

**MINUTES**  
**PIERCE COUNTY COUNCIL MEETING**  
**JUNE 20, 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, Sarah Casada, Ken Madsen, and Harold Moss; Wendell Brown, Pat O'Malley, and Jan Shabro were excused.

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

There were approximately 27 visitors present.

**IV. APPROVAL OF AGENDA**

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

**V. CONSENT AGENDA**

- a. Approval of Minutes
- b. Action on Ordinances (refer, set date of hearing)
- c. Action on Resolutions (refer, set date of hearing)
- d. Other Items

Biskey moved adoption of the Consent Agenda; motion seconded and passed on a roll call vote of four to zero.

**VI. MESSAGES FROM EXECUTIVE/JUDGES/PROSECUTING ATTORNEY**

1. A message from the Executive transmitting the following Ordinance, which was approved and signed on June 5, 2000, was read into the record:

ORDINANCE NO. 2000-46, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH COUNCIL 2, WASHINGTON STATE COUNCIL OF COUNTY AND CITY EMPLOYEES, AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME) AFL-CIO, LOCAL 120 - DISTRICT COURT PROBATION; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

2. A message from the Executive transmitting the following Ordinances, which were approved and signed on June 7, 2000, was read into the record:

ORDINANCE NO. 2000-6, 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 13, TOWNSHIP 17 NORTH, AND RANGE 4 EAST, OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS(T)2-99, PHIL ANTUSH AND HENRIETTA MOREY - EATONVILLE AREA)

ORDINANCE NO. 2000-21, 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 NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 21 NORTH, AND RANGE 1 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS(T)22-99, RICHARD A. COOVERT - LAKEBAY/KEY PENINSULA AREA)

ORDINANCE NO. 2000-22, 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 NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 19 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS19-99, ESTHER L. HAHN - ORTING AREA)

**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 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)**

Biskey moved adoption; motion seconded. The Clerk read the Proclamation into the record.

Public Testimony

Gail Phillips, Kalles Junior High of the Puyallup School District, accepted her Proclamation, and thanked the Council for their recognition. She also thanked the teachers in her District who had encouraged her to participate in the program.

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

**PROPOSAL NO. R2000-77, A RESOLUTION OF THE PIERCE COUNTY COUNCIL  
URGING CONGRESS TO PROVIDE FOR FULL FUNDING OF MEDICAL CARE FOR  
MILITARY RETIREES.**

Biskey moved adoption; motion seconded. The Clerk read the Proclamation into the record.

Madsen stated he had initiated this Proposal to Congress as they are currently considering four bills dealing with full funding of medical costs for military retirees. He stated the support is for the issue, and not for a specific bill. Madsen requested that the Clerk provide copies of the Proclamation to the American Veterans, Veterans of Foreign War, and the American Legion organizations in Pierce County, as well as copies to the Washington Congressional Delegation.

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

**PROPOSAL NO. R2000-76, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE PIERCE COUNTY CONSERVATION FUTURES CITIZENS' ADVISORY BOARD. (MR. KRIS G. KAUFFMAN)**

Biskey moved adoption; motion seconded. The Clerk read the title into the record. The Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of four to zero.

#### **VIII. ORDINANCES**

**PROPOSAL NO. 2000-13S, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE DENIAL OF OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 22 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS15-99, SHEILA K. HERRON - GIG HARBOR AREA)**

Biskey moved adoption as substituted; motion seconded. The Clerk read the title into the record.

Biskey moved adoption of Council Amendment No. 1 as set forth in Attachment I to these minutes; motion seconded and passed.

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

**PROPOSAL NO. 2000-27, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL APPROVING THE TRANSFER OF CERTAIN WATER LINE FRANCHISE OWNERSHIP FROM HARBOR WATER COMPANY TO WASHINGTON WATER SERVICE COMPANY; AND AMENDING FRANCHISE BOUNDARY AREA.**

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

Staff Testimony

Jennifer Andres, Public Works and Utilities Department, stated this is a request to change the name, and extend the franchise boundary area for this existing franchise, which will expire in January 2006. The Department recommends approval.

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

**PROPOSAL NO. 2000-33, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING PIERCE COUNTY CODE TITLE 18A, THE PIERCE COUNTY DEVELOPMENT REGULATIONS - ZONING, TO IMPLEMENT AMENDMENTS MADE TO THE COMPREHENSIVE PLAN BY ORDINANCE NO. 99-93S2 FOR MAP AMENDMENT NO. M-7, 72ND AND WALLER ROAD, AND TEXT AMENDMENT NO. T-14, RURAL AREA OF MORE INTENSIVE DEVELOPMENT; ADDRESSING THE FINDING OF FACT NO. 31 FOR URBAN GROWTH AREA AMENDMENT NO. U-6, JASMER; AMENDING THE PIERCE COUNTY ZONING ATLAS; AND SETTING AN EFFECTIVE DATE.**

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

Staff Testimony

Mike Erkinen, Planning and Land Services Department, stated these amendments are being requested to implement recent amendments to the Comprehensive Plan pertaining to the Rural Area of More Intensive Development, which is located at 72nd Street and Waller Road, known as Pederson Farms, and also addressed the finding of the Council in Ordinance No. 99-93S2 to allow as a permitted use services associated with cemeteries, such as vault manufacturing and storage, in the Rural Separator designation. He stated the Planning Commission had conducted several hearings on the issue. The parties involved in the Pederson Farms amendment had met several times to come to a consensus about the use of the property.

