



MINUTES

KITSAP COUNTY BOARD OF COMMISSIONERS February 11, 2008 – 7:00 p.m.

The Board of Commissioners met on the above-stated date. Present were Chair Steve Bauer, Commissioner Josh Brown, Commissioner Jan Angel, County Administrator Nancy Buonanno Grennan and Clerk of the Board Opal Robertson. *(The Board of Commissioners' public meetings is audio and video taped. By signing in or speaking at this meeting, you grant your permission to be taped. Minutes of this public meeting are posted on Kitsap County's webpage).*

7:00 PM) Meeting Called to Order with Pledge of Allegiance.

**OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ON REGULAR
BUSINESS AGENDA, INCLUDING CONSENT AGENDA & GENERAL ISSUES:
TOTAL TIME LIMITED TO 15 MINUTES**

(Please limit individual comments to **3 minutes**. Written comments may also be submitted to the Board if this timeframe is insufficient.)

Comments on items noted for public hearing will be deferred until the hearing.

- A. Dorothea Lintz said the Kitsap Foundation was founded to improve the quality of life in our community and is seeking applicants to apply for the grants for this year.
- B. David Pederson – Gamblewood Housing Division addresses the board with concerns about Kingston Lumber stating the project is completely out of compliance. He hopes this matter can be resolved quickly.

CONSENT ITEMS AND OTHER BUSINESS:

Note: Unless otherwise noted, all expenditures for the remaining agenda items have been included in the Annual Budget.

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves the Consent Agenda. Motion carries unanimously.

1) MISCELLANEOUS ITEMS:

- B. Approve Minutes of January 28, 2008.
- C. Approve Warrant Nos. 3346600-3347740 and 3347743-3348625
- D. Approve Payroll Warrant Nos. 657379-657470 and 785491-786702
- E. Refer to the Prosecutor's Office and Risk Manager: 1) BJP, LLC vs. Kitsap County and respondent D. and C. Holme and Y. Tran; 2) Claim for Damages filed by R. Wellman, Jr, M. Gates, D. Pierce, Claim Payment Request dated 1/6/08 fund #95969 batch 331221.

2) DEPARTMENT OF PERSONNEL & HUMAN SERVICES:

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the **Contract Amendment with Able Opportunities, Inc. (KC-245-07A)** adding an additional \$15,595 to the contract for the period July 1, 2007 – June 30, 2009 providing services to individuals with development disabilities. **Fiscal Impact:** \$15,595, 100% grant funded. **Staff Contact:** Kelly Oneal, 337-4624. Motion carries unanimously.
- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the **Contract Amendment with Kitsap Applied Technologies (KC-250-07A)** adding \$129,042 to the contract for the period July 1, 2007 – June 30, 2009, providing services to individuals with development disabilities. **Fiscal Impact:** \$129,024, 100% grant funded through Washington State Department of Social and Health Services, Division of Developmental Disabilities. **Staff Contact:** Kelly Oneal, 337-4624. Motion carries unanimously.
- C. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the **Contract Amendment with Pathways to Employment (KC-252-07A)** adding an additional \$129,024 for the period July 1, 2007 – June 30, 2009, providing services to individuals with development disabilities. **Fiscal Impact:** \$129,024, 100% grant funded through Washington State Department of Social and Health Services, Division of Developmental Disabilities. **Staff Contact:** Kelly Oneal, 337-4624. Motion carries unanimously.
- D. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the **Contract Amendment with Cares of Washington (KC-249-07A)** adding an additional \$127,872 for the period July 1, 2007 – June 30, 2009 providing services to individuals with development disabilities.

Fiscal Impact: \$127,872, 100% grant funded through Washington State Department of Social and Health Services, Division of Developmental Disabilities. **Staff Contact:** Kelly Oneal, 337-4624. Motion carries unanimously.

