



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: Erin Lundgren



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MINUTES
Week of December 3, 2012

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 is a summary of comments made by citizens in attendance at the meeting and reflect their personal opinions:

- A citizen reported on holiday celebration events in Quilcene and fund raising efforts for Worthington Park;
- A citizen complimented the improvement efforts of Department of Community Development (DCD) Director Carl Smith and his staff;
- A citizen discussed the programs provided by the local YMCA and urged the Commissioners to include funding for the YMCA in the County's 2013 budget;
- A citizen commented on the great service he received from staff at DCD;
- A citizen praised the Quilcene residents for their efforts to improve their community and commented on the Republican party and the rate of prescription overdoses; and
- A citizen commented on the recent disruption in telephone cable service due to a line being cut. Concern was expressed about the lack of news about the situation and the inability to reach E911 and the lack of backup service for E911.

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

1. **RESOLUTION NO. 69-12** re: Closing County Administrative Offices at Noon on Christmas Eve
2. **RESOLUTION NO. 70-12** re: **HEARING NOTICE:** 4th Quarter 2012 Budget Appropriations/Extensions; Various County Departments; Hearing scheduled for Monday, December 17, 2012 at 10:00 a.m. in the Commissioners Chambers
3. **RESOLUTION NO. 71-12** re: Declaring the Results of the Election of Jefferson County Parks and Recreation District No. 2
4. **RESOLUTION NO. 72-12**re: Placing Jacobsen Drive, Graceland Way, Goldenview Drive, Kingfisher Place, and Sweet Home Road on the County Road Log
5. **AGREEMENT** re: To Assist with Clarification of Iron Mountain Quarry Permit Conditions; In the Amount of \$6,500; Jefferson County Department of Community Development; Skockey Planning Group
6. **Advisory Board Resignation** re: Jefferson County Conservation Futures Committee; Fred Weinmann, Representing Ecology Interest



7. **Payment of Jefferson County Vouchers/Warrants Dated November 26, 2012** Totaling \$219,621.73

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

Chairman Austin attended a Peninsula Regional Support Network meeting last week and he will be participating as an instructor for the Washington State Association of Counties (WSAC) training for new Commissioners.

Commissioner Sullivan went to Olympia last week to discuss transportation issues with legislators. He reported: Senator Hargrove will be the Chair of the Ways and Means Committee; Washington State Department of Transportation Assistant Secretary David Moseley will be coming to talk at a future meeting of the Jefferson County Chamber of Commerce; and Jeff Crump was recently appointed as the new Director for Olympic Community Action (OlyCAP) Programs.

Commissioner Johnson discussed a report on the potential dangers of fish farms and net pens in relation to disease among salmon. He noted that Mason County wants to be removed from the Hood Canal Coordinating Council (HCCC), but is being asked to reconsider.

County Administrator Morley reported that the homeless shelter is now open for the winter season. The County contributes to funding for the homeless shelter through OlyCAP. He also noted that Public Works staff will attend the County Administrator's Briefing Session with the Board to discuss legislative proposals on transportation funding.

The meeting was recessed at 9:46 a.m. and reconvened at 10:00 a.m with all three Commissioners present.

HEARING re: Jefferson County 2013 Budget: County Administrator Philip Morley and Budget Consultant Anne Sears gave a power-point presentation to review the 2013 budget recommendations. Mr. Morley provided copies of the power-point presentation and copies of the "Message for the Recommended 2013 Jefferson County Budget" dated December 3, 2012. Depending on any changes the Board may have, final adoption of the budget could occur on December 10, 2012.

In an overview of the budget, Mr. Morley stated that the recommended 2013 County budget is \$53,399,632 for all funds combined and includes General Fund expenditures in the amount \$16,429,325 and 54 other funds totaling \$36,970,307 in expenditures. The recommended budget for General Fund revenues is \$15,858,271 which represents a little less than a 1% increase over last year in revenue. The other funds tend to vary due to the timing of large capital expenditures.

The revenue for all other funds is \$32,416,586 and represents a 12.94% increase from last year. The combined total of General Fund revenues and other fund revenues total \$48,274,857. The difference between revenue and expenditures comes from fund balance. He noted that the County has a 10% cash flow and emergency expenditure reserve requirement for the General Fund. It is projected that the County will have \$434,324 of unencumbered fund balance available at the end of next year above that reserve amount to help the County through succeeding years. By the end of 2012 it is projected that the unencumbered fund balance will be \$655,606. The County will be spending 1/3 of the unencumbered fund balance in 2013 and exhausting the fund balance in 2014 and 2015.



