

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
JUNE 25, 2002**

930 TACOMA AVENUE SOUTH, ROOM 1045  
TACOMA, WASHINGTON 98402  
(253) 798-7777 -- FAX: (253) 798-7509 -- TDD: (253) 798-4018  
[www.co.pierce.wa.us/council](http://www.co.pierce.wa.us/council)

**(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 Vice Chair O'Malley.

**II. PLEDGE OF ALLEGIANCE TO THE FLAG**

The pledge was led by O'Malley.

**III. ROLL CALL**

Councilmembers Present: Karen S. Biskey, Wendell Brown, Pat O'Malley, Jan Shabro, and Kevin Wimsett; Harold Moss and Calvin Goings were excused.

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

There were approximately 26 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 June 11, 2002, special Council meeting.
- b. Action on Ordinances (refer, set date of hearing)
  1. PROPOSAL NO. 2002-45, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO PUBLIC UTILITY DISTRICT NO. 1 OF LEWIS COUNTY, A PUBLIC UTILITY OF THE STATE OF WASHINGTON, FOR LOCATION OF ELECTRIC LINES ON CERTAIN COUNTY OWNED RIGHTS-OF-WAY; REPEALING ORDINANCE NO. 2000-118; AND

AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.

Sponsored by: Councilmember Pat O'Malley

Contact person: Jerry West, 798-3687

DO PASS AS AMENDED RECOMMENDATION - PUBLIC WORKS COMMITTEE (Pat O'Malley, Chair; Kevin Wimsett, Vice Chair; Karen Biskey, Member; Calvin Goings, Member, Harold Moss, Member)

Suggested date of Council hearing: July 16, 2002

2. PROPOSAL NO. 2002-61s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING PIERCE COUNTY CODE SECTIONS 2.78.030 AND 2.78.040, TO AUTHORIZE MEMBERS OF THE PLANNING COMMISSION TO CONTINUE TO SERVE PURSUANT TO SECTION 2.78.030 IN THE EVENT OF A CHANGE OF COUNCIL DISTRICT BOUNDARIES.

Sponsored by: Councilmembers Harold Moss and Wendell Brown

Contact person: Lloyd Fetterly, 798-6732

DO PASS AS AMENDED RECOMMENDATION - RULES & OPERATIONS COMMITTEE (Harold Moss, Chair; Pat O'Malley, Vice Chair; Wendell Brown, Member)

Suggested date of Council hearing: July 9, 2002

3. PROPOSAL NO. 2002-64, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF BARKUBEIN COUNTY ROAD EAST (226th AVENUE EAST), LOCATED IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 20 NORTH, RANGE 5 EAST, OF THE WILLAMETTE MERIDIAN, LOCATED IN THE BONNEY LAKE AREA.

Sponsored by: Councilmember Pat O'Malley

Contact person: Jennifer Andres, 798-2720

DO PASS AS AMENDED RECOMMENDATION - PUBLIC WORKS COMMITTEE (Pat O'Malley, Chair; Kevin Wimsett, Vice Chair/excused; Karen Biskey, Member; Calvin Goings, Member/excused, Harold Moss, Member)

Suggested date of Council hearing: July 23, 2002

4. PROPOSAL NO. 2002-71, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING A NEW CHAPTER 2.70 OF THE PIERCE COUNTY CODE ENTITLED "SHARED SICK LEAVE"; ESTABLISHING A SHARED LEAVE POLICY FOR PIERCE COUNTY EMPLOYEES TO ALLOW EMPLOYEES TO SHARE ACCRUED SICK LEAVE WITH A FELLOW EMPLOYEE WHO IS SUFFERING FROM AN EXTRAORDINARY OR SEVERE ILLNESS, INJURY, IMPAIRMENT, OR PHYSICAL OR MENTAL CONDITION WHICH PREVENTS THAT EMPLOYEE FROM WORKING.

