



MINUTES

**KITSAP COUNTY
BOARD OF COMMISSIONERS
August 13, 2007**

The Board of Commissioners met on the above-stated date. Present were Chair Josh Brown, Commissioner Jan Angel, Commissioner Steve Bauer, County Administrator Nancy 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).*

10:00 AM) Meeting Called to Order with Pledge of Allegiance.

PROCLAMATIONS/RESOLUTIONS/RECOGNITION:

#1 Employee of the month for August - Evan Griffo, Inmate Coordinator with the Sheriff's Office: **Staff Contact:** Erin Neff, 337-4447.

Congratulations and a Certificate of Appreciation is presented to Evan Griffo, Inmate Coordinator with the Sheriff's Office on being selected Employee of the month for August.

#2 Presentation by Lauran Erickson, Fair Staff and Mandy Milovich, Miss Kitsap Fair & Stampede for 2007.

Lauran Erickson, Fair Staff and Mandy Milovich, Miss Kitsap Fair & Stampede for 2007 gave highlights of the upcoming Fair & Stampede and invited the public to attend.

#3 [Resolution](#) proclaiming *August 23, 2007* as **Chief Kitsap Heritage Day** in Kitsap County. **Staff Contact:** Clarence Moriwaki, 337-4481.

Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board adopts [Resolution No. 153-2007*](#) proclaiming *August 23, 2007* as **Chief Kitsap Heritage Day** in Kitsap County. Motion carries unanimously.

PUBLIC HEARINGS:

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

10:00) Public hearing to consider a [Petition](#) filed by **Len Unger** to vacate a portion of an unnamed right of way in North Kitsap, Commissioner District #1 filed by **Len Unger**. **Fiscal Impact:** \$550 application fee paid by petitioner. **Staff Contact:** Molly Foster, 337-3686.

Molly Foster, Public Works, gave a brief overview of the proposed vacation stating the request had been reviewed by various county departments and all had recommended approval based on there being no foreseeable future use for this property. Foster said Unger owns the adjacent parcel and wishes to regain the area for his private use. She said the right of way is land-locked and the county as well as other individuals would need to cross private property to gain access. Foster said all adjacent property owners had been notified and although staff had received phone calls inquiring about the road vacation there was no opposition. She said in addition to the road vacation, Unger also petitioned the county to sell the underlying tax title property that the request had been routed in conjunction with the road vacation and all departments recommend approval.

Discussion is held, comments called for and hearing no objection, a **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves the Petition to Vacate filed by Len Unger; further that an Order be executed so stipulating. Motion carries unanimously.

10:05) Public hearing to consider a [Petition](#) filed by **Marc Myrsell** to vacate a portion of Washington Boulevard NE in the Plat of Saltair Beach Tracts in North Kitsap, Commissioner District #1. **Fiscal Impact:** \$550 application fee paid by petitioner. **Staff Contact:** Molly Foster, 337-3686.

Molly Foster, Public Works, gave a brief overview of the proposed vacation stating the request had been reviewed by various county departments and all had recommended approval based on there being no foreseeable future use of the property. Foster said Washington Blvd is a 100-foot right a way dedicated for public use in 1906 when the Plat of Saltair Beach was created. She said Myrsell wishes to regain this area for personal use and the area is an undeveloped right of way at an extremely steep grade. During the review process, Foster said Community Development staff commented that if the road vacation is successful, it does not imply that this is a viable building lot. She said the Survey Division of Public Works has verified that this portion of right of way does not abut a body of water and therefore RCW 36.87.130 does not apply. Foster said property owners abutting the proposed area had been notified and staff received twenty electronic emails and letters regarding this proposed vacation. She said twenty responses were opposed and none were in favor of granting this vacation. Foster further said all comments has been provided to the Board prior to the hearing and are included in the record.

W. Elliott, J. Moore, T. Roslinker, K. DeBryun, K. Shelbin, L. Watzenberger, I. Slothaug, R. Templeton and S. Moore spoke in opposition to the proposed vacation.

