



MINUTES

KITSAP COUNTY BOARD OF COMMISSIONERS March 10, 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.

#1) Presentation of *Certificate of Achievement* to **Jon Gallant** for his Eagle Scout project chosen to enhance the US Navy Missouri Gate Traffic Islands, South Kitsap Commissioner District #2.

Congratulations and recognition is given to Jon Gallant for his Eagle Scout project chosen to enhance the US Navy Missouri Gate Traffic Islands Bremerton, WA.

#2) [Resolution](#) recognizing the week of *April 21-25, 2008* as *Kitsap County Government Awareness Week* and establishing county government awareness contest. Staff Contact: Nancy Grennan, 337-7146.

A **motion** is made by Commissioner Brown and seconded by Commissioner Angel that the Board adopts **Resolution No. 042-2008*** recognizing the week of *April 21-25, 2008* as *Kitsap County Government Awareness Week* and establishing county government awareness contest. Motion carries unanimously.

**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.

1. Paul Nuchims addresses the Board with concerns about long-range planning in Kitsap County.
2. Dody Socaas, Patricia Pinkham, Ray Rohay, Emmajean Hemingway, Tracy Corrigan, Konan Kile, Robert Herbock, Ed Call Len Hirshberg, Tom Ritley, Judy Foritano, Chris McClellan, James McClellan and Steven Minor address the Board with concerns about the speed bumps/tables in the Hansville area.
3. Ed and Louise Barrantes, Erin Crook and Mary & Pete Cantu address the Board regarding legal access rights to their property (homes on Looney Tunes and Minnig Lanes) which is blocked by the Department of Natural Resources.
4. Vivian Henderson spoke in support of the property owners whose legal access to their homes were blocked by the Department of Natural Resources.
5. Ken Mischel addresses the Board with concerns regarding the new Community Development Fee increase, specifically for the Timber Harvest permit.

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 February 25, 2008.
- C. Approve Warrant Nos. 3353556 – 3354403 in the amount of \$1,779,437.87.
- D. Approve Payroll Warrant Nos. 657960 – 658091 in the amount of \$1,877,044.40.
- E. Refer to the Prosecutor’s Office and Risk Manager: 1) Claim for Damages filed by B. Beard; 2) Claim for Damages filed by CMR; 3) Summons and Complaint filed by D. Williams.
- F. Adopt Formal Decision of the Board of Commissioners – Re: Beach at Driftwood Cove Shoreline Conditional Use Permit.

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](#) with **Bremerton Services Association (KC-070-08)** for the 2008 Senior Citizen Nutrition Program for the period January 1, 2008 – December 31, 2008. **Fiscal Impact:** \$324,778 is 100%

- grant funded via DSHS. **Staff Contact:** Linda Hanna, 337-7068. 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 Community Resources (KC-162-07A)** to administer the disbursement of temporary emergency funds to indigent veterans for the period of April 27, 2008 – April 26, 2008. **Fiscal Impact:** \$40,000 –Veterans Relief Fund. **Staff Contact:** Leif Bentsen, 337-4883. Motion carries unanimously.
- C. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts [Resolution No. 043-2008*](#) regarding compensation for Michael Eastman. **Fiscal Impact:** \$3,000 and related cost – Current 2008 Budget. **Staff Contact:** Bert Furuta, 337-7185 x3525. 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 **Olympic Consortium and Kitsap Community Resources (KC-304-07A)** transferring funds from the Community Jobs budget to the Supported Works budget with no change in contract total due to a higher than planned demand from DSHS case workers and their welfare customers for the Supported Works Program. **Fiscal Impact:** \$90,000 is 100% grant funded via DSHS. **Staff Contact:** Bob Potter, 337-4873. 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 **Olympic Consortium and WA State Dept of Community, Trade & Economic Development (KC-287-07A)** transferring funds from the Community Jobs budget to the Supported Works budget providing job search and related assistance. **Fiscal Impact:** \$90,000 is 100% grant funded via DSHS. **Staff Contact:** Bob Potter, 337-4873. 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 **Olympic Consortium and Olympic Community Action Programs (KC-305-07A)** increasing the enrollment payment point for the Supported Works Program from \$200 to \$400 per parent to provide job placement assistance. **Fiscal Impact:** \$400 is 100% grant funded via DSHS. **Staff Contact:** Bob Potter, 337-4873. Motion carries unanimously.
- G. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts [Resolution No. 043-2008*](#) creating a Fiscal Technician 3 Position and changing the Engineering Classification title in the Department of Community Development. **Fiscal Impact:** Included in 2008 Budget. **Staff Contact:** Lynn Cole, 337-7185 x3536. Motion carries unanimously.

