



MINUTES

**KITSAP COUNTY
BOARD OF COMMISSIONERS
May 22, 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 Service Awards". **Staff Contact:** Tammy Dillinger, 337-3515.

Congratulations and Certificates of Appreciation were presented to the following county employees for their years of service to Kitsap County: *Regina McCray*, Auditor's Office; *Beverly Reeves*, Facilities, Parks & Recreation; and *Timothy Gaston*, Sheriff's Office.

2) Recognition and a Certificate of Appreciation is presented to **Rene Fossum** for her work with the North Kitsap School District Teen Mentor Program. **Staff Contact:** Mary Ellen de la Pena, 337-4878.

Mary Ellen de la Pena, Personnel & Human Services, gave a brief summary of Rene's service history and a Certificate of Appreciation was presented by the Board to Rene Fossum for her many years of service with the North Kitsap School District Teen Mentor Program.

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 an **Ordinance** amending Kitsap County Code Chapter 12.40 relating to rates for the Kitsap County Surface and Stormwater Management Program. **Staff Contact:** David Dickson, 337-7295.

Dave Dickson, Public Works Assistant Director, gave a brief PowerPoint presentation on the proposed ordinance amendment and a brief background history of the overall program.

Chair Angel states this hearing is in regards to setting Surface and Storm Water Management (SSWM) rates so that the program will have the necessary revenue to complete its projects. She states one of the projects has been appealed to the Board of Commissioners and the Board can only receive testimony today on the rates and rate structure. She said the Board cannot take any testimony on the project itself and that there would be a closed record appeal hearing set in the near future for that.

Karl Duff, Kitsap Alliance of Property Owners, said when talking about SSWM adjustments we're talking about tax increases and he believes there should be a public process similar to that which would be associated with a tax increase. Duff said he has not seen the audit report and would like to get a copy.

George Warrington, South Kitsap resident, said he is against this increase at this time and believes the public has not had enough time to review the facts. He asks the Board to table this issue until more information is gathered regarding what is really required and why the rates need to be increased at this time.

William Palmer, Kitsap Alliance of Property Owners, said he agrees that the Board should delay taking action on the rate increase and that he is unsure whether the Alliance is questioning the need for the rate increase or the lack of information regarding the rate increase. He also believes there has been a lack of information and a public process.

Richard Brown believes it is not proper to pass these types of tax increases to the elderly. He believes this is discrimination in that they will have to build ramblers because they cannot get pass the 5,000 square feet impervious surface requirement. He believes the citizens were told one thing but is unsure they are getting it. He said he would like to have more information regarding this increase.

Cara Cruikshank said she has benefited from SSWM educators and supports this rate increase moving forward. She said more people are moving to the Puget Sound and to Kitsap County. Cruikshank said it takes money to protect what we love and if we do not take steps to flow with the changes (more people & more crises in the Sound), things would just get worse.

Vivian Henderson, Kitsap Alliance of Property Owners, said there was a brief ad in the newspaper that described this as a proposed SSWM fee adjustment. She said the ad was misleading in that this is an increase and it is not a fee but a tax. She said the Alliance is unsure whether it is for or against this proposal but states this has not been a public process.

Ayvon Card, South Kitsap resident, believes there should be a SSWM performance audit in order to find out what is being done with the huge amount of money that the program is already receiving. She did not believe anything was being done for small stormwater

projects.

Ron Ross said he is concerned about calling this a fee as opposed to a tax. He asks the Board to consider placing this matter as a vote to the public to see if this is what they really want to do.

Jerry Deeter, Health District, said there are three major programs that the Health District does through the SSWM Program; the pollution identification correction program, the water quality monitoring program and the well-head protection program. He said the Health District has also used the SSWM monies to match several grants that they would have been unable to obtain otherwise.

Stuart Whitford, Health District, said he manages the water quality program and one of the first projects he did with the SSWM monies was clean up of Cedar Cove in Port Gamble Bay. He said if the SSWM monies had not been available, the local taxpayers would have been taxed to help clean that area. He said the SSWM monies used by the Health District are extremely important.

Mel Holgerson, South Kitsap resident, said he is concerned about polluted streams and the only way to determine whether the pollution is from humans or animals is by DNA testing and this type of testing is not being done.

Dave Dickson said relative to senior citizens, they get the same consideration on rates as they do on their property taxes. He said relative to other agencies participating in the program, interlocal agreements are entered into each year to help identify their scope of work and to identify performance measures.