- E. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the **Contract Amendment** with **Kitsap County Parent Coalition(KC-243-07A)** for Developmental Disabilities adding an additional \$11,200 for the period July 1, 2007 – June 30, 2009, providing services to families of individuals with development disabilities. **Fiscal Impact:** \$11,200, 100% grant funded through Washington State Department of Social and Health Services, Division of Developmental Disabilities. **Staff Contact:** Kelly Oneal, 337-4624. Motion carries unanimously.
- F. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the **Contract Amendment** with **Easter Seals (KC-244-07A)** adding an additional \$145,433 for the period July 1, 2007 – June 30, 2009, providing services to individuals with development disabilities. **Fiscal Impact:** \$145,433, 100% grant funded through Washington State Department of Social and Health Services, Division of Developmental Disabilities. **Staff Contact:** Kelly Oneal, 337-4624. Motion carries unanimously.
- G. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the **Contract Amendment** with **Peninsula Services (KC-251-07A)** adding an additional \$111,766 for the period July 1, 2007 – June 30, 2009, providing services to individuals with development disabilities. **Fiscal Impact:** \$111,766, 100% grant funded through Washington State Department of Social and Health Services, Division of Developmental Disabilities. **Staff Contact:** Kelly Oneal, 337-4624. Motion carries unanimously.
- H. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the Workforce Investment Act (WIA) **Grant Agreement** with **Olympic Consortium and Washington State Employment Security Department (KC 018-08)** for the period January 1, 2008 – June 30, 2009, to provide funds for training, conferences, and workshops for WIA staff. **Fiscal Impact:** \$11,691, 100% grant funded through Workforce Investment Act. **Staff Contact:** Bob Potter, 337-4873. Motion carries unanimously.
- I. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the **Contract Amendment** with **Holly Ridge Center (KC-248-07A)** adding an additional \$251,250 for the period July 1, 2007 – June 30, 2009, providing services to individuals with development disabilities. **Fiscal Impact:** \$251,250, 100% grant funded through Washington State Department of Social and Health Services, Division of Developmental Disabilities. **Staff Contact:** Kelly Oneal, 337-4624. Motion carries unanimously.

- J. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the **Contract [Amendment](#)** with **Helpline House (KC-246-07A)** adding an additional \$34,375 for the period July 1, 2007 – June 30, 2009, providing services to individuals with development disabilities. **Fiscal Impact:** \$34,375, 100% grant funded through Washington State Department of Social and Health Services, Division of Developmental Disabilities. **Staff Contact:** Kelly Oneal, 337-4624. Motion carries unanimously.
- K. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the Revenue **[Contract](#)** with **Washington State Department of Social & Health Services, Aging & Disability Services Administration (KC-029-08)** for the period January 1, 2008 – December 31, 2008. **Fiscal Impact:** \$536,665, 100% grant funded through Washington State Department of Social and Health Services, Aging and Disability Services Administration. **Staff Contact:** Linda Hanna, 337-7068. Motion carries unanimously.
- L. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the **Contract [Amendment](#)** with **Washington State Department of Social & Health Services, Aging & Disability Services Administration (KC-317-07B)** for the period July 1, 2007 – June 30, 2008 increasing the rate for Medicaid Case Management Services. **Fiscal Impact:** \$871,826, 100% grant funded through Washington State Department of Social and Health Services, Aging and Disability Services Administration. **Staff Contact:** Linda Hanna, 337-7068. Motion carries unanimously.
- M. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the Collective Bargaining **[Agreement \(KC-039-08\)](#)** the **Kitsap County Sheriff's Office and the Kitsap County Corrections Sergeants' Union (KC-039-08)** for the period January 1, 2007 – December 31, 2009. **Fiscal Impact:** \$65,707 (2008 and 2007 costs). **Staff Contact:** Bert Furuta, 337-7185. Motion carries unanimously.
- N. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the Revenue **[Contract](#)** the **Washington state Department of Social and Health Services, Division of Alcohol and Substance Abuse (KC-021-08)** to allow billing for assessments, counseling and case management services. **Fiscal Impact:** \$30,000, 100% grant funded by (DASA). Contract term: February 15, 2008 – June 20, 2009. **Staff Contact:** Betsy Bosch, 337-4880. Motion carries unanimously.
- O. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the Workforce Investment Act (WIA) **[Contract](#)** with **Olympic Consortium and Washington State Employment Security Department (KC-509-07)** for the Heroes at Home Career Advancement Account program to run from December 1, 2007 – June 30, 2010 to train eligible military spouses for demand occupations. **Fiscal Impact:** \$521,552, 100% grant

funded by WIA. **Staff Contact:** Bob Potter, 337-4873. Motion carries unanimously.

