



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

MINUTES
Week of April 18, 2011

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

PUBLIC COMMENT PERIOD: The following comments were made by citizens in attendance at the meeting and reflect their personal opinions:

- The Prosecuting Attorney stated that there was a security scare in the Courthouse last week and he is concerned about Courthouse security;
- Kitsap Mental Health had to release 61 mental health patients last month and another 300 people are being turned away from mental health care because there is no funding. Someone needs to be a champion for mental health funding in the State so the legislature puts a priority on it and the needs of people are put first;
- We need adequate security in this Courthouse and the building needs to be upgraded for earthquake;
- Everyone was invited to the Grand reopening of the park and campground in Quilcene next weekend which will include many other events during the day;
- A proclamation was submitted to the Board to recognize "Parental Alienation Awareness Day" on April 25 and it has not been on the agenda yet;
- The Board needs to talk to the lady asking for the proclamation for recognition of parental alienation as a form of child abuse;
- There are definite needs for more security and safety in the Courthouse and there needs to be security for this room;
- There are issues with the franchise agreement with PSE that is on the agenda today. This agreement says that only Jefferson County can use these poles for free and everyone else will have a pay fee and that includes NoaNet. This is a non-exclusive franchise agreement and that means that PSE could come back and build a utility for just the most profitable customers while every other customer would have to pay higher prices to the PUD;
- Sheriff's Deputies need to be document when people are removed from the Commissioners meetings. The Prosecuting Attorney knows that there are certain defined weapons in the RCW.

APPROVAL AND ADOPTION OF CONSENT AGENDA: Commissioner Johnson moved to delete Item 1 and to approve the balance of the items as presented. Commissioner Sullivan seconded the motion which carried by a unanimous vote.

1. **DELETED** Resolution No. Re: Hearing Notice: 2011 1st Quarter Supplemental Budget Extension - Appropriations; Various County Departments; Hearing Scheduled for May 2, 2011 at 10:15 a.m. in the Commissioners Chambers
2. **AGREEMENT NO. G1000404, Amendment No. 2:** Coordinated Prevention Grant - Education; Increase Amount by \$3,473.00 for a total of \$53,465.00; Jefferson County Public Health; Washington State Department of Ecology



3. **AGREEMENT NO. G0800563, Amendment No. 1:** Grant Funding for the Port Hadlock Urban Growth Area (UGA) Sewer Design Development Project; Reclaimed Water Grants Program; Revenue in the Amount of \$197,797.00; Jefferson County Public Works; Washington State Department of Ecology
4. **AGREEMENT:** Recycle Warehouse Roof Repair; In the Amount of \$3,902.40; Jefferson County Public Works; Olympic Steel LLC
5. **AGREEMENT:** Target Zero Task Force Project; Revenue in the Amount of \$42,985.00; Jefferson County Sheriff; Washington Traffic Safety Administration
6. **Payment of Jefferson County Vouchers/Warrants** Dated April 11, 2011 totaling \$677,900.02 and Dated April 12, 2011 totaling \$1,671.50

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

Commissioner Sullivan reported that he spent time in Olympia as budget issues were discussed and attended the WSAC Legislative Steering Committee. Licensing was discussed with regard to legalizing medical marijuana and the unfunded mandate it would create for counties. He also attended a PRTPO meeting in Shelton. Many communities in the region are finding that there are liability issues when Transit systems use private property for bus stops. He will be attending the Transit Finance Committee and the Transit Authority meetings this week. The RC&D will no longer be funded with federal dollars and the Executive Director position will manage the outstanding grants. It is not known what will happen once those grants are concluded.

Commissioner Johnson reported that he toured the Brinnon Motel and Community Center with the County Administrator and the Facilities Maintenance Foreman. This is an important community meeting hall but there are problems with the facility that are complicated and need to be addressed. He reported that the issue of medical marijuana came up at the LEOFF Board meeting and that Board agreed that this medical expense not be allowed until the State makes the sale legal.

Chairman Austin reported that the State Board of Health (BOH) will have a presentation on the radiation from Japan as it may effect Washington State. There is monitoring done in several places around the State. They do not recommend that people take potassium. In order to save funds the State BOH has stopped paying travel expenses for the Board members. There were members who tried to participate in the meeting by phone, but that didn't work well because the technology wasn't adequate.

Philip Morley noted that Team Jefferson will be working to transition from WSU to a stand alone entity. The first joint meeting of the Regional Parks and Recreation Committee is being arranged by staff.

BID OPENING: *Jefferson County Courthouse Roof Stabilization Project:* This bid opening was cancelled.

DISCUSSION AND POSSIBLE APPROVAL: *Resolution Granting a Nonexclusive Franchise to Install and Operate Electric Power Facilities in Eastern Jefferson County; Puget Sound Energy:* County Administrator Philip Morley reported that the record was kept open after the oral testimony was closed. Jim Pearson, Public Works Development Review Planning Projects Coordinator, advised that staff has reviewed the comments received and have summarized them. The Public Works Department recommends that the franchise be granted. Commissioner Sullivan said that the PUD submitted a letter. They have discussed the issues with their attorneys and they do not feel there is any issue with them moving forward with taking over the PSE electric utility and working with NoaNet. The PUD is a member of NoaNet.



Commissioner Sullivan moved to approve **RESOLUTION NO. 14-11** authorizing the Puget Sound Energy, Inc. nonexclusive franchise to construct, maintain and operate electrical power transmission and distribution lines together with poles, wires, and other appurtenances upon, over, along and across a franchise area within unincorporated Jefferson County. Commissioner Johnson seconded the motion.

Philip Morley noted that a question brought up this morning about this franchise allowing PSE to come in as a competitor of the PUD after the PUD takes over the electrical utility. Jim Pearson clarified that the franchise provides that it can be transferred to another party. The PUD and PSE would apply to the County to transfer the franchise. The Board would take action on that request. There are sections of the franchise that would have to be revised if the PUD took it over. PSE is regulated by the Utilities and Transportation Commission (UTC) and the franchise reflects that regulation. The PUD would not be regulated by the UTC. The franchise includes standard language on the issue of County facilities on the poles, Philip Morley noted.

