution seems to only address the negative aspects of the project and nothing positive. He believes there should be more input and study prior to adoption of the resolution.

4) Linda Webb thanks the Board of Commissioners for proposing this resolution and believes it is important that all rules are placed on the table. She believes Kitsap County has waited long enough for ISC and did not feel that was the best way to negotiate. She urges the Board to adopt the resolution.

5) Matt Reardon, Great Western Sports, said they are excited about being in this community and to help bring significant economic benefit to Kitsap County. He said in the past few months, Kitsap County has proposed a lot of different concerns and they have been openly receptive to the proposed items. He said when the legislation is released the Board will find many of the County's suggested changes. He said there were twenty-five items proposed and there are only six that are not resolved and those six are supposed to be resolved in the host jurisdiction agreement which is something that was recommended by the county and that they have taken note of. Reardon said when the legislation is released he will personally deliver it to each commissioner and will take Chair Endresen up on her offer to meet regarding the legislation. He clarifies that Great Western has repeatedly stated that this project would fully undergo the SEPA and EIS process when they are required. He said they are committed to working with the governmental entity that is responsible for permitting this project and to

work for a mutual, constructive project that will benefit this area. Reardon said the proposed legislation is the beginning of the process, it creates a revenue stream for money that is generated only if this facility is built. He said the legislation does not site it in Kitsap County nor does it site the facility in any particular location. He said they are committed to working with the community but if the legislation passes it creates an opportunity for Washington State to bring major motor sports here. Reardon said they have a great track record and they want to work with the community.

6) Tim Thompson, Consultant for ISC, said he is disappointed with the resolution for a number of reasons, first of all they were not consulted on the resolution or its wording and usually when you are in “good faith” negotiation, consultation occurs. He said the Board did have a current draft of the legislation, it has changed and they are responding to the county’s concerns in the legislation. He said much of this was premature and frankly ill-informed. Thompson said ISC dispute a number of the facts in the proposed resolution and find some of the statements both inflammatory and inaccurate. He challenges all to look at the resolution and find one positive thing about anything that ISC had done over the last year and a half. He urges the Board not to pass the resolution. He said they are committed to working through the substantive issues. Thompson said his client was invited and recruited to Kitsap County and he knows that the economics of the project have been verified by the only independent entity that has looked at the project which is the Office of Financial Management – they backed the economic factors. He also said many of the issues on infrastructure, traffic and environment are pre-decision in that they are issues that must be addressed in the regulatory process. He said he believes this resolution is intended to impede their ability to secure state legislation and to “kill” the project.

7) Chris Van Dyke, Citizens for More Important Things, said this “killer” resolution did not address the need for a public vote. He said the opponents have persuaded him that this a good resolution and he had come prepared to ask the Board to table it but after hearing that it could not possibly be misinterpreted in Olympia by ISC as a vote in favor of ISC simply with some local caveat. He urges the Board to adopt the resolution.

8) Gene Bullock said his major misgiving with the proposed resolution is the fact that it assumes with a few financial adjustments the proposed speedway would be acceptable. He said he disagrees with that and believes this speedway is fundamentally incompatible with the “green future” that Kitsap County should be working towards.

9) Ray McGovern, Coalition for Healthy Economic Choices in Kitsap, said the resolution does show due diligence on the part of the county and his organization strongly supports its adoption. He suggested adding 5% on television and advertising revenue because that is where the large monies are generated and not from the attendance.

10) Tom Donnelly, Kitsap Citizens for Responsible Planning, said they appreciate the Board's position on the motor sports facility that was presented in the resolution. He said over the past two years, Kitsap County has expended a great deal of resources to work out mutually acceptable terms with the International Speedway Corporation for this project. He said the effort remains unrewarded and the original legislative proposal that contained provisions abhorrent to the County - remains unchanged. He said NASCAR represents an industry in decline. He said it could bring SEED down before it has a chance to get rooted. Donnelly said responsible planning looks ahead to what is needed to move forward into the 21<sup>st</sup> century and not a wistful look back at what we didn't do in the 20<sup>th</sup>.

