



MINUTES
Special Meeting
KITSAP COUNTY
BOARD OF COMMISSIONERS
December 1, 2008 – 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 P.M.) Meeting Called to Order with Pledge of Allegiance.

#1) Resolution proclaiming December 1, 2008 as **World AIDS Day** in Kitsap County. **Staff Contact:** Carolyn Siems, 337-4412.

Discussion is held and a **motion** is made by Commissioner Brown and seconded by Commissioner Angel that the Board adopts **Resolution No. 227-2008*** proclaiming December 1, 2008 as **World AIDS Day** in Kitsap County. Motion carries unanimously.

1) DEPARTMENT OF ADMINISTRATIVE SERVICES:

A. **Resolution** rescinding Resolution No. 175-2008 and lifting the spending freeze on specific accounts in the General Fund. **Staff Contact:** Shawn Gabriel, 337-4504.

Discussion is held and a **motion** is made by Commissioner Brown and seconded by Commissioner Angel that the Board adopts **Resolution No. 228-2008*** rescinding Resolution No. 175-2008 and lifting the spending freeze on specific accounts in the General Fund. Motion carries unanimously.

B. **Resolution** extending the hiring freezes (Resolution No. 160-2008) through March 31, 2009. **Staff Contact:** Shawn Gabriel, 337-4504.

Discussion is held and a **motion** is made by Commissioner Brown and seconded by Commissioner Angel that the Board adopts **Resolution No. 229-2008*** extending the hiring freezes (Resolution No. 160-2008) through March 31, 2009.

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) Public hearing to consider testimony on the matter of the proposed [2009 Preliminary Budget](#). **Staff Contact:** Shawn Gabriel, 337-4504.

Shawn Gabriel, Administrative Services, gave an overview of the proposed Preliminary Budget stating the preliminary budget represents a collaborative effort by the Board of Commissioners, Elected Officials and all county staff to produce a responsible plan that balances our priorities with the resources available. He said the budget process used for 2009 involved 1) reviewing all current or “base budgets” for adequacy and removing one-time non-recurring expenditures; 2) analyzing requested increases to the base budget; and 3) verifying compliance with the 2.2% requested reduction in expenses from all Departments and Elected Offices. Gabriel said public meetings were held during the months of September, October and November and all Elected Official and Department Heads were given the opportunity to discuss their budgets during this time. He said the final budget will be presented for consideration and adoption by the Board on December 22, 2008.

1. Mark Williamson, Kitsap County Historical Society, asks for continued financial support from the county.
2. Wendy Miles, Olympic College, asks the county to continue funding for the Small Business Development Center at the College.
3. Arno Bergstrom, WA State University Extension, asks the Board to continue to fund the Small Business Development Center at the College.
4. Sheriff Steve Boyer said he was not here to ask for additional funding but thought it important for citizens to know that this budget process should not be viewed in the abstract. He thanked the Board for their work and commended them for delivering a balanced budget.
5. Jim Sommerhauser, Central Kitsap resident, said a lot of individuals are realizing the overall government of Kitsap County and its ability to do its job is being limited by money and the projections for the future are not good. He said the money would not increase if the county keeps doing business the same way.

A **motion** is made by Chair Bauer and seconded by Commissioner Brown that the Board closes the public testimony of the hearing and keep the record open for written comments through the end of business on December 12, 2008 with final decision on December 22, 2008. Motion carries unanimously.

B) Public [hearing](#) to consider testimony on the matter of “draft” amendments to **Title 17-Zoning, Commercial and Industrial Use Tables**. **Staff Contact:** Scott Diener, 337-4966.

Scott Diener, Community Development, gave an overview of the proposed amendments stating these are changes to Kitsap County Code Title 17, Zoning in specific Section 17.381 B & C, the use table for Commercial and Industrial uses. He said principal changes to the Use Table include review and reclassification of the permit types associated with commercial and industrial use. Diener said public participation included management of a project website, meetings with stakeholders, open houses and a Planning Commission work-study (October 21, 2008) and a public hearing on November 12, 2008 with a recommendation of no changes from the public hearing draft and minor changes to the work-study draft. He then explains the proposed changes; 1) commercial uses which are proposing to be developed for the first time on otherwise vacant land and abuts a residentially zoned property would be treated as a Type 2 notice requirement; and 2) footnote 35 of the Use Table (accessory uses and occupation of 25% of the project area geared towards sales of automobiles, boats and recreational vehicles. Diener said staff is recommending the Board render its decision on December 8, 2008 with written testimony extended through the close of business on December 3, 2008.

