



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 February 4, 2013

In the absence of Chairman John Austin, Commissioner David Sullivan called the meeting to order at the appointed time in the presence of 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 stated the security of the Jefferson County Courthouse is inadequate and commented on earthquakes and salmon; and
- A citizen reviewed events that will be occurring in the Quilcene community.

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. The motion carried.

1. **RESOLUTION NO. 06-13:** Cancellation of Uncollectible Personal Property Taxes
2. **RESOLUTION NO. 07-13:** Amending Appendix "D" – Travel and Transportation Policy and Procedures of the Personnel Administration Manual for Jefferson County Employees
3. **AGREEMENT:** Community Access Services; In the Amount of \$1,080; Jefferson County Public Health; Skookum
4. **AGREEMENT:** Conduct a Series of Buffer Management Workshops; In the Amount of \$2,499; WSU Jefferson County Extension; 10,000 Years Institute
5. **AGREEMENT:** Five Year Lease of Office Space at Cupola House; In the Amount of \$20,400 Per Year, Plus Two Payments of \$2,000; WSU Extension Office; Port of Port Townsend
6. **2013 CERTIFICATION OF ROAD LEVY:** Jefferson County Public Works; Washington State County Road Administration Board (CRAB)
7. **Advisory Board Resignation:** Conservation Futures Advisory Board; Phyllis R. Schultz
8. **Advisory Board Resignation:** Gardiner Community Center Advisory Board; Robert McCauley
9. **Advisory Board Appointment:** Gardiner Community Center Advisory Board; Unexpired Term Expires November 16, 2015; George Woodruff,
10. **Advisory Board Re-Appointment:** Olympic Area Agency on Aging (O3A) Advisory Board; Three (3) Year term to expire January 31, 2016; Sue Estes
11. Payment of Jefferson County Vouchers/Warrants: Dated January 29, 2013 Totaling \$10,416.48



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

Commissioner Johnson spoke about senate bills that are currently in legislation and reported he spent two days in Olympia last week for legislative purposes.

Commissioner Sullivan will possibly be attending a documentary presentation of the Puget Sound and will be attending an Olympic Community Action Program (OlyCap) meeting this week.

BID OPENING: Alder Creek Tributary Culvert Replacement: Public Works Engineer III Mark Thurston opened and read the following ten bids:

<u>BIDDER</u>	<u>BID AMOUNT</u>
Thompson Brothers Excavating	\$519,239.00
Seton Construction	\$489,801.60
Primo Construction, Inc.	\$535,210.90
Razz Construction, Inc.	\$672,754.00
Quigg Brothers, Inc	\$649,776.00
Rognlins, Inc.	\$695,417.00
Nordland Construction NW	\$704,501.00
RV Associates, Inc.	\$565,729.50
Bruch & Bruch	\$623,327.50
Justice Trucking & Backhoe	\$575,392.05

The engineers estimate for this project is \$633,069.00. Staff will review the bids and submit a recommendation to the Board at a future date.

Clerk Note: After staff reviewed the bids, Justice Trucking & Backhoe had an adding error and the bid totaled \$575,412.05

HEARING: Granting a Non-Exclusive Franchise for Cable TV and Telecommunications with WaveDivision I, LLC: Public Works Development Review Project Coordinator James Pearson stated a temporary franchise agreement was granted to WaveDivision I, LLC, approximately one year ago. At that time, WaveDivision I, LLC was in the process of buying Broadstripe, who was bankrupt and the franchise has lapsed. Mr. Pearson reviewed the franchise agreement and stated WaveDivision I, LLC is proposing to make significant improvements to the current cable system. There is an option for the Board to extend the term of the franchise for an additional five years if WaveDivision I, LLC meets all of the franchise requirements.

Commissioner Sullivan opened the hearing for public comment.

