



MINUTES

KITSAP COUNTY BOARD OF COMMISSIONERS April 10, 2006

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

PROCLAMATIONS/RESOLUTIONS/RECOGNITION:

- 1) Recognition of "Employee of the Month for April" (County Road Crew).
Staff Contact: Erin Neff, 337-4447.

Congratulations and Certificates of Appreciation are presented to employees of the North, Central and South Road Crews on being selected April employees of the month.

- 2) Presentation of the Earth Day Awards to eight category recipients for their innovative environmental programs or projects. **Staff Contact:** Gretchen Olsen, 337-4626.

Colleen Minion-Pierce, Public Works Solid Waste, gave a summary of the awards categories and introduced the following award recipients: Watson Furniture Group, *Outstanding Achievement in Sustainability*; Becky Croston, *Outstanding Achievement in Volunteerism*; Vineyard Lane, *Green Building Award*; West Sound Tech-Automotive Technology, *Best Hazardous Waste Reduction Program*; Julia Smith, *Clean Kitsap Award*; Steffan Soule, *Outstanding Achievement in Environmental Education*; Derek Schruhl, *Excellence in Environmental Leadership (adult)*; Suquamish Pond Kids, *Excellence in Environmental Leadership (youth)*; and the Public Works Open Line Staff, *Waste Wise Kitsap Award*.

Jeannie Summerhayes, Regional Director WA Dept of Ecology, introduces and presents the *Environmental Excellence Award* to Don Larson for his leadership, innovation and extraordinary service in protecting, improving and helping to cleanup the environment.

Discussion is held, comments received and hearing no objection, a **motion** is made by

Commissioner Lent and seconded by Commissioner Endresen that the Board adopts **Resolution No. 065-2006*** proclaiming April 22, 2006 as *Earth Day* in Kitsap County. Motion carries unanimously.

3) Presentation by Tim Thomson, Puget Sound Naval Base Association (PSNB) Re: acknowledge Commissioner Endresen for her participation and support during the recent PSNB trip to Washington, DC. **Staff Contact:** Don Burger, 337-4578.

Tim Thomson, Puget Sound Naval Base Association, gave brief highlights of the recent trip to Washington, DC and thanked Commissioner Endresen for her participation and support of the Puget Sound Naval Base Association.

4) **Resolution** designating the week of April 9 -15, 2006 as *Small Business Week* in Kitsap County. **Staff Contact:** Debbie Austin, 337-7097.

Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board adopts **Resolution No. 066-2006*** designating the week of April 9 -15, 2006 as *Small Business Week* in Kitsap County. Motion carries unanimously.

PUBLIC HEARINGS:

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

10:20) Public hearing to consider enacting an **Ordinance** designating civic centers and a 1,000-foot perimeter as “drug-free zones” and adding a new Chapter 10.60 to the Kitsap County Code. **Staff Contact:** Jennifer Forbes, 337-7243.

Jennifer Forbes, Prosecutor’s Office, gave a brief overview of the proposed Ordinance stating it is designed to expand protection of drug-free zones in Kitsap County. She said the ordinance gives the Commissioners the authority to create drug free zones in areas not designated as such which would allow civic centers and a 1,000-foot perimeter around any civic center to be designated.

Helen Miller, Bremerton resident, questions why the ordinance did not cover West Hills School.

Forbes said according to the RCW, schools are already designated as drug-free zones and are already protected under the law.

Chair Angel read for the record a letter submitted by Jennifer Forbes on behalf of John VanGesen.

Discussion is held, comments called for and hearing no objection, a **motion** is made by

Commissioner Endresen and seconded by Commissioner Lent that the Board enacts **Ordinance No. 358-2006**** designating civic centers and a 1,000-foot perimeter as “drug-free zones” and adding a new Chapter 10.60 to the Kitsap County Code. Motion carries unanimously.

10:25) Public hearing to consider enacting an **Ordinance** amending Chapter 10.36, relating to the boating in the Kitsap County Code. **Staff Contact:** Steve Mount, 337-4605.

Jennifer Forbes, Prosecutor’s Office, Patty Charnas and Steve Mount, Department of Community Development gave brief overviews of the proposed Ordinance. Forbes said the proposed ordinance is designed to update the current boating ordinance by repealing three sections that are already included in the RCW, updating the derelict boating section and adding a provision to handle emergency situations that develops on the water without having to first bring the matter before the Board of Commissioners.

Helen Miller, Bremerton resident, addresses the Board with concerns about enforcement of derelict boats in the water.

Tara Grumm, Bremerton resident, submits a petition to the Board in support of the proposed ordinance.

Joseph Kinard, Bremerton resident, addresses the Board with concerns about derelict boats and said without this enforcement policy, the public would be “stuck” watching these boats sink and re-floated with the responsible individuals doing whatever nefarious things they can to these boats at night. He supports adoption of the ordinance.

