



MINUTES

KITSAP COUNTY BOARD OF COMMISSIONERS December 12, 2005

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

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

PROCLAMATIONS/RESOLUTIONS/RECOGNITION:

1) Recognition of "Employee Service Awards". **Staff Contact:** Tammy Dillinger, 337-3515.

Congratulations and Certificates of Appreciation are presented to Lynn Flanig, Personnel and Human Services and to Scott Riddell, Dept of Community Development for their years of service to Kitsap County.

2) Recognition and presentation of the "**Waste Wise Partner of the Year Award**". **Staff Contact:** Gretchen Olsen, 337-4626.

Dominic Lauber, Environmental Protection Agency Seattle Office, gave a brief overview of the Waste Wise Program and presents the award to Kitsap County.

Vickie Bushnell, Public Works, spoke in support of the program.

3) **Resolution** appointing **Roberta Messinger** to the *Kitsap County Council for Human Rights* to a 3-year term ending December 31, 2008 representing Central Kitsap, Commissioner District #3. **Staff Contact:** Jan Koske, 337-4650.

Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Lent and seconded by Commissioner Angel that the Board adopts **Resolution No. 223-2005*** appointing Roberta Messinger to the *Kitsap County Council for Human Rights* to a 3-year term ending December 31, 2008 representing Central Kitsap, Commissioner District #3. Motion carries unanimously.

- 4) **Resolution** re-appointing **Larry Sukut** to the *Kitsap County Art Advisory Board* for a 3-year term ending December 31, 2008 representing South Kitsap, Commissioner District #2. **Staff Contact:** Jan Koske, 337-4650.

Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board adopts **Resolution No. 224-2005*** re-appointing Larry Sukut to the *Kitsap County Art Advisory Board* for a 3-year term ending December 31, 2008 representing South Kitsap, Commissioner District #2. Motion carries unanimously.

- 5) **Resolution** reappointing **Frank Stowell, Michael Tucker and Carl Tonge** to the *Kitsap County Parks and Recreation Advisory Board* to 3-year terms ending December 31, 2008 representing North Kitsap (Stowell and Tucker) Commissioner District #1 and Central Kitsap (Tonge), Commissioner District #3. **Staff Contact:** Jan Koske, 337-4650.

Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Lent and seconded by Commissioner Angel that the Board adopts **Resolution No. 225-2005*** reappointing Frank Stowell, Michael Tucker and Carl Tonge to the *Kitsap County Parks and Recreation Advisory Board* to 3-year terms ending December 31, 2008 representing North Kitsap (Stowell and Tucker) Commissioner District #1 and Central Kitsap (Tonge), Commissioner District #3. Motion carries unanimously.

- 6) **Resolution** reappointing **John Collins and Joanne Webber** to the Kitsap County Noxious Weed Control Board to 4-year terms ending December 31, 2009 representing Central Kitsap, Commissioner District #3. **Staff Contact:** Jan Koske, 337-4650.

Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Lent and seconded by Commissioner Angel that the Board adopts **Resolution No. 226-2005*** reappointing John Collins and Joanne Webber to the Kitsap County Noxious Weed Control Board to 4-year terms ending December 31, 2009 representing Central Kitsap, Commissioner District #3. Motion carries unanimously.

- 7) **Resolution** offering support of the Port of Kingston Commission maintaining ownership of the Kingston Ferry Terminal property and continued lease of the property to the WA State Dept of Transportation. **Staff Contact:** PJ Ramos, 337-4481.

Discussion is held, comments received and hearing no objection, a **motion** is made by Chair Endresen and seconded by Commissioner Angel that the Board adopts **Resolution No. 227-2005*** offering support of the Port of Kingston Commission maintaining ownership of the Kingston Ferry Terminal property and continued lease of the property to the WA State Dept of Transportation. Motion carries unanimously.

PUBLIC HEARINGS:

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

10:10) Public hearing to consider adopting a **Resolution** establishing the 2006 Property Tax Levies including County General Levy, the County Road Levy, the Conversation Futures Levy and Poulsbo Library Capital Facilities District Bond Levy. **Total Fiscal Impact:** N/A. **Source of Funds:** N/A. **Staff Contact:** Arley Bright, 337-4787.

Discussion is held, comments called for and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board adopts **Resolution No. 226-2005*** establishing the 2006 Property Tax Levies including County General Levy, the County Road Levy, the Conversation Futures Levy and Poulsbo Library Capital Facilities District Bond Levy. Motion carries unanimously.

10:15) Public hearing to consider adopting a **Resolution** amending the 2005-2006 Biennial Budget and if approved, the resolution will increase expenditures in public works funds. **Total Fiscal Impact:** Increase 2006 appropriations by \$9,183,286 across all funds listed. **Source of Funds:** Various Public Works Funds. **Staff Contact:** Arley Bright, 337-4787.

Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Lent and seconded by Commissioner Angel that the Board adopts **Resolution No. 227-2005*** amending the 2005-2006 Biennial Budget and if approved, the resolution will increase expenditures in public works funds. Motion carries unanimously.

OPPORTUNITY FOR PUBLIC COMMENTS ON AGENDA ITEMS ONLY:

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

- A. Jim Sommerhauser addresses the Board concerns about a need to provide more information about agenda items.
- B. Vivian Henderson agrees with Sommerhauser.

OTHER BUSINESS AND CONSENT ITEMS:

1) MISCELLANEOUS ITEMS:

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

- A. Approve Minutes of December 5, 2005.

- B. Approve Warrant Nos. 3210663 through 3211676 in the amount of \$1,617,209.70.
- C. Approve Payroll Warrant Nos.
- D. Refer the following to the Prosecutor's Office and Risk Management: 1) Claim for Damages filed by Amy Elizabeth Ward.

Motion carries unanimously.

- E. A **motion** is made by Chair Endresen and seconded by Commissioner Lent that the Board adopts the Formal Decision and Conclusions of Law by the Board, Re: Theros – Lots 44 and 45 Critical Areas Variance. Motion carries. Commissioner Angel votes No.
- F. A **motion** is made by Commissioner Lent and seconded by Commissioner Angel that the Board adopts the Formal Decision and Conclusions of Law by the Board, Re: Riddell North Preliminary Plat. Motion carries unanimously.

2) **DEPARTMENT OF PUBLIC WORKS:**

- A. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Lent and seconded by Commissioner Angel that the Board approves and executes the contract with **WA State Dept of Transportation Improvement Board (KC-585-05)** for the State Route 3/303 (Waaga Way) Interchange in Central Kitsap, Commissioner District #3. **Total Fiscal Impact:** \$2,484,280. **Source of Funds:** Transportation Improvement Board Funds. **Staff Contact:** Jon Brand, 337-4893/Jerry Hauth, 337-4891. Motion carries unanimously.
- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board approves and executes the contract amendment with **Perteet Inc (KC-493-04A)** for design of the Bucklin Hill Signalization, Silverdale Plaza to Mickelberry Road NW in Central Kitsap, Commissioner District #3. **Total Fiscal Impact:** \$15,494 in local funds. **Source of Funds:** Road Fund. **Staff Contact:** Jerry Hauth, 337-4891. Motion carries unanimously.
- C. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board approves and executes the contract amendment with **Parametrix, Inc (KC-499-02C)** for the SE Mile Hill Drive improvement project in South Kitsap, Commissioner District #2. **Total Fiscal Impact:** \$452,970. **Source of Funds:** Road Fund. **Staff Contact:** Dick Dadisman, 337-5777 x3556. Motion carries unanimously.
- D. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board approves and executes the contract amendment with **Waste Management of WA (KC-289-05A)** to correct the contractor hauling fee table, Section 11.6 – Payment to Contractor. **Total Fiscal Impact:** \$0. **Source of Funds:**

Solid Waste Fund. **Staff Contact:** Gretchen Olsen, 337-4626. Motion carries unanimously.

- E. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board approves and executes the interlocal agreement amendment with the **City of Bainbridge Island (KC-436-05A)** limiting the county's financial obligation to half the engineers cost estimate and releasing the county from any future financial liability related to the slope repair at the Bainbridge Island Landfill. **Total Fiscal Impact:** \$81,115. **Source of Funds:** Solid Waste Landfill Post Closure Fund. **Staff Contact:** Gretchen Olsen, 337-4626. Motion carries unanimously.
- F. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board approves and executes the Quit Claim Deed request filed by the **City of Bremerton** for tax title property located within the city limits of Bremerton (3797-020-006-0003) in South Kitsap, Commissioner District #2. **Total Fiscal Impact:** \$0. **Source of Funds:** N/A. **Staff Contact:** Molly Foster, 337-3686. Motion carries unanimously.
- G. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board approves and executes the Waterline Easement agreement filed by **Cory & Cynthia Freeman and Future Homes** to install, maintain and operate a 10-foot wide private water line within a portion of NW Church Road in Central Kitsap, Commissioner District #3. **Total Fiscal Impact:** \$200. **Source of Funds:** Petitioner. **Staff Contact:** Rob McGinley, 337-3924. Motion carries unanimously.