WaveDivision I, LLC, Vice President Cyndi Wilkstrom: Thank you for allowing me to speak on behalf of the franchise agreement, which has been worked on for about a year. Wave purchased Broadstripe a little over a year ago and bought all of the properties in the northwest area, including Washington and Oregon. One of the largest areas is in Jefferson County. We have been actively working to improve the plant, the outside electronics and all lines since November. I think a lot of the customers are already

noticing an improvement without a full upgrade to picture quality and internet speeds. We will continue to do this until approximately March 1st. After March 1st, we will be upgrading the head-in, which is located in Port Townsend, and all of our electronics on the video side will allow us to deliver high quality HD services and more expanded HD line up and the higher speeds of internet. We plan to upgrade those services and be able to launch those services to the public in the summer. I think we will be ahead of the timeline that is stated in the franchise agreement. We are very excited to be a part of Jefferson County and very happy to improve the product customers are receiving. I would be happy to answer any questions you might have.

Hearing no further testimony, Commissioner Sullivan closed the hearing.

County Administrator Morley asked Ms. Wilkstrom to comment on the integration of WaveDivision I, LLC's technical upgrades and the fiber optic system with NoaNet. Ms. Wilkstrom stated Wave is a costumer and business partner of NoaNet. By the end of this week, they will have full connectivity with NoaNet and fiber slicing is happening as we speak. Commissioner Sullivan stated it is great to have the rural areas come into the 21st Century with technology.

County Administrator Morley asked Ms. Wilkstrom to speak in regard to existing lines or trunk lines. She answered that they plan to stay primarily in the footprint of what Broadstripe did, however, there are a lot of customers that have not been served that are in the existing radius of the existing plant. They will look at those areas that are populated and create a design that will perhaps reach some developments and work with Public Works as they plan to extend our plant. But, that is more service extension, with the actual transmission and distribution piece as it is today, they do not expect to change much. They will mainly be improving the electronics so we can deliver the services farther down the service lines.

Commissioner Johnson moved to approve **RESOLUTION NO. 08-13** re: in the matter of the application by WaveDivision I, LLC for a nonexclusive franchise to construct, maintain and operate cable service transmission and distribution lines together with poles, wires and other appurtenances upon, over, along and across a franchise within Unincorporated Jefferson County. Commissioner Sullivan seconded the motion. The motion carried.

The meeting was recessed at 10:36 a.m. and reconvened at 1:33 p.m. with Commissioner Sullivan and Commissioner Johnson present.

Housing Action Plan Network (HAPN) Committee and Potential Transition to a Shelter Providers Network Model: Associate Planner Colleen Zmolek stated this joint City of Port Townsend City and Jefferson County committee discussed how the committee can further the goals of the HAPN while using less staff time. The committee unanimously agreed to recommend the County and City use the model similar to the Clallam County Providers Shelter Network. Staff would continue to attend meetings and provide support, but would not continue to create agendas or minutes. Housing Services representative Kathy Morgan stated if the model was changed to be like the Clallam County Providers Shelter Network, a lot more people could join in and it would be more beneficial. Director of Peninsula Housing Board Pam Tietz stated Clallam County has a number of providers that informally agreed to work together to address homelessness and homeowner issues in the County. Olympic



Community Action Plan (OlyCap) Director Geoff Crump stated a coordinated effort of core people is needed to meet together on a regular basis to work on eliminating homelessness and build the homeowner portfolio. A ten year plan needs to be created to identify priorities which would designate where resources/funding would go. Ms. Tietz stated an annual report is done to update the Board regarding goals, accomplishments and struggles.

County Administrator Morley asked when this matter would come before the Port Townsend City Council? Ms. Zmolek answered it would be going before them this evening.

County Administrator Morley stated a resolution directing staff to assist in the transition to a Shelter Providers Network model would be placed on the consent agenda at a future date.