Discussion is held, comments called for and hearing no objection, a **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board enacts **Ordinance No. 359-2006**** amending Chapter 10.36, that relates to boating in the Kitsap County Code. 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.)

- A. Sheldon Parr addresses the Board with concerns about agenda item 4.A, Comcast contract.

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 Endresen and seconded by Commissioner Lent

that the Board approves the Consent Agenda. Motion carries unanimously.

1) MISCELLANEOUS ITEMS:

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

- B. Approve Minutes of March 27, 2006.
- C. Approve Warrant Nos. 3229263 through 3230268 in the amount of \$1,953,724.33.
- D. Approve Payroll Warrant Nos.
- E. Refer the following to the Prosecutor's Office and Risk Management: 1) Claim for Damages filed by Joe Rossi; and 2) Complaint for Damages filed by Victor and Mildred Davis.

Motion carries unanimously.

2) DEPARTMENT OF ADMINISTRATIVE SERVICES:

- A. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board adopts **Resolution No. 067-2006*** approving the issuance by the Industrial Development Corporation of Kitsap County of its Variable Rate Revenue Bonds, 2006 (CARA Land Co, LLC Project) in the principal amount of \$5,000,000 and approving the documentation in connection with the issuance of said bonds, appointing trustees and providing for other matters relating thereto. **Staff Contact:** Arley Bright, 337-4787. Motion carries unanimously.
- B. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board adopts **Resolution No. 068-2006*** authorizing a loan or loans to Kitsap County Consolidated Housing Authority to assist in the repayment of money borrowed to finance general development and pre-development costs associated with low to moderate income housing projects of the Authority. **Staff Contact:** Ben Holland, 337-4504. Motion carries unanimously.

3) DEPARTMENT OF COMMUNITY DEVELOPMENT:

- A. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board Contract amendment with **Jones and Stokes Associates (KC-073-06A)** for Phase II of the review and update of the County's 1998 Comprehensive Plan. **Fiscal Impact:** Not to exceed \$774,848 - paid from the General Fund. **Staff Contact:** Eric Baker, 337-4495. Motion carries unanimously.

4) **DEPARTMENT OF INFORMATION SERVICES:**

- A. Discussion is held, comments received and hearing no objection, a motion is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the contract with **Comcast of Washington LP and Comcast of Washington IV, Inc (KC-166-06)** for cable television and franchise agreement services. **Fiscal Impact:** Fee income in exchange for cable right of way, varying subject to number of cable subscribers. **Staff Contact:** Bud Harris, 337-4405. Motion carries unanimously.

5) **DEPARTMENT OF FACILITIES, PARKS & RECREATION:**

- A. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the contract with **Fields Roof Service (KC-133-06)** for re-roofing six HVAC platforms at the Kitsap Sun Pavilion. **Fiscal Impact:** \$71,614 to be paid from the Special Event Center Project Fund. **Staff Contact:** Paul McCoy, 337-5708. Motion carries unanimously.
- B. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Lent and seconded by Commissioner Endresen that the Board Purchase and Sale agreement with the **David & Gail Kessler & Silverdale Whaling Company, LLC (KC-159-06)** for the purchase of property located at 9833 Poplars Avenue in Silverdale, WA. **Fiscal Impact:** \$2,247,000 plus 5% increases each year until closing to be paid from the Parks Capital Improvement Fund. **Staff Contact:** Mark Mauren, 307-4252. Motion carries unanimously.
- C. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board adopts **Resolution No. 069-2006*** authorizing payment of accrued general leave to certain county employees within the Facilities, Parks & Recreation Dept. **Fiscal Impact:** \$9,966 to be paid from the General Fund Balance. **Staff Contact:** Mark Mauren, 307-4252. Motion carries unanimously.
- D. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board adopts **Resolution No. 070-2006*** supporting the sale of Cowling Creek property to the Great Peninsula Conservancy. **Staff Contact:** Joseph Coppo, 307-5355. Motion carries unanimously.

6) **DEPARTMENT OF PUBLIC WORKS:**

- A. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board adopts **Resolution No.071-2006*** transferring property from Facilities, Parks & Recreation to the Public Works Department. **Staff Contact:** James Roda, 337-3127. Motion carries unanimously.
- B. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent

that the Board approves the waterline easement agreement with **Eugene Sikes and Jeffrey Harrison** for an easement under and across Gamble Place in North Kitsap, District #1. **Staff Contact:** James Roda, 337-3127. Motion carries unanimously.

