



MINUTES

KITSAP COUNTY BOARD OF COMMISSIONERS February 8, 2010 – 7:00 p.m.

The Board of Commissioners met on the above-stated date. Present were Chair Josh Brown, Commissioner Steve Bauer, Commissioner Charlotte Garrido (Absent), 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) RECOGNITION/SERVICE AWARDS:

- a) Recognition and presentation of the *Outstanding County Government Volunteer Award* to **Lou Foritano** for February, 2010. **Staff Contact:** Joy Crema, 337-7185.

Discussion is held and a Certificate of Appreciation is presented to Lou Foritano for being selected the *Outstanding County Government Volunteer* for February, 2010.

#2) BOARD APPOINTMENTS:

- a) **Resolution** appointing **Kathleen Simpson** (Dist #2) to the *Parks & Recreation Advisory Board* to complete a term ending December 31, 2011. **Staff Contact:** Jan Koske, 337-4650.

Discussion is held and a **motion** is made by Commissioner Brown and seconded by Commissioner Bauer that the Board adopts **Resolution No. 033-2010*** appointing **Kathleen Simpson** (Dist #2) to the *Parks & Recreation Advisory Board* to complete a term ending December 31, 2011. Motion carries.

- b) **Resolution** reappointing **Bill Mosiman** to the *Peninsula Regional Support Network Advisory Board*. **Staff Contact:** Jan Koske, 337-4650.

Discussion is held and a **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board adopts **Resolution No.034-2010*** reappointing **Bill Mosiman** to the *Peninsula Regional Support Network Advisory Board*. Motion

carries.

- c) **Resolution** appointing **Vickie Fick** as *Acting Kitsap County Treasurer* effective February 17, 2010 and pending the replacement of Treasurer Barbara Stephenson. **Staff Contact:** Nancy Grennan, 337-4403.

Discussion is held and a **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board adopts **Resolution No. 035-2010*** appointing **Vickie Fick** as *Acting Kitsap County Treasurer* effective February 17, 2010 and pending the replacement of Treasurer Barbara Stephenson. Motion carries.

**OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ON REGULAR
BUSINESS AGENDA, INCLUDING CONSENT AGENDA & ANY 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 slated for public hearing will be deferred until the hearing.

1. Stacey Bryan, Marion Barnes, Michael Vanying, Lisa Ryder, Susan Krowieki, C. Boekenoogen, Garner Wright and Shelly Boekenoogen addresses the Board with concerns about the 4-H Club being charged a fee to use the Kitsap County Presidents Hall. Bryan also submitted a letter regarding the matter from one of the 4-H'ers who was unable to attend the meeting.
2. Andy Bergsagel asks the Board if it would consider installing a "round about" on the Seabeck Holly Highway.

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 Bauer and seconded by Commissioner Brown that the Board approves the Consent Agenda. Motion carries.

1) MISCELLANEOUS ITEMS:

- B. Approve Minutes of January 25, 2010.
- C. Approve Warrant Nos.3443713 – 3444424 in the amount of \$3,222,412.02.
- D. Approve Payroll Warrant Nos. 667164 – 667207 in the amount of \$1,826,035.54.

- E. Refer to the Prosecutor’s Office and Risk Manager: 1) Claim for Damages filed by V. Lopez; and 2) Claim for Damages filed by T. W. Botts.
- F. Approve formal written decision of the Board-Re: Ramirez Landscape Business Conditional Use Permit.

2) DEPARTMENT OF ADMINISTRATIVE SERVICES:

- A. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board approves the Contract with **Eberle Vivian Self Insurance Administrators (KC-156-09)** for claims administration/workers compensation services for the period of February 1, 2009 – January 31, 2010. **Fiscal Impact:** \$62,700 – Workers Comp Insurance Fund. **Staff Contact:** Mark Abernathy, 337-4408. Motion carries.