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

- Miscellaneous
 - Department of Community Development (DCD) support for the Climate Action Committee (CAC)
- Calendar Coordination
 - Joint City of Port Townsend and County staff meeting regarding Parks and Recreation
 - A Jefferson County Parks and Recreation Advisory Board meeting scheduled February 6, 2013
 - A joint meeting with the Port Townsend City Council and the Board of County Commissioners to discuss a Metropolitan Park District (MPD) and Amend the Interlocal Agreement is tentatively scheduled for Monday, February 11, 2013 at 6:30 p.m. at the Jefferson County Courthouse in the Superior Court Courtroom
 - Commissioner Johnson will attend the Hood Canal Coordinating Council Integrated Watershed Plan meeting on February 13, 2013
 - Commissioner Johnson will attend an Olympic Regional Clean Air Agency (ORCAA) meeting February 13, 2013
 - Commissioner Austin will meet with the legislative delegation and attend a State Board of Health meeting on February 13, 2013
 - The Board will be meeting Tuesday, February 19, 2013 due to the Presidents' Day holiday on Monday, February 18, 2013. There will not be a County Administrator's Briefing Session that afternoon because there is a scheduled Transit meeting
 - Commissioner Sullivan is scheduled to attend a HAPN Committee meeting February 19, 2013
 - Commissioner Sullivan will attend a Peninsula Development District (PDD) meeting February 28, 2013
 - Commissioner Sullivan and County Administrator Morley will attend the Team Jefferson Quarterly update February 21, 2013
 - A Jefferson County Budget Committee meeting is scheduled February 20, 2013



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- Chairman Austin will attend the National Association of Counties (NACo) Conference in Washington D.C. March 2 through 4, 2014
- Commissioner Johnson will attend a Fort Worden Advisory Board Committee meeting February 21, 2013
- Commissioner Sullivan will attend a Jefferson County Shelter Providers Network meeting February 21, 2013
- Legislative Session
 - Transportation
 - Shoreline Master Program regarding net pens
 - SB5001
- Miscellaneous (Continued)
 - Metropolitan Park District (MPD)
 - 2013 Community Input Meetings
 - Rights of Way regarding memorials
- Future Agenda Items
 - Port Ludlow No Shooting Zone
 - City/County Transportation Legislative Agenda Coordination
 - Lobbying for Port Hadlock Wastewater / Sewer Funding

NOTICE OF ADJOURNMENT: Commissioner Johnson moved to adjourn the meeting at 4:04 p.m. until the next regular meeting or special meeting as properly noticed. Commissioner Sullivan seconded the motion. The motion carried.

JEFFERSON COUNTY
BOARD OF COMMISSIONERS

SEAL:

(Excused Absence)
John Austin, Chair

ATTEST:

Phil Johnson, Member

Raina Randall
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: Erin Lundgren



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MINUTES

Week of January 28, 2013



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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 commented on the need to attract larger businesses to Jefferson County;
- A citizen thanked Commissioner Sullivan and Health Officer Dr. Locke for attending a Grange meeting and commented on the increase in crime and the how the use of natural gas could create jobs; and
- A citizen expressed concerns about the delay in implementing the Shoreline Master Plan (SMP).

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

1. **RESOLUTION NO. 05-13** re: Agreeing to Pay any Punitive Damages that Might be Awarded Against a Certain Commissioned Correctional Officer Employed by the Jefferson County Sheriff
2. **BID OPENING** re: Queets River Bridge Painting Project CR1881, M.P. 0.60 to M.P. 0.76 Clearwater Road; Bids Accepted Until 9:30 a.m. and Opened and Read Publicly at 10:00 a.m. on Monday, February 25, 2013 in the Commissioners' Chamber
3. **AGREEMENT** re: Camp Host Services at Oak Bay Campground; No Dollar Amount; Jefferson County Public Works; Steve Austin
4. **AGREEMENT NO. G1200178, Amendment No. 1** re: Site Hazard Assessment; Additional Amount of \$6,553 for a Total of \$32,764; Jefferson County Public Health; Washington State Department of Ecology
5. **AGREEMENT** re: Transition Services for Developmental Disabilities Program; In the Amount of \$15,000; Jefferson County Public Health; Arc of Washington State
6. **AGREEMENT, Amendment No. 1** re: Individual Employment Services; Additional Amount of \$5,000 for a Total of \$8,500; Jefferson County Public Health; Arc of Kitsap and Jefferson Counties
7. **Advisory Board Resignation** re: Developmental Disabilities Advisory Board; Kathryn Kent
8. Payment of Jefferson County Vouchers/Warrants Dated December 22, 2012 Totaling \$569,803.04
9. Payment of Jefferson County Payroll Warrants Dated January 18, 2013 Totaling \$76,136.18 and A/P Warrants Done by Payroll Dated January 18, 2013 Totaling \$16,292.13

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

Chairman Austin reported on the Irondale Beach Park opening and JPREP meeting held last week.