The Chair called for a vote on the motion. The motion carried by a unanimous vote.

HEARING: Community Development Block Grant (CDBG) Application; 2011 Public Service Grant and Close Out of the 2010 Public Service Grant; Olympic Community Action Programs (OlyCAP): Tim Hockett, Executive Director of Olympic Community Action Programs (OlyCap), explained that this hearing is on the closeout of the 2010 Community Development Block grant and the application for 2011 Community Development Block grant. He thanked the County for being the host agency for this block grant which provides services in Clallam and Jefferson Counties. There are about 15,000 people in poverty and in one way or another OlyCap helps about 12,000 of those people. OlyCap helps people survive poverty by making sure that they receive basic needs (clothing, food, shelter, medical attention) and they try to help people get out of poverty. There are two funds that help OlyCap provide services: 1) Community Development Block Grant (CDBG), and 2) Community Service Block Grant (CSBG.) The application that is coming by the end of the week is for a 6 month period (July through December) for close to \$70,000. He thanked Treasurer Judi Morris for her 16 years on the OlyCap Board with 12 years as the Chair of the Board. She just resigned from the Board and provided sterling leadership and professionalism during her tenure on the Board. He also thanked Karen Bednarski, Auditor's Accountant, for her assistance to OlyCap.

The economy has put more people at risk and more people are falling into the poverty category. There are many people coming to OlyCap now who have never before had to ask for help. OlyCap works with people who are the hardest to employ. Another group that is left out of the workforce are teens because now there are older people coming out of retirement taking service sector jobs that used to be given to teens.

The emergency service program is robust with the Peninsula Home Fund which is used to provide direct help to people in both Counties. Health Care access has been a big issue because health care costs continue to rise which is exacerbating poverty. The Dental Clinic in Port Angeles had to be closed even though it served 2,000 people in 2010. The Health Care Authority notified OlyCap that the funding contract was suspended midterm and then Medicaid changed the rules on coverage for adult dental services which meant that \$30,000 per month was lost which forced OlyCap to close the clinic. OlyCap has been completely evaluating the agency's services with regard to funding contracts, and discretionary funding. Programs must fit the funding that is available. The weatherization program jumped from serving 25 homes to 45 in 2009 and 188 in 2010. In the next six months OlyCap plans to spend about \$30,000 out of the \$70,000 in emergency services, \$15,000 into home care, \$12,000 into Nutrition and a similar amount in energy



services. OlyCap is working heavily in and around Port Townsend on shelter and affordable housing services.

The Chair opened the public hearing. Hearing no comments for or against the closing of the 2010 CDBG Block Grant and the application for the 2011 CDBG Grant, the Chair closed the public hearing.

Commissioner Sullivan moved to approve **RESOLUTION 15-11** the certification of compliance for CDBG Public Services Grant which designates the County Administrator as the Authorized Chief Administrative Official to act in official matters in connection with this application and Jefferson County's participation in the CDBG program. Commissioner Johnson seconded the motion which carried by a unanimous vote.

HEARING: Draft East Jefferson County Forest Plan: Mike Cronin, Consulting Forester in Jefferson County and retired DNR Forester, explained that a year ago several people met with DNR about the proposed Pope Resource land exchange and as a result were asked to provide an alternative to the DNR 2008 Asset Management Strategy. The 2008 Strategy basically drew a line through east Jefferson County roughly west of the Center Valley Road and all of the lands on one side (indicated in brown on the Strategy map) are outside of what DNR considers long term forest management land. Many of those parcels are currently zoned as forestland (indicated in green on the map.) There are many 20, 40 and 80 acre small private forestland owners who benefit from being adjacent to other commercially managed forestlands. The DNR Strategy was to block up and consolidate their forestlands to the west of Highway 101. This alternative considered the individual characteristics of each and every DNR parcel. The 40 to 45 parcels were evaluated carefully to determine their value as habitat, potential forest management revenue generation, and all specific characteristics, prior to a recommendation being placed on the parcel. They recommend that DNR continue to manage and hold the vast majority of those parcels. Some of the parcels have specific ecological features that generate higher levels of protection and the recommendation is to transfer them to protected status. The proposed Asset Management Strategy provides more than one alternative for most of these parcels. Very few are recommended for exchange to private parties. There is a great deal of pressure to convert forestlands as land values go up and these DNR managed parcels are no exception. The land values on the east end of Jefferson County are a little higher and they are close to the hills. To use that as a criteria to dispose of parcels leads you toward disposing of all parcels as growth occurs around them. They believe by holding them and maintaining them the conversion of forestlands can be reduced and private landowners who are adjacent to them will be assisted to manage their land and maintain the infrastructure for continuing work in the forest.

Peter Bahls, Director, Northwest Watershed Institute, said this plan was put together looking at each individual parcel's habitat, timber values, and recreation and open space value to figure out the maximum public benefit option for that parcel. The advantages of DNR having a dispersed ownership is having accessible open space near where people live and helping to prevent conversion of forestlands. If DNR moves out of an area of forestland, over time it makes it a higher risk of conversion from forestland base. This plan took over a year to develop through the work of foresters, habitat biologists and other interested local citizens. There has been strong letters of support sent to the Commissioners for this alternate strategy from the Port Gamble S'Klallam Tribe, the Jamestown S'Klallam Tribe, Forest Tech (a forest consulting company), Hagen Consulting (a forestry company), Northwest Natural Resources Group (focus on preserving forestland and sustainable forestry), the Olympic Environmental Council, the Olympic Forest Coalition, North Olympic Chapter of the Sierra Club, the Jefferson Land Trust and the Olympic Environmental Council.



Commissioner Sullivan asked about the affect on local taxing districts between the two different plans? Peter Bahls explained that DNR would make available for exchange all the parcels outside the areas they want to keep in long term forestry and over time there would be no Forest Board land left in those fire districts. If there is no Forest Board land there is no tax revenue for those fire districts. Once the land is exchanged there is no way to tag the parcel back to the original fire district. In terms of other revenue both proposals are about the same. If some of the parcels are put in Community Forest as proposed in the alternative proposal, it can only occur on school land and not on Forest Board land so there would be no net loss of the Forest Board land in the County.