M. Myrsell, applicant, spoke in support of the proposed vacation stating that a survey had been done on the property and the public benefit of this vacation is that the slope is

stabilization of the entire slope area. Myrsell said the main purpose of this request is to give him the opportunity to stabilize the slope on his own property and to provide Kitsap County with a permanent easement for the stormwater line. He said there is no right of way down to the beach and that part of his title is the upland portion toward the Saltair Beach Tracts. He said he owns the tidelands out to lower low water approximately 200 feet from the bank. He said individuals who walk their dogs while waiting for the ferry are really crossing on private property. He said there are no recorded view restrictions on any of the lots lying easterly of Washington Blvd and no covenants allowing public access across the property onto the beach to access the water. Myrsell notes that this request is for a vacation and not a building permit and asked the Board to view the vacation only within the vacation criteria.

Discussion is held, comments called for and hearing no objection, a **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board denies this Petition to Vacate filed by Marc Myrsell. Motion carries unanimously.

10:10) Public hearing to consider enacting an **Ordinance** amending Chapter 4.98 of the Kitsap County Code relating to **1% for the Arts Program**. **Staff Contact:** Ben Holland, 337-4504.

Ben Holland, Administrative Services Director, gave a brief overview of the proposed Ordinance recommending approval.

Vivian Henderson said she is in favor of limiting the amount of monies spent on art.

Discussion is held, comments called for and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Bauer that the Board enacts **Ordinance No. 393-2007**** amending Chapter 4.98 of the Kitsap County Code relating to 1% for the Arts Program. Motion carries unanimously.

10:15) Public hearing to consider a **Resolution** authorizing the County Treasurer to sell certain used equipment deemed surplus and excess to the needs of various county departments with the proceeds from the sale thereof credited to said departments. **Staff Contact:** Mark Stanisich, 337-4895.

Randy Casteel, Public Works Director, gave a brief overview of the proposed resolution.

Shelly Johnson questions whether it would cost less to repair the vehicles as opposed to selling them in an auction.

Discussion is held, comments called for and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Bauer that the Board adopts **Resolution No. 154-2007*** authorizing the County Treasurer to sell certain used equipment deemed surplus and excess to the needs of various county departments with the proceeds from the sale thereof credited to said departments.

10:25) **Closed Record** hearing to consider an **Appeal** filed by the **Suquamish Tribe** of the Hearing Examiner's decision to grant subject to conditions the Conditional Use Permit application and Wetlands Variance to allow construction of the **Pacific Northwest Illocandia Multi-Cultural Center** located on the south side of NW Trigger Avenue and 150 feet east of Old Frontier Road NW in North Kitsap Commissioner District #1. **Staff Contact:** Dave Greetham, 337-4225.

Chair Brown explains the closed record appeal guidelines.

Dave Greetham, Community Development, gave an overview of the proposed project stating it is a 9100 square feet cultural center for the Pacific Northwest Illocandia Association with 48 parking spaces primarily under a power line easement. He said the proposal for the center was submitted in 1997 and at that time it was for two-stories at 7600 square feet. He said the applicant worked with staff to reduce the parking requirements which the zoning code would have required approximately 100 spaces for the initial building. In order to trim the footprint of the building, Greetham said staff reduced the requirement to 48 spaces with concessions for carpooling and other measures when the application was submitted in 2006. He said the Hearing Examiner did uphold the staff's recommendation to approve the Conditional Use Permit and the Critical Areas Variance but it was appealed by the Suquamish Tribe. He said the appeal issues revolved around a procedural question regarding which code should have been applied, the 1997 or 2006 code. Greetham said staff was advised that if the Board wished to rule that the original code should have been applied, it's a harmless error as it does not impact the general outcome of the project. Greetham further said the more substantive issues of the appeal relates to the buffer reduction. He said the subject property is bound to the west by a Category I wetland (200 foot buffer) and a Type 3 stream (100 foot buffer) off site to the east and the buffers would intersect and cover the entire parcel. He said the applicant worked with staff regarding the wetlands issues to create an enhancement plan for the remaining buffer that involves planting native vegetation that would create a dense screen over the long term between the building and the wetland.