3) DEPARTMENT OF PUBLIC WORKS:

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the **Interlocal Agreement** with Kitsap Conservation District (**KC-486-07**) for implementation of the District's Surface and Stormwater Management Program (SSWM) related activities. **Fiscal Impact:** \$334,024, from SSWM Program funds. **Staff Contact:** Dave Tucker, 337-7292. Motion carries unanimously.
- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts **Resolution No. 026-2008*** authorizing temporary road closure of Ridgetop Boulevard NW between Mickelberry Rd NW and NW Myhre Road on June 1, 2008 from 6:00 a.m. to 5:00 p.m. for the annual Rotary Club of Silverdale Sunrise Soap-Box Derby in Commissioner District # 3. **Fiscal Impact:** Minimal. **Staff Contact:** Steve Johnson, 337-5777 x3114. Motion carries unanimously.
- C. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts **Resolution No. 027-2008*** authorizing the County Administrator to sign an Emergency Watershed Protection Grant agreement with the US Department of Agriculture's Natural Resource Conservation Service for emergency work along Chico Creek. **Fiscal Impact:** \$100,000 from Surface and Stormwater Capital Funds and Local Property Owners. **Staff Contact:** Dave Tucker, 337-7292. Motion carries unanimously.

4) DEPARTMENT OF ADMINISTRATIVE SERVICES

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the Contract **Amendment** with **Kitsap Economic Development Alliance (KC024-07A)** to promote economic development and diversification in Kitsap County through December 31, 2008. **Fiscal Impact:** \$72,000 from GA & O. **Staff Contact:** Ben Holland, 337-4504. Motion carries unanimously.
- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the **Contract** with the **Visitor's and Convention Bureau (KC535-07)** to promote tourism and events in Kitsap County. **Fiscal Impact:** \$100,000 from Stadium Fund. **Staff Contact:** Ben Holland, 337-4504. Motion carries unanimously.
- C. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts **Resolution No.028-2008*** authorizing the Kitsap County Arts Board to purchase artwork at the Collective Visions Gallery Art Show

2008. **Fiscal Impact:** \$2,000 from the Arts Board Fund. **Staff Contact:** Lee Reyes, 337-4471. Motion carries unanimously.

5) DEPARTMENT OF INFORMATION SERVICES

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts [Resolution No. 029-2008*](#) transferring the Hewlett Packard, a fixed asset, Storage Area Network from the General Fund to the Information Services fund, and Internal Service Fund. **Fiscal Impact:** N/A. **Staff Contact:** Bud Harris, 337-4405. Motion carries unanimously.
- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the Interlocal [Agreement](#) with **Kitsap Emergency Response Network (KC-025-08)** creating, managing and maintaining an intergovernmental intra-net network in Kitsap County for the period January 1, 2008 – December 31, 2008. **Fiscal Impact:** \$1,000 from IS funds, \$9,765 from GA & O. **Staff Contact:** Bud Harris, 337-4405. Motion carries unanimously.

6) AUDITOR'S OFFICE:

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts [Resolution No. 030-2008*](#) authorizing the closure of the Parks and Recreation Imprest checking Account and to reducing the Petty Cash and Change funds. **Staff Contact:** Lillian Shierk, 337-4909. Motion carries unanimously.
- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts [Resolution No. 031-2008*](#) amending Resolution #248-2007 which transferred assets and residual equity to the CenCom Facility Project Fund, #385. **Staff Contact:** Lillian Shierk, 337-4909. Motion carries unanimously.

7) JUVENILE SERVICES DEPARTMENT:

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the Contract [Agreement](#) with the **Port Gamble S'Klallam Tribe (KC-458-07)** for provision of juvenile detention facility services. **Fiscal Impact:** \$7,000 revenue from the Port Gamble S'Klallam Tribe. **Staff Contact:** William Truemper, 337-5406. Motion carries unanimously.
- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the Contract [Agreement](#) the **Suquamish Tribe (KC-459-07)** for provision of juvenile detention facilities. **Fiscal Impact:** \$7,000 revenue from the Suquamish Tribe. **Staff Contact:** William Truemper, 337-5406. Motion carries unanimously.