Commissioner Johnson asked what "Community Forest" is actually? The legislation creating a Community Forest Trust category was just passed, Peter Bahls explained. If there is a piece of school property it can be converted to the Community Forest Trust which buys out the difference between the timber value and the development value of the property. The County and the DNR would split the cost of buying out that additional development value. The parcel would be permanently protected as a piece of forestland and managed for forestry and there isn't the same obligation to produce the maximum revenue from it.

Commissioner Sullivan said managing small pieces of land for forestry is a different operation than managing a very large area. We have many small lot owners that need assistance from people who know what they're doing to manage their small parcel. It seems like this would facilitate having those businesses available in the community because they would have enough work. Mike Cronin noted that without the DNR anchor forest parcels, particularly in the east side of the County, there won't be many larger working forest tracts.

The Chairman opened the public hearing.

Jennifer Ports, Port Ludlow, stated that she was included in the group that worked on this alternate plan. She is the daughter of one of the initial consulting foresters of America and a concerned citizen. To her working forests are essential for many reasons. She said they were looking at a way for DNR to move forward in looking at what she considers their concurrent responsibilities of providing recreation for the public, being thoughtful of environmental concerns, and the need to promote working forests. They have a mandate for public land, not to promote private land or private interests. They wanted to give DNR a set of protocols where they can look authentically at each piece of property on its own merits not some red line that's drawn in the middle of the County. That kind of a cut and run situation is not beneficial for DNR's mandate. These are tools for DNR to use to evaluate each property and they looked at each of the 45 parcels of public land in east Jefferson County. This is kind of a watershed that is not only important for east Jefferson County, but all State lands in all the counties of Washington State and even farther. Washington State is often in the forefront of these industries. They looked at this, not as a way to hamstring DNR, but as a way to provide them more tools with which to more authentically evaluate what their purview is which is public lands.

Ed Wilkerson, Fire Chief, Port Ludlow Fire and Rescue, stated that two letters (one from him and one from the Fire District Board of Commissioners) were submitted. Their position on the land swap hasn't changed from the letter dated April 14, 2009. They have taken a narrow focus on this complex issue. Their concern is that any loss of revenue to the Fire District is something they should be very concerned about. So far this year the District has received over \$40,000 in Forestland Trust funds. This is an amount that has a huge



impact on their budget. They do not want to see any land swap occur that would take Trust land out of Port Ludlow Fire and Rescue's jurisdiction.

Connie Gallant, Quilcene, representing the Olympic Forest Coalition, said that the Coalition's mission is to protect forest and aquatic resources. They have always tried to work with DNR, particularly for DNR to adhere to their management plan when it comes to protecting wildlife and habitat. She became involved in the land group because of her concern about the land swap and also the DNR retreat from the hills. A key issue is to have DNR remain in eastern Jefferson County. Our economic woes cannot be overemphasized and the Fire Districts and junior taxing districts cannot afford to lose the funding they currently have and for that reason they insist that DNR adhere to their management plan and do not yield to development with our public lands. The members of the Olympic Forest Coalition strongly support this plan and they hope that the County does also.

Hilton Tremble, Biologist with the Jamestown S'Klallam Tribe, reported that their Chairman submitted a letter in support of the Asset Management Strategy dated April 6, 2011. The Jamestown Tribe supports this Strategy for the reasons listed in the support letter and due to their long term interest in keeping Trust lands in a public management strategy. They are also looking at the Foothills land exchange which is a large land swap between DNR and Green Crow Corporation. This land swap covers a small amount of land in east and west Jefferson County, as well as lands in Clallam, Grays Harbor, and Mason counties. Almost 7,000 acres of Trust land will be traded to Green Crow for 9,000 acres of DNR property. There are 7 Tribes affected by and in support of this land exchange. This land exchange has almost the opposite effect of what was being proposed here. It's the private timber industry parcels that are located in lower areas and subject to development pressures and are being traded to DNR.

Owen Fairbank, President, Jefferson Land Trust Board of Directors, advised that they have submitted a letter in support of this plan and acknowledge DNR's willingness to give the group two years to come up with an alternate and he appreciates the way they manage timberland. They do it in a way that is more beneficial to the community than what is allowed under the Washington State Forest Practices Act. They want to see these lands saved. Diversified parcels benefit all of us in terms of open space and habitat and their support of other working forests.

Al Scaff, Director, Jefferson County Department of Community Development, said that from the perspective of Growth Management, the Forestland Asset Management Strategy involves 23,457 acres. From the macro perspective of Jefferson County's comprehensive planning under the Growth Management Act, this exchange is part of an overall strategy of resource land management. There are 4 components of resource land management in the Growth Management Act: 1) Forestry, 2) Agriculture, 3) Mining and 4) Aquaculture. Jefferson County has 326,044 acres of designated commercial forestland under GMA. Since 1998 there have been applications to covert forestlands. It is very difficult to convert through the Comprehensive Plan amendment cycle and all such recent applications have been denied. These lands are subject to allowable uses from the development regulations which may include forest practices, mining extraction, farming, aquaculture and for residential homes to be built on legal lots of record (whether they are 40 or 80 acres or blocks or larger in size.) The County development regulations (from GMA 060.1.A) are that "Each County shall assure that the use of the lands adjacent to agriculture, forest and mineral lands shall not interfere with the continued use of those resource lands for the production of food, timber and extraction. The Asset Management Plan is not inconsistent with the Comprehensive Plan. The parcels and



blocks are consistent with the Land Use Map and any change or rezone would require a Comp Plan amendment.