- H. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the Collective Bargaining Agreement [amendment](#) with **WA State Council of County and City Employees, Local 1308-Courthouse Employees (KC-040-07L)** for the period of January 1, 2007 through December 31, 2009 implementing changes to the Dept of Community Development Engineering job classification. **Fiscal Impact:** Included in 2008 Budget. **Staff Contact:** Susan Smith, 337-7185 x4888. Motion carries unanimously.
- I. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts [Resolution No.045-2008*](#) regarding annual leave benefits for Anne Blair, Kitsap County Commissioners Office. **Staff Contact:** Nancy Grennan, 337-4403. Motion carries unanimously.
- J. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board ratifies the Workforce Investment Act lease agreement [amendment](#) with **Olympic Consortium and Para Transit Services (KC-571-99E)** clarifying the square footage for the space that the Consortium rents in the Para Transit building at 1300 Sylvan Way which is being sold to Golden-Waite Properties. **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 adopts [Resolution No. 046-2008*](#) establishing the 2008 rental rates for the ER&R equipment. **Staff Contact:** Mark Stanisich, 337-4895. Motion carries unanimously.
- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts [Resolution No.047-2008*](#) transferring (1) Ford Diesel Powered Flat-Bed Truck to the Roads Division and (1) International Diesel Powered Tractor to the Traffic Division. **Staff Contact:** Mark Stanisich, 337-4895. Motion carries unanimously.
- C. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts [Resolution No. 048-2008*](#) transferring (1) Chevrolet Colorado to the ER&R Account. **Staff Contact:** Mark Stanisich, 337-4895. Motion carries unanimously.
- D. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the [Contract](#) with **RV Associates (KC-077-08)** for the Panther Lake Road West culvert replacement in Central Kitsap, Commissioner District #3. **Fiscal Impact:** \$96,059 – Road Fund. **Staff Contact:** Dick Dadisman, 337-5777 x3556. Motion carries unanimously.

4) DEPARTMENT OF COMMUNITY DEVELOPMENT:

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the Grant [agreement](#) with **WA State Recreation & Conservation Office (KC-515-07)** receiving \$125,000 to survey Kitty Hawk Drive and State Route 3 and take steps in support of salmon restoration efforts at the mouth of Chico Creek in Central Kitsap, Commissioner District #3. **Fiscal Impact:** \$125,000 – Salmon Recovery Funding Board. **Staff Contact:** Keith Folkerts, 337-7098. Motion carries unanimously.
- B. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the Grant agreement [amendment](#) with **WA State Dept of Fish & Wildlife (KC-419-07A)** receiving funds for the operation of the West Sound Watersheds Council. **Fiscal Impact:** \$79,613 –WA State Dept of Fish & Wildlife. **Staff Contact:** Kathy Peters, 337-4679. Motion carries unanimously.
- C. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board ratifies the grant agreement [amendment](#) with the **Salmon Recovery Funding Board (KC-360-06A)** increasing the agreement amount by \$19,000 and a match increase of \$3,400 for acquisition and incidental cost for the Chico Creek Property acquisition project. **Fiscal Impact:** \$3,400 additional match contribution – Recovery Funding Board/Suquamish Tribe. **Staff Contact:** Susan Donohue, 337-4557. Motion carries unanimously.
- D. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board ratifies the Deed of Right [agreement](#) with the **Salmon Recovery Funding Board (KC-360-06B)** to use the Chico Creek Property acquisition for salmon recovery. **Staff Contact:** Susan Donohue, 337-4557. Motion carries unanimously.