8) **CORONER'S OFFICE:**

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the [Contract](#) with **Washington State Military Department (KC-076-08)** granting property to Kitsap County for construction of the Coroner's Office/Morgue and rescinding KC-164-07 approved by the Board on 5/14/07. **Staff Contact:** Greg Sandstrom, 337-5602. Motion carries unanimously.
- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the [Contract](#) with **Central Kitsap Fire and Rescue (KC-061-08)** to contract with the Washington State Military Department to build the Kitsap County Coroner's Office at the Kitsap Readiness Center. **Fiscal Impact:** \$100,000 from REET funds. **Staff Contact:** Greg Sandstrom, 337-5602. Motion carries unanimously.
- C. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the [Contract](#) with Joint Management Group (**KC-062-08**) for Coroner's Office to enable staff to build the Kitsap County Coroner's Office and be a voting Member of the Joint Management Group. **Fiscal Impact:** \$175,000 from REET funds. **Staff Contact:** Greg Sandstrom, 337-5602. Motion carries unanimously.

9) **COMMISSIONERS 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 adopts [Resolution No. 032-2008](#)*reappointing **Don Beemer** to the *Kitsap County Board of Equalization* representing North Kitsap, Commissioner District #1. **Staff Contact:** Jan Koske, 337-4650. Motion carries unanimously.
- B. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts [Resolution No. 033-2008](#)* reappointing **Duane Cruz, Allen Gates**, and **Roth Hafer** and appointing **Heidi Hottinger** to the *Veterans Advisory Board*. **Staff Contact:** Jan Koske, 337-4650. Motion carries unanimously.
- C. Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts [Resolution No. 034-2008](#)* appointing **Robin Denis** to the *Art Board* representing North Kitsap, Commissioner District #1. **Staff Contact:** Jan Koske, 337-4650. Motion carries unanimously. Motion carries unanimously.
- D. 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. 035-2008](#)*appointing **Phedra Elliott** to the *Parks and Recreation Advisory Board* representing North Kitsap, Commissioner District #1. **Staff Contact:** Jan Koske, 337-4650. Motion carries unanimously. Motion carries unanimously.

7:30 PM PUBLIC HEARINGS:

**** Please note that start times are estimates and may be impacted by the amount of public input. Unless otherwise announced by the Chair of the Board, public comments will be 3 minutes per person.**

A) Public Hearing to consider a [Petition](#) to vacate filed by **Jack Dean** for portion of Barney White Road located in the industrial park area near the Kitsap County Public Works Annex (Section 11, Township 23 North, Range 1 West, W.M.) in South Kitsap, Commissioner District #2. **Staff Contact:** Suzie Pride, 337-3638.

Suzie Pride, Public Works, gave an overview of the proposed vacation stating this right of way was dedicated to the county by CM Hill Lumber Company in 1935 and it bisects the Petitioner's property. She said abutting property owners had been notified and no objections had been received. Pride said the project has been reviewed by various departments and all have recommended approval of the petition.

Discussion is held, comments called for and hearing no objections, a **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves the Petition to vacate fled by **Jack Dean** for a portion of Barney White Road located in the industrial park area near the Kitsap County Public Works Annex in South Kitsap, Commissioner District #2; further that an Order be executed so stipulating. Motion carries unanimously.

B) Public Hearing to consider an [Ordinance](#) amending the Kitsap County Comprehensive Plan and County Code as it relates to the Transfer of Development Rights and Rural Wooded Incentive Programs. **Fiscal Impact:** \$5,000 from the General Fund. **Staff Contact:** Eric Baker, 337-4495.

Eric Baker, Special Projects Manager, said the proposals are to enact an Ordinance amending the Kitsap County Comprehensive Plan and County Code as it relates to the Transfer of Development Rights and Rural Wooded Incentive Programs. He said the proposal is in response to a Central Puget Sound Growth Management Hearings Board (GMA) order of non-compliance and invalidity, specifically Suquamish II. He said the Hearings Board remanded the following items: a) Rural Wooded Incentive Program as it relates to the Wooded Reserve 40-year time period for use, as well as maintenance of natural resource industries and the need for a discrete planning document harmonizing GMA goals; b) Transfer of Development Rights Program as it relates to the 40-year period of development right reuse. Baker said the proposed Ordinance includes the following proposed amendments: *Transfer of Development Rights Program (TDR)* –

preparation of a discrete planning document harmonizing GMA goals; clarifying Comprehensive Plan policies of programs overall intent; and removal of the 40-year deed restriction for property development right reuse to perpetuity. Rural Wooded Incentive Program (RWIP) – clarifying Comprehensive Plan policies of program overall intent and improve consistency with proposed changes; preparation of a discreet planning document harmonizing GMA goals; removal of Wooded Reserve and associated 40-year clause; removal of all program alternatives except the ability to allow a minimum of 75% of the Rural Wooded Incentive Program development site shall be placed in a permanent open space tract(s), owned by a public entity where uses are limited to forestry or other timber management techniques.