James Tracy, Land Use Counsel for Thorndyke Resources and Fred Hill Materials, testified that the DCD Director just testified to the absolute number of acres of private commercial forestland and public forestland in the County. There is no approaching Armageddon with regard to the conversion of these public forestlands to some other use. There are multiple uses allowed on them already. Previous testimony pointed out that the Constitution mandates that the State Commissioner of Public Lands manage public lands for maximum economic production for the benefit of the Common School Fund. Currently we're involved in all kinds of budget manipulations and balancing. Has anyone asked the question that if we're not going to manage public forestlands for their maximum economic production as timberlands but instead replace that mandate with managing for other legitimate values (open space, fish and wildlife habitat) then what is a cost associated to the Common School Fund? That cost can be quantified or at least estimated. There is no such thing as an open space area that pays for itself. You would need to associate user fees that match the loss to the Common School Fund. The issue with the Asset Management Strategy is the loss of revenue to the Common School Fund. If you are going to adopt a different management strategy for public lands, and you determine after economic analysis that you want to reduce timber production on DNR lands, the management for other functions (open space and habitat, etc.) has a cost associated and that should have some kind of fiscal analysis. The fire issue on public lands is important. If they are not managed for timber production and you are going to manage them for other uses, the implications of those other uses for forest fire need to be considered.

Chairman Austin advised that the State Superintendent for Public Instruction sits on the State Board of Natural Resources.

Gretchen Brewer stated that managing the forest to maximize economic extraction is a problematic approach to managing the forest. Things like ecosystem services, which is an emerging area, realizes that there is an economic value to maintaining the forest as it is. The concept of maximizing the revenue minimizes the length of time forests are available for extraction of forest materials. DNR records show that there is only 8,000 tons of slash per year actually burned in the forest which means if you're going to extract forest material you will be extracting all of the trees. The 8,000 tons is only 1 to 2 percent of what the Port Townsend Paper biomass project would need to fuel their burner. In order to maximize the profits you can get from the forest you'd have to cut down the whole forest which would be a very short term use.

Mike Cronin clarified that the proposal provides a recommendation for more than 75% of the DNR Trust lands to continue to be managed under the DNR Trust Management program as they have in the past. The Community Forest recommended parcels also would be managed parcels. The difference is that these parcels would not be required to produce revenue for the Trust (Common School or Forest Board) but they would provide revenue to pay for administrative costs. They would not be an increased risk of damage from hazards like forest fire.

The Chair closed public comment.



Commissioner Johnson asked where the 8,000 tons of slash is burned each year? Gretchen Brewer answered that is countywide in Jefferson County as an average over the last four years. Commissioner Johnson then asked if the loss to the schools has been estimated? Chairman Austin stated that he sat in on almost all of these Committee meetings and they are trying to keep as much of the land in east Jefferson County under the management of DNR and not have it converted to privately owned forest. This group is looking to maintain forestlands in the long term.

Commissioner Sullivan asked what happens if the Board adopts this alternative plan? Chairman Austin answered that if the Board of Commissioners endorses the plan it will be presented to State Lands Commissioner Goldmark as an alternate for the State Forest Practices Board's consideration.

Commissioner Johnson asked that if under this program DNR can manage open space in a way to recover their management fee, wouldn't that still be a loss to the School Trust? If the land was converted to Community Forest, but this recommendation does not have most of the land going into Community Forest, Chairman Austin answered. The suggested parcels for Community Forest are a placeholder. This alternate proposal does not turn working forests into parks or open space. We can't afford to do that. The main purpose of this is to continue to have working forests where there is harvest and revenue to the County and to the schools. Community Forests could occur in the future, but are not essential to this plan.

Mike Cronin then explained that any Forest Board parcel that returns income to the local taxing districts would have to be transferred to an inter-grant exchange to be traded for school parcels prior to them being designated Community Forest. The local taxing district would be reimbursed and would continue to maintain their Forest Board land base which is the grant that provides the bulk of their income to the local fire districts.

Commissioner Johnson moved to authorize a recommendation to encourage the DNR to consider this alternate Forest Asset Management Plan and to forward it to the State Commissioner of Public Lands. Commissioner Sullivan seconded the motion which carried by a unanimous vote.

CONTINUED DISCUSSION: Status of Additional Information on Finfish Aquaculture; Jefferson County Response to Department of Ecology on Changes to the Locally Approved Shoreline Master Program (LASMP) and Additional Public Input (MLA08-475): Michelle McConnell, Associate Planner, noted that a bibliography of additional information has been prepared on finfish aquaculture. There are 61 items listed with most of them available on-line. A couple of the items in the bibliography are not currently posted because they are still trying to obtain a digital copy. There are also still a handful of items to process. The first 21 documents are key items from '80's and '90's including the final programmatic Environmental Impact Statement. At item 22 the items are listed in the bibliography alphabetically by author's name and are mostly scientific papers from peer review journals, but there are also items prepared by the County's Chief Civil Deputy Prosecuting Attorney, David Alvarez. There is quite a diversity of



topics and issues that are addressed. This is a lot of information to review and consider. DCD staff has not finished reviewing all of these documents.

Commissioner Johnson asked if the County could ask DOE to approve the SMP minus this issue so that the Board can have more time to review all of the documents? Michelle McConnell advised that they have not posed this question to DOE. DOE has already given a response on the County's LASMP that included a prohibition on finfish and net pen aquaculture. She does not believe they would be amenable to a complete omission of that issue from the program. Commissioner Johnson clarified it wouldn't be an omission, but a moratorium. Michelle McConnell advised that a moratorium would be a separate action from the text of the program.

Stacie Hoskins, Planning Manager, explained that the Code allows the County to update the Shoreline Master Program at any time. There would be the challenge of completing it and then going through a whole update process on the SMP within the maximum time line of a moratorium which is 6 months plus 2 extensions or a year and a half total. The discussion continued regarding what would have to be done if a moratorium is considered. Al Scalf added that DOE could approve the LASMP any day and if they approved it with a conditional use for salmon net pens this Board, under their legislative authority, could place a moratorium on the net pens with a statement of public interest and a work plan for the 6 months of the moratorium.

Commissioner Sullivan noted that there is an advantage to many people for having the LASMP approved fairly soon on everything but the net pen issue. Stacie Hoskins added that non-conforming lots are having a challenge at the moment and are waiting for adoption of the new SMP. Commissioner Johnson added that he would love to see the adoption of the SMP (without addressing net pens) moved forward.

