



DRAFT

MINUTES

Special Meeting – August 6, 2024, 3:00 p.m. Jefferson County Board of Commissioners Trust Land Transfer – Tribal Agreement

1820 Jefferson Street, Port Townsend, WA 98368
Commissioners' Chambers/Hybrid

CALL TO ORDER: Chair Kate Dean called the meeting to order in the presence of Commissioner Greg Brotherton, and Commissioner Heidi Eisenhour.

DISCUSSION re: Trust Land Transfer Tribal Agreement: During the August 5, 2024 Board of County Commissioners' meeting, Chair Dean brought forward discussion regarding a letter received from the Point No Point Treaty Council (PNPTC), which indicated they are opposed to the four projects the County applied to the Washington State Department of Natural Resources (DNR) for a Trust Land Transfer, as it was not apparent how their Treaty Rights would be protected. Commissioner Eisenhour noted that this is the first time that DNR is consulting with Tribes on TLTs, and Tribal comments weigh heavily in project ranking.

During the same meeting, Chief Civil Deputy Prosecuting Attorney (DPA) Philip Hunsucker reviewed the principals of the agreement which included:

- Creates an opportunity for the Tribes to object to the final language
 - Must not violate "Treaty Rights," as defined.
 - Mechanism to resolve disputes, if any, about whether final language violates "Treaty Rights."
- Adds a Treaty Rights Easement that protects "Treaty Rights" that will be added at closing after the transfer.
- Tribes agree to support the applications.

Due to the nature of the document and the pressing timeframe, the Commissioners authorized Chair Dean to work with Chief Civil DPA Hunsucker on the final agreement, and sign on behalf of the County.

Chief Civil DPA Hunsucker explained that the final document has been modified since the Commissioners' meeting on August 5, 2024, but the points he addressed during that meeting are still valid and are included in the final agreement. He stated that Chair Dean was able to sign onto the agreement, prior to the start of today's meeting and he thanked the Commissioners for granting the authorization, as it has aided in getting this agreement signed in a timely manner. The PNPTC will be reviewing the revised agreement and sign onto it next.

Chief Civil DPA Hunsucker added that the agreement respects the rights of the Tribes. The PNPTC will withdraw previous statements they made to DNR, and send a letter of support for the proposed Jefferson County projects.

PUBLIC COMMENT PERIOD: Chair Dean opened the floor to allow for public comments, and no comments were received.

NOTICE OF ADJOURNMENT: Chair Dean adjourned the meeting at 3:14 p.m. until the next regular meeting or special meeting as properly noticed.

JEFFERSON COUNTY
BOARD OF COMMISSIONERS

SEAL:

Kate Dean, Chair

ATTEST:

Greg Brotherton, Member

Carolyn Gallaway, CMC
Clerk of the Board

Heidi Eisenhour, Member