



## Thurston County Board of Commissioners Work Session Summary

<b>Date of Work Session:</b>	<b>June 1, 2017</b>
<b>Time:</b>	<b>2:00pm</b>
<b>Office/Department:</b>	<b>Resource Stewardship</b>
<b>Subject:</b>	<b>Title 26</b>
<b>Staff Contact/Author:</b>	Name/Title: Polly Stoker / Admin Asst <span style="float: right;">Phone: 5473</span>
<b>Attendees:</b>	Commissioners Present: Bud Blake, John Hutchings, Gary Edwards
<b>Attendees:</b>	County Manager: Ramiro Chavez, Asst. County Manager: Robin Campbell
<b>Attendees:</b>	Other Staff: Mike Kain, Kraig Chalem, Travis Burns
<b>Discussion Points:</b>	<p>The purpose of this briefing is to gain insight from the BoCC regarding the proposed changes to Title 26 (Voluntary components and soften the language).</p> <p>Q John: Is there just civil penalties? A: No, there is also criminal penalties.</p> <p>A: We don't go out to investigate just because people have purchased new property but we do have a deal for people who buy property with a current violation. We let them correct the problem without assessing a penalty.</p> <p>Gary stated he wants all violations to be legal non-conforming uses. He feels that the law currently is erroneous and over reaching. He feels like half of the current violations are due to old standards being less restrictive than today's rules. He wants common sense used.</p> <p>John stated we have rules for the safety of the people and we can't waive off all of them.</p> <p>Q Bud: if we waive off the law, will that be a liability issue for the county? A: We may get a call from a buyer to check out if a seller has a violation, and at that point we cannot waive off codes which show violations. The Board can however guide staff on how to prioritize their work.</p> <p>Our compliance staff always work with violators to correct the issues without issuing civil penalties. In the past year we wrote 3 of these and they all complied so they didn't have to pay the penalties because they fixed the issues.</p> <p>Q Ramiro asked, 3 out of how many violations total? A: Out of 300.</p> <p>Q Bud: What were the 3 for? A: Grading on the shoreline of Summit Lake, junk vehicles, and debris on property. Most of the issues we deal with are reported by neighbors. And if we do not deal with it, they are in our office complaining we haven't taken action fast enough for their desire.</p>

Q Bud: An example of civil infractions?

A: Many are for junk vehicles. Others would be removing trees, grading on steep slopes, etc.

It's up to the Compliance Supervisor, while reviewing the situation with management as to whether or not the issue becomes a civil penalty or not. It usually goes from Infraction to Penalty if they don't comply but we could go directly to penalties if the seriousness of the violation warrants it.

Q Gary: Are you referring to wetlands themselves or the setback being the violation?

A: Both.

Q: Is it more egregious if in the wetlands itself?

A: It could be in either, both are considered critical areas.

Q John: when I was in traffic enforcement (civil penalty) my written affidavit could stand in my place at court. Do our compliance coordinators have a special deal where their stands alone as well?

A: They actually go to court on behalf of the department in addition to the officer. Sometimes additional witnesses are called which are most likely a neighbor who saw the violation (ie cutting of trees, etc.).

Q How many are challenged?

A: Not that many.

When we get to the hearing, if the violator has made efforts towards compliance or show willingness to comply, we will either continue the hearing or delay the fine to give them time to comply. It is better and more efficient if they don't get a fine because the problem still exists and needs to be dealt with.

Q John: Does staff have special commission to write these tickets?

A: Yes the compliance coordinators are commissioned by the Board to serve in this way.

It's definitely a balancing act with safety and the neighbors complaining and giving people time to correct these issues.

John commented that he liked the new language presented today which softened up the code.

Gary thinks staff has done a great job aligning the new direction of the board.

Ramiro recommends going through the actual changes in the code and what they really mean. This is a good start but we need another session to walk through all of the specific changes. This will give the Board the chance to wordsmith the document.

Q Gary: Have we had any review by citizens which disagreed with the creation of Title 26? Could this document be taken to the public to get their feedback?

A Ramiro: Yes there is a public process involved. Step one is getting to the final draft the Board is comfortable with and then taking this changed version to the public. If you want an advisory committee on this, that is a different path.

John would like staff's input on the changes as well at the next session since they are the ones to deal with this each day. Gary agreed and would like the compliance staff to all be at the table at the next meeting to get their perspective.

	<p>It was reiterated that the marked up version of the draft seen today is not the one that should go to the public for review.</p> <p>Q Ramiro for the Board: Is the commission on board with the changes before taking this to the public? It's premature to release this version if you all are not on board with this.</p> <p>Less is better per Gary.</p>
<b>Results/Board Direction:</b>	<p>Action: Schedule another work session to go through each change presented today.</p>