5) DEPARTMENT OF PARKS & RECREATION:

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves and executes the [Agreement](#) with **WA State Recreation & Conservation Office (KC-089-08)** for a Deed of Right to use Hansville Greenway for conservation purposes in North Kitsap, Commissioner District #1. **Fiscal Impact:** Real Estate Excise Tax/RCO Grant of \$582,099. **Staff Contact:** Chip Faver, 307-5355. 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 **City of Port Orchard (KC-088-08)** to fund the 2008 “Concerts on the Bay.” **Fiscal Impact:** \$5,000 – City of Port Orchard Lodging Tax. **Staff Contact:** Elizabeth Ratliff, 337-5345. Motion carries unanimously.

6) COMMISSIONERS OFFICE:

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts [Resolution No. 049-2008](#)* appointing **Brent Stenman** to the *Public Facilities District* representing the City of Poulsbo in North Kitsap, Commissioner District #1. **Staff Contact:** Kathy Brown, 337-4426. Motion carries unanimously.

7) DEPARTMENT OF ADMINISTRATIVE SERVICES:

- A. A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board adopts [Resolution No. 050-2008](#)* establishing the *Kitsap County Citizens Budget Committee*. **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 adopts [Resolution No. 051-2008](#)* establishing the *Kitsap County Citizens Advisory Energy Conservation Committee*. **Staff Contact:** Ben Holland, 337-4504. Motion carries unanimously.

7:15 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 **Dr. Sevak Adamian** for a portion of county right of way known as Jacobson Road NE in North Kitsap, Commissioner District #1. **Staff Contact:** Molly Foster, 337-4688.

Molly Foster, Public Works, said the Petitioner is requesting the County to vacate a portion of county-right-of way known as Jacobson Road NE in Poulsbo. She said this right-of-way was dedicated for public use when the plat of Lemolo Acres and the Plat of First Addition to Lemolo were created in 1907 and 1908 respectively. Foster said Dr. Adamian and his neighbors wish to regain this 30-foot wide area for private use. She said the petition has been reviewed by various agencies and county departments and all recommends approval.

Tom Nevins, Poulsbo resident, urges the Board to be cautious when deciding this petition in that it might be useful with the proposed “String of Peals” concept and could possibly be used as a trail.

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 Dr. Sevak Adamian for a portion of county right of way

known as Jacobson Road NE in North Kitsap, Commissioner District #1; further that an Order be executed so stipulating. Motion carries unanimously.

B) Public hearing to consider a [Petition to Vacate](#) filed by **Matthew Ruettgers, representing TFFC, LLC** for a portion of county right of way known as Garfield Place SE in South Kitsap, Commissioner District #2. **Staff Contact:** Molly Foster, 337-4688.

Molly Foster, Public Works, gave a brief overview of the proposed petition stating the right of way known as Garfield Place SE was dedicated for public use when the plat of East Port Orchard was created in 1957. She said various County Departments and all have recommended approval.

Discussion is held, comments received and hearing no objection, a **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board approves the Petition to Vacate filed by Matthew Ruettgers, representing TFFC, LLC for a portion of county right of way known as Garfield Place SE in South Kitsap, Commissioner District #2; further that an Order be executed so stipulating. Motion carries unanimously.

C) **NOTE: SAID MATTER FOR DECISION ONLY:** Closed Record Hearing to consider an **Appeal** filed by **David Horton, Attorney** representing **Bruce Pineo/Skyline West Enterprises, Inc.** of the Hearing Examiner's decision to deny the request for appeal of the Department of Community Development Determination that a drainage ditch on the subject property is a Type "Ns" Stream under Washington Administrative Code 222-16-030 and thereby denying the applicant's Site Development Activity Permit application to fill and grade-in the area of the stream. The proposed project is located at 1737 Corbert Drive in Central Kitsap, Commissioner District #3. **Staff Contact:** Dave Greetham, 337-4225.

Discussion is held and a **motion** is made by Commissioner Brown and seconded by Commissioner Angel that the Board finds that the Hearing Examiner's decision is a correct interpretation of the law and a correct application of the law to the facts. Accordingly, the Board denies the appeal and upholds the Hearing Examiner's decision. Motion carries unanimously.

D) **Closed Record** hearing to consider **Appeals** filed by **Warwick and Janice Bryant** of the Hearing Examiner's decision to **1) deny** the Conditional Use Permit application to operate their business (**Kiwi Fencing**) and its associated storage yard on the B & F Arena parcel; and **2) deny** the Revised Conditional Use Permit in regards to modification of the existing unclassified public use permit for the B & F Arena parcel to allow the Kiwi Fencing contractors storage yard located at 5867 Dogwood Road in South Kitsap, Commissioner District #2. **Staff Contact:** Dennis Oost, 337-7027.