Discussion is held between staff and the Board regarding the 200 foot buffer, the buffer distance from the stream to the east, the actual location of the proposed building, the location of the state right of way, the reserve drainfield, when was the project vested, whether this was a new application, drainfield setback requirements from the buffer, parking reduction, whether asking individuals to carpool would be adequate, what would be done to ensure that cars would not park on the side of the road, how staff viewed the parking reduction, whether a building permit lapses after a certain period of time, delineation analysis of the wetlands report, what was included in the record that demonstrated that additional planting would preserve the functional capacity of the wetlands, how much of the buffer is displaced and staff discussions on the attempt to minimize the impacts to the buffer.

Commissioner Angel notes for the record that the Board approved a \$10,000 donation to the cultural center in either 2005 or 2006 and questions whether it had been funded since the actual center has not been built.

Melody Allen, Suquamish Tribe Attorney, said when viewing all the evidence in the record, this case is in regards to an applicant that purchased property with full knowledge, against the advice of his consultant and aware that there were 100% encumbrances on this site including critical areas and the Bonneville power line easement. She said this was followed by approval of a Conditional Use Permit and Variance by the Hearing Examiner that is erroneous as a matter of law. She said the Tribe requests the Board to remand the Hearing Examiner's Decision of June 1, 2007 because it is erroneous as a matter of law. She states it is erroneous for the following reasons: 1) the Hearing Examiner applied the zoning laws and Critical Areas Ordinance that was in effect after the date that the Examiner determined the application vested contrary to the vested rights doctrine in Washington State; and 2) even if the 1998 Critical Areas Ordinance could be applied, the Hearing Examiner's decision to approve the variance is erroneous because his Findings of Fact includes conclusionary statements and those facts are not supported by evidence when viewed in light of the whole record. Allen said the vesting rights doctrine under Washington State case law requires consideration of a complete land use application only under the land use statutes and ordinances in effect at the time of the application submission. She said the record is clear that the conditional use permit was submitted May 29, 1997 and the Examiner approved that as the vested date for the Conditional Use Permit and Critical Areas Variance. She said the Hearing Examiner approved these applications under the 1998 Zoning and Critical Areas Ordinances that became effective a year after he deemed the applications vested. Allen further said even if the 1998 Critical Areas Ordinance could be applied, a variance may not be granted unless it can be shown that the applicant meets all six variance requirements under Kitsap County Code 19.100.135. She said the decision fails to meet five of these six criteria even though the burden of proof requires the Tribe to only show that one criteria has not been met. She said the applicant, the Hearing Examiner and the evidence of record do not support the findings because the County just granted what the applicant asked for. She said the Hearing Examiner's approval of the variance fails to meet one or more criteria and is therefore erroneous and inadequate as a matter of law. Allen said the Tribe supports the creation of multi-cultural centers but regarding this issue the appearance is that of a "rubber stamp" approval of the applicant's Conditional Use Permit and various applications by both the Hearing Examiner and the County by improperly applying laws that were not in effect when the application vested. She said they also failed to adequately show that all the variance requirements were met as a matter of law. Allen said the Tribe requests the Board to reverse and remand the decision.

William M. Palmer, representing the applicants, said the reduction of 14,880 to 9,180 in building size is significant. He said he supports what the staff categorizes as a harmless error in the application of the codes. Palmer said he finds it interesting that while the Suquamish Tribe challenges the fact that the Hearing Examiner considered the wrong code, they failed to present any evidence in their appeal relative to what the rules in effect for the rural residential zones and the Interim Critical Areas Ordinance were in 1997. He said they were substantially different than the rules in effect in 1998 in which the project was considered. Palmer said the applicant can amend his application at any time without the necessity to withdraw. Relative to variance criteria #1 and the power line that runs through the property, Palmer said this is significant criteria which affects how this site was planned. He said there are certain things that cannot be placed under a power line, such as

buildings. He further said the change in topography by 20 feet is also a significant factor that affects the variance criteria. Palmer states these things were considered by staff and the Hearing Examiner in providing the foundation for evaluating this application under the rules that were in effect. Relative to criteria #2, Palmer said this could not have been created by the applicant nor did the applicant have anything to do with the power line easement that runs through the property. He said whatever the reason for the purchase of the property is not a factor that has to be considered in a land use application. Relative to criteria #3, Palmer said when the whole application is considered along with the fact that there was a mitigation plan as well as a change in topography which in part affected site, the Hearing Examiner did have reason and cause to come to his conclusion. Relative to criteria #4, Palmer said the building footprint was increased in size when you consider the clause that was a part of the original proposal - there is a physical reduction on the site. Relative to criteria #5, Palmer said the staff and Hearing Examiner did discuss other alternatives but did not discuss that in rural residential zones, one can also have animals that could have free range over the wetland area which would have a greater impact than what is represented in this proposal.