Sponsored by: Councilmembers Harold Moss, Wendell Brown, Calvin Goings, Jan Shabro, and Kevin Wimsett

Contact person: Gerri Rainwater, 798-7579

For referral to the Rules & Operations Committee

5. PROPOSAL NO. 2002-72, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 3.92 OF THE PIERCE COUNTY CODE, "REIMBURSEMENT OF EXPENSES".  
Sponsored by: Councilmember Harold Moss  
Contact person: Patrick Kenney, 798-7450  
For referral to the Rules & Operations Committee
- c. Action on Resolutions (refer, set date of hearing)
  1. PROPOSAL NO. R2002-75, A RESOLUTION OF THE PIERCE COUNTY COUNCIL APPROVING THE ANNEXATION OF REAL PROPERTY (UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE) TO THE CRYSTAL MOUNTAIN SEWER DISTRICT; AND ADOPTING FINDINGS OF FACT.  
Sponsored by: Councilmember Pat O'Malley  
Contact person: Thomas Weber 798-6067  
For referral to the Rules & Operations Committee  
To be heard by the Rules & Operations Committee on July 8, 2002  
Suggested date of Council hearing: July 9, 2002
- 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 June 3, 2002, were read into the record:

ORDINANCE NO. 2002-6, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 2.64.040 OF THE PIERCE COUNTY CODE, "JURISDICTION AND AUTHORITY", ADJUSTING THE JURISDICTIONAL BOUNDARIES OF THE FREDERICKSON ADVISORY COMMISSION.

ORDINANCE NO. 2002-23, 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 8, TOWNSHIP 16 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS1-01, MT. RAINIER RADIO CONTROL SOCIETY, C/O WILLIAM BENDER - MCKENNA AREA)

ORDINANCE NO. 2002-24, 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 12, TOWNSHIP

17 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS6-01, RICHARD AND KRISTIN EBERLY - MCKENNA AREA)

ORDINANCE 2002-25s, 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 SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 19 NORTH, RANGE 6 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS7-01, DOROTHY L. BOWMAN - BUCKLEY AREA)

ORDINANCE NO. 2002-26, 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 19, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS9-01, PERRY BURKHART - GIG HARBOR PENINSULA AREA)

ORDINANCE NO. 2002-29s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 2.59.140 OF THE PIERCE COUNTY CODE, BY ADJUSTING THE JURISDICTIONAL BOUNDARIES OF THE GRAHAM ADVISORY COMMISSION.

ORDINANCE NO. 2002-30s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING CHAPTER 19D.160 OF THE PIERCE COUNTY CODE "COMPREHENSIVE PARK AND RECREATION PLAN;" ADOPTING A NEW CHAPTER 19D.160, "PARK, RECREATION, AND OPEN SPACE PLAN;" AND ADOPTING FINDINGS OF FACT.

ORDINANCE NO. 2002-36, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CANCELING CERTAIN UNCOLLECTIBLE PERSONAL PROPERTY TAXES.

ORDINANCE NO. 2002-39s, 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 NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 18 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN; REQUIRING PUBLIC ACCESS; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS11-01, PUTTING CLASSIC, INC., DOING BUSINESS AS CLASSIC GOLF CLUB - SPANAWAY AREA)

ORDINANCE NO. 2002-46, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2001-86s3, AS AMENDED; ESTABLISHING AN EMPLOYEES' ASSISTANCE PROGRAM FUND AND A

FEDERAL FOREST SERVICES FUND; PROVIDING FOR A 2002 BUDGET APPROPRIATION FOR THOSE FUNDS; AND INCREASING THE 2002 BUDGET FOR THE 9-1-1 SYSTEM FUND.

2. A message from the Executive transmitting the following Ordinances, which were approved and signed on June 4, 2002, were read into the record:

ORDINANCE NO. 2002-33, 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 SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 19 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS10-01, YEONG-YANN HUANG - ORTING AREA)

ORDINANCE NO. 2002-34, 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, LOCATED IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 17 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST14-01, HERB KLIEMANN - EATONVILLE AREA)

ORDINANCE NO. 2002-37, 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, LOCATED IN THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 17 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST15-01, RICHARD AND CYNTHIA HAHN - ROY AREA)

ORDINANCE NO. 2002-38, 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 NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 17 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS13-01, DIXON AND JUDY BLACKMER - EATONVILLE AREA)

ORDINANCE NO. 2002-48, 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 10, TOWNSHIP 19 NORTH, RANGE 3 EAST OF THE WILLAMETTE

MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS23-01, WILLIAM EMERSON DETERING - SUMMIT-WALLER AREA)