Dennis Oost, Community Development, gave an overview of the proposed application stating the original permit was a rezone request from R-1 to public use approved by the

Kitsap County Board of Adjustment approved in 1968. He said a subsequent unclassified use permit was issued to expand the allowable uses on the site in 1972 and the current land use request by Kiwi Fencing proposes to modify the existing Conditional Use Permit and eliminate some of the current allowed uses in allowing the permit of the contractor's storage yard. He said the subject property is just south of the Port Orchard urban growth area abutting the west right of way of State Hwy 16 and is zoned rural residential. He said contiguous properties to the north and south are also zoned rural residential. Oost said the first hearing before the Hearing Examiner was held on March 8, 2007 and a second hearing was held on November 8, 2007. He said the Hearing Examiner denied the request for an Unclassified Use Permit modification on January 4, 2008. He said a timely appeal was filed by the Bryants stating the Hearing Examiner erred in the interpretation of law, the decision is clearly an erroneous application of the law to the facts and there is no substantial evidence in record to support the Hearing Examiner's decision.

Commissioner Bauer gave the guidelines for a closed record appeal.

Bill Broughton, representing Warwick and Janice Bryant, stating the owners of Kiwi Fencing asks the Board to reverse the decisions of the Hearing Examiner and allow for modification of the existing Conditional Use Permit for the B & F Recreational Arena. He said Kiwi Fencing seeks to eliminate several of the more intense permitted uses and substitute the less intense contractor's storage yard on the premises. Broughton said the Hearing Examiner erred in denying this modification of the existing Conditional Use Permit and in his first decision the Examiner based his denial primarily on arguments made by the attorney for neighbors, which the Examiner now recognizes as erroneous. Broughton also said in the second decision, the Examiner fails to balance the co-existing impacts with those resulting from granting of the application. He said the benefits to the adjoining property owners are obvious and well documented. He urges the Board to strongly consider the comments of those living adjacent to the arena and gives them far greater weight than the comments of those reviewing the project from a much farther distance. He again asks the Board to reverse the Hearing Examiner's decision, not to remand this matter and to prepare findings to allow for this revision of this permit.

Discussion is held among the Board and staff regarding traffic issues, BMX/Rodeo events, less intense uses of the property, how many vehicles would be entering and exiting the property for the events, semi-truck deliveries, whether this use has to be related to accessory to a dwelling unit and keeping the equestrian events.

A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board continues this matter to March 24, 2008; said matter for decision only. Motion carries unanimously.

E) Public hearing to consider an [Ordinance](#) approving amendments to the Comprehensive Plan, Silverdale and Port Orchard/South Kitsap Sub-Area Plans as well

as the Capital Facilities Plan. **Staff Contact:** Eric Baker, 337-4495.

Eric Baker, Commissioners Office, said the document before the Board today is the County's response to the Growth Management Hearings Board decision associated with 10-year Comprehensive Plan update. Baker notes for the record a resolution signed by the City of Bremerton serving as an amendment to Attachment B entitled Bremerton's Sewer Assurance and notes an additional change to the ordinance located on page 8, under Kitsap County System's Table, Central Kitsap Wastewater Facilities, the right column should read 3,600 rather than 2,200. Baker then gave a PowerPoint presentation on the proposed ordinance. He said the 10-year Comprehensive Plan update was adopted in December of 2006 and it re-sized the Kitsap County urban growth areas to accommodate the 2025 population. He said the resizing of the urban growth areas relative to the capital facilities element looked at sewer planning based on plant capacity only. He said lines and pump stations were to be designed and funded by development as it came in. He said this plan was invalidated by Hearings Board largely due the urban growth areas expansion areas as well as sewer portion of the capital facilities plan which affected Silverdale/Central Kitsap, West Bremerton, Gorst and Port Orchard/South Kitsap urban growth areas. Baker also said a moratorium was implemented indicating no new sub-division or commercial development could occur in these expansion areas until such time as the county responded to the Growth Management Act (GMA) Hearings Board's Order and the Hearings Board lifted the invalidity. In response to the Hearings Board Order, Baker said sewer service purveyors (Cities of Bremerton and Port Orchard and the West Sound Utility District as well as Kitsap County) has prepared an enhanced capital facilities inventory, maps of future sewer conveyance infrastructure location, capacity and costs and a list of potential funding options to address the Order. He said the Board has proposed the creation of a Wastewater Infrastructure Task Force made up of county staff, cities, sewer purveyors, developers and citizens to discuss issues regarding where sewer lines should be, how the lines should be funded and based on the available funding where should the county and other jurisdictions start applying public dollars if available. Baker said the task force would be meeting through 2008 and would be discussing this issue into future years.