- C. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves the Water Pump Station easement agreement with the **City of Bremerton** for an easement within a portion of unimproved Cook Road right of way to provide water services to properties on Old Clifton Road and the Plat of McCormick North in South Kitsap, District #2. **Staff Contact:** James Roda, 337-3127. Motion carries unanimously.
- D. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the contract amendment with **GeoEngineers (KC-012-05B)** for environmental investigation and wetland mitigation for the Waaga Way Extension project in Central Kitsap, District #3. **Fiscal Impact:** \$23,570 to be paid from the County Road Fund. **Staff Contact:** Dick Dadisman, 337-5777 x3556. Motion carries unanimously.
- E. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves the Access and Utility easement agreement with **Gary Proctor** for access across tax title land located in the Plat of Olalla Garden Tracts in South Kitsap, District #2. **Staff Contact:** Molly Foster, 337-3686. Motion carries unanimously.
- F. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board adopts **Resolution No. 072-2006*** amending the County Road Program for 2006 to include NE Sawdust Hill Road. **Fiscal Impact:** \$235,000 to be paid by the Road Fund. **Staff Contact:** Jon Brand, 337-4983. Motion carries unanimously.
- G. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the contract with **Donald B. Murphy (DBM) Contractors, Inc (KC-169-06)** for final design and construction of a soldier pile wall on NE Sawdust Hill Road. **Fiscal Impact:** \$235,000 to be paid by the Road Fund. **Staff Contact:** Jon Brand, 337-4983. Motion carries unanimously.

7) DEPARTMENT OF PERSONNEL AND HUMAN SERVICES:

- A. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the interlocal agreement amendment with the **Educational Services District #105 (KC-327-05A)** extending the contract (enhance the Juvenile Services Mentoring Program) end date to June 30, 2006. **Staff Contact:** Mary Ellen de la Pena, 337-4878. Motion carries unanimously.
- B. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the contract with the **WA State Employment**

- Security Dept & Olympic Consortium (KC-141-06)** providing revenue from the Federal Workforce Investment Act to improve services to customers using the Consortium's One-Stop Workforce Development System for the period of February 1, 2006 through June 30, 2007. **Fiscal Impact:** \$11,364 contract amount is 100% grant funded through WIA. **Staff Contact:** Bob Potter, 337-4873. Motion carries unanimously.
- C. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the contract amendment with the **WA State Dept of Social & Health Services (KC-382-05A)** providing revenue for inpatient treatment services for the period of July 1, 2005 through June 30, 2007 and reducing the contract amount by \$22,688. **Fiscal Impact:** Contract amount is 100% grant funded through DSHS. **Staff Contact:** Betsy Bosch, 337-4880. Motion carries unanimously.
- D. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the rental agreement with the **Olympic Consortium & Northwest WA Workforce Development Council (KC-135-06)** providing Americorp services at the Port Angeles WorkSource Office for the period of October 1, 2005 through August 31, 2006. **Fiscal Impact:** \$4,400 to be paid by Americorp. **Staff Contact:** Bob Potter, 337-4873. Motion carries unanimously.
- E. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the contract amendment with the **WA State Employment Security Dept & Olympic Consortium (KC-466-04A)** increasing the contract amount by \$53,111 and extending the contract end date to June 30, 2007 for dropout prevention and intervention services within the designated school districts. **Fiscal Impact:** \$53,111 is 100% grant funded through WIA. **Staff Contact:** Gay Neal, 337-4879. Motion carries unanimously.
- F. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the contract with the **WA State Employment Security Dept & Olympic Consortium (KC-149-06)** providing revenue for employment and training operations to 45 eligible dislocated workers in Kitsap, Clallam and Jefferson Counties for the period of April 1, 2006 through March 31, 2007. **Fiscal Impact:** \$150,000 contract amount is 100% grant funded through WIA. **Staff Contact:** Bob Potter, 337-4873. Motion carries unanimously.
- G. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes contract amendment with the **WA State Security Dept dba WorkSource of Kitsap County (KC-357-05B)** providing Title V Senior Community employment services for the period of July 1, 2005 through June 30, 2006 and increasing the contract amount by \$20,000. **Fiscal Impact:** \$20,000 is 100% grant funded through DSHS. **Staff Contact:** Linda Hanna, 337-7068. Motion carries unanimously.

H. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the contract amendment with the **Olympic Consortium & Olympic Educational Service District #114 (KC-480-04A)** providing dropout and intervention services to school districts not meeting the 73% on time high school graduation rate and increasing the contract amount by \$6,216. **Fiscal Impact:** \$6,216 is 100% grant funded through WIA. **Staff Contact:** Gay Neal, 337-4879. Motion carries unanimously.

8) **SHERIFF'S OFFICE:**

A. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the Memorandum of Understanding with **WA Traffic Safety Commission (KC-136-06)** to provide overtime payment for a Certified Drug Recognition Expert for the period of January 1, 2006 through September 30, 2006. **Fiscal Impact:** Overtime pay at 1.5 times normal salary to be paid by WA Traffic Safety Commission. **Staff Contact:** Dennis Bonneville, 337-4860. Motion carries unanimously.