11) Don Deihl said this track is totally unsuitable for Kitsap County at its proposed location. He said the livability study convinced him that the track would be a good thing for this state – but where should it be located – perhaps between Centralia and Toledo which are both located close to Interstate 5, both have access to the Amtrak rail line and both have good airports essential to a track location. He urges the Board to review the geography involved rather than just the tax implications and land use application.

12) Mel Armstrong said he lives approximately two miles from the proposed site. He suggests adding to the proposed resolution *...and the state legislature is requested not to take action on the track proposal until all of these conditions are addressed to the satisfaction of the county commissioners.*

13) Stacy Tucker asks the Board to table this resolution or disregard it altogether. She believes the resolution at this point in time is a break in the “public process.” She believes legislators represent the actual voice and citizens of our community and she trusts that democracy and that process. She said this resolution impedes that ability.

14) Sylvia Klatman, Bremerton Area Chamber of Commerce, said she has concerns that a precedent might be set by this proposed resolution. She asks the Board to consider very carefully what it is doing because setting a precedent such as this might not go well for future economy.

15) Mary Colburn said she supports the comments made by Tom Donnelly, Ray McGovern and Mel Armstrong. She said as an alternative to a proposal for a capital intensive but rarely to-be used NASCAR automobile racetrack, the International Center for Environmental Research could be located on the site with overall governmental support in approximately the same dollar amounts as that requested by NASCAR from Washington State. She said Kitsap County does not need ISC. She supports the resolution and believes it should be as strong as possible.

16) Kent Larabee said he applauds Colburn's presentation and proposal. He

endorses and supports the proposed resolution relative to timeliness, rationale and the wording.

17) Tim Botkin said this is a huge project and it is all about the future. He believes the resolution is appropriate because it offers an opportunity or license for this project to move forward if it meets the criteria set forth. He said he notes that ISC has called this project "green or environmentally friendly" and in fact it may be in comparison to what attracts but it needs to meet the standard of such with regards to Kitsap County. He said he did not see any assurances of that. Botkin said he has been Olympia frequently and there has been no relationship, no offer of assistance, no benefit and no way of relationship between SEED and ISC even though it appears many legislators are confused into thinking there might be. He said this track will change Kitsap County astronomically and it will be the legacy of this Board as to whether or not this track goes forward and how it looks down the road.

18) Jim Summerhauser said he has attended many meetings in the past and have heard the commissioners ask continually - when will the county be ready to send forward to the legislature and to ISC what the county's minimum positions are. He said if the County is going to have the impact of a racetrack, it needs to have the income to support the infrastructure and the services to cover it.

19) David Overton believes it is a simply objection to state that businesses should pay for infrastructure up front before they locate to your community. He said that is not the reality of economic development. He believes if Kitsap County is going to be serious about attracting public investments, it needs to be a strong partner in regional economic development. Overton said the county can not be a partner that does not sit down at the table and actively negotiate. He believes if the county is working towards a solution, it must be pro-active. He said for individuals to state that this project is not a "fit" with South Kitsap County is a complete falsehood. He believes Kitsap County has zoning but it does not have an existing plan for SKIA.

20) Vivian Henderson said she did not see anything was wrong with a legislator from Covington proposing legislation for this project. She believes this resolution is premature and it is intended to create antagonism. She said she does not see anything wrong with waiting and wish the county would have taken a vote two years ago.

21) Tom Nevins said his task is to convince Commissioner Angel to vote in favor of this resolution as it is timely, it is appropriate and it is asking the organization to consider following the county's tax rules and laws. He said it appears that the Building Trades Industry has had closer contact and better information on what is in the proposed legislation than the commissioners.

22) Cliff Kincade, South Kitsap resident, did not believe the resolution should be

viewed as “too little too late” but as “better late than never”. He would like the section in the resolution referencing jobs to insure that all construction jobs and permanent jobs be based on the Washington State prevailing wage. He also suggests the county should negotiate for 2% of the gross rather than the net profits from this possibly extremely profitable project.

23) Jo Reason said she lives in the south western corner of the county and would be considerably impacted by the location of the track. She said she is already offended by the noise of the drag races on Sunday mornings coming from the back of the airport. Reason said she fully endorses the resolution and questions what legal authority the City of Bremerton had for annexing the 950 acres.