Discussion is held between the Board and staff regarding the differences of opinions between the Planning Commission and staff recommendations.

Teresa Osinki, Homebuilders Association, said the Association had the opportunity to participate as an association in the process. She said she appreciated the process and in a short timeframe that worked very well. She said many of the Association’s suggestions were incorporated into the draft. Osinki also addresses concerns about auxiliary dwelling units. She said overall she supports the changes and asks the Board to adopt it.

Jim Sommerhauser said during the Planning Commission work-study, they engaged the audience members giving them the opportunity to talk about proposed changes and some that had not been proposed. He said the Planning Commission made a lot of revisions due to their view of small “strip mall” types in residential areas. He said they also looked a lot at “mixed use” through the neighbor’s eyes. He asks the Board to consider the Planning Commission recommendations.

Chair Bauer closes the public testimony of the hearing.

A **motion** is made by Commissioner Brown and seconded by Commissioner Angel that the Board closes the public testimony portion of the hearing and keep the record open for written comments through the end of business on December 3, 2008 with final decision on December 8, 2008. Motion carries unanimously.

C) Public hearing to consider testimony on the matter of proposed amendments to **Title 21-Land Use and Development Procedures**. **Staff Contact:** Scott Diener, 337-4966.

Scott Diener, Community Development, gave an overview of the proposed amendments stating this would send Type III decisions to Superior Court as allowed by administrative law such as the Shorelines Management Hearings Board or the Growth Management Hearings Board. He said this would eliminate the appeals that comes before the Board of Commissioners but would provide for mediation after rules of procedures are developed. He said public participation included management of a project website, meetings with stakeholders and a Planning Commission work-study (October 21, 2008) and a public hearing on November 12, 2008 with recommendation for changes on mediation. Diener ask the Board for deliberation and approval on December 22, 2008 as well as keep the record open for written comments until December 22, 2008.

Teresa Osinki, Homebuilders Association, said the Association is concerned the rights to appeal through Land Use Procedures Act are granted through state statute and believes the language refers to a final decision that could be at the Hearing Examiner level. She said it is be important to consider the language for the voluntary mediation so that the appeal period is not accidentally lapsed.

Jim Sommerhauser said the Planning Commission also had concerns about the language mentioned by Osinki. He believes incorporating mediation into the Ordinance will help dialogue between the parties.

A **motion** is made by Commissioner Brown and seconded by Commissioner Angel that the Board continues this matter to December 22, 2008. Motion carries unanimously.

D) Public hearing to consider testimony on the matter of limited amendments to **Title 22-Shoreline Management Master Plan**. **Staff Contact:** Lisa Lewis, 337-4967.

Patty Charnas, Community Development, gave an overview of the proposed amendment stating this Shoreline Management Master Program Limited Amendment is consistent with language and direction contained in the Shoreline Management Act and the Shoreline Master Programs (SMP). She said the purpose of this limited amendment is to change a 2,470 linear section of shoreline in Seabeck from a conservancy shoreline environment designation to a rural shoreline environment designation. She said a marina has been in existence in the Seabeck area since approximately the 1930's, yet the structured shoreline was designated conservancy shoreline in 1977. Charnas said conservancy shoreline designation prohibits a new marina and by default severely limits a construction or expansion. She said the new owners of the Seabeck Marina applied for a Kitsap County Shoreline Conditional Use Permit to repair and upgrade the marina and received approval from the Hearing Examiner. Charnas said a conditional phased approval from the Department of Ecology provided a shoreline designation from conservancy be corrected to a rural designation to properly acknowledge the history existing and future marina uses in the area.

Discussion is held between the Board and staff regarding the difference between a rural and conservancy designation and whether under conservancy designation public marinas were outright permitted.