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

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board adopts **Resolution No. 230-2005*** reclassifying a position within the Public Works Department. **Total Fiscal Impact:** Cost figures provided on prior resolution. **Source of Funds:** submitted and approved in 2005/06 budget. **Staff Contact:** Lynn Flanig, 337-3536. Motion carries unanimously.
- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board adopts **Resolution No. 231-2005*** changing the wage grade of a position within the Facilities, Parks and Recreation Department. **Total Fiscal Impact:** 2005-\$2,232 including salary and associated benefit costs and 2006-\$3,438 including salary and associated benefit costs (costs are approximate). **Source of Funds:** current budget. **Staff Contact:** Lynn Flanig, 337-3536. Motion carries unanimously.
- C. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board adopts **Resolution No. 232-2005*** revising Kitsap County's Policies and Procedures for reimbursement of travel related expenses. **Total Fiscal Impact:** N/A. **Source of Funds:** N/A. **Staff Contact:** Bert Furuta, 337-7185.

4) **DEPARTMENT OF ADMINISTRATIVE SERVICES:**

- A. **Resolution** approving the spending plans for the Kitsap County Lodging Tax for the year 2006. **Total Fiscal Impact:** \$205,008. **Source of Funds:** 2006 Levied Lodging Tax. **Staff Contact:** Ben Holland, 337-4504. (**NOTE: At the request of staff, this matter has been continued to December 19, 2005.**)
- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board adopts **Resolution No. 233-2005*** certifying the amount of taxes levied for collection in 2006 to the County Assessor. **Total Fiscal Impact:** N/A. **Source of Funds:** N/A. **Staff Contact:** Ben Holland, 337-4504. Motion carries unanimously.

5) **SHERIFF'S OFFICE:**

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board approves and executes the contract with the **City of Port Orchard (KC-275-05)** for facility use (gun range) to conduct firearms training for the period of January 1, 2006 through December 31, 2006. **Total Fiscal Impact:** \$50 per day. **Source of Funds:** General Fund-Sheriff's Office. **Staff Contact:** Dennis Bonneville, 337-3111. Motion carries unanimously.

6) **DEPARTMENT OF EMERGENCY MANAGEMENT:**

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board adopts interlocal agreement with the **Cities of Bainbridge Island, Bremerton, Port Orchard and Poulsbo (KC-607-05)** to provide emergency management services. **Total Fiscal Impact:**. **Source of Funds:**. **Staff Contact:** Phyllis Mann, 307-5870. Motion carries unanimously.
- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board adopts interlocal agreement amendment with **Clallam County (KC-391-03B)** to increase funding for Homeland Security in Clallam County from Region 2 Homeland Security Regional Council Funds. **Total Fiscal Impact:** \$210,128. **Source of Funds:** Federal Funds. **Staff Contact:** Phyllis Mann, 307-5870. Motion carries unanimously.

7) **PROSECUTOR'S OFFICE:**

- A. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board adopts Settlement agreement and release of claims in Kass v. Kitsap County. **Total Fiscal Impact:** \$85,000. **Source of Funds:** Risk Mgmt Fund. **Staff Contact:** Jennifer Forbes, 337-7243. Motion carries unanimously.

- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board adopts contract amendment with Short **Cressman & Burgess PLLC (KC-261-98C)** to provide outside legal assistance to Kitsap County regarding the Model Toxics Control Act – Hansville Landfill. **Total Fiscal Impact:** \$60,000 per year. **Source of Funds:** Public Works Landfill Fund. **Staff Contact:** Lisa Nickel, 337-4974. Motion carries unanimously.

8) **FACILITIES/PARKS/RECREATION DEPARTMENT:**

- A. Discussion is held, comments received and hearing a, **motion** is made by Commissioner Lent and seconded by Commissioner Angel that the Board adopts Purchase and Sale agreement and Pasture Lease agreement with **Janice Cannon Morris (KC-548-05)** for purchase of Illahee property and approve the lease back pasture to Janice Cannon-Morris in Central Kitsap, Commissioner District #3. **Total Fiscal Impact:** \$0. **Source of Funds:** Parks Capital Improvement Fund (to be reimbursed by grant proceeds). **Staff Contact:** Joseph Coppo, 337-5355. Motion carries unanimously.
- B. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Lent and seconded by Commissioner Angel that the Board adopts Deeds of Right for the *Lost Continent of Illahee* properties in Central Kitsap, Commissioner District #3. **Total Fiscal Impact:** \$0. **Source of Funds:** Real Estate Excise Tax (to be reimbursed by grant). **Staff Contact:** Joseph Coppo, 337-5355. Motion carries unanimously.
- C. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Lent and seconded by Commissioner Angel that the Board adopts Deeds of Right for the *Barker Creek* properties in Central Kitsap, Commissioner District #3. **Total Fiscal Impact:** \$0. **Source of Funds:** Real Estate Excise Tax (to be reimbursed by grant). **Staff Contact:** Joseph Coppo, 337-5355. Motion carries unanimously.