Chair Endresen thanks the public for sticking to the timeframe and for being concise with their comments. She closes the public comment portion on this discussion.

Discussion is held among the Board regarding the environmental research on Hood Canal and the SEED projects being good projects, this being a process question, the resolution being premature, labor councils having more information than the commissioners, this being a political issue, the revised draft legislation, additional items added to the resolution, this not being a typical business deal, “good faith” deal, wanting what is best for Kitsap County, open minds and process are important, not knowing what the new proposal is, possibly sending a message that Kitsap County is closed to businesses, Kitsap County should have a position on this project, whether the county consultants were aware of the new proposed legislation, whether this project is beneficial and sustainable for Kitsap County, possibly revising or adding other provisions to the resolution, what happens with Highway 16, Highway 3 and the ferries, revising the resolution title as well as adding information regarding bond owners or taxpayers and proposed annexation into the City of Bremerton.

**9) 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 Summerhauser, Mike Eliason and Vivian Henderson addresses the Board regarding a need for additional public meeting dates, accessing documents and a need to link to items posted to the public meeting agenda.
- B. Dan Goebel addresses the Board with concerns about anonymous complaints made to the county in order to create hardships for property owners. He said the property owners would then sell their property at a reduced price and the anonymous complainant would profit by buying the property at a reduced price.

**10) COUNTY ADMINISTRATOR’S COMMENTS:**

- A. Cris Gears, County Administrator, announces the Board would hold two executive sessions at 3:30 p.m. and would possibly be taking action on the matters.

At 4:30 p.m. Chair Endresen announces that the Board did not take action on the executive session items.

**11) BOARD OF COMMISSIONER’S COMMENTS:**

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board authorizes Cris Gears, County Administrator to negotiate a proposed contract with terms and conditions or employment for County Administrator. Motion carries unanimously.

Public meeting adjourned at 12:48 p.m.

**BOARD OF COUNTY COMMISSIONERS  
KITSAP COUNTY WASHINGTON**

\_\_\_\_\_  
CHRIS ENDRESEN, CHAIR

\_\_\_\_\_  
JAN ANGEL, COMMISSIONER

\_\_\_\_\_  
JOSH BROWN, COMMISSIONER

**ATTEST:**

\_\_\_\_\_  
OPAL ROBERTSON  
Clerk of the Board

\_\_\_\_\_  
DATE APPROVED

\* See Resolution Journal Volume No. 62

\*\* See Ordinance Journal Volume No. 16

OTHER MEETINGS ATTENDED BY THE BOARD:

- |          |            |  |
|----------|------------|--|
| 01/22/07 | 12:00 p.m. | Lunch  |
|          | 2:00 p.m.  | Admin Briefing – Board’s Conference Room         |
| 01/23/07 | 7:30 a.m.  | Decision Makers Breakfast, Bremerton Conf Center |
| 01/24/07 | 8:30 a.m.  | Board of Commissioners Retreat, Long Lake Center |
| 01/29/07 | 10:00 a.m. | Admin Briefing - Board’s Conference Room         |

- 12:00 p.m. Lunch w/Elected Officials  
2:00 p.m. Admin Briefing - Board's Conference Room
- 01/30/07 2:00 p.m. Meet w/Planning Commission – Port Blakely Conf Room
- 01/31/07 8:30 AM Work Study - Board's Conference Room  
5:30 p.m. Legislative Reception – Governor's Mansion

**(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 12, 2007.**

**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)

**February 12, 2007.**

- 10:05)** Public hearing to consider a Petition to Vacate an undeveloped portion of a County right of way in Section 29, Township 24 North, Range 2 East W.M in South Kitsap, Commissioner District #2 filed by **Terry Dielman** (T.J.S. Associates, LLC). **Fiscal Impact:** \$550 to be paid by petitioner. **Staff Contact:** Molly Foster, 337-3686.
- 10:10)** Public hearing to consider an **Ordinance** imposing a 90-day moratorium on the acceptance of new applications for permits on non-conforming lots in rural zones for buildings connected to onsite sewage systems designed to serve more than six dwelling units, pending revised policies and/or regulations for the use of alternative wastewater treatment technologies in rural areas. **Staff Contact:** Larry Keeton, 337-7181.