Melody Allen reminds the Board that it should only consider what is in the Hearing Examiner's decision and in the record as to the Findings of Fact and Conclusion on Law.

William Palmer said the record is more substantial than the appellants are giving it credit for and in particular relating to the habitat and mitigation proposal. He said the Hearing Examiner as well as the applicants have met their burden to demonstrate that this is the best type of proposal for this particular piece of property.

Chair Brown closes the comment portion of the hearing.

A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board continues this matter to August 27, 2007; said matter for decision only. 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.)

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 Bauer and seconded by Commissioner Angel that the Board approves the Consent Agenda, subject to taking items 2.C and 8.N off consent and removing item 3.C completely from the agenda. Motion carries unanimously.

1) MISCELLANEOUS ITEMS:

- B. Approve Minutes of July 23, 2007.
- C. Approve Warrant Nos. 3323633 – 3324616 in the amount of \$4,422,344.50.
- D. Approve Payroll Warrant Nos. 654903 – 655014 in the amount of \$1,829,696.17.
- E. Refer to the Prosecutor’s Office and Risk Manager: 1) Claim for Damages filed by C. Junt; 2) Claim for Damages filed by R. Moon; 3) Claim for Damages filed by A. Becker on behalf of W. Trask; 4) Claim for Damages filed by J. Baletto; 5) Claim for Damages filed by A. Jantzi; 6) Complaint for Damages and Injunctive Relief filed by B. LaFrance; 7) summons and Order to Show Cause filed by PRK Associates II, LLC and Shaw Vineyards, Inc Defined Benefit Plan; and 8) Complaint, Ex Parte Restraining Order/Order to Show Cause and Summons filed by Conmed Healthcare Management, Inc.
- F. Formal Decision by the Board – Re: Kasnick Stream Buffer Reduction.

2) DEPARTMENT OF COMMUNITY DEVELOPMENT:

- A. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves the Final Plat for *Hawkstone at McCormick Woods* located in South Kitsap Commissioner District #2. **Staff Contact:** Jim Barnard, 337-3636. Motion carries unanimously.
- B. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves Final Plat for *Sterling Highlands* located in North Kitsap Commissioner District #1. **Staff Contact:** Jim Barnard, 337-3636. Motion carries unanimously.
- C. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the revenue contract with **WA State Department of Community, Trade and Economic Development (KC-333-07)** to fund the adoption of the 2007 Buildable Lands Report and Reasonable Measurers monitoring. **Fiscal Impact:** \$86,000 – CTED State Grant. **Staff Contact:** Katrina Knutson, 337-4201. Motion carries unanimously.
- D. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board adopts **Resolution No. 155-2007*** authorizing approval of a settlement agreement between Kitsap County and Raymond and Valerie Grahn, Re: Property located at 128 NE Paulson Road in North Kitsap Commissioner District #1. **Staff Contact:** Larry Keeton, 337-5683. Motion carries unanimously.

3) DEPARTMENT OF PUBLIC WORKS:

- A A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel

that the Board approves [Petition](#) to sale tax title land submitted by Len Unger for property identified as the North 50 feet and West 30 feet of the Northwest Quarter of the Northeast Quarter of Section 35, Township 27 North, Range 1 East in North Kitsap Commissioner District #1. **Fiscal Impact:** \$19,300 (recommended bid) – paid by petitioner. **Staff Contact:** Molly Foster, 337-3114. Motion carries unanimously.