Looking at revenues by category, taxes generate 35%. The next largest category is Intergovernmental Revenue which comes primarily from the state and federal government. Due to an \$800 Million budget gap at the state level and the financial fiscal cliff at the federal level, automatic reductions could be created, which is an area of concern going into 2013.

A breakdown of the General Fund expenditures by category shows that more than half (56.2%) is spent on salaries and benefits to pay for the staff doing the work. Approximately 11% is spent on Interfund Transfers to fund some of the other 54 funds. The remainder of the budget is reflected as follows:

- Supplies and Services 22.5%
- Professional Services 8.3%
- Capital 1.8%.

The breakdown for all other funds by category reflects the following:

- Capital Outlay 33%
- Salaries and Benefits 29 %
- Supplies and Services 22%
- Professional Services 11%
- Debt Service 3%
- Interfund Transfers 2%

The County uses a rolling five-year budget strategy and continues to respond to the economic downturn and ongoing structural gap in County funding. This is the 5th year of reducing the budget and services the County provides which has been difficult for our citizens and staff.

A graph of General Fund revenues and expenditures base budget between the years 2006 to 2017 was reviewed. Due to limited revenue, all General Fund departments had to take a .35% reduction in what would have been a status quo budget. Transfers out of the General Fund to other funds have remained flat or reduced for the 5th year in a row, which has required service reductions in each of those departments. Departments particularly affected are Parks and Recreation which is in crisis mode and Community Development which is looking at reducing the hours for all staff from 40 to 32 hours per week effective January 1, 2013.

Graphs and charts were presented showing the decline in sales tax, property tax and new construction. Jefferson County received additional sales tax revenue due to a coding error, however, sales tax is still down. Due to the 1% limit on property tax, the buying power of funding does not keep up with inflation and continues to decline. This is a structural problem for County government. Over time the County receives less funding to provide services, despite the fact that the population and services we need to provide are still growing. While new construction can add to the property tax base above the 1%, new construction is at the lowest rate it has been since 1989 according to the Assessor.

County Administrator Morley acknowledged the important role of the citizens in the County budget with the approval of Proposition 1 funding in 2010 to prevent proposed cuts to services. Proposition 1 funding has also experienced a decline. In 2013, Proposition 1 funding is projected to generate \$620,000. The actual cost of the services retained by Proposition 1 is \$646,000. The County General Fund will contribute \$26,000 for the shortfall which impacts the remaining General Fund services.

The County continues to invest in Law and Justice/Public Safety. Law and Justice is the largest portion of the General Fund budget and includes the Sheriff, Prosecutor, public defense and the Courts.



The outstanding debt for 2013 includes a new anticipated Public Works Trust Fund loan in the amount of \$1.8 Million for the final design/property acquisition for the Port Hadlock/Tri-Area Wastewater System. At the end of 2013 the County expects to have principal obligations in the amount of \$9,939,764 (General Obligation Bonds: \$6,583,000 and Contractual Borrowing: \$3,356,764).

County Administrator Morley highlighted the following significant changes to Parks and Recreation and Community Development for 2013.

Parks and Recreation

The County Parks and Recreation program budget was significantly cut in 2009 due to the recession. Of the County's 22 parks, 17 are being maintained through the Adopt-a-Park program. The County provides 44 recreation programs that include over 5,000 participants per year. The Adopt-a-Park program is being strained and funding for Parks and Recreation continues to be eroded by inflation. In 2013 a shortfall of \$18,000 is projected. To make up this shortfall the County is being forced to consider closing the 5-acre Irondale Community Park and cut back maintenance and water to H.J. Carroll Park. If inflation continues, we will likely need to make additional cuts to park facilities and/or recreation programs in 2014 and continue to make cuts each year thereafter. Memorial Field and the Port Townsend Recreation Center are only open because of an agreement with the City of Port Townsend to dedicate half of its Proposition 1 revenue for up to four years for the operation the facilities. The City's funding will discontinue in 2 years and the County has no way to fund their continued operation at that time. The County Parks and Recreation program is presently facing a crisis.

