



MINUTES

KITSAP COUNTY BOARD OF COMMISSIONERS December 22 (23), 2008 – 1:00 pm

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).*

Due to weather conditions, if the Board of Commissioners public meeting scheduled for Monday, December 22 at 7:00 pm is cancelled it will be held on Tuesday, December 23 at 1:00 pm.

1:00 PM) Meeting Called to Order with Pledge of Allegiance.

#1) Recognition of December *Employee of the Month* (Teri Thompson, Personnel & Human Services) **Staff Contact:** Erin Neff, 337-4447.

Congratulations and a Certificate of Appreciation is presented to Teri Thompson, Personnel and Human Services on being selected Employee of the Month for December.

#2) Recognition of *Employee Service Awards for December*. **Staff Contact:** Joy Crema, 337-7185.

Congratulations and a Certificate of Appreciation is presented to Bruce Carver, Court Security Office for his many years to Kitsap County.

#3) [Resolution](#)/Presentation by Commissioners Staff: **Staff Contact:** Nancy Grennan, 337-7146.

Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Brown and seconded by Chair Bauer that the Board adopts **Resolution No. 246-2008*** congratulating and sending well wishes to Commissioner Jan Angel on her eight years of public service to the citizens of Kitsap County and in her new role as WA State Representative to the 26th District Position 1. Motion carries unanimously.

#4) [Resolution](#) extending the severe cold weather emergency, pursuant to Resolution No. 245-2008, until the emergent cold weather conditions have subsided.

Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board adopt **Resolution No. 247-2008*** extending the severe cold weather emergency, per Resolution No. 245-2008, until the emergent cold weather conditions have subsided. Motion carries unanimously.

**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.

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. Motion carries unanimously.

1) MISCELLANEOUS ITEMS:

B. Approve Minutes of December 8, 2008.

C. Approve Warrant Nos.3392463 – 3393521 in the amount of \$3,189,769.80.

D. Approve Payroll Warrant Nos. 662248 – 662315 in the amount of \$1,854,434.51.

2) DEPARTMENT OF PERSONNEL & HUMAN SERVICES:

A. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the **Contract amendment** with **Helpline House (KC-246-07B)** terminating the current contract with end date of November 30, 2008. **Fiscal Impact:** -\$64,147 is 100% Grant Funded by DSHS. **Staff Contact:** Kelly Oneal, 337-4624. Motion carries unanimously.

B. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the **Contract amendment** with **Jefferson Mental Health Services (KC-382-07C)** providing mental health services for non-Medicaid recipients and low income individuals in Eastern Jefferson County, ensuring provision of ongoing emergency mental health services. **Fiscal Impact:** -\$4,384 is 100% grant funded by DSHS. **Staff Contact:** Anders Edgerton, 337-4886. Motion

carries unanimously.

- C. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the [Contract amendment](#) with **Forks Community Hospital–West End Outreach Services (KC-383-07C)** providing mental health services for non-Medicaid recipients and low income individuals in West Clallam and Jefferson Counties, ensuring provision of ongoing emergency mental health services. **Fiscal Impact:** -\$3,267 is 100% grant funded by DSHS. **Staff Contact:** Anders Edgerton, 337-4886. Motion carries unanimously.
- D. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the [Contract amendment](#) with **Peninsula Community Mental Health Center (KC-381-07C)** providing mental health services for non-Medicaid recipients and low income individuals in Eastern Clallam County, ensuring provision of ongoing emergency mental health services. **Fiscal Impact:** -\$12,199 is 100% grant funded by DSHS. **Staff Contact:** Anders Edgerton, 337-4886. Motion carries unanimously.
- E. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the [Contract amendment](#) with **Kitsap Mental Health Services (KC-380-07C)** providing mental health services for non-Medicaid recipients and low income individuals in Kitsap County, ensuring provision of ongoing emergency mental health services. **Fiscal Impact:** -\$6898 is 100% grant funded by DSHS. **Staff Contact:** Anders Edgerton, 337-4886. Motion carries unanimously.
- F. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the [Memorandum of Understanding](#) amendment with the **Deputy Sheriff’s Guild (KC-307-06B)** implementing a sick leave administration policy. **Staff Contact:** Fernando Conill, 337-4484. Motion carries unanimously.
- G. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the contract with **Kitsap Community Resources (KC-447-08)** providing temporary emergency funds to be distributed to qualified indigent veterans processed by Kitsap Community Resources. **Fiscal Impact:** \$382,881 – KC Real and Personal Property Tax. **Staff Contact:** Leif Bentsen, 337-4883. Motion carries unanimously.
- H. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the [Contract amendment](#) with **Kitsap Mental Health Services (KC-348-07C)** increasing the contract amount by \$35,068 for adult and youth chemical dependency treatment services. **Fiscal Impact:** \$35,068 is 100% Grant Funded by DSHS. **Staff Contact:** Betsy Bosch, 337-7185. Motion carries unanimously.