- B. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the [contract](#) with **Bainbridge Disposal, Inc (KC-237-07)** to execute the recycling container cost sharing agreement. **Fiscal Impact:** \$217,837 – Solid Waste. **Staff Contact:** Gretchen Olsen, 337-4626. Motion carries unanimously.
- C. [Resolution](#) transferring property from Public Works Department to the Parks Department. **Staff Contact:** Barry Loveless, 337-4896. **(Note: This item is pulled)**.
- D. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board adopts [Resolution No. 156-2007*](#) transferring equipment to the ER&R Fund (two patrol cars) valued at \$24,151 each. **Staff Contact:** Mark Stanisich, 337-4895. Motion carries unanimously.
- E. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves the Septic Effluent Line [Easement](#) request submitted by Heath Michael Dawson for a 10-foot wide private line within county right of way known as NE William Rogers Road in North Kitsap Commissioner District #1. **Fiscal Impact:** \$200 – paid by petitioner. **Staff Contact:** Rob McGinley, 337-3924. Motion carries unanimously.

4) JUVENILE SERVICES DIVISION:

- A. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the contract with **Wellspring Therapy Services (KC-281-07)** providing functional family therapy to twenty-two moderate to high-risk youth and their families for the period of July 1, 2007 through June 30, 2008. **Fiscal Impact:** 100% Grant Funded by Dept of Social & Health Services. **Staff Contact:** Patricia Bronson, 337-5470. Motion carries unanimously.
- B. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the contract with **Wellspring Therapy Services (KC-324-07)** providing functional family therapy to twenty-six moderate to high-risk youth and their families for the period of July 1, 2007 through June 30, 2008. **Fiscal Impact:** 100% Grant Funded by Dept of Social & Health Services. **Staff Contact:** Patricia Bronson, 337-5470. Motion carries unanimously.
- C. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Bauer that the Board approves and executes the interagency agreement with **Olympic Educational**

Services District #114 (KC-134-07) for continuation of the Kitsap Transitional School which 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, 2007 through August 31, 2008. **Fiscal Impact:** \$70,000 expense from General Fund which is fully offset from the Kitsap County Jail/Juvenile Sales Tax Fund. **Staff Contact:** Ned Delmore, 337-5465. Motion carries unanimously.

- D. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Bauer that the Board approves and executes the interagency agreement with **Olympic Educational Services District #114 (KC-135-07)** expanding the Kitsap Transitional School to junior high aged youth for the period of September 1, 2007 through September 31, 2008. **Fiscal Impact:** \$100,000 expense from General Fund which is fully offset from the Kitsap County Jail/Juvenile Sales Tax Fund. **Staff Contact:** Ned Delmore, 337-5465. Motion carries unanimously.
- E. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Bauer that the Board approves and executes the interagency agreement with **Olympic Educational Services District #114 (KC-133-07)** for continued provision of educational services to youth while being detained in the Kitsap County Juvenile Detention Facility for the period of September 1, 2007 through September 31, 2008. **Fiscal Impact:** Approximately \$2, 000 expense from General Fund which is included in yearly existing budget. **Staff Contact:** William Truemper, 337-5406. Motion carries unanimously.

5) SHERIFF'S OFFICE:

- A. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the [contract](#) with **Kitsap Community Resources (KC-186-07)** for continued provision of community service alternatives to incarceration for the period of January 1, 2007 through December 31, 2008. **Fiscal Impact:** \$68,613/2007 and \$68,738/2008 – saves the county \$65/day by not having to incarcerate those eligible. **Staff Contact:** Ned Newlin, 337-7107. Motion carries unanimously.

6) DEPARTMENT OF EMERGENCY MANAGMENT:

- A. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the contract [amendment](#) with **WA State Military Dept (KC-310-06A)** allowing the county to bill the State for 12.5% of the required 25% local match required by FEMA for the January 2006 county declared disaster. **Staff Contact:** Phyllis Mann 307-5870. Motion carries unanimously.