ORDINANCE NO. 2002-49, 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, LOCATED IN THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 17 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST19-01, BRIAN P. AND DENISE M. LEMMON - GRAHAM AREA)

ORDINANCE NO. 2002-50, 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 NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 22 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS18-01, KENNETH E. AND JUDITH L. AUSTIN - KEY PENINSULA AREA)

ORDINANCE NO. 2002-51, 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, LOCATED IN THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST22-01, ERICKSON LOGGING, INC. - KAPOWSIN AREA)

ORDINANCE NO. 2002-52, 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 SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 20 NORTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN; REQUIRING LIMITED PUBLIC ACCESS; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS17-01, LEWIS S. AND BETTY S. ANDREWS - KEY PENINSULA AREA)

3. A message from the Executive transmitting the following Ordinances, which were approved and signed on June 6, 2002, were read into the record:

ORDINANCE NO. 2002-53s, 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 SOUTHWEST QUARTER OF SECTION 9,

TOWNSHIP 19 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN; REQUIRING LIMITED PUBLIC ACCESS; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS12-01, STEPHENSON FARM LLC - ANDERSON ISLAND)

ORDINANCE NO. 2002-54, 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 NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 17 NORTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS16-01, VERA SUE HENRY - GRAHAM AREA)

ORDINANCE NO. 2002-55, 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, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 17 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST20-01, ERICKSON LOGGING, INC. - KAPOWSIN AREA)

ORDINANCE NO. 2002-56, 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, LOCATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 17 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST21-01, ERICKSON LOGGING, INC. - KAPOWSIN AREA)

ORDINANCE NO. 2002-63, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING ORDINANCE NO. 92-73s; AND ADOPTING NEW VOTING PRECINCT BOUNDARY MAPS, PURSUANT TO CHAPTER 29.04 REVISED CODE OF WASHINGTON.

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

**PROPOSAL NO. R2002-71, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE MEMBER TO THE SHERIFF'S CIVIL SERVICE COMMISSION. (BENNITH GAIL MERRITT-SMITH)**

Brown 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 five to zero.

**PROPOSAL NO. R2002-74, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO AN UNEXPIRED TERM ON THE CHEMICAL DEPENDENCY ADVISORY BOARD. (YVONNE A. BARKER)**

Brown 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 five to zero.

**PROPOSAL NO. R2002-72, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE COMMENDING DAVID COLE AND CHUCK MORRELL AS EMPLOYEE SUGGESTION AWARD WINNERS.**

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

Lyle Quasim, Chief of Staff, presented the Proclamations, and commended the award winners for their dedication to Pierce County operations.

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

**PROPOSAL NO. R2002-73, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE COMMENDING ROBERT DEGRASSE AS AN EMPLOYEE SUGGESTION AWARD WINNER.**

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

Quasim presented the Proclamation to DeGrasse, who thanked the Council for their recognition. DeGrasse responded to questions of Councilmembers regarding his suggestion that had been adopted.

Eileen Bisson, Chief of Corrections, spoke on behalf of DeGrasse, commending him as an outstanding employee.

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

**VIII. ORDINANCES**

**PROPOSAL NO. 2002-19s3, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTIONS 5.24.020, 5.24.030, 5.24.050, 5.24.060, 6.04.020 AND 6.04.030 OF THE PIERCE COUNTY CODE RELATIVE TO FEES FOR KENNELS, CATTERIES, GROOMING PARLORS, PET SHOPS, AND PET LICENSES; ADDING A DEFINITION FOR BOARDING KENNELS AND CATTERIES; ADDING A BI-ANNUAL FINANCIAL REQUEST FOR SERVICE AND PERMIT DATA REPORTING REQUIREMENTS; AND SETTING AN EFFECTIVE DATE.**

Brown moved that the Proposal be continued to July 2, 2002;  
motion seconded and passed.

**PROPOSAL NO. 2002-20s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 14.20 OF THE PIERCE COUNTY CODE, PARKS AND RECREATION SERVICES FEES, BY AMENDING FEE SCHEDULES, ADDING NEW FEES FOR PARKS AND RECREATION ACTIVITIES AND FACILITIES; AND ESTABLISHING AN EFFECTIVE DATE FOR THE NEW FEES.**

Brown moved that the Proposal be continued to July 2, 2002;  
motion seconded and passed.