The City of Port Townsend is also facing its own crisis in Parks and Recreation. In 2012, the City was forced to lay off half its parks maintenance staff and reduce funding to the YMCA for recreation programs. In 2013, the City will not be able to provide any funding to maintain YMCA programs. In addition, the City is facing a challenge to afford making urgent repairs to keep the Mountain View Pool open. Even if repairs can be made, the City has had to cut pool staff and may need to reduce pool operating hours.

A new approach to parks and recreation is needed. A study completed by the Exploratory Regional Parks and Recreation Committee (ERPRC) found that there is a combined (City and County) \$5.6 Million backlog of major maintenance on aging parks infrastructure and an annual \$1 Million shortfall to maintain current operations. Unless a new model is found to keep and improve the parks and recreation services and amenities, they will continue to degrade. Reinventing how park facilities and recreation programs are delivered, and by who. This is an opportunity to coordinate and gain efficiencies and pool our resources so the community can gain enhanced access to recreation programs and can fill the gaps in important facilities that are needed. County and City staff are working together, and with other agencies, in response to the ERPRC's recommendation for a new service model and a regional solution. In the next 60 days we will be handing our work back to the citizens so they can make informed design choices and complete the work of the ERPRC.

Community Development

Permit revenue is significantly down which is directly affected by the decrease in new construction. In addition, the funding transfer from the General Fund to Community Development for long range planning services has been held flat. As a result, reductions of \$300,000 from the status quo budget are necessary for 2013. To accomplish the necessary reductions, all Community Development staff will be going to a 32-hour work week as of January 1, 2013. This means there will be 20% less staff time for all Community Development services. The department will be closed on Fridays which previously had



been effectively used for Community Development's improvement program, reducing the backlog of applications and issuing permits faster. There will be no building inspections on Fridays and no same day inspections. Inspection requests will now need to be phoned in by 3:00 p.m. the previous day for efficient scheduling. This change will also reduce support for committees and long-range planning projects.

Budget Consultant Anne Sears highlighted the following budget changes to the General Fund noting that there are not as many changes as there has been in previous years because departments have been making cuts each year since 2009.

General Fund

Revenue and Expenditures:

- Sales tax is slightly higher than 2012. This increase is largely due to a coding correction in sales tax revenue between the City and County beginning in 2012. Without the correction, sales tax is remaining flat.
- Special Purpose sales tax is down.
- The Assessor's software replacement in the amount of \$265,000 inflates the County's revenue and expenditures.
- Budgets for all General Fund departments were reduced by .35% from their base budget.
- The Sheriff's budget reflects an increase due to an added Corrections Officer position, funding of a Community Services position for one year and the transfer of an Animal Control Officer position to the Sheriff's budget.
- Elimination of the Animal Control transfer.
- Reduction of Water Quality transfer due to available fund balance.

County Administrator Morley stated that the budget policies have been followed. He reviewed how property tax is distributed among the various taxing districts and discussed future issues relating to the following:

- Parks and Recreation
- Response to State and Federal budget cuts
- Capital needs funding
- Transportation & County roads
- Solid Waste
- Port Hadlock/Tri-Area Wastewater Project
- Information Technology

Chairman Austin opened the hearing for public testimony.

Linda Herzog, Quilcene, commented on the Capital budget and stated that in Quilcene there is one tennis court. There used to be two tennis courts, but one is now being utilized for skateboarding which is also a good thing. However, the one remaining tennis court is a hazard and cannot be played on. If someone tries to play on it, it becomes a liability issue for the County. It has a very bad surface and if you run on it and are watching the ball instead of your feet, you could be in big trouble. I want you to understand that it's not just that we want to play more and better, we don't want someone to get hurt on that court. I'm mindful that the swimming pool in Port Townsend is also something that is very important to



peoples' health, wellbeing and exercise, and perhaps is a reason why people did move here. Our tennis court doesn't rise to that level, but it is also a lot cheaper. I understand that resurfacing the court for a long period of time (15 to 20 years) would cost \$25,000 to \$26,000. Resurfacing it in a less responsible way for a shorter period of time probably runs about \$14,000. We would love it if the County could find a way to offer that lower amount of \$14,000 and challenge our community to raise the remainder of the money to get a good surface on the tennis court. We not only have cash that our citizens would be willing to put in, but we also have a lot of people who do that kind of work. Clearing and grading is a very professional job and we have people who might get that job if it were offered in a contract. We have a lot of pro bono services that citizens give. So we would love to see a challenge from the County to get that court resurfaced. I recognize all of the things that have been said about sinking revenues and we are all quite mindful of that. I also see that the Capital budget does have an opportunity in the next few years for a little bit of capital money to come out because the debt service is going to be going down. Please consider that. I appreciate the opportunity to talk.