7) **DEPARTMENT OF PARKS & RECREATION:**

- A. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board adopts **Resolution No. 157-2007*** authorizing check issuance for the Professional Rodeo Cowboys Association rodeo purse. **Fiscal Impact:** \$40,000 – General Fund. **Staff Contact:** Elizabeth Ratliff, 337-5345. Motion carries unanimously.
- B. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board adopts [Resolution No. 158-2007*](#) establishing a *Kitsap County Parks and Recreation sustainability Task Force* and appointing the chair of the task force and its members. **Staff Contact:** Chip Faver, 337-5355. Motion carries unanimously.

8) **DEPARTMENT OF PERSONNEL & HUMAN SERVICES:**

- A. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the revenue [contract](#) with **WA State Department of Social & Health Services (KC-303-07)** to provide supported employment and day program funding for individuals with developmental disabilities living at the Frances Haddon Morgan Center for the period of July 1, 2007 through June 30, 2009. **Fiscal Impact:** \$1,015,132 is 100% Grant Funded by DSHS. **Staff Contact:** Kelly O'Neal 337-4624. Motion carries unanimously.
- B. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the [contract](#) with **WA State Family Policy Council (KC-307-07)** to provide funding and authority from the Council to the Kitsap County Commission on Children & Youth to invest in service projects and to conduct a review of community efforts for the period of July 1, 2007 through June 30, 2009. **Fiscal Impact:** \$187,138 is 100% Grant Funded by DSHS. **Staff Contact:** Gay Neal 337-4879. Motion carries unanimously.
- C. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the interlocal agreement [amendments](#) with the **University of Washington (KC-268-05 C & D)** increasing the contract amounts by \$16,667 and extending the contract end date to August 31, 2007, respectively providing participation in the Clinical Trials Network. **Fiscal Impact:** \$10,416 is 100% Grant Funded by University of Washington. **Staff Contact:** Betsy Bosch, 337-4880. Motion carries unanimously.
- D. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the [contract](#) with **Olympic Consortium and WA State Employment Security Dept (KC-262-07)** to provide employment and training program activities to serve 500 eligible adults and dislocated workers in Clallam, Jefferson and Kitsap counties for the period of July 1, 2007 through June 30, 2008. **Fiscal Impact:** \$1,090,985 is 100% Grant Funded by Workforce

- Investment Act. **Staff Contact:** Bob Potter, 337-4873. Motion carries unanimously.
- E. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the revenue contract [amendment](#) with **WA State Dept of Social & Health Services (KC-332-06E)** to provide public mental health services to Medicaid residents in Kitsap, Jefferson and Clallam counties for the period of September 1, 2006 through September 30, 2007. **Fiscal Impact:** None to Kitsap County - 100% Grant Funded by DSHS. **Staff Contact:** Anders Edgerton, 337-4886. Motion carries unanimously.
- F. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the revenue [contract](#) with **Educational Services District #105 (KC-313-07)** to support the Juvenile Services Mentoring Program for the period of January 1, 2007 through December 31, 2007. **Fiscal Impact:** \$35,000 is 100% Grant Funded by NW High Intensity Drug Trafficking Area. **Staff Contact:** Mary Ellen de la Pena, 337-4878. Motion carries unanimously.
- G. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the contract [amendment](#) with **Olympic Consortium and WA State Employment Security Dept (KC-221-07A)** increasing the contract amount by \$522,230 for employment and training program activities to 226 eligible youths ages 14 – 21 in Clallam, Jefferson and Kitsap counties for the period of April 1, 2007 through June 30, 2009. **Fiscal Impact:** \$522,230 is 100% Grant Funded by Workforce Investment Act. **Staff Contact:** Bob Potter, 337-4873. Motion carries unanimously.
- H. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the [contract](#) with **Olympic Consortium and WA State Employment Security Dept (KC-218-07)** increasing the contract amount by \$58,026 for employment and training program operations in Clallam, Jefferson and Kitsap counties for the period of April 1, 2007 through June 30, 2009. **Fiscal Impact:** \$58,026 is 100% Grant Funded by Workforce Investment Act. **Staff Contact:** Bob Potter, 337-4873. Motion carries unanimously.
- I. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the interlocal agreement [amendment](#) with the **Educational Service District 105 (KC-312-07)** providing for operation of the Adult Drug Court for the period of April 1, 2007 through December 31, 2007. **Fiscal Impact:** \$40,000 is 100% Grant Funded by NW High Intensity Drug Trafficking Area. **Staff Contact:** Betsy Bosch, 337-4880. Motion carries unanimously.
- J. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the [contract](#) with **Olympic Consortium and Kitsap Community Resources (KC-304-07)** to serve 183 eligible welfare recipients in the CTED Work First Program in Kitsap County for the period of April 1, 2007

through June 30, 2009. **Fiscal Impact:** \$693,870 is 100% Grant Funded by Temporary Assistance to Needy Families. **Staff Contact:** Bob Potter, 337-4873. Motion carries unanimously.