- I. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the revenue [contract](#) with **Olympic Consortium and WA State Employment Security Dept (KC-397-08)** resource sharing agreement for phone and janitorial costs. **Fiscal Impact:** \$5,466 – WIA and Wagner Peyser Act Funds. **Staff Contact:** Bob Potter, 337-4873. Motion carries unanimously.
- J. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the revenue [contract](#) with **Olympic Consortium and WA State Employment Security Dept (KC-460-08)** providing revenue for employment and training operations to 73 eligible dislocated workers in Kitsap County. **Fiscal Impact:** \$241,993 is 100% Grant Funded by WIA. **Staff Contact:** Bob Potter, 337-4873. Motion carries unanimously.
- K. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board affirms [contract](#) (approved at 12/10/08 work study session) with **Kitsap County Superior Court (KC-454-08)** to support training/client support activities and public service announcements that focus on the impact on methamphetamines and the positive intervention of the adult felony drug court. **Fiscal Impact:** \$4,794 is 100% Grant Funded by WA State CTED. **Staff Contact:** Mary Ellen de la Pena, 337-4878. Motion carries unanimously.

Note: *Items L – R are Collective Bargaining Agreements amendments and will be considered collectively.*

- L. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board affirms [Resolution No. 248-2008*](#) (approved at 12/15/08 Administrative Briefing) establishing a Voluntary Reduced Work Hour Program for non-represented employees. **Staff Contact:** Penny Starkey, 337-7185. Motion carries unanimously.
- M. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board affirms [Resolution No. 249-2008*](#) (approved at 12/15/08 Administrative Briefing) granting one “floating holiday” to be used by non-represented employees and any employee within a bargaining unit agreeing to the dollar equivalent of a 2% percent wage increase for 2009. **Staff Contact:** Penny Starkey, 337-7185. Motion carries unanimously.
- N. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the [Memorandum of Understanding](#) amendment with **WA State Council of County and City Employees, Local 1308, AFSCME, Courthouse Employees (KC-040-07R)** implementing the Voluntary Reduced Work Hour Program for union members for the period of January 1, 2009 – December 31, 2009. **Staff Contact:** Fernando Conill, 337-4484. Motion carries unanimously.
- O. [Memorandum of Understanding](#) amendment with **Teamsters Local 589, Parks & Recreation (KC-140-07E)** implementing the Voluntary Reduced Work Hour Program for union members for the period of January 1, 2009 – December 31, 2009.