3) SHERIFF’S OFFICE:

- A. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board approves the Contract amendment with **WA State Department of Corrections (KC-438-06B)** to provide housing for the Department of Corrections inmates. **Fiscal Impact:** Reduction of 60 guaranteed beds to 40, resulting in a reduction of \$438,000 – Dept of Corrections. **Staff Contact:** Ned Newlin, 337-7107. Motion carries.

4) DEPARTMENT OF PERSONNEL & HUMAN SERVICES:

- A. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board approves the Revenue contract amendment with **WA State Department of Social & Health Services (KC-394-09A)** providing public mental health services (state funded) in Kitsap, Jefferson and Clallam counties. **Fiscal Impact:** 100% Grant funded by DSHS. **Staff Contact:** Anders Edgerton, 337-4886. Motion carries.
- B. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board approves the Revenue contract amendment with **WA State Department of Social & Health Services (KC-393-09A)** providing public mental health services (Medicaid) in Kitsap, Jefferson and Clallam counties. **Fiscal Impact:** 100% funded by DSHS. **Staff Contact:** Anders Edgerton, 337-4886. Motion carries.
- C. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board approves the Revenue contract amendment with **Olympic Consortium and WA State Department of Commerce (KC-213-09B)** amending the WorkFirst Program serving Clallam, Jefferson and Kitsap counties. **Fiscal Impact:** \$100,000 is 100% Grant funded by TANF (Federal). **Staff Contact:** Bob Potter, 337-4873. Motion carries.

- D. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board approves the Interlocal agreement with **Port Gamble S’Klallam Tribe (KC-015-10)** to provide senior nutrition services with the Tribe for the period of January 1, 2010 – December 31, 2010. **Fiscal Impact:** \$18,475 is 100% grant funded by DSHS. **Staff Contact:** Linda Hanna, 337-7068. Motion carries.
- E. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board approves the Revenue contract with **WA State Department of Social & Health Services (KC-019-10)** providing data share services for the period of October 1, 2009 – September 30, 2013. **Fiscal Impact:** 100% Grant funded by DSHS. **Staff Contact:** Linda Hanna, 337-7068. Motion carries.
- F. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board adopts **Resolution No. 036-2010*** finalizing reclassifications approved in the 2010 budget. **Fiscal Impact:** *General Fund:* Net 2010 cost is approx \$7,450 including salary and associated benefits; *DCD Enterprise Fund:* 2010 cost is approx \$6,652 including salary and associated benefits; and *Workforce Investment Act:* 2010 cost is \$3,400; total projected annual cost is approx \$8,800 including salary and associated benefits. **Staff Contact:** Lynn Huson, 337-3536. Motion carries.

5) **DEPARTMENT OF PUBLIC WORKS:**

- A. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board adopts **Resolution No. 037-2010*** authorizing approval of transferring tax title lands (adjacent to Dickey Road NW Dist #3) to the Department of Public Works Road Division. **Staff Contact:** Molly Foster, 337-4688. Motion carries.
- B. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board adopts **Resolution No.038-2010*** initiating county road projects in all commissioner districts. **Fiscal Impact:** \$6,556,000 – Road Fund. **Staff Contact:** Jon Brand, 337-4893. Motion carries.
- C. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board adopts **Resolution No.039-2010*** accepting the NW Anderson Hill Road at Apex Road intersection improvements project with Primo Construction, Inc as complete. **Staff Contact:** Jacques Dean, 337-4671. Motion carries.
- D. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board adopts **Resolution No. 040-2010*** accepting the county wide sidewalk repair and replacement project with Northern Con-Agg as complete. **Staff Contact:** Jacques Dean, 337-4671. Motion carries.