Commissioner Johnson commented about a meeting with Washington State Department of Natural Resources (DNR) Commissioner of Public Lands Peter Goldmark. This week he will be going to the Heritage Caucus in Olympia to speak in favor of providing additional funding for restoration repairs to the ship "Adventurous". He will also be meeting with State legislators and attending a Legislative Steering Committee meeting.

Commissioner Sullivan reported on the Peninsula Regional Transportation Planning Organization (PRTPO) Technical Advisory Committee meeting held last week. He commented on new federal legislation which will require larger percentages of local match funding. He stated he will be serving as President of the Resource Conservation District (RCD) and discussed partnerships with other jurisdictions.

The meeting was recessed at 9:44 a.m. and reconvened at 10:02 a.m. with all three Commissioners present.

EXECUTIVE SESSION: An Executive Session was scheduled from 10:00 a.m. to 10:40 a.m. with the County Administrator, Deputy Prosecuting Attorney, Community Development Director, Planning Manager and Outside Legal Counsel regarding actual litigation under the Attorney Client exemption RCW 42.30.140(4) as outlined in the Open Public Meetings Act. The actual period of time the Board met in Executive Session on this topic was from 10:02 a.m. to 10:38 a.m. At the conclusion of the Executive Session the meeting was recessed until 10:44 a.m. at which time the meeting was resumed and the Board took the following action.

CONSENT DECREE in the Matter of Iron Mountain Quarry, LLC vs. Jefferson County; Superior Court Cause No. 12-2-00247-8: Deputy Prosecuting Attorney David Alvarez explained that Iron Mountain Quarry (IMQ) filed a Land Use Petition Act (LUPA) appeal challenging certain conditions of a Stormwater Management Permit that was issued to IMQ on September 28, 2012. It is the intent of all parties to resolve the issues raised in the LUPA appeal with the Consent Decree, rather than through a court hearing. The Consent Decree consists of 15 pages and two attachments. Staff recommends the Board authorize Ken Harper, outside legal counsel to Jefferson County, to sign the Consent Decree. Approval of the Consent Decree will result in the voluntary dismissal of the LUPA appeal.

Planning Manager Stacie Hoskins stated that IMQ filed the LUPA appeal in an effort to protect their rights. Staff has been working with IMQ to answer their questions and clarify certain conditions. Staff has also worked with Shockey Planning Group to confirm that their professionals and experts are in line in answering questions on the different conditions. The Consent Decree does not change the intent of the permit. It clarifies what the conditions mean and explicitly outlines the intention so there will be a clear understanding in the future because they are vested under the land use regulations of Jefferson County.



Commissioner Johnson moved to authorize Ken Harper, outside legal counsel to Jefferson County, to sign the Consent Decree. Commissioner Sullivan seconded the motion. County Administrator Philip Morley noted that IMQ will be responsible for the costs associated with future reviews and that the Consent Decree will not become effective until it is signed by the Jefferson County Superior Court Judge. Chairman Austin called for a vote on the motion. The motion carried by a unanimous vote.

The meeting was recessed at 10:55 a.m. and reconvened at 12:01 p.m. with all three Commissioners present.

Quarterly Elected Officials/Department Directors Lunch Meeting: County Administrator Philip Morley, Assessor Jack Westerman, Treasurer Judi Morris, Auditor Donna Eldridge, Superior Court Clerk Ruth Gordon, Public Health Director Jean Baldwin, Sheriff Anthony Hernandez, Community Development Director Carl Smith, Prosecuting Attorney Scott Rosekrans, Clerk of the Board/Human Resources Manager Erin Lundgren and Public Works Director Frank Gifford were present. The Board, elected officials and department directors discussed the following:

- 2013 Legislative Session
- Department Updates

The meeting was recessed at 1:07 p.m. and reconvened at 1:35 p.m. with all three Commissioners present.