9) **PROSECUTOR'S OFFICE:**

A. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board Contract with the **City of Port Orchard (KC-138-06)** to provide legal services for prosecution of municipal criminal complaints and civil infractions. **Fiscal Impact:** \$77,246 to be paid by the City of Port Orchard. **Staff Contact:** Shelley Kneip, 337-4975. Motion carries unanimously.

10) **COUNTY TREASURER'S OFFICE:**

A. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Lent and seconded by Commissioner Endresen that the Board adopts **Resolution No. 073-2006*** authorizing the sale of tax title property. **Fiscal Impact:** returns county tax title property to the county tax roll. **Staff Contact:** Barbara Stephenson, 337-7136. Motion carries unanimously.

11) **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. Cris Danielson addresses the Board regarding the zoning variance process.

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

A. Cris Gears announces an executive session scheduled for 1:30 – 2:00 PM this afternoon to discuss potential litigation matters and review of the performance of a public employee.

13) BOARD OF COMMISSIONER’S COMMENTS:

- A. Commissioner Endresen said she attended/participated in or will be attending the following: Hansville Futures Unveiling Information project, Suquamish Citizens Council meeting, Breakfast with Poulsbo City Council, Rich Passage Wake meeting, NK Regional Events Center meeting and WA Assoc of Counties Western District Conference.
- B. Commissioner Lent said she attended/participated in or will be attending the following: NK Heritage Park Tour, Puget Sound Partners Toxic Forum, Kitsap County Bar Association, Hood Canal Coordinating Council, Small Business Conference, Kitsap Community Foundation Awards event, Seabeck Community Club 10-yr update presentation and Employees of month luncheon.
- C. Chair Angel said she attended/participated in or will be attending the following: Economic Development Council annual meeting, Mason/Kitsap Farm Bureau meeting, NK Heritage Park Tour, Karcher Creek Treatment Plant Tour, Homebuilders Breakfast, Bremerton Library Re-Opening, Fathoms of Fun Royalty Pageant and Navy League Luncheon.

Chair Angel announces that the Board would enter into executive session from 1:30 – 2:00 PM to discuss litigation issues pursuant to RCW 42.10.110(i) and to discuss issues pursuant to RCW 42.10.110(g). She said the Board did not anticipate taking action regarding these matters.

Public meeting adjourns at 12:40 PM.

**BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY WASHINGTON**

JAN ANGEL, CHAIR

CHRIS ENDRESEN, COMMISSIONER

PATTY LENT, COMMISSIONER

ATTEST:

OPAL ROBERTSON
Clerk of the Board

DATE APPROVED

* See Resolution Journal Volume No. 61
** See Ordinance Journal Volume No. 15

OTHER MEETINGS ATTENDED BY THE BOARD:

4/10/06	1:30 PM 2:00 PM	Exec Session- BOCC Conf Rm (pursuant to RCW 42.30.110(g)) Admin Briefing – BOCC Conference Room
4/11/06	12:00 PM 7:00 PM	Lunch w/Employee of the Month, CK Road Shed NK Regional Event Center Mtg, NK School Dist Office
4/12/06	8:30 AM 10:45 AM 6:00 PM	Work Study Session-Public Works Conf Room 3 rd Floor Exec Session-Pub Works Conf Rm (pursuant to RCW 42.30.110(i)) 10-Yr Vision Update-Poulsbo City Council Chambers
4/17/06	10:00 AM 12:00 PM 2:00 PM	Admin Briefing – BOCC Conference Room Lunch with SK Road Crew Admin Briefing – BOCC Conference Room
4/18/06	8:00 AM	Consolidated Housing Auth/Transit/Emerg Mgmt Meeting
4/19/06	8:30 AM 11:30 AM	Work Study Session-Public Works Conf Room 3 rd Floor Hood Canal Coord Council Meeting, Oyster Bay Restaurant
4/20/06	8:00 AM	WA Assoc of Counties Spring Conf - Bellingham, WA
4/21/06	8:00 AM	WA Assoc of Counties Spring Conf - Bellingham, WA

(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 public meeting will be held **April 24, 2006**.

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)

April 24, 2006:

10:00) Public hearing to consider testimony on a **Resolution to amend the 2005-2006 Kitsap County Biennial Budget** and if approved, expenditures will

increase in the General Fund in the amount of \$1,528,670.00 and in the Special Funds in the amount of \$388,000.00 for a total of \$1,916,670.00 in 2006. **Staff Contact:** Arley Bright, 337-4787.

- 10:10)** Public hearing to consider a **Petition to Vacate** a portion of a county road known as **Dronawood Drive NE** filed by **Carol Bhatia**. The proposed vacation is located in North Kitsap, Commissioner District # 1. **Staff Contact:** Molly Foster, 337-3686.