Chairman Austin asked what the process is for an article to be included in the bibliography? Michelle McConnell explained that at this point anything that staff has come across has been added to the list. Philip Morley said that currently DCD staff can exercise review of any document as to whether it is pertinent to the subject or not, but once the public hearing is held anyone can submit anything for the record.

Commissioner Sullivan said that he is still interested in the conditional use criteria, if the County goes that route, or the possibilities for a ban. He has concerns because the SMA says aquaculture is a preferred use as long as it is non-polluting. When you look at all the criteria for different permits and all the exemptions from State and federal law it is pretty clear that it is polluting to a degree. The discussion turned to some of the questions that need to be addressed: what are the criteria for conditional use permits? how do you monitor cumulative effects? how many net pens would be too many? how much of a burden should be put on the first net pen application because it will set the groundwork for future applications? and how do we get a baseline for what we have and then measure any impact from that baseline to determine how many is too many?

Commissioner Johnson stated he is not comfortable making a determination at this time. Commissioner Sullivan asked if the 1986 guidance document and the EIS have been brought up to date? Michelle



McConnell reported that they have not found more current versions of those documents. There are some scientific and permit documents that are more current. The discussion turned to what is done in other counties, states and countries regarding net pens.

Philip Morley advised that the Board has stated many issues for staff to work on and next week staff is proposing to bring a letter to send to DOE seeking an extension of the end of April deadline that the County thought it could meet, since this review is not complete.

The meeting was recessed at the conclusion of the business scheduled for the morning. All three Commissioners were present when the meeting reconvened at 1:36 p.m.

COUNTY ADMINISTRATOR BRIEFING SESSION: County Administrator Philip Morley reviewed the following with the Board.

- Briefing re: Draft Memorandum of Understanding for the Management of the Upper Hoh Road
- Calendar Coordination
- Legislative Update
- Miscellaneous Items
- Future Agenda Items

NOTICE OF ADJOURNMENT: Commissioner Johnson moved to adjourn at 4:25 p.m. until the next regularly scheduled meeting or properly noticed special meeting. Commissioner Sullivan seconded the motion which carried by a unanimous vote.

MEETING ADJOURNED

JEFFERSON COUNTY
BOARD OF COMMISSIONERS

SEAL:

John Austin, Chair

ATTEST:

Phil Johnson, Member

Lorna Delaney, CMC
Clerk of the Board

David Sullivan, Member



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

MINUTES
Week of April 25, 2011

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

PUBLIC COMMENT PERIOD: The following comments were made by citizens in attendance at the meeting and reflect their personal opinions:

- The annual permit fee for food vendors in the County has gone up to \$98 per event which is a level that means many won't be able to make money. The Health Board set these fees last year and this needs to be addressed.
- The person negotiating the PSE Franchise Agreement took the comments a constituent submitted for the record and sent them to PSE and asked PSE to comment on them which was not a professional thing for a staff member to do. The County Treasurer has acted on several suggestions for improvements which included posting the Budget Committee meeting minutes on the website.
- The Board needs to understand where small businesses are located in the County and provide help for non-conforming uses especially those covered by the Shoreline Management Plan. JeffCo 101 would like to bid on filming the Commissioners meetings if that is considered in the future.
- Today is the 6th anniversary of Parental Alienation Awareness Day. Why didn't a Judge in this County follow the laws or the Court Rules with regard to a parental alienation case in this community?
- The agreement for Juvenile Detention facilities (Item 4) on the Consent Agenda has no attachment to reality because it assumes that Kitsap County will have extra bed capacity in their Juvenile Detention facility which is not likely to be the case. This agreement should not have been considered on the Consent Agenda and should be deleted because it needs more analysis.
- The consent Agenda item for disposing of County property should be approved because the items have been offered to other agencies with no takers and many of the items are broken and not working and they can be disposed of as provided by policy adopted by the State Auditor last year.
- Fish farms need to be kept out of Jefferson County waters. We are spending money to clean up Puget Sound and the farming of salmon is counter intuitive. Netpens damage the environment and contribute little to the local economy.
- A request was made that Commissioner Sullivan turn in an incident report regarding the removal of a person from the Commissioners meeting. Who authorized the opening of the second door into the Chambers today?
- The unemployment rate in Jefferson County is over 11% and climbing and gas will be \$5/gallon by the tourist season and \$6/gallon by the end of the year; property crimes are increasing in the County and people in the County blame County government for lack of jobs. We need to tighten up security in the Courthouse and around the County.



APPROVAL AND ADOPTION OF CONSENT AGENDA: Commissioner Johnson moved to approval all of the items on the Consent Agenda as presented. Commissioner Sullivan seconded the motion which carried by a unanimous vote.

1. **RESOLUTION NO. 16-11:** HEARING NOTICE: 2011 1st Quarter Supplemental Budget Extension - Appropriations; Various County Departments; Hearing Scheduled for May 9, 2011 at 10:00 a.m. in the Commissioners Chambers
2. **RESOLUTION NO. 17-11:** Finding and Determination to Declare Certain Personal Property as Surplus and Authorize Disposal
3. **AGREEMENT, Amendment No. 1:** Appraisal Services for Mid Hood Canal Acquisition Project; Additional \$7,000 for a total of \$23,400; Jefferson County Public Health; Allen Brackett Shedd
4. **AGREEMENT, Interlocal:** 2011/2012 Juvenile Detention Facilities; Jefferson County Juvenile Services; Kitsap County
5. **AGREEMENT:** Noxious Weed Coordinator; In the Amount of \$18,600; Jefferson County WSU Cooperative Extension; Eve Dixon
6. **AGREEMENT:** Management of the Public Safety Interoperability Communications Grant (PSIC); In the Amount \$120,000; Jefferson County JeffCom; Clallam County
7. **AGREEMENT:** Port Hadlock Wastewater Facility Preliminary Design Services; In the Amount of \$599,395.92; Jefferson County Public Works; Tetra Tech, Inc.
8. **EASEMENT:** Access and Utility Easement for a Privately Maintained Access Road Passing Through a Portion of County's Broad Spit Park Property, Parcel No. 701 282 001
9. **Advisory Board Resignation;** Conservation Futures Advisory Board; Cristie Kisler
10. **Advisory Board Reappointment;** Jefferson County Peninsula Regional Services Network (PRSN); Three (3) Year Term that Expires February 25, 2014; Daniel Deane
11. **Advisory Board Appointment;** Conservation Futures Advisory Board; To Serve a Four Year Term Expiring on 4/25/15; JD Gallant, District #3 Representative
12. **Advisory Board Appointments (2);** Housing Action Plan Network (HAPN); 1) Pamela Roberts, Representing Education and Economic Development (term expires 4/25/13); 2) Beulah Kingsolver, Housing Provider Representative (no term limit)
13. **Payment of Jefferson County Vouchers/Warrants** Dated April 18, 2011 totaling \$457,718.64 and Vouchers/Warrants Dated April 19, 2011 totaling \$2,682.89
14. **Payment of Jefferson County Payroll Warrants** Dated April 20, 2011 totaling \$88,622.15 and A/P Warrants Done by Payroll Dated April 6, 2011 totaling \$109,298.40 and Dated April 20, 2011 totaling \$16,347.60