Discussion is held among the Board regarding what this program really does, an attempt to change the name to Clean Water Program, ways to communicate this information to the public, the audit report being out for quite sometime, fee increases not being popular and never a good time to do them, this issue being raised approximately three years ago, citizens receiving a service for this fee, storm water being a major concern in the county, the length of time and the cost of the audit, recommendations from the audit, prevention v. crisis management, the audit justifying that the program is working well and the assessment replacement fund.

A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board enact **Ordinance No. 360-2006**** amending Kitsap County Code Chapter 12.40 relating to rates for the Kitsap County Surface and Stormwater Management Program as presented. Motion carries unanimously.

10:15) Public hearing to consider a **Resolution temporarily closing Seabeck Holly Road NW** to all classes of vehicular and pedestrian traffic east of the Hintzville/Nellita Road intersection for culvert replacement in Central Kitsap, Commissioner District # 3. **Staff Contact:** Steve Johnson, 337-3114.

Discussion is held, comments called for and hearing no objection, a **motion** is made by Commissioner Lent and seconded by Commissioner Endresen that the Board adopts **Resolution No. 096-2006*** temporarily closing Seabeck Holly Road NW to all classes of vehicular and pedestrian traffic east of the Hintzville/Nellita Road intersection for culvert replacement in Central Kitsap. Motion carries unanimously.

10:20) Public hearing to consider an **Ordinance** validating the posted speed limit on portions of **NE McWilliams Road** in Central Kitsap, Commissioner District #3. **Staff Contact:** Steve Johnson, 337-3114.

Discussion is held, comments called for and hearing no objection, a **motion** is made by Commissioner Lent and seconded by Commissioner Endresen that the Board enacts an **Ordinance No. 361-2006**** validating the posted speed limit on portions of **NE McWilliams Road** in Central Kitsap. Motion carries unanimously.

10:25) Public hearing to consider an **Ordinance** setting speed limits on portions of **Feigley Road West and Southwest** in South Kitsap, Commissioner District #2. **Staff Contact:** Steve Johnson, 337-3114.

Discussion is held, comments called for and hearing no objection, a motion is made by Chair Angel and seconded by Commissioner Endresen that the Board enacts **Ordinance No. 362-2006**** setting speed limits on portions of **Feigley Road West and Southwest** in South Kitsap. Motion carries unanimously.

10:30) Public hearing to consider an **Ordinance** setting the speed limit on a portion of **Clear Creek Road NW** in North Kitsap, Commissioner District #1. **Staff Contact:** Steve Johnson, 337-3114.

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. 363-2006**** setting the speed limit on a portion of **Clear Creek Road NW** in North Kitsap. 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. Nels Rosendahl addresses the Board with concerns regarding Agenda Item 3.A, retention benefits for Merita Trohimovich.

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 approve the Consent Agenda as submitted. Motion carries unanimously.

1) MISCELLANEOUS ITEMS:

- B. Approve Minutes of May 8, 2006.
- C. Approve Warrant Nos. 3234795 - 3235954 in the amount of \$2,584,669.81.
- D. Approve Payroll Warrant Nos. 638572 – 638691 in the amount of \$1,749,384.40.
- E. Refer the following to the Prosecutor’s Office and Risk Management: 1) Claim for Damages filed by Karyn McCrary; 2) Claim for Damages filed by Cheryl E. Stauff; 3) Claims for Damages filed by Deanna Kingery; 4) Summons and Complaint For Declaratory Judgment & Anti-Harassment Order filed by Jon F. Boquist & Dahn Boquist; and 5) Summons and Complaint filed by Berschauer Phillips Construction Company.

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. 097-2006*** authorizing the issuance and sale of limited tax general obligation refunding bonds of the county in the aggregate principal amount of not to exceed \$18.7 million to fund properties and parks acquisitions, improvements to county buildings and other county projects; providing the form and terms of the bonds; providing for the disposition of the bond proceeds; providing for the annual levy of taxes to pay the principal of and interest on the bonds; and authorizing the Director of Administrative Services or the Budget Manager to negotiate final terms of the sale of the bonds. **Fiscal Impact:** \$18.7 million + interest paid from the Real Estate Excise Tax Fund, Road Fund, Impact Fees, and Public Facilities District Fund & Hotel/Motel Tax Fund. **Staff Contact:** Ben Holland, 337-4504. Motion carries unanimously.