1. Mike Hancock said he has lived in the area for a number of years and was attracted to the area by the marina and the look and feel of the community. He supports any changes that are necessary to get the marina rebuilt.
2. Jay Deeds said he also moved to the area because of his attraction to the marina and this really is to correct an anomaly. He asks the Board to support this project.
3. Fred Abrahamson, Seabeck resident, said he also supports replacement of the marina and the modification to the plan as recommended by the Planning Commission.
4. Nick Blickcan, Seabeck resident, said getting the marina rebuilt and back up and running is vital to the community. He also submitted an email from Patrick and Juanita Ranger and Jack Couture supporting the rebuilding of the marina.
5. Drew Brinkett said he is new to the area and supports the rebuilding of the marina. He said this would be a perfect way to bring additional monies and jobs into the county.
6. Phil Best, Hood Canal Environmental Council, supports replacing the old marina with a new one but opposes the current proposal to amend the shoreline designation under Kitsap County Shoreline Management Master Program in order to allow the proposed marina to occupy over four times the area of the former marina.
7. Jobie Flint believes there is a need for a marina but thinks the new marina will be too big for the bay and it violates existing laws and ordinances proposed for amendment.
8. Jeffrey Bernstein, Seabeck resident, supports the re-designation of the shoreline to rural and asks the Board to approve the amendment.
9. Bill Matchett, Hood Canal Environmental Council, said Seabeck can have the marina without changing the designation to rural if rebuilt to its original size. He believes a larger marina would damage Hood Canal.
10. Eric Bentsen asks the Board to support the marina. He said the marina could not be rebuilt to its current size it would be out of compliance with the current code. He said the marina was purposefully “corkscrewed” and moved out of the critical intertidal zone to keep away from the eelgrass and this is well documented in the permit application. He said this is a vital link for the community and the benefits are enormous.
11. Billy Mills supports the marina change and asks the Board to change this to rural as it should be.

12. Bob Warrior urges the Board to support the change. He believes this is timely if not past due.

13. Barbie Mills supports the rebuilding of the marina, believes it will help with tax revenues, bring people back to Seabeck and will be an improvement because it will be safer.

Chair Bauer closes the public testimony portion of the hearing.

Discussion is held and a **motion** is made by Commissioner Brown and seconded by Commissioner Angel that the Board keeps the record open for written comments through the close of business on December 5, 2008 with final decision on December 8, 2008. Motion carries unanimously.

Chair Bauer asks staff to provide information prior to December 8, 2008 in response to the letter received from the Hood Canal Environmental Council.

E) Public [hearing](#) to consider testimony on the matter of the “draft” amendments to the **Silverdale Design Standards**. **Staff Contact:** Katrina Knutson, 337-4201.

Scott Diener, Community Development, gave an overview of the proposed draft stating this would amend Kitsap County Code Title 17, Section 381.050, Allowed Uses and 17.382.110 Density, Dimensions and Design. He said in addition, the amendments to the Silverdale Design Standards adopt by reference the proposed changes to Performance Based Development adopted by the Board in early November of 2008. He said there are three issues to note in the proposed document; 1) the addition of two new design districts; 2) permissive language; 3) and height limitation. He said the Planning Commission held a public hearing and deliberations on the draft amendments on November 12, 2008 and recommended unanimous approval. Diener said staff recommends the Board deliberate and approve Silverdale Design Standards on December 8, 2008 that would be incorporated into the Ordinance for Title 17 and adopted by reference in that Ordinance.

No public testimony given.

Chair Bauer closes public hearing.

A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board closes the public testimony portion of the hearing and keep the record open for written comments through the end of business on December 3, 2008 with final decision on December 8, 2008. Motion carries unanimously.

2) 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.)

3) COUNTY ADMINISTRATOR’S COMMENTS:

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

Public meeting adjourns at 9:04 pm.

**BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY WASHINGTON**

STEVE BAUER, CHAIR

JOSH BROWN, COMMISSIONER

JAN ANGEL, COMMISSIONER

ATTEST:

OPAL ROBERTSON, Clerk of the Board

DATE APPROVED

* See Resolution Journal Volume No. 62

** See Ordinance Journal Volume No. 16

(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 **December 8, 2008 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).