Approval of Minutes: Commissioner Sullivan moved to approve the minutes of the March 14, 2011 meeting. Commissioner Johnson seconded the motion which carried by a unanimous vote.

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

Chairman Austin reported that he will be meeting with representatives of Old Dominion University who will be moving into Building 202 at Fort Worden;

Commissioner Sullivan said there is a drug "Take Back" day Saturday from 10 a.m. to 2 p.m. sponsored by the Port Townsend Police Department where they will take and dispose of drugs that are in marked containers. The Jefferson County Sheriff's Office will take drugs whether or not they are in marked



containers. There is a Peninsula Development District meeting on Thursday where they will be discussing economic development. The Resource Conservation and Development Committee is now operating as a non-profit Committee because there is no funding available.

Commissioner Johnson said he will be spending a good deal of time this week reading about netpens.

Philip Morley noted that Wednesday evening the Board will be at the Brinnon Community Center for a Community Input meeting.

Proposed Ordinance Re-Establishing a Moratorium against the Issuance of Permits or Approvals Pertaining to Adult Businesses: David Johnson, DCD Associate Planner, reported that this is a request to extend the current moratorium that expires today for another 6 months. A workshop has been scheduled on May 5, 2011 to discuss business licensing for this type of business. If the moratorium is adopted today a hearing must be held within 60 days.

Commissioner Johnson moved to approved **ORDINANCE 01-0425-11** to re-establish a moratorium against the issuance of permits or approvals pertaining to adult businesses. Commissioner Sullivan seconded the motion. County Administrator Philip Morley noted that the Board has been briefed on this and they directed staff to continue to work on the licensing provisions. The Chair called for a vote on the motion. The motion carried by a unanimous vote.

BID OPENING: Dismal Creek Culvert Replacement: Mark Thurston, Public Works Project Manager, opened and read the bids received.

<u>BIDDER</u>	<u>BID</u>
Bruch and Bruch Construction, Port Angeles	\$404,593.90
Pacific Coast General LLC	\$363,827.67
Rognlin's, Inc.	\$436,925.00
Seton Construction	\$308,629.50
Anderson Environmental Contracting	\$258,327.31
Engineer's Estimate	\$415,239.00

Public Works staff will review the bids and make a recommendation for bid award that is to the best advantage of the County.

PROPOSED MEMORANDUM OF UNDERSTANDING (MOU): Re-Open Lake Leland Campground (Adopt a Park Program); Curtis Stacey and Tanya Royer: Matt Tyler, Parks and Recreation Director, explained that Curtis Stacey and Tanya Royer have volunteered for over a year maintaining the day use park at Lake Leland. They visit the park on a regular basis to monitor the activity, to keep the park clean, and remove the garbage. They have done a considerable number of improvements to the park including removing noxious weeds, washing signs, opening up the area so that people can safely access the beach, and maintaining the vault toilet. It is unique for volunteers to operate a campground because a campground is an active use area where you are in a contract with everyone that pays to use the campground. The level of service has to be high and consistent. Mr. Stacie and Ms. Royer are experienced at this type of operation. They considered this proposal for six months and have decided that they will commit to operating the campground for a year. They worked with other volunteer groups to mow and restore the site to its original condition which took several days of hard work. They plan to open it on May 27, 2011 and operate it through the fall season. There is a goal of promoting a family atmosphere at the campground and a modest revenue goal has been set. The funds to pay for this



project come from the campground fees. This is a great park for families to camp, swim and fish. The fee is \$18 per night and is affordable for families. This is also an important economic resource for the Quilcene area. Commissioner Sullivan noted that this campground also provides overflow for people visiting families in Quilcene. Commissioner Johnson moved to approve the MOU as presented. Commissioner Sullivan seconded the motion which carried by a unanimous vote. The Board members thanked Mr. Stacie and Ms. Royer for this and other services to the community.

BID OPENING: Willoughby Creek Bridge Repair: Mark Thurston, Public Works

Project Manager, opened and read the bids received.

<u>BIDDER</u>	<u>BID</u>
Rognlin's, Inc.	\$596,580.00
Seton Construction	\$523,670.97
Bergerson Construction	\$616,911.00
Engineer's Estimate	\$554,458.00.

Public Works staff will review the bids and make a recommendation for bid award that is to the best advantage of the County.

CONTINUED DISCUSSION re: Finfish Aquaculture and Timeline for Preparation of the Draft Jefferson County Response to Department of Ecology on Changes to the Locally Approved Shoreline Master Program (SMP) (MLA08-475): Al Scalf, Director of the Department of Community Development, encouraged the Board to move to closure on the discussion of netpens and schedule a public hearing on the LASMP. Michelle McConnell noted that there is a new bibliography that now includes 84 items which is not an all inclusive list of the literature on finfish aquaculture. There is also a draft letter to the State Department of Ecology asking for an extension of the April 30 deadline for the County's response. She noted that in discussion with the DOE Project Manager it appears that they would be amenable to the County sending a status update without a specific deadline. The County is still on point to meet the statutory deadline which is December of this year.