Kevin Coker, Port Townsend, stated he is a small business owner, Vice President of the Jefferson County Homebuilder's Association and a Planning Commissioner for Jefferson County District #1. As much as the state and federal taxes are being reduced, property tax is the one item that we're limited on except when it comes to new home construction. That's where we get the additional revenue that we're all looking for. The great work that the Department of Community Development Director Carl Smith and his staff have been doing is one way that we can generate revenue and keep ourselves going a little bit longer while we're getting over this hurdle.

Tom Thiersch, Jefferson County, thanked Auditor Donna Eldridge for making the great many documents of the budget available online on her website. It is extremely helpful. Unfortunately, some of the documents, the two things that were on the table here presented this morning, are dated today. So it seems somewhat difficult for the public to have the time to be informed and reflect on the information, if the information isn't even made available two days before the hearing. Mr. Morley thought it was amusing that he was working on a spreadsheet only seconds before you reconvened your meeting. I don't find that amusing. I find that disappointing and not doing very much of a service to the public. This is our money. It's all of our money and we need to have good information and well in advance before a hearing is held on whether or not that money is being spent wisely and properly. So you need to do better. You're doing a lot of work, but you need to do better. More advance notice is important. Reading a document cold at a meeting is about the least productive thing that you can do. Any good executive would know that. Down to the specifics of what's being proposed in this budget. Of course once again Parks and Recreation are being held hostage and are the ones being picked on first. The question is, how do you decide which of those parks is to be the victim this time around? This time we've got Irondale and H.J. Carroll being threatened with dire consequences. I noticed that there are three or four County park facilities within the limits of Port Townsend that aren't on the chopping block. There's one across the street. There's North Beach. There's at least one or two others. How do you pick and choose which one comes first? Why not consider those? Where was the public process that determined the prioritization of which parks are most important to anybody? I guess that was just a decision that was made behind closed doors. That's unfortunate. Speaking of things being done behind closed doors, the agreement to fork over a whole lot of money to the City to do the pool repairs, when the City had 10 years ago already issued a bond to do those repairs and then failed to spend the money that they had allocated and instead threw it away on other projects. Well, as I said before, the County should not be bailing out the City for its spendthrift ways. It just makes no sense.

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Gene Molleck, Jefferson County, commented on the Parks and Recreation situation and asked what considerations have been given to 1) salary reductions; 2) redesigning staff duties; and 3) consolidation of their duties? You mentioned that the \$1 Million annual budget shortfall was divided between the City and County. I think it would be very good to have those figures spread out to know what is City and what is County. HJ Carroll is a beautiful park and you should be very proud of it. To allow the grass to turn brown is pretty sad. As this gentlemen mentioned, what is making you put this one on the block? I understand there is a fee for services to use that park. All the recreation programs are paid for. This should cover the watering and mowing situation. You have excellent personnel taking care of those parks. From an outsider, it's a pretty sad situation to see something this needed by the community be put in this position.