WORKSHOP re: Jefferson County Clean Water District Advisory Council

Recommendations: Environmental Health Director Jared Keefer and Environmental Health Specialist Michael Dawson gave a presentation on the Jefferson County Clean Water District Advisory Council Recommendations. The following members of the Clean Water District Advisory Council were present: Jim Pearson, Gordon King, Richard Hull, Amy Leitman, Richard Wojt and David King. Director Keefer reported that the Clean Water District currently funds the following:

Funded Activity Areas:

- Chimacum Creek
- Discovery Bay
- Hood Canal
- Mats Mats Bay
- Hood Canal Watershed
- NE Jefferson
- Partial Grant Administration
- Water Quality Monitoring
- Development and Implementation of Water Quality Monitoring Program
- Pollution Identification and Control (PIC)
- Public Education and Outreach

He reviewed successes and challenges. Since 2006, six of the fourteen commercial growing areas have been threatened due to bacterial pollution.

- Discovery Bay
- Hood Canal #3
- Mats Mats Bay
- Quilcene Bay
- Mystery Bay
- Port Townsend Bay

The threatened downgrade lifted in Discovery Bay, Hood Canal #3, Mats Mats Bay and Quilcene Bay after action was initiated by the Clean Water District.

One hundred miles of shoreline have been monitored. There are 45 miles remaining to be monitored which will be complete by 2015. Sixteen marine sites have been monitored, however, they will not continue to be monitored by Jefferson County as they are monitored by other agencies. There has been a 58% reduction in Discovery Bay watershed monitoring sites that failed the Fecal Coliform standard. In Mats Mats Bay, 25% of shoreline samples had high levels of Fecal Coliform bacteria. The Pollution Identification and Control (PIC) investigations have led to identification and repair of failing septic systems. Mr. Keefer stated 2,016 Septic System Owner Sanitary Surveys are being conducted and 1,467 have been completed. It was found that 115 systems are either failed systems or are systems that are suspect of adversely impacting water, and 199 systems are not permitted for installation.

PIC activities conducted during the 2012 Big Quilcene Fishing Season resulted in 94% reduction in E.coli present in water samples and averted a possible shellfish harvesting area closure. There are 45 EPA-recognized impaired waterbodies within the Clean Water District. Removing listed waterbodies involves a process called Total Maximum Daily Load (TMDL) analysis which has not been done in Jefferson County, but there is opportunity for federally-recognized work to be conducted with Clean Water District funds.

In partnership with the Jefferson County Conservation District, funding has been provided for riparian restoration, weed control and Agricultural Best Management Practices (BMPs).

Eleven other counties have Clean Water Districts/Shellfish Protection Districts and 12 counties conduct the same activities as the Clean Water District, but do not have an official Clean Water District. Funding sources vary among the different counties and include funding the district with either a per parcel fee, Real Estate Excise Tax, Sales Tax or the General Fund.

In Jefferson County the Clean Water District assessment has been primarily used for grant match, and the administration, overhead and grant match fill costs were covered by the General Fund. Going forward we will need to use the Clean Water District assessment for administration and overhead as there will not be any funding available in the General Fund in 2014.

The final recommendations of the Clean Water District Advisory Committee are as follows:

- Continue with current grant obligations and activities (Water Quality Monitoring/Pollution Identification and Control/Public Education and Outreach)
- Expand these activities to all areas of the Clean Water District
- Pursue opportunities to directly address possible remediation of the EPA 303(d) listed impaired waterbodies
- Investigate activities conducted by other Clean Water Districts in Puget Sound
- Seek other partnerships in support of the East Jefferson Watershed Council
- Support lake toxic algae monitoring
- Create a discretionary fund for clean water emergencies and emerging opportunities
- Ensure Clean Water District funding for the recommended activities and programs by allocating sufficient resources

The next steps include securing financial resources for activities and programs and the development of a clean water plan in 2013. In closing, members of the Clean Water District Advisory Council commented in support of the recommendations.

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

February 4, 2013 Commissioner's Meeting: Commissioner Johnson moved that Commissioner Sullivan serve as Chairman for the meeting on Monday, February 4, 2013 due to the scheduled absence of Commissioner Austin. Chairman Austin seconded the motion which carried by a unanimous vote.