**PROPOSAL NO. 2002-32, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NON-EXCLUSIVE FRANCHISE TO SHORE ACRES WATER COMPANY FOR LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.**

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

Staff Testimony

Les Olsen, Public Works and Utilities Department, stated this Ordinance contains a renewal of the current franchise with Shore Acres Water Company. Olsen stated the franchise renewal is written for a period of five years; the Council has the option to extend it for 15 years.

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

**PROPOSAL NO. 2002-35, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NON-EXCLUSIVE FRANCHISE TO THE TOWN OF STEILACOOM FOR LOCATION OF ELECTRIC LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY.**

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

Staff Testimony

Olsen stated this Ordinance contains a renewal of the current franchise with the Town of Steilacoom. Olsen stated the franchise renewal is written for a period of five years; the Council has the option of extending it to 15 years.

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

**PROPOSAL NO. 2002-57, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL  
AMENDING ORDINANCE NO. 2001-86s3, BY AMENDING THE FISCAL YEAR 2002  
BUDGET FOR PREVENTION SERVICES PROGRAMS.**

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

Staff Testimony

David Shirer, Community Services Department, stated that passage of this Ordinance would allocate \$268,711 in the 2002 Prevention funds that had been labeled unallocated. He stated the programs set forth in Section 1 of the Ordinance were approved by the Allocation Advisory Committee. He stated the budget request for 2003 is referenced in this Ordinance, but passage of the Ordinance would not approve that budget, as it is included as a budget request item. Shirer responded to questions of Councilmembers regarding the Advisory Committee's process, and the 2003 budget request.

Staff Testimony

Pendle pointed out that the Allocation Advisory Committee follows specific guidelines in arriving at their recommendations.

Councilmembers thanked Biskey and Moss for their work on this transition from the Children's Commission.

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

**PROPOSAL NO. 2002-65, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL  
DECLARING THE INTENTION OF PIERCE COUNTY TO EMBRACE AND ESTABLISH  
THAT CERTAIN RAILROAD RIGHT-OF-WAY CORRIDOR LOCATED BETWEEN (1)  
MCMILLIN AND ORTING, (2) ORTING AND SOUTH PRAIRIE, AND (3) SOUTH  
PRAIRIE AND BUCKLEY, WASHINGTON TO THE PIERCE COUNTY, KING COUNTY  
LINE (BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY) FOR THE  
PURPOSE OF A PUBLIC HIGHWAY FOR A NON-MOTORIZED PATH AND TRAIL.**

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

Staff Testimony

Jan Wolcott, Director of Parks and Recreation Services Department, stated this Ordinance is being requested to declare certain railway rights-of-way for the Foothills

Trails to be embraced as a public highway. He stated the Council had previously adopted Ordinance No. 2002-63, embracing one portion of the trail. In response to Brown's question, Wolcott stated passage of this Ordinance would give the County the right of first refusal in the event of abandonment.

#### Public Testimony

Lillian and Tim Smiley expressed concerns regarding the impact of the construction of the trail to their property, citing concerns about the proximity to their outbuildings and impeding access to emergency vehicles.

The Chair asked that the Smileys visit with Staff following the meeting to address their concerns.

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

#### **XI. RESOLUTIONS**

**PROPOSAL NO. R2002-20, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE PIERCE COUNTY EXECUTIVE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITIES AND TOWNS OF PIERCE COUNTY, THEREBY AMENDING THE PIERCE COUNTY COUNTYWIDE PLANNING POLICIES TO AMEND THE JOINT PLANNING POLICIES AS RECOMMENDED BY THE PIERCE COUNTY REGIONAL COUNCIL.**

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

Following a discussion with Planning and Council Staff, Biskey moved that the Proposal be continued to July 2, 2002; motion seconded and passed.

**PROPOSAL NO. R2002-21, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE PIERCE COUNTY EXECUTIVE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITIES AND TOWNS OF PIERCE COUNTY, THEREBY RATIFYING THE AMENDMENTS TO THE PIERCE COUNTY COUNTYWIDE PLANNING POLICIES TO ADDRESS THE ENDANGERED SPECIES ACT, AS RECOMMENDED BY THE PIERCE COUNTY REGIONAL COUNCIL.**

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

#### Staff Testimony

Chip Vincent, Planning and Land Services Department, stated this Resolution is being requested to assist in implementing, and addressing the Endangered Species Act.