Mike Belenski stated you got my note there that said there's a public hearing at 10:30 a.m. for DCD and it's now 10:55 a.m. For litigation purposes I need to get my name in the record. My name is Mike Belenski. First, I want to second what Tom said. Stuff happening behind closed doors, wasted money. What was it Commissioner Sullivan, \$40,000 for Papa Murphy's pizza so people don't get to know what that phone number is? That was a brilliant expenditure on your part. Forty grand, I wonder how many meals that buys for the old people? We've got Carl Smith who showed up here to the meeting at about 9:35 a.m. He's been sitting there for at least an hour and a half. What's he make \$65,000 a year? How much does it cost for him to be sitting there? You guys make \$60,000 a year for what? You come in the morning and do a little public comment and maybe put something on the agenda and then we're done. Which goes back to what Tom said, where's all this stuff taking place? Mr. Morley talking individually with each person. Is that how it's going? Or is Commissioner Sullivan talking to Commissioner Austin? I mean, where does all these decision making things take place? Where is it that they're taking place? They're not taking place at a public meeting. Oh, maybe in the afternoon, but we don't get to know what's happening in the afternoon because the agenda just says miscellaneous items. If it's like how you guys conducted meetings when Fischbach was here, if I show up in the afternoon, you just don't talk about it. It's all about secrecy. It's all about spending money frivolously. What was it, \$12,000 for worms? You got money for worms but you're going to close parks? You got \$40,000 so Commissioner Sullivan can keep Papa Murphy's telephone number secret? We don't have money for parks? We've got the Sheriff's Office with tens of thousands of dollars worth of equipment disappearing from there. Where's the investigation on that? Do you guys do an investigation? No, you just don't care. Boats, motors, scuba gear, it all disappears and nobody seems to care. But here we are putting the squeeze on the parks. Where did that decision take place? I want to know where that decision took place. Also, I want to note for the record, that Commissioner Austin wrote on the note that I passed him about that I'm here for the DCD hearing. Modifying a public record is a felony. Okay? So, you don't touch my stuff and put changes on it. That's a public record. You do not alter, modify, conceal, destroy or mutilate public records. That is a public record and it is to be treated accordingly. (Commissioner Austin noted that he wrote on the paper identifying that it was "From Mr. Belenski 10:42".)

Hearing no further testimony, Chairman Austin closed the public hearing.

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HEARING re: Proposed Ordinance Adopting and Implementing the 2009 Versions of the International Building Code Pursuant to the Rules of the Washington State Building Code: Department of Community Development (DCD) Director Carl Smith and Plans Examiner II Frank Benskin were present to discuss the proposed Ordinance amending and implementing the 2009 versions of the International Building Codes (IBC) pursuant to the rules of the Washington State Building Code Council. Mr. Smith explained that the proposed ordinance will amend Jefferson County's building codes in Chapter 15.05 of the Jefferson County Code (JCC). Specifically, it amends the sections 1, 2, 3, 4, 5 and 6. He reviewed the purpose statement outlined in section 1. The County's adopted 1997 Uniform Building Code (UBC) has been supplanted in the state and across the nation with the 2009 IBC. This is the code that the State has officially adopted and which all local jurisdictions should use. It's also the code that the building industry uses to abide by the State's regulation. Plans and applications received by the DCD generally comply with the 2009 IBC. This presents a conundrum for staff who are required to review the plans and applications, but yet do not have authority to review them against the 2009 IBC per the code. It also requires staff to review plans and applications against the 1997 UBC, should that be requested by an applicant. The 1997 UBC is an older code and does not represent the latest regulations on efficiency, safety, avoidance of hazards and making buildings durable. For those reasons, staff recommends the adoption of the 2009 IBC. He added that neighboring jurisdictions such as Clallam, Mason and Kitsap Counties have also adopted the 2009 IBC.

There are certain exceptions in the State adopted code recognizing that not all jurisdictions are the same and certain parts are by local option only. Staff has been careful to review those to make sure that the codes recommended for adoption include those exemptions of standards that would not be appropriate for our rural county.

Staff is also recommending that reasonable time limits be set. Currently, there are no time limits in the JCC. By policy at the DCD, building permits are authorized for a period of one year and then allowed a renewal, based on a renewal fee. However, there is no end point and over the years there has been an accumulation of several hundred old applications and permits that have never undergone a final inspection and are in some state of non-completion. The problem is that some of these buildings are occupied and the DCD has no way of knowing their state of completion or the potential hazards that might be present. Setting a time limit not only addresses the safety of the occupants, but also addresses any negative impacts (potential hazards or loss of value) that an unfinished building may have on a neighboring property. In order to protect property values, encourage economic activity and obtain reasonable assurance that buildings are completed in a reasonable period of time, staff is suggesting the setting of time limits. The time limit on an application would be one year with the allowance of four annual extensions of the building permits. This would allow a total of five years for completion. A hardship clause is also included for either applications or building permits which allows the Building Official to authorize additional extensions based on a hardship. Staff feels this balances the need of the applicant to have the flexibility and time to complete their project, with the need of the community to assure that buildings are safe, avoid hazards and protect property values in Jefferson County.

Chairman Austin opened the hearing for public testimony.