Discussion is held between the Board and Baker relative to protecting forestry, open space incentive, what percentage of open space should be designated, whether it protects rural character, a proposed a 5,000 acre pilot program and how it would work and there being approximately 50,000 acres located thru-out Kitsap county.

Chuck Holland said he is a tree farmer and there will never be a greater land use plan for the Board to decide on. He said they have a management plan, they are threatened by this proposal and this does not make sense. Holland asks the Board to change the Rural Forest Plan to allow working forestry under a forest management plan on all open space and to not require open space be given to a public agency.

Sam Comstock presents a book to Board entitled *Stewards of the Land, Family Forestry for Generations to Come*.

John Willett said forestry is getting less and less and the county needs to develop an eco-friendly business. He states he is interested in developing trails in Kitsap County and is a proponent of keeping open space in public ownership.

Jon Rose, Olympic Property Group, said a number of things have taken place since 2006. He said Pope Resources has initiated long-term planning of the approximately 8,000 acres of land it owns in North Kitsap County. He said of the several planning options open to the company, one would allow for the creation of large scale wildlife and open space preserves and a large scale, community-wide, off-road trail system. Rose said such an effort would be a monumental undertaking that would only be successful if both the company and the public were fully engaged and mutually supportive. He said an organizational meeting is in the works and hopes the Board gets behind this project. Lou Foritano requests the Board keep legislation lean and to actively engage in this plan by proposed by Jon Rose.

Rod Reid, Alpine Evergreen, said his company has been involved with the Rural Wooded Incentive Program since its inception and the goal was to keep rural forestry around for as long as possible but still give the landowners an option to sell off a few acres if times got tough. Reid questions how the county could go from a workable plan to 75% into permanent open space and never be able to continue forest management is baffling to him. He said let's not stop forestry in Kitsap County and if the Hearings Board

does not like the 40-year rule then allow the owners to continue forestry forever on the 75% that has little or no density.

Helen Daly addresses the Board with concerns about the Rural Wooded Incentive Program stating she agrees with the deed restriction being kept into perpetuity. She said the development portion should be removed from the program. Daly said wood is recyclable, renewable and bio degradable and grown locally contributes to the economy.

Holly Manke White, Manke Lumber, said Manke Lumber owns a large portion of the six miles of salt water shorelines subject to the Rural Wooded Zone in Kitsap County and for the past 10 years, have worked towards permanently preserving as open space that shoreline as a wooded shoreline preserve in exchange for transfer of density from the shorelines to their upland property. She said she would support adoption on the proposed ordinance with revisions that the permanent open space be allowed to be held in private ownership and management as one option together with the existing option for public ownership.

Albert Coburn – pass

Tom Donnelly believes the Hearing Board has provided an opportunity to the county to modify the Comprehensive Plan so that it has their wholehearted support as the base from which we can continue to improve our quality of life. He said the County must plan and fund capital facilities particularly sewer within urban growth areas during the 20-year planning cycle, modify the Rural Wooded Incentive Program and modify the Transfer of Development Rights Program.

Teresa Osinski, Homebuilders Association, said the Homebuilders have actively participated in the TDR program and believes it is important. Osinski Urges the Board to be strong in this matter and said relatively, to the Rural Wooded Incentive Program, is concerned about keeping land into perpetuity. She agrees with Jon Rose's idea regarding the "string of peals" and asks the Board not to follow the simple path.

Michael Gustafson said these regulations simply results in economic decisions being made by the people that owns the land and who generally always make decisions that results in the greatest personal profit for themselves. He said the requirement to give 75% of an individual's property to a public agency for public ownership as a condition of development can be construed as coercion or environmental tax.