- K. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the [contract](#) with **Olympic Consortium and Olympic Community Action Programs (KC-305-07)** to serve 115` eligible welfare recipients in the CTED Work First Program in Clallam and Jefferson counties for the period of April 1, 2007 through June 30, 2009. **Fiscal Impact:** \$436,153 is 100% Grant Funded by Temporary Assistance to Needy Families. **Staff Contact:** Bob Potter, 337-4873. Motion carries unanimously.
- L. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the revenue contract with **WA State Dept of Social & Health Services (KC-317-07)** for aging and disability services for the period of July 1, 2007 through June 30, 2008. **Fiscal Impact:** \$861,564 is 100% Grant Funded by DSHS. **Staff Contact:** Linda Hanna, 337-7068. Motion carries unanimously.
- M. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board adopts **Resolution No. 159-2007*** reclassifying two positions and downgrading one position in the Department of Community Development. **Fiscal Impact:** \$1,162 including salary and associated benefit costs (approx for 2007 – 4 months). **Staff Contact:** Lynn Cole, 337-3536. Motion carries unanimously.
- N. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Bauer that the Board adopts [Resolution No. 160-2007*](#) creating, deleting and reclassifying positions in District Court. **Fiscal Impact:** Costs savings for 2007- \$196,848 and in 2008- \$88,246 (total reorganization savings including salary and associated benefit costs). **Staff Contact:** Lynn Cole, 337-3536. Motion carries unanimously.
- O. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the Collective Bargaining Amendment [Memorandum of Understanding](#) with the **WA State Council of County and City Employees, Local 1308 Courthouse Employees (KC-040-07H)** to establish classification title, wage grade assignment and seniority transfer for new positions within the Administrative Service Department. **Staff Contact:** Susan Smith, 337-4888. Motion carries unanimously.
- P. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the Collective Bargaining Agreement [Amendment](#) with the **International Union of Police Associations, Local 7408 - Sheriff's Office Lieutenant Association (KC-502-06A)** amending the terms and conditions of employment for the new Corrections Lieutenant position. **Fiscal Impact:** \$5,000 – General Fund. **Staff Contact:** Susan Smith, 337-4888. Motion

carries unanimously.

- Q. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the Collective Bargaining [Agreement](#) with the **Kitsap County Corrections Officers Guild (KC-225-07)** for a new 3-year agreement. **Fiscal Impact:** 2007 - \$156,000 (wages plus benefits) and 2008-Wages (CPI plus benefits). **Staff Contact:** Bert Furuta, 337-3525. Motion carries unanimously.
- R. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the revenue contract [amendment](#) with the **WA State Dept of Social & Health Services (KC-331-06E)** providing public mental health services in Kitsap, Clallam and Jefferson counties for the period of July 1, 2007 through September 30, 2007. **Fiscal Impact:** 100% Grant Funded by DSHS. **Staff Contact:** Anders Edgerton, 337-4886. Motion carries unanimously.
- S. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the Collective Bargaining Amendment [Memorandum of Understanding](#) with the **WA State Council of County and City Employees, Local 1308 Courthouse Supervisory Employees (KC-041-07C)** to establish an Operations and Scheduling Coordinator classification in District Court. **Staff Contact:** Susan Smith, 337-4888. Motion carries unanimously.