Commissioner Johnson asked if DOE was asked about adopting what the County has proposed with an exemption for finfish aquaculture? Michelle McConnell reported that she briefed the DOE Project Manager on that idea and DOE feels that is akin to what they have provided in the required change which is to allow finfish aquaculture with a conditional use permit across the board in all shoreline designations. If the County puts forth an SMP that omits (does not address) finfish aquaculture and an application comes in it would be treated as an unlisted use which automatically defaults to a conditional use permit.

Al Scalf said that a public hearing could be held the week of May 16 and in order to do that staff would have to finalize the Code document for next Monday's agenda and prepare a public hearing notice, which means this would have to be done soon. It could be done with the March 21, 2011 changes made by the Board. It could take weeks, if not months, to assimilate the literature that's been gathered. DCD is inclined to leave that information where it is. The public hearing will generate additional information. The discussion turned to possible hearing dates, Commissioners schedules, what issues are part of finfish aquaculture, and what would be included in the public hearing notice. Philip Morley suggested that the bibliography be closed until the public hearing record opens. Michelle McConnell reiterated that any



additional information that comes in will be held to be added to the record later. There is a specific time when the formal public comment period is open. After more discussion of the 1986 guidelines, the need for updated information, and what type of guidance DOE has provided regarding the County's ability to limit finfish net pens, Michelle McConnell reported that staff will bring draft code language and a draft hearing notice for the Board to consider in a couple of weeks.

Commissioner Sullivan moved to approve the letter to DOE advising that the County will not be submitting a response to the Department by April 30 and will continue to work to deliver a response as soon as the local process is complete. Commissioner Johnson seconded the motion which carried by a unanimous vote.

The meeting was recessed at the conclusion of the business scheduled for the morning. All three Commissioners were present when the meeting reconvened at 12:00 p.m. for the Elected Officials Quarterly meeting which then recessed at 1:21 p.m. All three Commissioners were present for their afternoon session which began at 1:36 p.m.

COUNTY ADMINISTRATOR BRIEFING SESSION: County Administrator Philip

Morley reviewed the following with the Board.

- ☞ Calendar Coordination
- ☞ Legislative Update
- ☞ Transmittal Letter to Commissioner of Public Lands Goldmark re: DNR Asset Management Strategy Proposal
- ☞ Miscellaneous Items
- ☞ Future Agenda Items

NOTICE OF ADJOURNMENT: Commissioner Johnson moved to adjourn at 3:35 p.m. until the next regularly scheduled meeting or properly noticed special meeting. Commissioner Sullivan seconded the motion which carried by a unanimous vote.

MEETING ADJOURNED

JEFFERSON COUNTY
BOARD OF COMMISSIONERS

SEAL:

John Austin, Chair

ATTEST:

Phil Johnson, Member

Lorna Delaney, CMC
Clerk of the Board

David Sullivan, Member



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

MINUTES

Special Meeting
April 27, 2011

0 3 2 0 1 1

Chairman John Austin called the meeting to order at approximately 7:00 p.m. at the Brinnon Community Center. Commissioner Phil Johnson, Commissioner David Sullivan, County Administrator Philip Morley and Superior Court Clerk Ruth Gordon. Wayne King, Public Utility District No. 1 Commissioner was present as well.

The Chair welcomed everyone and introduced the elected officials and meeting facilitator Bob Herbst. Superior Court Clerk Ruth Gordon gave a brief overview of the services provided by her office. The facilitator then reviewed the format for the participatory exercise.

The following questions and comments were submitted by the citizens and then grouped by category. Each question/comment was read aloud and a facilitated discussion was held on each category.

BUDGET AND ECONOMIC DEVELOPMENT

- "Given the Revenue Shortfall - What non critical activities are we putting on hold?"
- (Has the County had) "Considerations of Clallam / Jefferson Services? Such as Transit or County Fairs, ect."

GENERAL COUNTY GOVERNMENT

- (Is the) "Shoreline set back 150 feet or 30 feet?"
- "Granted oil spills and traffic via the Straits and Puget Sound are a hazard - What is being done about real bad chemicals coming in?? On ships -"
- "Why is the Dosey Road at the wash out not repaired?"
- "What has been discussed for the future of South Jefferson County - How do you all foresee the economics of our area?"



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BRINNON MOTEL

- "Bikers and hikers, especially the young, might make use of a bunkhouse like hostel upstairs."
- "Why didn't anyone follow up (60 days as promised) with us on the status (bid) information for the motel? The meeting and promise was in January 2011"
- "If the motel is operated by volunteers what will they do that is different so that it makes money and contributes to cost of operating the Community Facilities?"
- "Didn't any of the folks who showed interest in the motel qualify? You're hurting Shrimp Fest."

SEWER

- "Will the sewer line be put in with public hookups in mind?"
- "Several years ago there were petitions asking about incorporative sewers. This appears to have died by the vine. Are there any movements regarding the installation of sewers?"
- "PUD Commissioner: How come we pay into the PUD - part of our County taxes when Mason County provides our power?"

Chairman Austin thanked everyone for coming.

NOTICE OF ADJOURNMENT: Commissioner Johnson moved to adjourn the meeting at 9:13 p.m. until the next regular Monday meeting at 9:00 a.m. or special meeting as properly noticed pursuant to RCW 42.30.080. Commissioner Austin seconded the motion which carried by a unanimous vote.

JEFFERSON COUNTY
BOARD OF COMMISSIONERS

SEAL:

John Austin, Chair

ATTEST:

Phil Johnson, Member

Raina Randall
Deputy Clerk of the Board

David Sullivan, Member



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 Delancy

MINUTES
Week of May 2, 2011

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

PUBLIC COMMENT PERIOD: The following comments were made by citizens in attendance at the meeting and reflect their personal opinions:

- A citizen expressed concern about the Port Townsend Paper Company biomass project and the affects of the particles the incinerators produce will have on humans.
- There is a need in this State and County for a Critical Area Exemption for Agriculture. There is a Bill before the Legislature to address critical areas and agriculture and this Bill will be the topic of discussion at a meeting being held at the Grange next week.
- The collapse of the dollar will impact everyone and on May 16 the national debt limit will be exceeded and Congress will have to do something about it.
- The change orders on the Consent Agenda for the JeffCom project are a concern because the project is now at 147% increase in costs which is suspicious and reeks of mismanagement. It was recommended that an internal and possibly external audit be conducted on this project.