Discussion is held regarding traditional systems, septic systems, ground water recharge, water re-use membrane bio-filtration re-actor systems, remote plants, treatment technology, Gorst Urban Growth Area (UGA), Growth Management concerns, topography issues, and phasing the infrastructure.

Danny Horovitz submits a petition to the Board regarding formation of a utility local improvement district (ULID) in the south Bethel area. He said they are supportive of the remand and the county's efforts to justify UGA designations and specifically the commercial mixed used zoning on Bethel Road, south of Fred Meyer and nearby areas.

Craig Jensen said he is a general contractor and have 10-acres off Baby Doll Road and was all set-up for a filter media systems approved by the State of Washington. He said it does not discharge into or pollutes the Puget Sound and he needs this water. He was told that he could not use that type of system and also developed this property because

he believed it would be in an urban growth area but now is being told he cannot do that. He said this is hurting him financially.

Jerry Harless said the proposed ordinance does not ensure that any UGA including the 2012 and 2018 horizons will be fully served prior to 2025 thus the assurances from the various sewer purveyors indicating that they will serve all UGA's by 2025 are insufficient to comply with the GMA. He asks the Board to reject the insufficient proposed ordinance and support the efforts of the Wastewater Infrastructure Taskforce to produce a complete, meaningful and GMA compliant urban sewer plan that will provide the necessary urban infrastructure on the same time frame as the growth is projected to occur.

Tom Donnelly believes the Hearings Board has presented the County with a valuable opportunity to modify the Comprehensive Plan so that it has the Board's whole-hearted support. He did not believe this was the proposal before the Board this evening to plan and fund capital facilities (particularly sewer) within UGA's during the 20-year planning cycle. He said this proposal would extend sewers throughout the UGA's giving priority to the recent expansions. Donnelly urges the Board to comply with the Hearings Board orders.

Richard Brown said our responsibility as citizens of the county is to insure that there is enough housing for the citizens. He said no matter what the Hearings Board says, the Board of Commissioners has the authority for this county. He suggests county staff look for interim ordinances in order for the county to move forward.

Pat Waters said if GMA was correctly applied it might be more fluent. He said it does not make sense to do expansions out in the middle of nowhere and then leave all other areas that could be expanded out of the urban growth area. He said his property has been left out of the urban growth area again. He said common sense has to prevail, there has to be a meeting of the minds and the county must move forward.

Discussion is held by the Board regarding planning for the future, unique growth densities in Kitsap County, Growth Hearings Board Compliance Order, new technology and additional time for planning.

A **motion** is made by Commissioner Angel and seconded by Commissioner Brown that the Board enact **Ordinance No. 409-2008**** approving amendments to the Comprehensive Plan, Silverdale and Port Orchard/South Kitsap Sub-Area Plans as well as the Capital Facilities Plan. Motion carries unanimously.

F) Public hearing to consider an **Ordinance** extending the 180-day moratorium enacted under Kitsap County Ordinance 397-2007 that imposed a moratorium on new applications for land use permits in the Urban Growth Areas that were expanded in the 2006 10-Year update to the Kitsap County Comprehensive Plan.
Staff Contact: Eric Baker, 337-4495.

Larry Keeton, Community Development, said based on the Growth Management Hearings Board invalidity of the Capital Facilities Plan, on last September 24, 2007, the Board passed a moratorium on the expanded areas of the urban growth areas. He said the proposed ordinance extends the moratorium for an additional 180 days. He said a work plan has been completed, however the last section of the work plan requires a remand to the Hearings Board indicating that the county is valid and once approved by the Hearings Board the expanded areas can return to the original state of the Comprehensive Plan and the county can then allow for development.