Staff Contact: Fernando Conill, 337-4484. **(ITEM PULLED)**

- P. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the [Memorandum of Understanding](#) amendment with **WA State Council of County and City Employees, Local 1308-S, AFSCME, Courthouse Supervisory Employees (KC-469-07B)** implementing the Voluntary Reduced Work Hour Program for union members for the period of January 1, 2009 – December 31, 2009. **Staff Contact:** Fernando Conill, 337-4484. Motion carries unanimously.
- Q. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the [Collective Bargaining Agreement](#) amendment with the **Deputy Prosecuting Attorney and Deputy Prosecuting Attorney Guild (KC-184-07C)** implementing a 2% wage adjustment in 2009. **Fiscal Impact:** \$49,355 including fringe for 2009 – General and Special Revenue Funds. **Staff Contact:** Fernando Conill, 337-4484. Motion carries unanimously.
- R. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the [Collective Bargaining Agreement](#) amendment with the **WA State Council of County and City Employees, Local 1308-S, AFSCME, Courthouse Supervisory Employees (KC-469-07C)** implementing cost saving measures to reduce cost of 2009 wage adjustment from 4% to 2%. **Fiscal Impact:** cost savings of \$34,305 including fringe – General Fund. **Staff Contact:** Fernando Conill, 337-4484. Motion carries unanimously.
- S. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the Revenue Contract amendment with **WA State Office of Insurance Commissioner (KC-280-07B)** providing additional funding through the Senior Medicare Patrol project to increase Medicare fraud prevention efforts. **Fiscal Impact:** \$6,335 is 100% Grant Funded by WA Office of Insurance Commissioner. **Staff Contact:** Linda Hanna, 337-7068. Motion carries unanimously.
- T. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the Memorandum of Understanding Agreement amendment with **WA State Council of County and City Employees, Local 1308, AFSCME, Courthouse Employees (KC-040-07S)** for the classification change for C. Uhinck. **Staff Contact:** Fernando Conill, 337-4484. Motion carries unanimously.

3) DEPARTMENT OF CENTRAL COMMUNICATIONS:

- A. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the [Contract amendment](#) with **Intergraph (KC-419-08A)** for DECCAN Software Services. **Fiscal Impact:** \$420,000 – E911 Fund. **Staff Contact:** Richard Kirton, 307-5800. Motion carries unanimously.

4) DEPARTMENT OF PUBLIC WORKS:

- A. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board adopts [Resolution No. 250-2008*](#) accepting KC-174-08, Hood Canal Drive NE widening and safety improvement project as complete in North Kitsap, Commissioner Dist #1. **Staff Contact:** Jacques Dean, 337-4671. Motion carries unanimously.
- B. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the [Interlocal agreement](#) with the **Cities of Bainbridge Island, Bremerton, Port Orchard, Poulsbo/Suquamish, Port Gamble S’Klallam Tribes (KC-184-08)** designating Kitsap County as the lead agency for the revision of the Comprehensive Solid Waste Management Plan. **Staff Contact:** Pat Campbell, 337-4626. Motion carries unanimously.
- C. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the [Contract](#) with **Waste Management of WA (KC-463-08)** for recycling and garbage facilities operations and hauling and replacing KC-289-05. **Fiscal Impact:** \$900,000 – Solid Waste. **Staff Contact:** Pat Campbell, 337-4626. Motion carries unanimously.

5) DEPARTMENT OF INFORMATION SERVICES:

- A. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the [Contract amendment](#) with **West-Thompson Group (KC-015-07A)** for continued services for the software and online access to legal research resources. **Fiscal Impact:** \$160,536 – Information Services. **Staff Contact:** Bud Harris, 337-7223. Motion carries unanimously.
- B. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the [Contract amendment](#) with **Latitude Geographic’s Group (KC-346-08A)** increasing the contract amount by \$16,240 for SITUS address editor and address viewer. **Fiscal Impact:** \$16,240 – Information Services Fund. **Staff Contact:** Diane Mark, 337-4782. Motion carries unanimously.

6) DEPARTMENT OF PARKS & RECREATION:

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts [Resolution No. 251-2008*](#) cooperating with the West Sound Utility District for a joint use facility within the South Kitsap Regional Park. **Staff Contact:** Matt Keough, 337-5358. Motion carries unanimously.

7) SHERIFF’S OFFICE:

- A. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer

that the Board approves the [Contract](#) with the **City of Gig Harbor (KC-409-08)** for the detention and incarceration of adult person arrested and or committed to confinement by the City. **Fiscal Impact:** \$80 per person confined for 24-hour period of confinement or a portion thereof – City of Gig Harbor. **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 the [Contract](#) with the **City of Poulsbo (KC-407-08)** for the detention and incarceration of adult person arrested and or committed to confinement by the City. **Fiscal Impact:** \$80 per person confined for 24-hour period of confinement or a portion thereof – City of Poulsbo. **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 the [Contract amendment](#) with the **City of Bremerton (KC-426-06A)** for the detention and incarceration of adult person arrested and or committed to confinement by the City. **Fiscal Impact:** \$80 per person confined for 24-hour period of confinement or a portion thereof – City of Bremerton. **Staff Contact:** Ned Newlin, 337-7107. Motion carries unanimously.
- D. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the [Contract amendment](#) with the **City of Bainbridge Island (KC-425-06A)** for the detention and incarceration of adult person arrested and or committed to confinement by the City. **Fiscal Impact:** \$80 per person confined for 24-hour period of confinement or a portion thereof – City of Bainbridge Island. **Staff Contact:** Ned Newlin, 337-7107. Motion carries unanimously.