Vincent and Debby Hyde, Special Projects Coordinator, provided an overview of the amendments set forth in Exhibit "A" to the Resolution, and the attachment to the interlocal agreement. Hyde responded to questions of Councilmembers.

In response to Weber's suggestion, Biskey moved an amendment on page 4 of the Ordinance at line 10 following the word "held" to change the line to read "public hearings on March 13 and May 29, 2002"; and at line 14 following the word "on" insert the date "June 25, 2002"; 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; Brown was excused at the time of roll call.

**PROPOSAL NO. R2002-55, A RESOLUTION OF THE PIERCE COUNTY COUNCIL DECLARING ITS INTENT TO VACATE A PORTION OF BARKUBEIN COUTY ROAD EAST (226TH AVENUE EAST), WHICH IS LOCATED IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHP 20 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, LOCATED IN THE BONNEY LAKE AREA; AND DIRECTING THE COUNTY ENGINEER TO EXAMINE THE INTENDED VACATION, AND REPORT THE FINDINGS AND CONCLUSIONS THEREOF TO THE COUNCIL.**

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

Staff Testimony

Olsen stated this proposed vacation is being requested because of a road alignment that occurred in the 1970s, and this vacation should have been executed at that time, but because of an oversight this was not done. The Department is now requesting that the Council proceed with this request.

Weber stated passage of this Resolution declares intent, and asks for a report from the County Engineer. There will be a companion Ordinance that will be heard by the Council at a later time that will approve or disapprove the proposed vacation.

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

(Brown entered the meeting.)

**PROPOSAL NO. R2002-67s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONSENTING TO THE TRANSFER OF CONTROL OF CABLE FRANCHISES FROM AT&T BROADBAND TO AT&T COMCAST CORPORATION.**

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

Staff Testimony

Bunney provided an overview of the consent to transfer, stating that there is a requirement in Federal law for Council's approval of the transfer of control. If this is not accomplished within the required time, the request is deemed to be approved.

Public Testimony

Hans Hechtman, AT&T Comcast Corporation, responded to questions of Councilmembers regarding fiber optic lines.

Staff Testimony

Bill Oltman commended the consultant, Ken Fellman, for doing a good job on the negotiation of this transfer.

In response to Biskey's question as to whether or not this transfer offers an opportunity for renegotiation of the franchise terms, Bunney stated that is not the case, and those negotiations would occur at the time of franchise renewal.

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

**PROPOSAL NO. R2002-70s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE PIERCE COUNTY EXECUTIVE TO APPLY FOR FUNDING ASSISTANCE THROUGH THE WASHINGTON STATE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION, FOR THE DEVELOPMENT OF THE RANDALL BOAT LAUNCH IN GIG HARBOR, THE SPRINKER SKATE PARK, THE SOUTH HILL COMMUNITY ATHLETIC COMPLEX, AND THE FOOTHILLS TRAIL SECTION FROM BUCKLEY TO SOUTH PRAIRIE, AS PROVIDED BY THE WASHINGTON WILDLIFE RECREATION PROGRAM.**

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

Staff Testimony

Wolcott stated passage of this Resolution by the Council is a requirement in the grant application process, and a copy of the Resolution must be contained in the application package. He stated the bid process is very competitive, and the County hopes to be successful in obtaining funds for the four projects that are referenced in the Resolution.

Pierce County Council Meeting  
June 25, 2002

O'Malley encouraged Wolcott to work with the Town of Roy in construction of a skate park. Wolcott stated he would be happy to do so.

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

**X. OTHER BUSINESS/ANNOUNCEMENTS**

1. O'Malley acknowledged the death of the wife of John Williams, extending the Council's condolence.

**XI. GENERAL PUBLIC COMMENTS - None**

**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned at 4:50 p.m.

Attest:

Gerri Rainwater, Clerk of the Council

Approved:

---

Harold Moss, Council Chair

Date Approved

f:\wpfiles\minutes\cnclJun25 2002.min.doc