- E. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board approves the Contract with **WA State Department of Ecology (KC-063-10)** for the 2010-2011 Coordinated Prevention Grant to assist the Solid Waste Division to implement activities identified in the Kitsap County Comprehensive Solid Waste Management Plan. **Fiscal Impact:** \$351,500- Solid Waste Fund. **Staff Contact:** Pat Campbell, 337-4626. Motion carries.
- F. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board approves the Contract amendment with **KPFF Consulting Engineers (KC-205-09A)** for the Silverdale Way NW Improvements from Anderson Hill Road to State Route 3 pre-design study. **Fiscal Impact:** \$5,640 – Road Fund. **Staff Contact:** Jon Brand, 337-4893. Motion carries.
- G. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board approves the Contract with **Herrera Environment Consultants (KC-020-10)** for Western Washington LID BMP sizing tool for small sites. **Fiscal Impact:** \$250,328 – Ecology Grant. **Staff Contact:** David Tucker, 337-7292. Motion carries.
- H. Contract with the **Department of Ecology (KC-021-10)** for Western Washington LID BMP sizing tool for small sites. **Fiscal Impact:** \$255,000 – Ecology Grant. **Staff Contact:** David Tucker, 337-7292.
- I. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board affirms **Resolution No. 031-2010** authorizing an emergency closure of Seabeck Highway NW in Central Kitsap, Commissioner Dist #3. **Staff Contact:** Jon Brand, 337-4893. Motion carries.
- J. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board approves the Contract with **Quigg Brothers, Inc. (KC 070-10)** for emergency repairs on the Seabeck Highway-Big Beef Creek Bridge in Central Kitsap, Commissioner Dist #3. **Fiscal Impact:** Not to exceed \$250,000 – Road Fund Balance. **Staff Contact:** Jon Brand, 337-4893. Motion carries.
- K. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board adopts **Resolution No. 041-2010*** designating certain expenditures for potential reimbursement from bonds that may be authorized and approved for issuance by the Board of County Commissioners in the future. **Staff Contact:** Stella Vakarcs, 337-3660. Motion carries.
- 6) COMMISSIONERS/COUNTY ADMINISTRATOR’S OFFICE:**
- A. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board adopts **Resolution No. 042-2010*** approving purchase and sale agreement for the Harborside Condominiums (Unit C-204). **Fiscal Impact:** Related revenue of \$349,000. **Staff Contact:** Nancy Grennan, 337-4403. Motion

carries.

- B. A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board approves the contract amendment with **BCRA, Inc (KC-002-09B)** for the Central Kitsap Community Campus Project. **Fiscal Impact:** \$306,600 – Silverdale Project Fund. **Staff Contact:** Carolyn Siems, 337-4412. Motion carries.

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 the **Arborwood Developer’s Agreement** and a **Resolution** to approve the Agreement. Kitsap County Ordinance No. 352-2005 (adopted December 19, 2005) included the Arborwood property within the Kingston Urban Growth Area (UGA) and concurrently changed the Comprehensive Plan to reflect an Urban Low Density Residential designation with an implementing zoning of Urban Cluster Residential. Specific language from the ordinance is as follows: *The inclusion of the Arborwood property within the Kingston UGA is subject to the following conditions; a) No development will be permitted until a development agreement is signed by the county and owner that establishes development standards and an applicable vesting period...* **Staff Contact:** Dennis Oost, 337-3365.

Larry Keeton, Department of Community Development, gave a brief overview of the proposed Developer’s Agreement stating the agreement allows the developer to vest to a certain “standard only” once. He said as the project is developed over a period of years the same standard applies throughout the life the project. He said this agreement is a legislative action between the Board and the developer which is Olympic Properties Group (OPG). Keeton said this property was located outside the urban growth area but was allowed to be included provided a developer’s agreement was instituted. He said a public hearing was conducted before the Hearing Examiner on October 8, 2009 and approval was recommended.

Tom Goetz, representing Olympic Properties Group, spoke in support of the proposed agreement and asks the Board to approve it.

A **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board adopt **Resolution No. 043-2010*** approving the Arborwood Developer’s Agreement. Motion carries.

- B) **Emergency Ordinance** amending Ordinance No. 433-2009 which amended Title

12 pursuant to the Western Washington Phase II Municipal Stormwater Permit (NPDES). **Staff Contact:** Doug Frick, 337-4407.