9) **DEPARTMENT OF INFORMATION SERVICES:**

- A. A **motion** is made by Commissioner Bauer and seconded by Commissioner Angel that the Board approves and executes the interlocal [agreement](#) with the **City of Port Orchard (KC-336-07)** to provide GIS mapping services to the city for the period of April 6, 2007 through December 31, 2007 with yearly automatic renewal unless terminated in writing. **Staff Contact:** Diane Mark, 337-4782. Motion carries unanimously.

10) **COMMISSIONERS OFFICE:**

- A. Discussion is held, comments received and hearing no objection, a **motion** is made by Chair Brown and seconded by Commissioner Bauer that the Board adopts [Resolution No. 161-2007*](#) appointing **Joyce Merkel** to the *Art Advisory Board* (representing Commissioner District #3) to complete an unexpired term ending December 31, 2007. **Staff Contact:** Jan Koske 337-4650. Motion carries unanimously.
- B. Discussion is held, comments called for and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Bauer that the Board adopts **Resolution No. 162-2007*** releasing South Kitsap Parks and Recreation District outstanding elections debt. **Fiscal Impact:** \$23,000 – General Fund. **Staff Contact:** Neil Wachter, 337-4979. 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. R. Ross, P. Havers, V. Grahn, V. Henderson and N. Ross comments on agenda item 2.D—settlement agreement with the Grahn's and the possibility of implementing guidelines for innocent purchaser agreements.
- B. Dan Goebel comments on possibly implementing a “grandfather clause” for building permits that have not been finalized.

12) COUNTY ADMINISTRATOR’S COMMENTS:

13) BOARD OF COMMISSIONER’S COMMENTS:

- A. Commissioner Angel said she attended or will be attending: Habitat for Humanity Open House; Recreation Funding Board Meeting; Vision 2040 Meeting and the Homebuilders Association Breakfast. She also congratulated Bea Smith, County Clerk’s Office on her retirement.

Public meeting adjourned at 12:53 p.m.

**BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY WASHINGTON**

JOSH BROWN, CHAIR

JAN ANGEL, COMMISSIONER

STEVE BAUER, 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:

08/13/07	7:30 p.m.	Homebuilders Assoc Breakfast
	2:00 p.m.	Admin Briefing – Board’s Conference Room
08/15/07	8:30 a.m.	Work Study Session – Board’s Conference Room
08/20/07	10:00 a.m.	Admin Briefing – Board’s Conference Room
	2:00 p.m.	Admin Briefing – Board’s Conference Room
08/21/07	8:00 a.m.	KCCHA/Transit/Emerg Mgmt Board Meetings-Brem Gov Ctr
08/22/07	8:00 a.m.	Kitsap County Fair & Stampede
	8:30 a.m.	Work Study Session – Board’s Conference Room
08/23/07	8:00 a.m.	Kitsap County 150 th Anniversary Celebration
08/24-25/07	8:00 a.m.	Kitsap County Fair & Stampede

(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 **August 27, 2007 at 10:00 a.m. in the Board of Commissioners Chambers.**

NOTE: Kitsap County does not discriminate on the basis of disability. Individuals who require accommodations should contact the Commissioners Office at (360) 337-7146 or TDD (360) 337-7275 or 1-800-816-2782. (Please provide five business days notice for interpreter services).

UPCOMING TIMED AGENDA ITEMS:

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

August 27, 2007:

10:00) Closed Record hearing to consider an **Appeal** filed by **James and Sharon Stritzel** of the Hearing Examiner’s decision to deny their request to consider a **“Stop Work Order”** posted by Kitsap County Department of Community Development Building Division (issued as a result of a significant mudslide from the Stritzel property that damaged multiple downstream properties as well as the County Right-of-way and storm water system) on property located at 7742 East Spruce Street in South Kitsap Commissioner District #2. **Staff Contact:** Mike Barth, 337-4968.

10:00) ***Closed Record*** hearing to consider an **Appeal** filed by **Warwick and Janice Bryant** of the Hearing Examiner's decision to deny the Conditional Use Permit application to operate their business (**Kiwi Fencing**) and its associated storage yard on the B & F Arena parcel located at 5867 Dogwood Road in South Kitsap, Commissioner District #2. **Staff Contact:** Dennis Oost, 337-7027. **(Note: At the request of applicant, this matter has been continued to September 24, 2007).**