Teresa Osinski, Homebuilders Association, states she understands the reasons for extending the moratorium but asks that if and when the Growth Hearings Board responds in favor of the county's report that the county immediately rescind the moratorium.

Fred Depee, South Kitsap resident, said when the plan was first approved by the Board, the Assessor's office had no problem going out and re-assessing all the properties within the expanded urban areas and adjusting the prices accordingly. He asks the Board to retroactively relieve the tax burden that has been placed on the properties that cannot be used with the current designated zoning.

Craig Jensen said he did not understand why a moratorium is placed on a piece of property that the thinking was already done and is far advanced of everything else that is being asked for.

Richard Brown said interim ordinances should be placed into effect so that areas that are served by water and sewer that are located next to urban growth areas can be utilized. He said the county should look for a way out of this using interim ordinances to do it when there is already sewer.

John Kincel agrees with the comments made by Depee regarding the retroactive tax burden relief.

Pat Waters believe his property tax increased approximately \$80,000 which would be less than what it would cost him to put sewer in. He believes the interim ordinances proposed by Brown might work.

Vivian Henderson, Kitsap Alliance of Property Owners, asked J. Harless and T. Donnelly if they would work with the county to be a part of the solution instead of waiting in the wings to file appeals after everything has been submitted which costs the taxpayers millions of dollars.

Tom Donnelly said he does not have pro bono legal services for his appeal.

Jerry Harless said neither R. Brown nor V. Henderson speaks for him and he is not a member of a citizen group. He said he pays his own legal fees and he has rights under the state constitution and the Growth Management Act to challenge the actions of the

county if he believes they violate state law.

A **motion** is made by Commissioner Brown and seconded by Commissioner Angel that the Board enacts **Ordinance No. 410-3008**** extending the 180-day moratorium enacted under Kitsap County Ordinance 397-2007 that imposed a moratorium on new applications for land use permits in the Urban Growth Areas that were expanded in the 2006 10-Year update to the Kitsap County Comprehensive Plan. Motion carries unanimously.

8) 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. Craig Jensen addresses the Board with concerns about permit fees.
- B. Mary Canchun addresses the Board with concerns about an easement to their property that is blocked by DNR land.
- C. Lois McMahan, Olalla resident, questions for individuals who already have permits would they be allowed to build?

9) COUNTY ADMINISTRATOR'S COMMENTS:

- A. Nancy Grennan spoke on the volunteer opportunities at the Kitsap County and encouraged individuals to sign up on the county's web site or call the Volunteer Services Coordinator.

10) BOARD OF COMMISSIONER'S COMMENTS:

- A. Commissioner Brown gave highlights of his trip to WA DC as the Puget Sound Naval Bases Association local government representative.
- B. Commissioner Angel announces the South Kitsap Skate Park Association is working towards getting a park at the Jackson/Lund location. She also announces that a presentation would be given on Howe Farm uses at the next Board of Commissioners meeting scheduled for March 24, 2007.

Public meeting adjourned at 10:04 pm.

**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:

3/10/08	2:00 p.m.	Admin Briefing – Port Blakely Conf Room
	7:00 p.m.	BOCC Public Meeting – Commissioner Chambers
3/11/08	12:00 p.m.	Lunch with Employee of the Month – Gino’s
	2:00 p.m.	KCCHA Retreat – Bremerton Gov Center
3/12/08	8:30 a.m.	Work Study Session - Port Blakely Conf Room
3/17/08	10:00 a.m.	Admin Briefing - Port Blakely Conf Room
	2:00 p.m.	Admin Briefing – Port Blakely Conf Room
3/18/08	8:00 a.m.	KCCHA//Transit/Cencom Board Meetings
3/19/08	8:30 a.m.	Work Study Session - Port Blakely Conf Room
	12:30 p.m.	Hood Canal Coord Council Mtg-Silverdale Beach Hotel
	7:00 p.m.	CK Community Council Mtg-Silverdale Water Dist Office
3/20/08	5:30 p.m.	Kingston Stakeholders Open House-Chamber of Commerce
3/21/08	12:00 p.m.	Aerial Tour of Kitsap County

(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 **March 24, 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)

March 24, 2008: