

MINUTES
PIERCE COUNTY COUNCIL MEETING
JUNE 13, 2000

930 TACOMA AVENUE SOUTH, ROOM 1045
TACOMA, WASHINGTON 98402
(253) 798-7777 -- FAX: (253) 798-7509 -- TDD: (253) 798-4018

(Note: These minutes are not verbatim. Recorded tapes are available upon request.)

I. CALL TO ORDER

The regular meeting of the Pierce County Council was called to order at 3:00 p.m. by Chair Casada.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Casada.

III. ROLL CALL

Councilmembers Present: Karen S. Biskey, Wendell Brown, Sarah Casada, Pat O'Malley, and Jan Shabro; Harold Moss and Ken Madsen were excused.

Council Staff Present: Anna Graham, Research Analyst; Susan Long, Legal Counsel; Gerri Rainwater, Administrator/Clerks & Operations; and Tom Weber, Administrator/Research & Policy.

There were approximately 22 visitors present.

IV. APPROVAL OF AGENDA

Brown moved approval of the Agenda; motion seconded and passed.

V. CONSENT AGENDA

a. Approval of Minutes

1. The minutes of the April 18, 2000, regular Pierce County Council meeting.
2. The minutes of the April 25, 2000, regular Pierce County Council meeting.
3. The minutes of the May 2, 2000, District No. 7 Pierce County Council meeting.

4. The meeting summary of the June 2, 2000, Pierce County Council/WSAC and WACO special meeting.
- b. Action on Ordinances (refer, set date of hearing)
- c. Action on Resolutions (refer, set date of hearing)
 1. PROPOSAL NO. R2000-73, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF TACOMA TO REPLACE THE PREVIOUS "AGREEMENT PROVIDING FOR CREATION AND OPERATION OF A COMBINED COUNTY-CITY HEALTH DEPARTMENT" WITH A NEW AGREEMENT RELATIVE TO THE TACOMA-PIERCE COUNTY HEALTH DEPARTMENT.
Sponsored by: Councilmember Jan Shabro
Contact persons: Roger Miener (Exhibit "A"), 798-7582 and Susan Long (Resolution), 798-6068
For referral to the Rules Committee
 2. PROPOSAL NO. R2000-74, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE CHAIR OF THE PIERCE COUNTY COUNCIL TO ENTER INTO AN AGREEMENT FOR PERSONAL SERVICES FOR THE EMPLOYMENT OF THE PIERCE COUNTY HEARING EXAMINER AND DEPUTY HEARING EXAMINERS FOR A ONE-YEAR TERM (JULY 1, 2000 THROUGH JUNE 30, 2001); AND AUTHORIZING THE DIRECTOR OF BUDGET AND FINANCE TO DISBURSE EXPENDITURES FROM THE SPECIAL PROJECTS BUDGET.
Sponsored by: Councilmember Sarah Casada
Contact person: Shawn Bunney, 798-3388
For referral to the Rules Committee
To be heard by the Rules Committee on June 19, 2000
Suggested date of Council hearing: June 20, 2000
- d. Other Items

Brown moved approval of the Consent Agenda; motion seconded and passed on a roll call vote of five to zero.

VI. MESSAGES FROM EXECUTIVE/JUDGES/PROSECUTING ATTORNEY

1. A message from the Executive transmitting the following Ordinances, which were approved and signed on May 27, 2000, was read into the record:

ORDINANCE NO. 2000-3, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF 162ND STREET SOUTH, WHICH IS LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 19 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, IN THE SPANAWAY AREA.

ORDINANCE NO. 2000-7, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE

COUNTY, IN THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 17 NORTH, AND RANGE 4 EAST, OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS(T)12-99, JAMES E. AND AUDREA M. WORTHINGTON - EATONVILLE AREA)

ORDINANCE NO. 2000-8S, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 18 NORTH, RANGE 3 EAST, OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS13-99, DOUGLAS THOMSON - SPANAWAY AREA)

ORDINANCE NO. 2000-12, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, IN THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 17 NORTH, AND RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS(T)14-99, MICHAEL H. BELNAP - EATONVILLE AREA)

ORDINANCE NO. 2000-14, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, IN THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 19 NORTH, AND RANGE 6 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS(T)16-99, CARL AND MARGARET KEHRET - CARBONADO AREA)

ORDINANCE NO. 2000-20S, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL FINDING THE PROPOSED NONEXCLUSIVE TELECOMMUNICATIONS FRANCHISE TO METROMEDIA FIBER NETWORK SERVICES, INC. FOR A TELECOMMUNICATIONS NETWORK IN PIERCE COUNTY TO BE IN THE PUBLIC INTEREST AND AUTHORIZING THE EXECUTIVE TO ENTER INTO THE AGREEMENT; SETTING FORTH TERMS AND CONDITIONS ACCOMPANYING THE GRANTING OF THE TELECOMMUNICATIONS FRANCHISE; PROVIDING FOR THE REGULATION OF CONSTRUCTION, OPERATION, MAINTENANCE, AND USE OF THE NETWORK; AND PRESCRIBING REMEDIES FOR THE VIOLATION OF THE PROVISIONS OF THE TELECOMMUNICATIONS FRANCHISE.

VII. PROCLAMATIONS, AWARDS, AND/OR APPOINTMENTS TO BOARDS AND COMMISSIONS

PROPOSAL NO. R2000-71, A RESOLUTION OF THE PIERCE COUNTY COUNCIL HONORING PIERCE COUNTY EDUCATORS WHO WERE RECENTLY NAMED RECIPIENTS

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OF THE WASHINGTON AWARD FOR EXCELLENCE IN EDUCATION. (KEITH BANKS, WHITE RIVER HIGH SCHOOL; LINDA BLUM, LAKERIDGE JUNIOR HIGH/SUMNER DISTRICT; KATHY BRYSON, STEVENS/SUMNER JUNIOR HIGH; TWYLA BRUNSON, MOUNTAIN VIEW JUNIOR HIGH/SUMNER DISTRICT; GAIL PHILLIPS; KALLES JUNIOR HIGH/PUYALLUP DISTRICT; SCOTT URLING, SUMNER HIGH SCHOOL; AND MICHAEL MULDROW, LAKERIDGE JUNIOR HIGH/SUMNER DISTRICT)

Brown moved that this Proposal be continued to June 20, 2000; motion seconded and passed.

PROPOSAL NO. R2000-54, A RESOLUTION OF THE PIERCE COUNTY COUNCIL APPOINTING A NEW COMMISSIONER TO THE PIERCE 23 FIRE AND RESCUE BOARD OF COMMISSIONERS, TO FILL AN EXISTING VACANCY, PURSUANT TO REVISED CODE OF WASHINGTON 4.12.070.

Brown moved adoption; motion seconded. The Clerk read the title into the record.

The Chair explained the Council would be filling the vacant position on the Board of Commissioners, based upon the testimony received regarding the applicants. The Chair called for public testimony. (The applicants for nomination are Alan Nelson and Peggy Van Steertegen.)

Public Testimony

The following individuals spoke in support of Alan Nelson: Vicky Murphy, Buck Copsy, Jarrold Perry, and John Chappell.

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The following individuals spoke in support of Peggy Van Steertegen: Josephia Simtich; Ronald Lauer Thomas, speaking on behalf of the Fire Chief; Kirk Kirkland, Tacoma Audubon Society; Evan Kast; and a telephone message from Mayor Cliff Murphy in support was read into the record by the Chair.

The applicants addressed the Council expressing their desire to be appointed as the third Commissioner for Pierce 23 Fire and Rescue Board.

Biskey moved an amendment as follows: on page 2 of the Resolution, at line 9, insert the name Peggy Van Steertegen; motion seconded and passed.

The Chair called for public testimony; there was no response. The Proposal passed as amended on a roll call vote of four to zero; Shabro abstained.

PROPOSAL NO. R2000-66, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE REAPPOINTMENT OF ONE EXISTING MEMBER TO THE NOXIOUS WEED CONTROL BOARD. (JOHN ADAMSKI)

Brown moved adoption; motion seconded. The Clerk read the title into the record. The Chair called for public testimony.

Rainwater stated Tom Bertram, Chair of the Weed Control Board, had called to say neither he nor Mr. Adamski could be present at the meeting. However, Adamski wishes to serve, and Bertram supports the reappointment.

The Proposal passed on a roll call vote of five to zero.

PROPOSAL NO. R2000-72, A RESOLUTION OF THE PIERCE COUNTY COUNCIL, AMENDING RESOLUTION NO. R2000-39, BY CHANGING THE COUNCIL'S APPOINTMENT TO THE TACOMA-PIERCE COUNTY HEALTH BOARD FROM COUNCILMEMBER JAN SHABRO, TO COUNCILMEMBER KAREN S. BISKEY.

Brown moved adoption; motion seconded. The Clerk read the title into the record.

Shabro stated she has resigned because of demands on her schedule, and Biskey has agreed to fill her appointment on the Health Board.

The Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of five to zero.

VIII. ORDINANCES

PROPOSAL NO. 2000-23, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT, ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 20 NORTH, AND RANGE 1 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS(T)18-99, CAROL SHEARN - ANDERSON ISLAND)

Brown moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Mike Erkkinen, Planning and Land Services Department, provided a staff report, stating this application represents 15.55 acres, three of which have been reserved for residential use. He stated the Timber Management Plan has been submitted, and the application was approved by the Planning Commission.

Brown moved an amendment as follows: on page 2 of the Ordinance, at line 22, insert the date May 18, 2000; on page 2 of Exhibit "B", at line 11, insert the date June 13, 2000; motion seconded and passed.

Brown moved a Committee amendment as follows: on page 1 of the Ordinance, at line 12, delete the word and; on page 3 of the Ordinance, at line 20, delete the words on page 1 of; motion seconded and passed.

The Chair called for public testimony; there was no response. The Proposal passed as amended on a roll call vote of five to zero.

PROPOSAL NO. 2000-24, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 19 NORTH, AND RANGE 6 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS(T)23-99, ROBERT AND JIMMIE WINTERS, SOUTH PRAIRIE AREA)

Brown moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Erkkinen provided a staff report, stating this application represents 8.6 acres of timber land, with one acre being reserved for residential. He stated the application was approved by the Planning Commission, and the Timber Management Plan is on file.

Brown moved an amendment as follows: on page 2 of the Ordinance, at line 24, insert the date May 18, 2000; on page 2 of Exhibit "B," at line 13, insert the date June 13, 2000; motion seconded and passed.

Brown moved a Committee amendment as follows: on page 1 of the Ordinance, at line 13, delete the word and; on page 3 of the Ordinance, at line 22, delete the words on page 1 of; motion seconded and passed.

The Chair called for public testimony on the Proposal as amended; there was no response. The Proposal passed as amended on a roll call vote of five to zero.

PROPOSAL NO. 2000-40, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE CONDITIONAL APPROVAL OF OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WHICH IS LOCATED WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 17 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS17-99, DAVID GOODSON - TANWAX AREA)

Brown moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Erkkinen provided the staff report, stating this application represents 4.35 acres, and the application was considered through the Public Benefit Rating System. He stated there is a requirement of a minimum of five acres, and to achieve the five acres the Planning Commission can conditionally approve the application subject to a stipulation that the agreement shall not be recorded until a lot combination occurs with the adjacent parcel. The language is to be addressed by the Council in an amendment. Erkkinen stated the property in question is not suitable for public access because of sensitive areas.

Brown moved Committee Amendment No. 1 as set forth in Attachment I to these minutes; motion seconded.

Graham explained the effect of the amendment is to remove the conditional language, stating that at this point the Proposal does not require a conditional approval.

The amendment passed. The Chair called for testimony on the Ordinance as amended; there was no response. The Proposal passed as amended on a roll call vote of five to zero.

PROPOSAL NO. 2000-41, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, WHICH IS LOCATED IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 19 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS27-99, PETER AND ANNIE LANEY - PUYALLUP AREA)

Brown moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Erkkinen provided the staff report, stating the application represents 19.62 acres; 2.8 acres have been set aside for a residential area. He stated the Public Benefit Rating System was applied.

Brown moved an amendment as follows: on page 2 of the Ordinance, at line 18, insert the date May 18, 2000; on page 2 of Exhibit "B," at line 11, insert the date June 13, 2000; motion seconded and passed.

The Chair called for public testimony on the Proposal as amended; there was no response. The Proposal passed as amended on a roll call vote of five to zero.

PROPOSAL NO. 2000-42, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, SOUTHWEST QUARTER OF SECTION 9, AND NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 20 NORTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS26-99, M. LESLIE FOSS - KEY PENINSULA AREA)

Brown moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Erkkinen provided the staff report, stating this application represents 49 acres; 4 acres have been set aside for residential. He stated the Public Benefit Rating System had been applied, and the application had received approval from the Planning Commission.

Brown moved an amendment as follows: on page 2 of the Ordinance, at line 21, insert the date May 18, 2000; on page 2 of Exhibit "B," at line 11, insert the date June 13, 2000; motion seconded and passed.

The Chair called for public testimony on the Proposal as amended; there was no response. The Proposal passed as amended on a roll call vote of five to zero.

PROPOSAL NO. 2000-43, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WHICH IS LOCATED WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, SAID PROPERTY BEING IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 17 NORTH, AND RANGE 3 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST3-99, PRISCILLA A. FORTINER - ROY AREA.)

Brown moved that this Proposal be continued to June 20, 2000; motion seconded and passed.

IX. RESOLUTIONS - None

X. OTHER BUSINESS/ANNOUNCEMENTS

1. At Weber's request, Brown moved that the Hearing Examiner Contract Resolution be added to next week's Meeting Schedule and Council Agenda to meet the July 1, 2000, deadline; motion seconded and passed.
2. Casada presented Certificates of Appreciation to Weber, Rainwater, and Long for their work on the Meth Lab legislation.

XI. GENERAL PUBLIC COMMENTS - None

XI. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:10 p.m.

Attest:

Clerk of the Council

Approved:

Council Chair

Date Approved

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