



District No. 1 Commissioner: Phil Johnson
District No. 2 Commissioner: David W. Sullivan
District No. 3 Commissioner: John Austin

County Administrator: Philip Morley
Clerk of the Board: Lorna Delaney

DRAFT

MINUTES
Week of October 11, 2010

Chairman David Sullivan called the meeting to order at the appointed time in the presence of Commissioner Phil Johnson and Commissioner John Austin.

PUBLIC COMMENT PERIOD: The following comments were made by citizens in attendance at the meeting and reflect their personal opinions: The Port Townsend Paper Company biomass project raises old environmental issues such as smoke adding pollution to the air and new environmental practices are needed to correct mistakes from our past; comments were made last week that DCD was bogged down with Public Records requests and information was presented that indicated that e-mails were sent to and from an elected official that were County business from an election campaign computer which are subject to the Public Records Act; The State Supreme Court recently upheld a decision that any County business done on a personal computer is still a public record and is subject to disclosure under the Public Records Act; destruction of a public record is a Class C felony; this Board has done nothing to help the economy of the County and they have not made any regulatory changes that will invite and/or keep business in the County; the County keeps shooting itself in the foot with Mr. D'Amico who would have been happy if the County had helped his business grow; the political campaigns need to stick to the issues and stay away from personal attacks; political campaigns need to be kept civil and the Sheriff and Public Health departments are excellent; a recent court decision against Jefferson County used the term "arbitrary and capricious" which is very harsh for a court to use and the County needs to ease up on land use regulations; one of the Commissioners should be out promoting the passage of Proposition No. 1 instead of the hired gun and the Chimacum Corners project is proceeding very slowly; the Port Townsend Paper biomass project will not provide any financial benefit to the County because the ownership of the Mill is not local; the County's attitude toward the way that it manages the public's records is costing the County a lot of money; and the correspondence received from the public used to be in the agenda packet which is no longer done because the County Administrator changed the way it is handled.

APPROVAL AND ADOPTION OF THE CONSENT AGENDA: Commissioner Austin moved and Commissioner Johnson seconded the motion to approve all of the items on the consent agenda as presented. The motion carried by a unanimous vote.

1. **Advisory Board Appointment;** Jefferson County Developmental Disabilities Advisory Board; Three (3) Year Term Expires October 11, 2013; Patty Perry
2. **Advisory Board Reappointment;** Jefferson County Conservation Futures Advisory Board; Four (4) Year Term Expires October 14, 2014; Elijah Christian
3. **Payment of Jefferson County Payroll Warrants** Dated October 5, 2010 Totaling \$813,508.35 and A/P Warrants Done by Payroll Dated October 6, 2010 Totaling \$642,140.94



APPROVAL OF MINUTES: Commissioner Austin moved and Commissioner Johnson seconded the motion to approve the minutes of September 13, 20, 27 and October 4, 2010 and the Special Meetings of September 28 and 30, 2010 as presented. The motion carried by a unanimous vote.

COMMISSIONERS BRIEFING SESSION: The Commissioners provided updates on the following items:

Commissioner Austin reported on the 4-H appreciation ceremony which was very well attended and recognized accomplishments and long term volunteers; tomorrow is the change of command ceremony at the Indian Island Detachment and there is a State Board of Health meeting he will attend in Olympia on Wednesday;

Commissioner Johnson then advised that he will attend the Olympic Regional Air Pollution meeting this week;

Commissioner Sullivan reported that all of the Commanders that have been at Indian Island have been very responsive to the County in the last 6 years and the Board has a good relationship with the Navy.

HEARING: Determination to Declare Certain County Real Property as Surplus:

Treasurer Judi Morris reported that this property is located in Oil City and is owned by the County through tax title action. This hearing is for the intent to sell because a citizen has submitted an application to purchase it and it must be declared surplus to make the sale. She suggested a minimum bid of \$692.40.

The Chair opened the public hearing. A person asked where the property is located. Commissioner Austin pointed out on a map where it is generally located in the West End of the County.

Hearing no comments for or against this determination, the Chair closed the public hearing. Commissioner Austin moved to approve **RESOLUTION NO. 42-10** the determination to declare certain County real property as surplus and to allow the Treasurer to proceed with the disposition of said surplus property for a minimum bid of \$692.49. Commissioner Johnson seconded the motion which carried by a unanimous vote.

HEARING: Proposed Ordinance Amending the Enhanced 911 (E-911) Excise Tax (Additional \$.20 per line) on the Use of Switched Access Lines, Radio Access Lines and Interconnected Voice Over Internet Protocol (VOIP) Service Lines: Janet Silvus, JeffCom Director, reported that a new RCW requires that the County's excise tax be increased to fund Voice Over Internet Protocol (VOIP) and the next generation of enhanced 911 systems which includes features to keep pace with technology. This excise tax increase is from \$.70 per line to \$.90 per line. If this tax is not increased the County will lose the revenue from the State of E-911. The VOIP is currently not being taxed and many people are using this service. She reiterated that this tax is being imposed to help fund the enhancements needed for E-911 services.

County Administrator Philip Morley explained that the State is forcing 911 Centers toward these enhanced services and if this tax isn't imposed the State matching funds for these services will be withheld from the County. Janet Silvus added that the County is very much reliant on the State funding



to provide E-911 services. Philip Morley reported that the JeffCom Administrative Board unanimously recommends this tax increase.

The Chair opened the public hearing.

Bill Miller, Port Townsend urged the Board to implement this \$.20 per line excise tax increase and said he feels it is in the best interest of the County and its citizens.