8) AUDITOR’S OFFICE:

- A. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board adopts [Resolution No. 252-2008*](#) closing the Commissioners Office petty cash fund in the amount of \$100. **Staff Contact:** Lillian Shierk, 337-4909. Motion carries unanimously.
- B. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board adopts **Resolution No. 253-2008*** authorizing an interfund advance from the General Fund to the Special Revenue Fund Youth Commission to provide cash flow needs until grant reimbursement is received. **Fiscal Impact:** \$20,000 repaid by reimbursement from State Grant Funds. **Staff Contact:** Lillian Shierk, 337-4909. Motion carries unanimously.
- C. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board adopts [Resolution No. 254-2008*](#) canceling outstanding warrants dated from November 1, 2001- June 30, 2006. **Staff Contact:** Dave Schureman, 337-7132. Motion carries unanimously.

9) **COMMISSIONERS/COUNTY ADMINISTRATOR'S OFFICES:**

- A. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board adopts [Resolution No. 255-2008*](#) reappointing **Robert Jones** (District #1) to the *Art Board* to a 3-year term ending December 31, 2011. **Staff Contact:** Jan Koske, 337-4650. Motion carries unanimously.
- B. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board adopts [Resolution No. 256-2008*](#) reappointing **Michael Tucker and Frank Stowell** (District #1) to the *Kitsap County Parks & Recreation Advisory Board* for 3-year terms ending December 31, 2011. **Staff Contact:** Jan Koske, 4650. Motion carries unanimously.
- C. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board adopts [Resolution No. 257-2008*](#) reappointing **Thomas Nevins** (District #1) to the *Kitsap County Planning Commission* for a 4-year term ending December 31, 2012. **Staff Contact:** Jan Koske, 4650. Motion carries unanimously.
- D. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board adopts [Resolution No. 258-2008*](#) reappointing **Kinley Deller** (District #1) to the Solid Waste Advisory Committee for a 4-year term ending December 31, 2012. **Staff Contact:** Jan Koske, 4650. Motion carries unanimously.

10) **DEPARTMENT OF ADMINISTRATIVE SERVICES:**

- A. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board adopts [Resolution No. 259-2008*](#) declaring a financial emergency and directing negotiations over 2009 wages. **Staff Contact:** Shawn Gabriel, 337-4504. Motion carries unanimously.
- B. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves the [Contract](#) with **BCRA, Inc (KC-002-09)** for architectural and engineering services for the Central Kitsap Community Campus project. **Fiscal Impact:** \$96,000 – Silverdale Project Fund. **Staff Contact:** Brian Lyman, 337-4252. Motion carries unanimously.
- C. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board approves Ground Lease [Amendment](#) with **YMCA of Tacoma-Pierce County KC-258-08B)** for construction and operation of a recreation facility. **Fiscal Impact:** None. **Staff Contact:** Carolyn Siems, 337-4412. Motion carries unanimously.
- D. A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board adopts **Resolution No. 260-2008*** extending the loan period for the sewer improvement fund loan to the ULID #8 Manchester Construction Fund. **Staff Contact:** Shawn Gabriel, 337-4504. 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) 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. **(Note: This matter continued to January 12, 2009.**

B) Public hearing to consider testimony on the matter of a [Resolution](#) amending the 2008 Annual Budget (4th quarter). **Staff Contact:** Shawn Gabriel, 337-4504.

Shawn Gabriel, Administrative Services, gave a brief overview of the proposed resolution.

Discussion is held, public comments called for and hearing no objection, a **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board adopts **Resolution No. 261-2008*** amending the 2008 Annual Budget (4th quarter). Motion carries unanimously.