- Calendar Coordination:
 - Commissioner Johnson will attend the Port Townsend City Council meeting tonight at 6:30 p.m.
 - Chairman Austin will be out of the office from January 29, 2013 through February 10, 2013
 - Commissioner Johnson will attend the Washington State Association of Counties (WSAC) Legislative Steering Committee meeting in Olympia on January 30 and 31, 2013
 - Commissioner Johnson will be attending the Heritage Caucus meeting in Olympia on January 30, 2013
 - A joint meeting with the Port Townsend City Council and the Board of County Commissioners to discuss a Metropolitan Park District (MPD) and Amending the Interlocal Agreement is tentatively scheduled for Monday, February 11, 2013 at 6:30 p.m. at the Jefferson County Courthouse in the Superior Court Courtroom
 - Commissioner Johnson will attend the Hood Canal Coordinating Council Integrated Watershed Plan meeting on February 13, 2013
 - Commissioner Austin will meet with the legislative delegation and attend a State Board of Health meeting on February 13, 2013



- The Commissioners will be meeting Tuesday, February 19, 2013 due to the Presidents' Day holiday on Monday, February 18, 2013. There will not be a County Administrator's Briefing Session that afternoon because there is a scheduled Transit meeting.
- Commissioner Johnson may attend the joint City and County staff meeting regarding Parks and Recreation Funding on Thursday, January 31, 2013.
- 2013 Legislative Session
 - Local Transportation Funding Options Sign-On Letter; Commissioner Sullivan will be participating in a conference call with the Legislative Steering Committee Transportation Work Group to review WSAC's recommendations. He will inquire about the funding options and report back to the Board.
- Miscellaneous Items
 - Commissioner Johnson will be presenting the Legislative Steering Committee with the resolution for the Governor to place a moratorium on netpens.
 - Possibility of Strategies 360 Lobbying for Capital Funding from the State for the Tri-Area Sewer and Public Works Trust Fund
 - Washington State Auditor's Exit Conference
 - Community Input Meetings - add the community of Gardiner to the list
 - Amendment to Interlocal Agreement between the City of Port Townsend and Jefferson County re: 2010 Sales Tax Ballot Measure - Proposition 1 Funding
 - County Administrator's meetings with potential members of the design panel for a Metropolitan Parks District (MPD)
 - JeffCom Facility Costs
 - Tala Point No Shooting Zone
 - Department of the Interior Request re: Suquamish Tribe
 - Department of Natural Resources Conference Call re: Community Forest Trust
 - Teal Lake Trail in Port Ludlow
 - NACO's Interest in Efforts to Curb Power/Energy Use in Buildings
- Future Agenda Items (Not discussed)

March 4, 2013 Commissioners' Meeting: Commissioner Sullivan moved to reinstate the previously cancelled Commissioners' regular meeting for Monday, March 4, 2013 with Phil Johnson to serve as Chairman due to the scheduled absence of Chairman Austin. Commissioner Johnson seconded the motion which carried by a unanimous vote.

Community Input Meeting in Gardiner: Commissioner Johnson moved to add Gardiner to the list of locations where community input meetings will be held in 2013. Commissioner Sullivan seconded the motion which carried by a unanimous vote.



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NOTICE OF ADJOURNMENT: Commissioner Sullivan moved to adjourn the meeting at 3:40 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



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

 **DRAFT**

MINUTES
Week of January 22, 2013

 **DRAFT**

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 commented on the current economy and how it will affect bank interest rates; and
- A citizen commented on President Obama's recent speech and a WSU presentation that is scheduled for January 31, 2013 at the Tri-Area Community Center

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. **BID CALL:** Publication of County Legal Notices; Bids Accepted Until 9:30 a.m. and Opened and Read Publicly at 10:00 a.m. on Monday, March 11, 2013 in the Commissioners' Chamber
2. **AGREEMENT, Amendment No. 6:** 2012-2014 Consolidated Contract; Additional Amount of \$91,630.00 for a Total of \$840,363.00; Jefferson County Public Health; Washington State Department of Health
3. **Payment of Jefferson County Vouchers/Warrants:** Dated December 21, 2012 Totaling \$42,354.89 and Dated December 28, 2012 Totaling \$634,213.70
4. **Payment of Jefferson County Payroll Warrants:** Dated December 30, 2012 Totaling \$105,359.15

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

Chairman Austin attended a Hood Canal Coordinating Council (HCCC) meeting and met with staff of the Washington State Department of Natural Resources last week. He will be attending a JPREP meeting this week.