Tom Thiersch, Jefferson County, stated I am glad to see Jefferson County is adopting a more current version of the building code. I suggest that to avoid going through this exercise each time the state adopts a new version of the code and we have this waterfall affect where first the IBC changes their code and the State says ok, we'll do that and then each county has to do that, why not simply change the County code so that it says that it is current with whatever the state currently has adopted. That way you don't ever have to do this exercise again as long as you have the local exception provision which would remain unchanged from version to version. That way you're always correct and you don't need to spend any more staff time, hearing time or any time at all on this process. It just is what it is and everybody knows what it is. The fact that it would be consistent across the State would be a benefit to builders, as well as to people who are just seeking to possibly build any place. They would know that they would have consistent regulations across the State. That should be an economic benefit to the County. One other aspect of what's being proposed here is the time limit. A time limit is ok I suppose. What's not reasonable is the money. Charging extra fees for these extensions and the amount of the fees being charged doesn't reflect anything closely related to the amount of staff time that would be involved in processing such an extension. DCD costs are supposed to reflect the actual costs needed to perform the service. You can't tell me that it costs more than \$200 simple to do an extension of a permit that hasn't changed in its documentation or scope or anything else. Also this hardship provision is just a smoke screen. Who's going to take out a permit if they're in a hardship situation? If you don't have the money to build a house, you're certainly not going to be having to extend in a hardship. That seems kind of silly. I would strongly oppose the imposition of such high additional fees for extending the time of an existing permit.

Joan Best, Port Townsend, stated I have some property at Oak Bay Road and I got a permit to do a remodel and then the recession hit. Like many people in this County and all over the country everything stopped while we were trying to just hold on by the skin of our teeth. The idea that I will have to spend extra money for my building permit just to have a yearly renewal is taking money that we don't have and many people don't have. We're not talking about people whose job it is or business it is to build a spec house, they're going to do it quick. It will take awhile to complete for those of us who are building our own place and doing it as we earn the money to pay for it. It does not make any sense, except just to collect more money from us, to have a time limit of only a year to build a house if you're building it yourself and trying to pay for it as you go. Many of us had to stop building altogether during the recession and are only now getting to the point where we can begin working on it again. It is not appropriate to have those extensions at such a high cost.

Mark Walker, Dabob Bay, stated he is a permit holder and would like to thank DCD staff for their help and guidance they have given me with building my house. I've had pretty good relationships with them and they haven't lived up to the horror stories that I've heard in the past. I would like to ask for some clarification. I have a question. For those of us who have permits, when would this time frame start? I'm in my fifth year of building my retirement house. I took my permit out knowing I was going to build this home over a long period of time hoping that it would be ready when I turn 65 and begin my retirement. Well, I'm two years away and I've been working on the house for four years. Are you telling me now that I have a year to finish it up or would this start today and be five years from the date of the approval of this? (DCD Director Carl Smith replied that the code specifically addresses your concern. If you are in your fifth year, upon adoption of this code you will have an additional whole year.



You will not be cutoff if you are close to that limit. It takes effect upon adoption. Building permits with more than one year remaining within the five year time limit will have the remaining time for completion.) Mr. Walker continued by stating it would be a very big problem for him. (Director Smith replied that there is also a hardship provision if something prevents you from completing the building. As long as it is reasonable we can extend it further.) Mr. Walker continued by asking who would make that decision? (Director Smith replied that he would make the decision.)

Glen Anders, Jefferson County, stated I have spent decades building my house. I support the adoption of this, however, with the adoption of this, I would have to have a hardship because I'm supporting three families right now. I have no cash flow. I'm broke every month trying to keep food on the table. I'm managing to get the house constructed under the provisions of the renewal system we have now. I've always understood that we're supposed to have a progress inspection every year. I have one of those every year and every year there is more house than there was before. The basement structure is done and now it's just a matter of getting some drawings done for structural changes I have made. Do I just come now to a complete stop or do I get to pick up and have one year of a new permit and then four years of continuance? (Director Smith replied that you would ask for the hardship and we would work out a program with you.) Mr. Anders continued by stating alright, I can still support this then.