C) Continuation of the public hearing to consider a [Resolution](#) adopting the **2009 – 2014 Surface and Stormwater Management Capital Facility Plan. Fiscal Impact:** \$7,477,400 –SSWM Capital Fund. **Staff Contact:** Dave Tucker, 337-7292. **(SAID MATTER FOR DECISION ONLY)**

Discussion is held and a **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board adopts **Resolution No. 262-2008*** adopting the **2009 – 2014 Surface and Stormwater Management Capital Facility Plan.** Motion carries unanimously.

D) Continuation of the public hearing to consider a [Resolution](#) adopting the **2009 – 2014 Solid Waste Capital Facilities Plan. Fiscal Impact:** \$3,535,000 –. **Staff Contact:** Pat Campbell, 337-4626. **(SAID MATTER FOR DECISION ONLY)**

Discussion is held and a **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board adopts **Resolution No. 263-2008*** adopting the **2009 – 2014 Solid Waste Capital Facilities Plan.** Motion carries unanimously.

E) Continuation of the public hearing to consider a [Resolution](#) adopting the **2009 – 2014 Public Buildings Capital Facility Plan. Fiscal Impact:** \$13,420,093 – Bonds, REET, Grants, Equity Sales and Juvenile Sales Tax. **Staff Contact:** Brian Lyman, 307-

4252. **(SAID MATTER FOR DECISION ONLY)**

Discussion is held and a **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board adopts **Resolution No. 264-2008*** adopting the **2009 – 2014 Public Buildings Capital Facility Plan**. Motion carries. Commissioner Angel votes no.

F) Continuation of the public hearing to consider a **Resolution** adopting the **2009 – 2014 Parks and Recreation Capital Facility Plan**. **Fiscal Impact:** \$42,943,508 – Existing Bond Revenue, REET1 and 2, Conservation Futures Tax, Impact Fees and Voter Approved Bonds. **Staff Contact:** Matt Keough, 337-5357. **(SAID MATTER FOR DECISION ONLY)**.

Discussion is held and a **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board adopts **Resolution No. 265-2008*** adopting the **2009 – 2014 Parks and Recreation Capital Facility Plan**. Motion carries unanimously.

G). **Resolution** certifying the Property Tax Levy for collection in 2009. **Staff Contact:** Jim Avery, 337-7085.

Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board adopts **Resolution No. 266-2008*** certifying the *Property Tax Levy for collection in 2009*. Motion carries unanimously.

H). **Resolution** adopting the 2009 Annual Kitsap Budget. **Staff Contact:** Shawn Gabriel, 337-4504.

Shawn Gabriel, Administrative Services, gave a brief update on the 2009 budget stating staff has worked through an extensive budget process to produce the 2009 Final Budget - \$328,150,997. He said the Final Budget represents a \$722,117 change from the Preliminary Budget. Gabriel said reserves in the amount of \$1,207,784 was used as a anti-recessionary measure to balance the General Fund budget shortfall and supplement the Department of Community Development's shortfall in building permit service. He said the 2009 budget year will present some challenges and is important that the county continues to show due diligence as it operates under tight fiscal constraints.

Discussion is held, comments received and hearing no objection a **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board adopts **Resolution No. 267-2008*** adopting the *2009 Annual Kitsap Budget*. Motion carries unanimously.

I) Public hearing to consider an **Ordinance** enacting amendments to Title 21.04, Land Use and Development Procedures. **Staff Contact:** **Staff Contact:** Scott Diener, 337-4966.

Scott Diener, Community Development, said this Ordinance proposes that appeals of Type III decisions go to Superior Court or other state administrative bodies such as the Shoreline Management Hearings Board or the Growth Management Hearings Board. He said mediation would be available and would occur during the decision-making and/or hearing processes. He said the Planning Commission held discussion and review of the proposed language and the posted Ordinance reflects the Planning Commission's recommendation. Diener said if changes should occur today, they would be to consider the effective date of the ordinance because staff would need time to work out procedures with the mediation bodies. He said staff recommends an effective date of February 1, 2009.

Discussion is held by the Board and a **motion** is made by Commissioner Bauer and seconded by Commissioner that the Board remands this Ordinance that includes a mandatory mediation process back through the Planning Commission process and to reconsider all of the procedural amendments to Title 21 no later than February 28, 2009. Motion carries unanimously.