Commissioner Sullivan participated in a Washington State Association of Counties (WSAC) Transportation Committee conference call this week. He will be attending a Peninsula Development District (PDD) meeting and possibly attend a Peninsula Regional Transportation Planning Organization (PRTPO) Technical Advisory Committee meeting this week.

Commissioner Johnson will be meeting with staff of Hood Canal Coordinating Council (HCCC) to work on a Hood Canal Watershed Plan.

**DRAFT*****Public Infrastructure Fund Waterfront Esplanade Improvement Project Agreement:***

County Administrator Philip Morley presented a Public Infrastructure Fund (PIF) grant agreement with the City of Port Townsend for the Waterfront Esplanade Improvement Project in the amount of \$450,000. He explained the funding for this project is recommended by the PIF Board and Resolution No. 63-12 concurred with a series of recommendations from the PIF Board, including this project for the proposed amount. This grant would extend through December 31, 2017. The County Code states PIF grants cannot exceed 50% of the project costs and this will fund the project at 30% of the total project cost. Commissioner Johnson moved to approve the agreement with the City of Port Townsend granting Public Infrastructure Funds in the amount of \$450,000 for the Waterfront Esplanade Improvement project. Commissioner Sullivan seconded the motion which carried by a unanimous vote.

Public Defense Services Agreement, Amendment No. 1 with Jefferson Associated

Counsel: County Administrator Morley stated the County is responsible for providing indigent defense for legal counsel and representation. Mr. Pierce was transferred back to Jefferson County for a retrial in Washington State vs. Michael Pierce, Case No. 09-1-00058-7. The court has assigned his legal representation to Jefferson Associated Counsel (JAC). The existing agreement with JAC does not include extraordinary justice cases, such as murder cases, and the agreement does allow negotiation for additional resources should an extraordinary case be appointed to JAC. The presented amendment will provide additional staffing to be dedicated for the defense of Mr. Pierce. The additional \$7,717 will be paid to JAC each month from January through June 2013 or until resolution of the case, whichever happens first. If the case were to extend after June 2013, another amendment may be presented to extend providing additional resources for this specific case. He stated these expenses are not budgeted for 2013 and a second quarter budget appropriation is anticipated. This money may need to be borrowed from a fund in the General Fund and paid back over a number of years if revenue is not received at a higher rate than anticipated. The State legislature may help reimburse some of the funds for extraordinary cases, but that decision for reimbursement will not be known until 2014. Commissioner Sullivan moved to approve Amendment No. 1 with Jefferson Associated Counsel. Commissioner Johnson seconded the motion which carried by a unanimous vote.

The meeting was recessed at 9:53 a.m. and reconvened at 10:00 a.m. with all three Commissioners present.

EXECUTIVE SESSION: An Executive Session was scheduled from 10:00 a.m. to 10:15 a.m. with the County Administrator, Deputy Prosecuting Attorney, Sheriff and Outside Legal Counsel regarding Attorney-Client Privilege, Actual Litigation under exemption RCW 42.30.140(1)(i) as outlined in the Open Public Meetings Act. The Sheriff was not present for the Executive Session and the actual period of time the Board met in Executive Session on this topic was from 10:05 a.m. to 10:30 a.m. At the conclusion of the Executive Session the Board resumed the regular meeting.



Deputy Prosecuting Attorney David Alvarez stated when a correction officer is individually named for facing a possibility of punitive damages, the Board of County Commissioner may approve a resolution that would promise the County would pay the punitive damages if the officer is found by the courts to have to pay punitive damages. A resolution will be brought before the Board at a future date regarding possible punitive damages to be paid in the Chris Dankert case.