In response to Madsen's question as to the effects of voting on this Ordinance and how it relates to the Jasmer amendment, Graham stated a positive vote would indicate no change.

Biskey moved adoption of a Committee amendment as follows:  
on page 1 of the Ordinance after atlas insert adopting findings of fact; on page 4 of the Ordinance, at line 11, insert a new section 3 as follows: Section 3. Findings of fact documenting the actions taken by the Council are

hereby adopted as set forth in Exhibit "C" which is attached hereto and incorporated herein by reference; add a new Exhibit "C"; and renumber the remaining sections. Motion seconded and passed.

Biskey moved adoption of Council Amendment No. 1 as set forth in Attachment II to these minutes; motion seconded and passed.

#### Public Testimony

Jim Akers, Summit-Waller Community Association, thanked the Planning Staff and Councilmember Moss for bringing the parties involved to a consensus on the Pederson Farms property.

Audrey Chase spoke in support of the Ordinance, including no changes to the Jasmer property.

The Proposal passed as amended on a roll call vote of four to zero.

**PROPOSAL NO. 2000-43S, 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, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST3-99, PRISCILLA A. FORTINER - ROY AREA)**

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

#### Staff Testimony

Airyang Julia Park, Planning and Land Services Department, stated this request has been approved by the Planning Commission. She stated a Forest Management Plan has been received, the property meets the criteria set forth for timber land classification, and the Department's supports the approval.

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

**PROPOSAL NO. 2000-44S, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL FINDING THE PROPOSED NON-EXCLUSIVE TELECOMMUNICATIONS FRANCHISE TO YCOM NETWORKS INC. FOR A TELECOMMUNICATIONS NETWORK IN PIERCE COUNTY TO BE IN THE PUBLIC INTEREST; 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; PRESCRIBING  
REMEDIES FOR THE VIOLATION OF THE PROVISIONS OF THE FRANCHISE; AND  
AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO THE FRANCHISE  
AGREEMENT.**

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

Staff Testimony

Bunney stated this Ordinance represents a 10 year franchise for YCOM, who is currently doing business in Pierce County as Yelm Telephone. He stated the language in the franchise is consistent with Pierce County Code.

Public Testimony

Roxy Giddings recommended that the Council require underground placement of telecommunications lines as they are allowed to cut trees and shrubs six feet below the lines. Bunney replied that current County policy is to not require undergrounding, and to allow franchisees to hang the lines. Casada pointed out that she feels the idea of undergrounding should be evaluated.

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

**PROPOSAL NO. 2000-37, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 2.48 OF THE PIERCE COUNTY CODE - AGING AND LONG TERM CARE ADVISORY BOARD, TO PROVIDE CONSISTENCY WITH LANGUAGE OF THE OLDER AMERICANS ACT; AND AMENDING THE MINIMUM AND MAXIMUM NUMBER OF MEMBERS ALLOWED ON THE AGING AND LONG TERM CARE ADVISORY BOARD.**

Biskey moved adoption; motion seconded. The Clerk read the title into the record. The Chair called for public or staff testimony; there was no response. The Proposal passed on a roll call vote of four to zero.

**IX. RESOLUTIONS**

**PROPOSAL NO. R2000-74S, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE CHAIR OF THE PIERCE COUNTY COUNCIL TO ENTER INTO AN AGREEMENT FOR PERSONAL SERVICES 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.**

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

Staff Testimony

Bunney outlined to Council the changes in the Hearing Examiner contract for the next fiscal year. He stated two deputy hearing examiners had been removed from the contract, and one new examiner is added. He stated there is also included an added responsibility to prepare the records for appeals and language to respond to Initiative 200. He stated the salary for one of the Commissioners had been increased to reflect extensive experience.

Weber stated the expenditures for the Hearing Examiner are paid from the County's Special Projects budget.

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

**X. OTHER BUSINESS/ANNOUNCEMENTS**

1. Friends of Family Farmers Presentation -- Councilmember Louise Miller, King County Council.

**XI. GENERAL PUBLIC COMMENTS**

Alton McDonald spoke to the Council regarding concerns he has with the treatment of minorities who are employed at Remann Hall.

**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned at 4:55 p.m.

Attest:

Clerk of the Council

Approved:

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Council Chair

Date Approved

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