Linda B. Maraist believes the Methow Valley has good potential as a model for what could be done in Kitsap County. She said would support the concept and goal of the Rural Wooded Incentive Program and the requiring of 75% open space be kept in open space in perpetuity in exchange for the density bonus.
Ben Elmer, Kingston resident, supports Jon Rose's proposal but does not believe taking 75% of one's property made any sense.

Katherine Morgan said this is an exciting proposal and supports the proposal presented by Jon Rose. She encourages the Board to eliminate the forestry option and not require public lands to be placed into perpetuity and to require the open space to be placed into public hands. She said there is a compromise such as “rights to first refusal” if property owners sell but to place into private sector under-mins the tax opportunities. She encourages the Board to move forward on this matter and to keep it as flexible and open as possible.

William Palmer said this proposal is totally unworkable. He said the probability of a landowner placing 75% of his property into public ownership seems an improbability. He said Kitsap County is not prepared to manage forest and does not have the staff to deal with forestry issues. He said the Board has not come up with a workable incentive to maintain the forest and tree growing activity that has been going on in this county. He said the Transfer of Development Rights program is a joke and it does not appear that it will work in this proposal. He said the county needs to go back to the drawing board.

Ron Ross said relative to Rural Wooded Incentive Program, did not believe that many land owners would be willing to place 75% of their property into public open space into perpetuity. He said it did not make sense and questions how long are perpetuity.

David Overton said their company is a high-tech business that operates in a rural setting and does not require massive government subsidy or high tech buildings. He said the problem with this plan is that it locks out any future decisions by generations that may have more information, better sites or more capacity to get to the public. He said it also locks out private owners from making investments in their own community.

Jack Hamilton said if the plan was working the county would not need Transfer of Development Rights. He said relative to Rural Wooded Incentive Program placing 75% of an individual’s property into public ownership does not make sense and is a “taking” of that property.

Phil Best, Great Peninsula Conservancy Board member, suggests amending Section 8.G. to read... *shall be dedicated by conveyance of either fee title or conservation easements to a public entity, land trust or other non-profit stewards.*

Nadean Ross believes landowners are the best stewards of the land even if it is kept in open space, believes forestry should be allowed for various reasons and believes homeowners associations could be a bad idea. She urges the Board to rethink the matter and not let the Growth Hearings Board overrule the wishes of this county and its residents.

Craig Jensen said he does not agree with 75% open space incentive plan.

Vivian Henderson, Kitsap Alliance of Property Owners, wonders when the county would be fair to the Kitsap county citizens who have dedicated so much of their lives to the enjoyment and the quality of life in Kitsap County. She said the Alliance does not

support good developable land being locked into perpetuity and to do so is irresponsible not knowing what the development needs will be in the future.

Richard Brown said he has been working on this plan for approximately 16 years. He said if we give up this land where do we put the future generations of Kitsap County and what result would it have on the prices of homes?

Jim Sommerhauser, Central Kitsap resident, said he does not have any property that would be affected by this plan but believes the Board has heard the development of a pretty good compromise.

Dan Ellis lives next to the “String of Pearls” property in North Kitsap and supports Jon Rose’s proposal. He said he did not see any use in giving it over to a public agency to maintain.

Suzanne Arnest believes the tree farm concept is valuable and believes 75% of it should be kept in workable tree farms. She believes the land should remain in private ownership and did not believe open space is workable.

Becky Erickson relative to TDR’s said they generally turn out badly and she has not seen them successfully implemented anywhere that she is aware of. She said she did not see the necessity of transferring open space into public ownership and believes citizens have every right and have done a good job of being stewards of their own property.

Mike Eliason, Kitsap County Association of Realtors, concurs with comments made by David Overton, Bill Palmer and Teresa Osinski. He said the Board is making decisions for generations that are not yet born and urges the Board to send this matter back to the “drawing board” and to the original stakeholder group.

Tom Nevins, Poulsbo resident, suggests that whatever decision is made by the Board a moratorium should be implemented on accepting applications until the appeal process is finished.

Chair Bauer closes the public comment portion of the hearing.