EXECUTIVE SESSION: An Executive Session was scheduled from 10:20 a.m. to 11:00 a.m. with the County Administrator and Deputy Prosecuting Attorney regarding Attorney-Client Privilege, Actual Litigation under exemption RCW 42.30.140(1)(i) as outlined in the Open Public Meetings Act. The actual period of time the Board met in Executive Session on this topic was from 10:32 a.m. to 11:12 a.m. At the conclusion of the Executive Session no action was taken and the Board resumed the regular meeting.

The meeting was recessed at 11:12 a.m. and reconvened at 1:33 p.m. with all three Commissioners present.

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

- Calendar Coordination
 - Commissioner Sullivan will attend a weekly meeting of the Washington State Association of Counties (WSAC) Transportation Subcommittee on Wednesdays
 - County Administrator Morley will attend the FEMA meeting January 23, 2013
 - A Jeffcom meeting is scheduled for January 24, 2013
 - Chairman Austin, Commissioner Johnson and County Administrator Morley will attend the January 24, 2013 Irondale Beach Park Dedication Ceremony
 - Commissioner Sullivan will attend a Peninsula Development District (PDD) meeting January 24, 2013
 - Commissioner Johnson will be participating in weekly WSAC Natural Resources and Legislative Conference Calls
 - A Quarterly Elected Officials and Directors meeting is scheduled for January 28, 2013
 - Chairman Austin will be out of the office January 30 through February 10, 2013
 - Commissioner Johnson will be attending a Legislative Steering Committee Round Table Discussion January 30, 2013
 - Commissioner Johnson will be in Olympia January 31, 2013
 - Commissioner Johnson will attend a Hood Canal Coordinating Council meeting February 13, 2013
 - Commissioner Johnson will attend an Olympic Regional Clean Air Agency (ORCAA) meeting February 13, 2013



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- Chairman Austin will be in Olympia February 13, 2013 to attend legislative meetings and a Washington State Board of Health meeting
- A potential joint City of Port Townsend and Board of County Commissioners meeting is scheduled for February 11, 2013
- The Courthouse will be closed February 18, 2013 in observance of Presidents Day
- There will not be a County Administrator's Briefing February 19, 2013
- The Board will attend a Jefferson Transit Authority meeting February 19, 2013
- Commissioner Sullivan will attend a Housing Action Plan Network meeting February 19, 2013
- Chairman Austin will attend the National Association of Counties (NACo) Conference in Washington D.C. March 2 through 4, 2014
- Legislative Session
 - Transportation
 - Port Hadlock Wastewater (Sewer)
 - Extraordinary Justice Reimbursement
 - Washington State Department of Natural Resources (DNR) Trust Land Transfers
 - Net Pens
 - Sand, Rock and Gravel
- Miscellaneous Items
 - Tala Point (Port Ludlow) No Shooting Zone
 - Sign Ordinance
 - Noise Ordinance
 - Possible renaming of Squamish Bay to Suquamish Bay
 - Assessor's Evaluation of Quarries
 - Rights of Way
 - Regional Parks & Recreation & Metropolitan Park District (MPD) Design Panel
 - Shoreline Master Program (SMP)
 - Communities that Care survey
- Future Agenda Items:
 - Port Ludlow No Shooting Zone
 - City/County Transportation Legislation
 - Iron Mountain Quarry (IMQ) Land Use Petition Act Appeal
 - Status of Lobbying for the Port Hadlock Wastewater (Sewer)

The meeting was recessed at 3:04 p.m. and reconvened at 3:10 p.m. with Chairman Austin and Commissioner Sullivan present.

 **DRAFT**



NOTICE OF ADJOURNMENT: Commissioner Sullivan moved to adjourn the meeting at 3:14 p.m. until the next regular meeting or special meeting as properly noticed. Chairman Austin seconded the motion. The motion carried.

JEFFERSON COUNTY
BOARD OF COMMISSIONERS

SEAL:

John Austin, Chair

ATTEST:

Phil Johnson, Member

Raina Randall
Deputy Clerk of the Board

David Sullivan, Member