James Robinson, Reporter for the Port Townsend Leader asked if the State funds that would go away are used to support JeffCom? Janet Silvus answered that is correct.

Alden Johnson, Port Ludlow, asked if a cell phone with a "206" prefix would be charged this increase in the excise tax for Jefferson County? Janet Silvus answered that it is not clear but she believes that cell phones will be charged for the address where the phone is billed.

Ed Wilkerson, Fire Chief, East Jefferson Fire and Rescue and representing the East Jefferson Fire Chiefs Association, stated that the Board doesn't have a lot of choice in enacting this excise tax increase. If the County doesn't approve this ordinance the entire \$.70 per line revenue would also be lost to the County. Public Safety services in Jefferson County cannot afford to lose this funding.

Hearing no further comment for or against this proposed excise tax increase, the Chair closed the public hearing.

Philip Morley pointed out that a letter of support was received from Jefferson County Fire District No. 2 and he then reviewed the makeup of the JeffCom Administrative Board which includes representation from the Fire Districts, the County and the City of Port Townsend.

Commissioner Johnson moved to approve **ORDINANCE NO. 05-1011-10** as presented. Commissioner Austin seconded the motion. The Chair called for a vote on the motion which carried by a unanimous vote.

AGREEMENT: Collection of E911 Taxes; Revenue In the Amount of \$306,600 and Expenditure in the Amount of \$3,066; Jefferson County JeffCom; Washington State Department of Revenue: Janet Silvus explained that this agreement is required so that the State Department of Revenue will collect the additional excise tax just approved. Commissioner Austin moved to approve this agreement as presented. Commissioner Johnson seconded the motion which carried by a unanimous vote.

An Executive Session was scheduled from 10:30 - 11:30 a.m. with County Administrator, Deputy Prosecuting Attorney, Community Development Director, Planning Manager, Associate Planner and Outside Legal Counsel re: Attorney-Client Privilege; Exemption as Outlined in the Open Public Meetings Act RCW 42.30.110 (1)(i) Actual Litigation. The session actually ran to Noon after being extended twice - once to 11:45 a.m. and then to Noon.



The meeting was reconvened at Noon and the Board took no action as a result of this Executive Session.

Declaration of Intent to Declare Certain Real Property as Surplus and HEARING

NOTICE: Commissioner Austin moved to approve **RESOLUTION NO. 43-10** and the Hearing Notice on the intention of Jefferson County to sell surplus County property located in Quilcene. Commissioner Johnson seconded the motion which carried by a unanimous vote. The hearing is set for October 25, 2010 at 10:00 a.m. in the Commissioners' Chambers, Courthouse, Port Townsend.

The meeting was recessed at the conclusion of the business listed for the morning and reconvened at 1:30 p.m. with all three Board members present.

COUNTY ADMINISTRATOR BRIEFING SESSION: County Administrator Philip

Morley discussed the following items with the Board:

Discussion: Regional Parks and Recreation Committee

Discussion: Courthouse Roof Stabilization Project

Update: Port Hadlock Wastewater (Sewer) System Financing

An Executive Session was scheduled from 2:45 to 3:00 p.m. with County Administrator, Public Works Director, Budget Contractor, Community Development Director, Planning Manager, Associate Planner and Right-of-Way Representative re: Real Estate Negotiations; Exemption as Outlined in the Open Public Meetings Act RCW 42.30.110 (1)(b); To Consider the Selection of a Site or the Acquisition of Real Estate by Lease or Purchase. The session actually ran from 2:50 p.m. to 3:20 p.m. The public meeting was reconvened at the conclusion of the Executive Session for the following action:

Direction to the Department of Community Development re: Interim Financing

Package for the Port Hadlock Wastewater Facility (a required urban service within the Irondale/Port Hadlock Urban Growth Area): Commissioner Johnson moved to direct the Department of Community Development to proceed immediately to develop the necessary procedures and documents to accomplish scenario number 2 *(Complete 100% design and 20% land acquisition for which it is estimated that a \$1,800,000 loan/bond issue will be needed with an estimated annual debt service (assumes 20 years) at risk if the project does not go forward of \$127,000)* of the interim financing scenarios for 2011 as reviewed and recommended by the Department. Commissioner Austin seconded the motion which carried by a unanimous vote.

CONTINUATION OF COUNTY ADMINISTRATOR'S BRIEFING SESSION:

County Administrator Philip Morley continued briefing the Board on the following items:

Calendar Coordination

Miscellaneous Items:



- Review of letters sent to Union Representatives from Labor Relations Consultant Bob Braun with information from County Administrator Philip Morley
- Letter to Employees: After review and editing a draft letter, Commissioner Austin moved for the Board to sign a letter to all County employees regarding the impact of the economy on the 2011 budget as discussed and edited. Commissioner Johnson seconded the motion which carried by a unanimous vote.
- Letter of Support: After review of a letter of support, Commissioner Johnson moved for the Board to approve and sign a letter to Jane Lubchenco, Under Secretary of Commerce for Oceans and Atmosphere for the re-authorization of the National Marine Sanctuary Act. Commissioner Austin seconded the motion which carried by a unanimous vote.

NOTICE OF ADJOURNMENT: Commissioner Johnson moved to adjourn the meeting at 4:34 p.m. until the next regularly scheduled meeting or properly noticed special meeting. Commissioner Austin seconded the motion which carried by a unanimous vote.

MEETING ADJOURNED

JEFFERSON COUNTY
BOARD OF COMMISSIONERS

SEAL:

David Sullivan, Chair

ATTEST:

Phil Johnson, Member

Lorna Delaney, CMC
Clerk of the Board

John Austin, Member