Larry Keeton, Department of Community Development, said the Board is being asked to adopt an interim ordinance relating to flow control exemption for Title 12, the county's code for governing stormwater. He said this change becomes effective on February 16, 2010. Keeton said the flow control exemption applies to the development of less than an acre parcels which cannot be achieved through the infiltration or dispersion method to manage stormwater. He said these parcels are not exempt from meeting other requirements of water quality, erosion control, soil controls and various other requirements. He said if the Board adopts the emergency ordinance, staff will then schedule a public hearing before the Planning Commission in which they will take public testimony and then submit recommendations to the Board. He said staff is required to conduct a public hearing within sixty days regarding this ordinance and proposes the dates of February 22nd or March 8th. Keeton then explains the exemption process.

Discussion is held between the Board and staff regarding whether the exemption applies to both residential and commercial properties; checklist on flow control only, whether the exemption process applied to residential properties; currently the ordinance applies to all properties less than a acre of development; whether the ordinance could be adopted excluding residential properties; sites that are less than an acre are not required to meet the new state standard; and residential properties not being apart of earlier discussions with the Board.

A **motion** is made by Commissioner Bauer that the Board adopt the Emergency Ordinance amending Ordinance No. 433-2009 subject to exempting residential properties from the exception process. **Motion failed for lack of second.** Motion is withdrawn.

No further discussion, this matter is continued to Wednesday, February 10, 2010 at 9:00 am for decision.

C) Ordinance adopting the Kitsap County Stormwater Design Manual. Staff Contact: Doug Frick, 337-4407. **SAID MATTER FOR DECISION ONLY**

Discussion is held and a **motion** is made by Commissioner Bauer and seconded by Commissioner Brown that the Board enacts **Ordinance No. 447-2010**** adopting the **Kitsap County Stormwater Design Manual**. Motion carries.

7) OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD:

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

1. Tom Nevins, Poulsbo resident, comments on the Emergency Ordinance previously discussed by the Board (Agenda item 7:15 B).

- 2. Greta Cohen, Kathy Unger, C. Barton, H. Brandt, Zoe, and Joe Bryan addresses the Board with concerns about the 4-H Club being charged a fee to use the Kitsap County Presidents Hall.

8) **COUNTY ADMINISTRATOR’S COMMENTS:**

9) **BOARD OF COMMISSIONER’S COMMENTS:**

- 1. Commissioner Brown invites the public to attend the NW Greaves Way “ribbon cutting” ceremony on Wednesday afternoon at 2:30 pm.

Public meeting adjourned at 9:00 pm.

**BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY WASHINGTON**

JOSH BROWN, CHAIR

CHARLOTTE GARRIDO, COMMISSIONER

STEVE BAUER, COMMISSIONER

ATTEST:

OPAL ROBERTSON, Clerk of the Board

DATE APPROVED

* See Resolution Journal Volume No. 65

** See Ordinance Journal Volume No. 19

OTHER MEETINGS ATTENDED BY THE BOARD:

02/08/10	2:00 p.m. 6:45 p.m. 7:00 p.m.	Admin Briefing– Pt Blakely Conf Room Industrial Development Corp Public Meeting-Chambers BOCC Business Meeting – Commissioners Chambers
02/10/10	8:30 a.m.	Work Study – Port Blakely Conf Room

02/15/10 **8:00 a.m.** ***Presidents Holiday – Office Closed***

02/16/10 8:00 a.m. KCCHA/Transit/CenCom Board Mtgs- Brem Gov Center

02/17/10 8:30 a.m. Work Study – Port Blakely Conf Room
 1:00 pm Hood Canal Coordinating Council- Shelton, WA

(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 1:00 AM and at 11:00 AM).

Next regular Board of Commissioners public meeting will be held **February 22, 2010 at 7:00 p.m.** in the Board of Commissioners Chambers 619 Division Street Port Orchard, WA 98366.

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).