Commissioner Angel notes that because this matter was advertised for public hearing, the Board would receive public comments.

William Palmer, Land Use Planner, said he is opposed to the proposed changes to the ordinance.

Teresa Osinki, Homebuilders Association, expresses appreciation to the Board for its willingness to step back and spend more time "flushing out" the details of what is being proposed. She said the Association stands ready to work with this process and would like to see a positive resolution.

Tom Brittell, Central Kitsap resident, said mediation must have a level playing field and asks the Board to find a way to keep it level. He said then the mediation process really could move forward.

Fed Depee, South Kitsap resident, believes the Board made a wise decision by sending this matter back and did not believe it was set forth appropriately or not enough time was spent on it. He believes mediation could be a very effective tool if constructed correctly. He supports the Ordinance as proposed.

J) Public hearing to consider enacting an **Ordinance** relating to Growth Management, amending the Comprehensive Plan and Map for 2008 and making corresponding amendments to the Kitsap County Zoning Code. **Staff Contact:** Scott Diener, 337-4966.

Scott Diener, Community Development, said this is a hearing to adopt the omnibus Ordinance proposing the Comprehensive Plan amendments for 2008 pursuant to RCW 36.70A.130, Kitsap County Code Section 21.08.040 and Resolution No. 015-2008. He said the proposed Comprehensive Plan changes for this year includes adoption of an

Illahee Community Plan, changes to the Silverdale Sub-Area Plan and associated comprehensive plan language for connector roads development in the Waaga Way District, amendments to the Kingston Sub-Area Plan and associated comprehensive plan language creating a prioritized action agenda for Kingston and the 6-Year Capital Facilities Plans (Surface and Stormwater Management, Solid Waste, Public Buildings and Parks and Recreation) and the associated language in the comprehensive plan are updated and incorporated by reference. Diener said the proposed ordinance notes no changes to the comprehensive plan land use map for the Manchester Limited Area of More Intensive Rural Development (denial of the Perry Site Specific resignation request). Diener thanked staff for the work they put into this document.

Tom Brittell, Central Kitsap resident, addresses the Board about taking the commercial district out of the Illahee Plan. He said he is not sure of the impacts because he has not had an opportunity to review but did not see a reason for taking it out.

William Palmer said he opposes the Illahee Community Plan and believes the commercial district should have never been in the plan in the beginning.

Commissioner Angel closes the public hearing.

A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer removing areas west of Almira Drive NE between NE Fuson Road and NE Riddell Road from the Illahee Community Boundary. Motion carries unanimously.

A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board amends Section 3 of the Ordinance to include the following finding; *“After considering public testimony regarding the boundaries of the Illahee planning area, the Board finds it prudent to remove the commercial area, i.e., west of Almira Drive between NE Fuson Road and NE Riddell Road, from the planning area; further by removing this area from the Illahee Plan, the policies and goals adopted in the Illahee Plan will not apply to this particular commercial area; and further the comprehensive plan use designations and zoning designations for this area remain unchanged.”* Motion carries unanimously.

A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board amends Policy 4.3-1 to read, *“Review all new development proposals, particularly in the Illahee Creek watershed, to ensure that the projects are coordinated with ongoing regional stormwater system planning and meet the requirements of the latest Kitsap County regulations.”* Motion carries unanimously.

A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board amends Policy 4.7-3 to read, *“Consider community tree protection standards.”* Motion carries unanimously.

A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board deletes Policy 6.2-1 from the Illahee Community Plan. Motion carries

unanimously.

A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board amends Appendix C regarding the goals and policies of the Silverdale Sub-Area Plan to reflect the revisions located in the December 23, 2008 document provided by staff. Motion carries unanimously.

A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board deletes Section 8 of the Omnibus Ordinance that repeals the development moratorium for the Waaga Way area. Motion carries unanimously.

A **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board enacts **Ordinance No. 420-2009**** relating to Growth Management, amending the Comprehensive Plan and Map for 2008 and making corresponding amendments to the Kitsap County Zoning Code; subject to the above amendments. Motion carries unanimously.

Commissioner Angel notes that on Section 4 relating to Perry Site Specific, when a site specific request comes back before the Board and when the law changes, it didn't give her as the District #2 Commissioner much flexibility to jump in and try to help with a project that happened 18 years ago. She said it was a very challenging decision for her. She said the Board heard reasonable arguments on both sides but she had to be guided by Title 21.08.180, the decision criteria for site-specific comprehensive plan amendments as specified in Kitsap County Code. She said the analysis from the staff report showed that the proposal was inconsistent with the countywide planning policies as they related to population allocation; the Kitsap County comprehensive plan as it related to the community character of the Manchester area and the state growth management act as it related to the intensity of development which is not a limited area of more rural intensive development. Commissioner Angels said these issues stand in the way of the applicant's meeting the decision criteria and as it states all criteria must be met. She said she had to base her decision on the requirements from County Code to support the denial of that project.

K) Declaring an emergency and enacting an **Ordinance** imposing a 180-day moratorium on the acceptance of new applications for permits on non-conforming lots in rural zones utilizing onsite sewage systems designed to serve more than six dwelling units, pending revised policies and/or regulations regarding legacy lots and providing for an immediate effective date. **Staff Contact:** Larry Keeton, 337-5683.

Larry Keeton, Community Development, said the Board heard a presentation about legacy lot issues in the county and staff is preparing to review and update County Code Title 16, Sub-Divisions. He said staff has concerns about the availability or the existence of a large number of legacy lots in rural areas that could be developed using large on-site septic systems which will be inconsistent with countywide planning polices; the Growth Management Act and population densities. Keeton said staff is asking the Board to enact this emergency ordinance and hold a public hearing within the next 60 days.

Discussion is held by the Board and a **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board enact emergency **Ordinance No. 421-2008**** imposing a 180-day moratorium on the acceptance of new applications for permits on non-conforming lots in rural zones utilizing onsite sewage systems designed to serve more than six dwelling units, pending revised policies and/or regulations regarding legacy lots and providing for an immediate effective date. Motion carries unanimously.

11) 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.)

- A. William Palmer addresses the Board with concerns about emergency ordinance No 421-2009.
- B. Vivian Henderson presents a plaque of appreciation on behalf of the Kitsap Alliance of Property Owners to Commissioner Angel for her years of service to the citizens of Kitsap County. She also thanked the entire Board for listening respectfully during the past year.

12) COUNTY ADMINISTRATOR'S COMMENTS:

- A. Nancy Grennan announces the reschedule of the Swearing-In Ceremony to December 31, 2008 at 4:00 pm in the Chambers. She also thanked the Public Works crews who had been working for the last five days during this snowy weather.

13) BOARD OF COMMISSIONER'S COMMENTS:

- A. Commissioners Brown and Commissioner Bauer also thank the Public Works crews for their diligent service to the Kitsap County citizens.
- B. Commissioner Angel thanks the Public Work crews as well. She also thanks county staff and the citizens of District #2 and all of Kitsap County. She said it has been a pleasure to serve the citizens of Kitsap.

Public meeting adjourned at 3:06 pm.

KITSAP COUNTY WASHINGTON

CHARLOTTE GARRIDO, CHAIR

STEVE BAUER, 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:

12/22/08	11:00 a.m.	Meeting with Elected Officials
	12:00 p.m.	Lunch with Elected Officials
	2:00 p.m.	PM Briefing
	4:00 p.m.	Swearing In Ceremony - BOCC Chambers
	7:00 p.m.	BOCC Regular Business Meeting – BOCC Chambers
12/23/08	9:00 a.m.	Board Retreat – Port Blakely Conf Room
12/25/08		Office Closed – Christmas Holiday
01/01/09		Office Closed – New Year’s Day
01/05/09	10:00 a.m.	AM Briefing – Port Blakely Conf Room
	2:00 p.m.	PM Briefing – Port Blakely Conf Room
01/06/09	10:30 a.m.	KRCC/Health District Board Meetings
01/07/09	8:30 p.m.	Work Study- Port Blakely Conf Room

(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 **January 12, 2008 at 7:00 p.m. in the Board of Commissioners Chambers.**