Mike Belenski stated his name for litigation purposes. Number one, Mr. Smith is not an attorney. I've got an open permit. It has been open for more than five years. Every year I pay the renewal fee. I'm grandfathered in the way I look at it. I just keep paying the fee every year until I decide to finish it. Mr. Smith is arbitrarily now, starting today, everybody that previously had one has to conform to his rules and that's not how it works. Just like when you pass the zoning. People are grandfathered in. If you already have a business that is not proper to that zoning, the guy's grandfathered in. I'm not sure where he's coming up with this fact that I would need to apply for some hardship thing and he's going to get a program for me. What this whole thing looks like is retaliation against me because I've got an open permit and Mr. Smith doesn't like me pointing out all the things that he does wrong. So now this is a way for him to get back. It's just odd that it comes up at the same time I make inquiries about zoning for the green pods at the Ford Dealership. The front doors at DCD are locked which their building permits say they should be open to the public during business hours, so he's arbitrarily just changed that. His integrity and character to be able to honestly and unbiasedly process these applications is severely tainted. He claims he's worried about safety, yet the front doors to his own building are supposed to be open pursuant to the fire code and they're locked. I find it real interesting he wants to have compliance and consistency. If you look at Resolution 33-04 that the County passed back in 2004 it talks about the International Building Code. It says you adopted it pursuant to resolution, which isn't a police power. For the last nine years you have been enforcing that against me and you had no authority to do that. The thing that's really interesting when you look at the back of this, it was signed June 29, 2004. Guess what? That was a Tuesday. Do you guys meet on Tuesdays? No, you guys don't meet on Tuesdays. Well that was an illegal meeting. You guys sat down and starting signing stuff. June 29, 2004, that was a Tuesday. Just wondering why in all this documentation you don't mention resolution 33-04. So there's a copy for you for the public record and make sure it gets in there.

Hearing no further testimony Chairman Austin closed the public hearing.



Commissioner Johnson stated he can't speak for the previous Commissioners about their meetings. Commissioner Sullivan noted that the previous Commissioners routinely carried over their meetings to Tuesdays.

Discussion ensued regarding what qualifies for a hardship. Director Smith stated a hardship would be medical or financial situations that prevent progress from being made on a building. Commissioner Sullivan asked if it is defined in the IBC? Mr. Smith replied that he does not believe it is. He explained that this is more definitive and liberal than the IBC. The IBC states that any permit will be deemed to be abandoned if not worked on for a period of 180. The problem is DCD does not have the ability to inspect whether work has been done every permit within 180 days. This gives far more time and greater assurance that a person can complete their building which why we would like to make it more definitive.

Director Smith commented on the fees stating that the fee of \$220.00 represents 3 hours at the department's standard rate of \$74.00 per hour. If it has been a long period of time since an applicant has called for an inspection, the rate covers staff time to review the plans, conduct the inspection and complete the report in the permit software. That is a reasonable amount of time for the services provided by staff.

If the Board adopts this code, DCD will offer anyone an opportunity for a one-year extension even if they have not done anything for many years. A letter would be sent out to all those permit holders notifying them of the opportunity with a time limit for paying the renewal fee or applying for a hardship extension. If there is no response by the designated time limit, those open permits will be cancelled.

Commissioner Johnson asked if the DCD could continue to allow the annual extensions? Director Smith replied that could be done. It is a policy decision that the Board could make stating that extensions are indefinite on an annual basis.

County Administrator Morley stated that whenever lines are drawn it's never perfect. He thinks it is important for DCD to get through the backlog of projects, especially as we're losing staff. We are very concerned about the health and safety of our citizens and want to provide an incentive for them to finish their projects and come into compliance. There is a liability in letting these projects remain open. The idea is to draw them to conclusion if at all possible.

Discussion ensued regarding what is reviewed during a final inspection.

Commissioner Sullivan moved to approve **ORDINANCE NO. 12-1203-12** adopting and implementing the 2009 versions of the International Building Codes pursuant to the rules of the Washington State Building Code Council. Commissioner Johnson seconded the motion which carried by a unanimous vote.

The meeting was recessed at 11:32 a.m. and reconvened at 11:41 a.m with all three Commissioners present.



Fire District #2 Commissioner Interviews: The Board interviewed Gary Phillips and Debbie Randall for possible appointment as a Commissioner for Fire District #2 (Quilcene). After deliberating Commissioner Sullivan moved to appoint Gary Phillips as a Commissioner for Fire District #2. Commissioner Johnson seconded the motion which carried by a unanimous vote.

The meeting was recessed at 12:29 a.m. and reconvened at 1:32 p.m with all three Commissioners present.