3) DEPARTMENT OF COMMUNITY DEVELOPMENT:

- A. A motion is made by Commissioner Endresen and seconded by Commissioner Lent that the Board adopts **Resolution No. 098-2006*** regarding retention benefits for Merita Trohimovich. **Fiscal Impact:** Approximately \$6,406 per annum to be paid from General Fund. **Staff Contact:** Jeff Rowe-Hornbaker, 337-4816. Motion carries unanimously.

4) 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 amendment with **Netversant**

(KC-108-05B) for additional work on the Administration Building project. **Fiscal Impact:** \$62,681 to be paid from the Parks Capital Improvement Fund. **Staff Contact:** Carolyn Siems, 337-4412. Motion carries unanimously.

5) DEPARTMENT OF PUBLIC WORKS:

- A. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the contract with **Perteet (KC-188-06)** for design of Bucklin Hill/Tracyton Blvd intersection improvement project in Central Kitsap Commissioner District #3. **Fiscal Impact:** \$159,181 to be paid from the Road Fund. **Staff Contact:** Jon Brand, 337-4893. Motion carries unanimously.
- B. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the contract amendment with **Parametrix (KC-191-03C)** for design of Steele Creek Fish Passage improvement project (Glud's Pond) in Central Kitsap Commissioner District #3. **Fiscal Impact:** \$12,981 to be paid by the County Road Fund. **Staff Contact:** Dick Dadisman, 337-3556. Motion carries unanimously.
- C. Discussion is held, comments received and hearing no objection a **motion** is made by Commissioner Lent and seconded by Commissioner Endresen that the Board approves and executes the contract with **Stan Palmer Construction, Inc (KC-118-06)** to construct modifications on Pump Station #7 on Fairgrounds Road. **Fiscal Impact:** \$1,770,572 to be paid from Sewer Construction Fund. **Staff Contact:** Barry Loveless, 337-3659. Motion carries unanimously.
- D. Discussion is held, comments received and hearing no objection a **motion** is made by Commissioner Lent and seconded by Commissioner Endresen that the Board approves and executes the contract with **Stan Palmer Construction, Inc (KC-192-06)** for NW Myhre Road improvements and Clear Creek Flood Plain enhancements. **Fiscal Impact:** \$2,293,696 to be paid from Road Fund. **Staff Contact:** Dick Dadisman, 337-3556. Motion carries unanimously.
- E. 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. 099-2006*** establishing the Surface & Stormwater Management Asset Replacement Fund; subject to amending the resolution to read *... and the amount will be set in future years as part of the biennial budget process effective January 1, 2007.* **Fiscal Impact:** \$233,100 in 2007 to be paid from Surface & Stormwater Management Fund. **Staff Contact:** Dave Tucker, 337-7292. Motion carries unanimously.

6) DEPARTMENT OF PERSONNEL AND HUMAN 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. 100-2006*** amending the Coroner's salary increase and the effective date in paragraph 5 of Resolutions 156 and 176-2005. **Fiscal Impact:** 2006 – approximate cost of \$3,542 and 2007 – approximate cost of \$4,395 to be paid from the Coroner's current budget. **Staff Contact:** Lynn Flanig, 337-3536. Motion carries unanimously.

- B. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the interlocal agreement amendment with **University of WA (KC-268-05B)** increasing the contract amount by \$21,400 for participation in the Clinical Trials Network for the period of January 1, 2006 through December 31, 2006. **Fiscal Impact:** \$21,400 is 100% grant funded through University of WA from the National Institute of Drug Abuse. **Staff Contact:** Betsy Bosch, 337-4880. Motion carries unanimously.
- C. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the contract with the **Olympic Consortium & WA State Division of Vocational Rehabilitation (KC-161-06)** to provide job counseling and assessment services at the Bremerton WorkSource office for the period of January 1, 2006 through December 31, 2006. **Fiscal Impact:** \$10,333 is 100% grant funded through WA State DVR. **Staff Contact:** Bob Potter, 337-4873. Motion carries unanimously.
- D. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the Collective Bargaining agreement, Memorandum of Understanding with the **WA State Council of County & City Employees, Local 1308, Prosecuting Attorneys (KC-513-03A)** to conduct a Compensation Survey during the 2006 calendar year. **Staff Contact:** Rob Gudmundson, 337-4484. Motion carries unanimously.

7) **AUDITOR'S OFFICE:**

- A. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board adopts **Resolution No. 101-2006*** amending five voting precinct boundaries established as a result of the City of Poulsbo annexations. **Staff Contact:** Dolores Gilmore, 337-7130. Motion carries unanimously.