9) **DEPARTMENT OF INFORMATION SERVICES:**

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Lent that the Board adopts contract with **Wave Broadband (KC-602-05)** to install various speeds of Fiber at eight County locations. This is a three-year capital and services contract that will replace Qwest and Sprint T-1 circuits. This project will also increase the bandwidth and data transfer speeds from 1.5 Mb to 10, 40, or 100 Mbps (based on location). The contract amount is a combination of initial non-recurring charges for connection as well as three years of monthly charges. **Total Fiscal Impact:** \$167,130. **Source of Funds:** Information/Technical Services. **Staff Contact:** Bud Harris, 337-4405. Motion carries unanimously.

- 10) **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. Scott Henden addresses the Board with concerns about item 10:10 AM, tax levies and hazardous road conditions on Hwy #303.

11) BOARD OF COMMISSIONER'S COMMENTS:

- A. Commissioner Lent said she attended/participated in or will be attending the following meetings: Old Town Silverdale Art Walk, Kitsap Community Resources Press Conference, Central Kitsap Community Council Family Night and Red Cross Heroes Breakfast.
- B. Commissioner Angel said she attended/participated in or will be attending the following meetings: Nuisance Abatement Team site visit, Port Orchard Chamber of Commerce Holiday Luncheon and South Kitsap Community Center project.
- C. Commissioner Endresen said she attended/participated in or will be attending the following meetings: Puget Sound Transportation Policy Board, Hansville Futures Project, Human Rights Conference and Suquamish Community Plan/Kingston Sub-Area Plan update public hearing.

Chair Endresen announces that the Board would recess into executive session from 11:30 – 11:45 AM to discuss possible property acquisition pursuant to RCW 42.30.110 (c), will break for lunch at 11:45 AM - 1:30 PM and will go back into executive session until 2:00 PM to discussion personnel issues pursuant to RCW 42.30.110 (g). She said the Board may or may not take action on the matters.

Public meeting recesses at 11:30 AM.

Public meeting reconvenes at 2:00 PM and Chair Endresen announces the Board did not action at the executive sessions.

Public meeting adjourns at 2:00 PM.

**BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY WASHINGTON**

CHRIS ENDRESEN, CHAIR

JAN ANGEL, COMMISSIONER

PATTY LENT, COMMISSIONER

ATTEST:

OPAL ROBERTSON
CLERK OF THE BOARD

DATE APPROVED

* See Resolution Journal Volume No. 60

** See Ordinance Journal Volume No. 14

OTHER MEETINGS ATTENDED BY THE BOARD:

12/12/05	12:00 PM	Lunch
	1:30 PM	Exec Session- Board's Conf Rm ((to discuss personnel matters)
	2:00 PM	Admin Briefing – BOCC Conference Room
12/13/05	9:00 AM	Facilities/Park/Rec-Christmas Breakfast, Presidents Hall
	10:30 AM	Natural Resources Meeting-Conference Room
	12:00 PM	Lunch with Employee of the Month (Susan S.)
	2:30 PM	Joint Mtg w/Public Utilities Dist, PUD Office Finn Hill Road
	* 6:00 PM	Kingston Subarea/Suquamish Rural Vil. Public Mtg, Kingston Com Ctr
12/14/05	8:30 AM	Work Study Session-Public Works Conf Room 3 rd Floor
	12:00 PM	BOCC/DAS Annual Holiday Potluck, Givens Center
12/15/05	2:00 PM	Transportation Policy Bd Mtg – Bremerton Gov Center
12/16/05	9:30 AM	Affordable Housing Summit - Bremerton Gov Center

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

*NEXT BOARD OF COMMISSIONERS MEETING WILL BE HELD **December 19, 2005.***

NOTE: KITSAP COUNTY DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY. INDIVIDUALS WHO REQUIRE ACCOMMODATIONS SHOULD CONTACT THE COMMISSIONER'S OFFICE AT (360) 337-7146 OR TDD (360) 337-7275 OR 1-800-816-2782. (PLEASE PROVIDE ONE-WEEK NOTICE FOR INTERPRETER SERVICES).

UPCOMING TIMED AGENDA ITEMS:

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

December 13, 2005:

- * **6:00 PM)** Public hearing to deliberate on and consider enacting an **Ordinance** Relating to Growth Management, Amending the Comprehensive Plan and Map and making Corresponding Amendments to the Kitsap County Zoning Code and Map. (**Kingston and Suquamish Sub-area Plans updates**). **Staff Contact:** Scott Diener, 337-4966. (**Note:** The public hearing will be held at the Kingston Community Center, 11212 State Hwy #104, Kingston, WA 98346).

December 19, 2005:

- 10:05)** Public hearing consider adopting a **Resolution** on the matter of amending the 2005-2006 Kitsap County Biennial Budget and if approved, the resolution will increase expenditures in all funds in the amount of \$587,315 in 2005 and \$577,390 in 2006. **Staff Contact:** Arley Bright, 337-4787.