APPROVAL AND ADOPTION OF CONSENT AGENDA: Commissioner Johnson moved to approval all Consent Agenda items as presented. Commissioner Sullivan seconded the motion which carried by a unanimous vote.

1. **HEARING NOTICE:** Proposed Mats Mats Beach Homeowner's Association, Water and Effluent Line Franchise; Hearing Scheduled for May 23, 2011 at 10:00 a.m. in the Commissioners Chambers
2. **AGREEMENT Change Orders (2) No. 19 and 20:** Change Order No. 19 in the Amount of \$11,516.00; and Change Order No. 20 Reduced Amount of \$2,203.00; Jeffcom 911 Radio System Improvements Project; Jefferson County JeffCom; Buchanan General Contracting Company
3. **AGREEMENT:** JeffCom Director Employment Agreement; In the Amount of \$64,726.92; Jefferson County JeffCom; Janet Silvus
4. **AGREEMENT NO. 1183-25375:** General Terms and Conditions; No Dollar Amount; Jefferson County Public Health; Washington State Department of Social and Health Services (DSHS)
5. **AGREEMENT NO. C14950, Amendment No. 31:** 2007-2011 Consolidated Contract; Additional \$3,827 for a Total of \$2,817,025; Jefferson County Public Health; Washington State Department of Health
6. **AGREEMENT NO. G1100189, Amendment No. 1:** Hood Canal Watershed Clean Water Project; Language Change Only; Jefferson County Public Health; Washington State Department of Ecology (DOE)



7. **AGREEMENT, Interlocal:** Repealing & Replacing the Hood Canal Coordinating Council (HCCC) Interlocal Cooperation Agreement Dated November 25, 1985; Jefferson County; Mason County; Kitsap County; Port Gamble S'Klallam Tribe and Skokomish Tribe
8. **Advisory Board Reappointments (5);** Jefferson County Solid Waste Advisory Committee (SWAC); 1) Joanne Tyler, District #1 (term expires 8/28/12); 2) Mike Mullin, District #2 (term expires 10/6/12); 3) Valerie Johnstone, District #1 (term expires 6/7/12); 4) Robert Burns, District #3 (term expires 3/13/12); 5) Kent Kovalenko, Murrey's Disposal (term expires 10/23/12)
9. **Advisory Board Appointment;** Jefferson County Peninsula Regional Services Network (PRSN); Three (3) Year Term Expires May 2, 2014; Nancy O'Neill
10. **Payment of Jefferson County Vouchers/Warrants** Dated April 25, 2011 Totaling \$759,331.59

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

Commissioner Johnson said that he attended the Loyalty Day parade in Brinnon last week.

Chairman Austin noted that he saw the equipment to install the sewer pipeline at the Dosewallips Park while he was in Brinnon for the parade. He met with Senator Hargrove and Senator Harper who is from Port Townsend, as well as Representatives Tharinger and Van De Wege in Olympia last week to urge their support of funding for the Courthouse project and other funding that will help the County. He hand delivered the Forest Asset Management Plan to the Commissioner of Public Lands.

Commissioner Sullivan reported that the SR19/20 Corridor Study has been completed and he has a copy of it. It includes a vision for transportation from the Ferry Dock in Port Townsend to the Hood Canal Bridge and will help with setting priority on projects in this area. He attended the dedication of the new building at the Boat School. The School has over 50 students. He also attended the final wrap-up of the Health Data Committee. Information on health and social issues has been updated and is available on the Health Department website.

Philip Morley reported that the Board will be at the Coyle Committee Center on Wednesday for another Community Input meeting. They were in Brinnon last week with about 30 interested citizens in attendance. Much of the talk was about the Brinnon Motel.

INTERVIEW of Persons Interested in Serving on the Jefferson County Planning

Commission: The Board interviewed two citizens interested in serving on the Jefferson County Planning Commission. After the interviews the following actions were taken:

Commissioner District No. 1 Representative

Commissioner Johnson moved to appoint Gary Felder to a new four (4) year term (term expires May 2, 2015) on the Planning Commission. Commissioner Sullivan seconded the motion which carried by a unanimous vote.

Commissioner District No. 2 Representative

Commissioner Sullivan moved to reappoint Patricia Farmer to another four (4) year term (term expires March 17, 2015) on the Planning Commission. Commissioner Johnson seconded the motion which carried by a unanimous vote.



BID OPENING: East Price Street Improvement Project; County Project No. 1805951806 (CR-1806): Dale Seward, Public Works Project Manager, opened and read the bids received.

<u>BIDDER</u>	<u>BID</u>
Shold Excavating, Inc.	\$136,877.15
Lakeside Industries	\$159,945.40
C & J Excavating	\$137,955.75
Seton Construction	\$157,833.00
Pacific Coast General, LLC	\$204,573.71
Engineering Estimate	\$212,643.14.

Public Works staff will review the bids and make a recommendation for bid award that is to the best advantage of the County.

The meeting was recessed at the conclusion of the business scheduled for the morning. All three Commissioners were present when the meeting reconvened at 1:32 p.m.

COUNTY ADMINISTRATOR BRIEFING SESSION: County Administrator Philip Morley reviewed the following with the Board.

- DISCUSSION: Appointment of Clean Water District Advisory Board Members
- DISCUSSION: Status of the Moderate Risk Waste Facility
- Calendar Coordination
- Legislative Update
- Miscellaneous Items
- Future Agenda Items

NOTICE OF ADJOURNMENT: Commissioner Sullivan moved to adjourn at 4:32 p.m. until the next regularly scheduled meeting or properly noticed special meeting. Commissioner Johnson seconded the motion which carried by a unanimous vote.

MEETING ADJOURNED

JEFFERSON COUNTY
BOARD OF COMMISSIONERS

SEAL:

John Austin, Chair

ATTEST:

Phil Johnson, Member

Lorna Delaney, CMC
Clerk of the Board

David Sullivan, Member