8) **JUVENILE SERVICES DIVISION:**

- A. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the contract with the **Suquamish Tribe (KC-143-06)** providing bed space on an available basis to youth detained under the authority of the Suquamish Tribal Court. **Fiscal Impact:** \$30,640 in revenue to be paid by Suquamish Tribe. **Staff Contact:** William Truemper, 337-5406. Motion carries unanimously.

B. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the interagency agreement with the **Olympic Educational Services District #114 (KC-167-06)** expanding the Kitsap Transitional School program to junior high aged youth for the period of June 1, 2006 – August 31, 2007. **Fiscal Impact:** \$100,000 expenditure is fully offset from the KC Jail/Juvenile Sales Tax fund. **Staff Contact:** Ned Delmore, 337-5465. Motion carries unanimously.

C. A **motion** is made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the interagency agreement with the **Olympic Educational Services District #114 (KC-168-06)** continuing the Kitsap Transitional School that provides educational services to adjudicated high school aged youth that have been suspended or expelled from school and are at risk for further delinquent behavior for the period of September 1, 2006 – August 31, 2007. **Fiscal Impact:** \$70,000 expenditure is fully offset from the KC Jail/Juvenile Sales Tax fund. **Staff Contact:** Ned Delmore, 337-5465. Motion carries unanimously.

9) **CONTRACTS APPROVED BY COUNTY ADMINISTRATOR /OR DEPARTMENT DIRECTORS (Pursuant to Section 3.56.075 Kitsap County Code:**

A. Summary report of contracts approved for the month of April.

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. Dr. Thomas Mosbey, Amanda Amberger, Chelsea Finch, Tony Sadler, Brandon Roddo, Janet Newhauser, Tom Warren, Dick Davis and Rich Johnson, South Kitsap School District, gave brief highlights of their recent trip to Phoenix, AZ as guest of International Speedway Corporation/NASCAR.

B. Vivian Henderson thanks the students for their report and believes more young people should attend the public meetings. She also addresses the Board with concerns about the recently adopted stormwater fee.

C. Jacquelyn Aufderheide, Leadership Kitsap, invites the public to the upcoming regatta scheduled for June 3, 2006 at the Silverdale Waterfront Park & Marina.

D. Ron Ross addresses the Board with concerns about the recent Treasurer's tax sale conducted on last Friday.

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

A. Cris Gears announced the upcoming Administrative Briefing at 2:00 PM and the Board's Annual Retreat on June 1, 2006.

12) BOARD OF COMMISSIONER’S COMMENTS:

- A. Commissioner Endresen said she attended/participated in or will be attending the following: Viking Fest Celebration, Suquamish Community Potluck and the Kitsap Community Resources Banquet.
- B. Commissioner Lent said she attended/participated in or will be attending the following: Hood Canal Coordinating Council, Central Kitsap Community Council School District Workshop, NW District Credit Association of North America Conference, Conservation Council, Economic Development Council, Girl Scouts Luncheon and the Leadership Kitsap Regatta.
- C. Chair Angel said she attended/participated in or will be attending the following: Was on annual leave and toured the Panama Canal.

The public meeting adjourned at 12:30 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:

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| 5/22/06 | 2:00 PM | Admin Briefing – BOCC Conference Room |
| 5/24/06 | 8:30 AM | Work Study Session-Public Works Conf Room 3 rd Floor |
| | 11:30 AM | Girl Scout Luncheon – Kitsap Conference Center |
| | 6:00 PM | 10-Year Update Alternative Workshop, Givens Center |

May 31, 2006:

6:00 PM Board of Commissioners work-study session held at **Givens Community Center, Kitsap Room, 1026 Sidney Avenue, Port Orchard, WA 98366** to 1) review preliminary draft alternatives on the 10-year comprehensive plan update, 2) review public input on the preliminary draft alternatives, 3) review Kitsap County Planning Commission comments on the preliminary draft alternatives, and 4) provide guidance to the Department of Community Development on the menu and range of alternatives. **Staff Contact:** Jim Bolger, 337-7165.

June 5, 2006:

10:10) **Closed Record** hearing to consider an **Appeal** filed by **David Horton on behalf of Richard & Helen Asche** of the Hearing Examiner's decision to deny the appellant's request regarding the Department of Community Development's determination concerning the calculation of structure height for the Chobot/Bloomquist property located at 2555 Alaska Avenue East in South Kitsap, Commissioner District #2. **Staff Contact:** Jeff Smith, 337-7022.