COUNTY ADMINISTRATOR'S BRIEFING SESSION: The Commissioners each provided updates on the following items:

- Calendar Coordination:
 - Chairman Austin will be meeting with Representative Steve Tharinger on December 5, 2012
 - David Sullivan will attend an Olympic Area Agency on Aging meeting on December 6, 2012
 - Chairman Austin will attend and Commissioner Johnson may attend a Washington State Association of Counties training for new County Commissioners in Olympia on December 6, 2012
 - Commissioner Johnson will attend a Olympic Region Clean Air Agency meeting on December 12, 2012
 - Commissioner Sullivan and Commissioner Johnson are tentatively scheduled to attend a function at the Quilcene Museum on December 12, 2012
 - Commissioner Austin is tentative scheduled to attend a Jefferson Land Trust function on December 12, 2012
 - All three Commissioners will attend and the County Administrator may attend a Futurewise Western Washington meeting in Kitsap County on December 14, 2012
 - All three Commissioners and the County Administrator will attend the retirement reception for Pat Pearson at WSU on December 18, 2012
 - Commissioner Johnson will attend a School of Fine Woodworking & Historic Preservation meeting on December 19, 2012
 - Chairman Austin and County Administrator Morley will attend a JeffCOM meeting on December 20, 2012
 - Commissioner Johnson will be out of the office from December 20, 2012 through January 2, 2013
 - Chairman Austin and Commissioner Sullivan will attend a Board of Health meeting on December 20, 2012



- The Courthouse may be closed at noon on December 24, 2012
 - There may be a Commissioner meeting the morning of December 24, 2012
 - The re-elected Commissioners will be sworn into office on January 2, 2013
 - Chairman Austin will be out of the office on February 4, 2013
- Budget Update:
- Parks - discussion of HJ Carroll & Irondale Community park impacts on proposed 2013 budget
 - Deputy Prosecutor funding - discussed Fund 135
 - Marine Resources Committee - suggestion to approach Puget Sound Partnership, possibly eventually adjust CWD fee
 - Final Budget - IS, Prosecutor, Economic Development, Hotel/Motel
- Miscellaneous Items:
- Update on Port Hadlock Wastewater Treatment System Project
 - Status: NEPA environmental review done for entire UGA; MBR contract negotiations done, LID Coordinating Team (TT, Katie Issaakson, Bob McCauley, Marc Greenough Foster Pepper, Bob Wheeler)
 - Current Work: public outreach plan development by Bob Wheeler, begin in January "Community Connections Sewer Task Force" c. 12-15 citizens; CUP w/ DCD is a future step for both plant and collection system; Parcel by parcel special benefit study to be done to help finalize boundary; Collection system planning-level design [30% contingency in current cost estimates]; FP drafting sewer ordinance for JCC Title 18; Land acquisition appraisal in 2 weeks; Need PWTF to be funded for \$644M (proposal to lower to \$500M) for 2nd JeffCo 11M. State revolving fund 2013 (or 14) – up to \$5M grant, rest would be loan. USDA Rural Development would only consider acting after DOE (need 100% design and LID formed as prerequisites for them to consider us)
 - Transportation in upcoming Legislative Session
 - Shoreline Master Plan letter - Commissioner Johnson will draft for consideration on December 10, 2012
 - WA Wildlife & Rec Coalition letter request: Chairman Austin will draft for consideration on December 10, 2012
 - Letter regarding Marine Tourism: Commissioner Sullivan will draft for consideration on December 10, 2012
 - Community Forest Trust - County Administrator Morley will prepare response to DNR for Chairman Austin to review prior to sending
 - JeffCOM - report on cost allocation and license fee
 - Regional Parks & Recreation - report on Community Leader handoff & facilitation, City/County Interlocal Agreement amendment



- Chair of BoCC – topic for future County Administrator’s Briefing Session, along with review of 2013 Committee assignments
 - March 2013 WorkSource meeting in Washington DC, and BoCC participation in Olympic Work Force
 - Superior Court Administrative office project status update
- Future Agenda Items:
- DCD work program on December 10, 2012 (County Administrator’s Briefing Session)
 - BoCC Committees & Chair assignment on December 10, 2012
 - Possible Board of County Commissioner Retreat in February 2013

NOTICE OF ADJOURNMENT: Commissioner Sullivan moved to adjourn the meeting at 4:30 p.m. until the next regular meeting or special meeting as properly noticed. 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

Erin Lundgren
Clerk of the Board

David Sullivan, Member