Discussion is held among the Board regarding the value of homes that will be affected, possible increase in property taxes, not asking homeowners to place 75% of their property into public open space, the Growth Hearings Board decision, county not equipped to handle public open space, King County’s Transfer of Development Rights Program, preserving a rural life style, cluster development at a very high cost, trail programs, a need to go back to the drawing board, possibly repealing the entire plan, determine what is working in other counties, restrictions imposed by the Hearings Board, incentive to participants, density bonuses, the “String of Pearls” concept, concerns about public ownership issue, possible erosion of the county’s tax base, county unable to manage these lands properly, possible nuisance abatement issues,

possible crimes related issues, removing the 40-year provision, eliminate through option #4, keep 75% of the land in open space but privately owned, possible moratorium, low impact development standards, minimum application size, making “String of Pearls” a reality, continuing forestry in the county, this not being a “taking” of property, balance and fairness for both the public and property owner.

Commissioner Angel said she will be out office and is uncomfortable with not being able to participate in the reconstruction of the ordinance.

Further discussion is held regarding placing land into perpetuity, repealing the ordinance, possibly removing the 40-year stipulation, forestry land, implementing a moratorium during this process and access to shorelines.

A **motion** is made by Commissioner Brown and seconded by Chair Bauer that the Board continues this matter to February 13, 2008 for decision only. Commissioner Angel votes No. Motion carries.

10) OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD:

(Please limit comments to **5 minutes**. Written comments may also be submitted to the Board if this timeframe is insufficient.)

- A. Nadean Ross questions if this ordinance is revised would the public have an opportunity for review. She also questions what would be the penalty if this ordinance is not passed within the Hearings Board timeline.
- B. Mike Eliason, Jim Sommerhauser and David Overton questioned the lighting in the Chambers and gave additional comments on the proposed Ordinance.
- C. Jack Hamilton asks the Board to take a “hard” look at 2040 and what is says about forestry before the Board leaps into creating this monstrosity.
- D. Richard Brown said the Growth Hearings Board was not hired to run Kitsap County. He is concerned about substandard housing for children and do not believe the county will meet its housing goal if it continues along this line.
- E. Katherine Morgan said she is happy to see that the Board is moving forward on this Ordinance in a timely matter and believes there could be other incentives and options to this program.

11) COUNTY ADMINISTRATOR’S COMMENTS:

12) BOARD OF COMMISSIONER’S COMMENTS:

- A. Commissioner Brown responds to comments made by Jack Hamilton regarding the invalidity order stating that staff is working very hard to get this done.
- B. Commissioner Angel congratulates the East Port Orchard Elementary School on being selected as one of six Title I Schools in Washington State to receive Title I Academic Achievement Award from the Office of the Superintendent of Public Instruction.

Public meeting adjourned at 9:40 p.m.

**BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY WASHINGTON**

STEVE BAUER, CHAIR

JOSH BROWN, COMMISSIONER

JAN ANGEL, 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:

2/11/08	9:00 a.m.	Breakfast with Staff – Port Blakely Conference Room
	12:00 p.m.	Lunch with Employees of the Month – Public Works Annex
	2:00 p.m.	Board PM Brief – Port Blakely Conf Room
	7:00 p.m.	BOCC Public Meeting – Commissioner Chambers
2/13/08	8:30 a.m.	Work Study Session - Port Blakely Conf Room
	6:30 p.m.	Waaga Way Connector Road Meeting-Meeting w/ Property Owners - Island Lake Community Room
2/19/08	8:00 a.m.	KCCHA/Transit and Emergency Management Board Meetings – Norm Dicks Government Center

2/20/08	8:30 a.m.	Work Study Session - Port Blakely Conf Room
	12:00 p.m.	Hood Canal Coordinating Council Meeting - Silverdale Beach Hotel
2/21/08	9:00 a.m.	WSAC Legislative Steering Committee – WSAC Office in Olympia
	12:00 p.m.	KCCHA Board Retreat – Norm Dicks Government Center
2/25/08	12:00 p.m.	Lunch with Elected Officials – Gino’s Restaurant
	2:00 p.m.	Board PM Brief – Port Blakely Conf Room
	7:00 p.m.	BOCC Public Meeting – Commissioner Chambers

(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 **February 25, 2008 at 7:00 p.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)

February 25, 2008:

- 7:10 **Public hearing** to consider Beach at Driftwood Cove Shoreline Use Permit SEPA Appeal, South Kitsap, Commissioner District #2. **Staff Contact:** David Greetham and Patty Charnas.
- 7:15 **Public hearing** to consider Skyline Property Improvement Appeal, Central Kitsap, Commissioner District #3. **Staff Contact:** David Greetham.