

**ISLAND COUNTY COMMISSIONERS' WORK SESSION SCHEDULE
AUGUST 14, 2024**

Those interested in attending the meeting virtually may use the following link:
<https://zoom.us/j/95701446335?pwd=U2N4V1FXSVdiNDJLL1B2UXIDc3F2QT09>
or for voice only, **Dial by your location:** (253) 215-8782
Meeting ID: 957 0144 6335 **Passcode:** 969196

9:00 a.m.	Sheriff's Office/Commissioners
9:40 a.m.	Budget & Risk Management
9:50 a.m.	Public Health
10:00 a.m.	Public Works
10:10 a.m.	Planning & Community Development

NOON BREAK

1:00 p.m.	2025 BUDGET WORKSHOP August 14: Sheriff's Office Public Health
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2:00 p.m.	2025 BUDGET WORKSHOP August 15: Human Resources BOCC
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Please see page 45 of the Agenda for Zoom information for the August 15 Budget Workshop

The Board of County Commissioners meets routinely in Work Session the first three Wednesdays of each month. Work Sessions are held in the Annex Building, Board of County Commissioners' Hearing Room, #B102, 1 NE 6th Street, Coupeville, WA.

Work Sessions are public meetings that provide an informal workshop format opportunity for the Board to review ongoing items with departments or to meet with other agencies, committees, or groups to discuss specific topics of mutual interest. Items are typically reviewed at Work Session before being scheduled on the agenda for the Board's regular Tuesday business meetings.

While Work Sessions do not have time set aside for verbal public comment, written public comment is welcomed and can be directed to the Clerk of the Board by submitting comments to CommentBOCC@islandcountywa.gov. If you have questions regarding public comment, you may call (360) 679-7385. Written public comments are considered a public record.

Times for each department are approximate; a time slot scheduled for a specific department may be revised as the Work Session progresses. Because of the workshop format and time sensitivity, certain items, topics, and materials may be presented that are not included in the published agenda. **If you are interested in reviewing those documents, please contact the Clerk of the Board at (360) 679-7354.**

ASSISTIVE LISTENING AVAILABLE: Please contact the clerk for an assistive listening device to use during the meeting. Please return the device at the end of the meeting.

NOTE: Audio recordings are posted within 48 hours of the meeting date. To listen to the recording visit the [Agenda Center](#) on the Island County website.



ISLAND COUNTY COMMISSIONERS

WORK SESSION AGENDA

MEETING DATE: 8/14/2024

To: Jill Johnson, Chair
Board of Island County Commissioners

From: BOCC Staff

Amount of time requested for agenda discussion. 40 minutes

Agenda Item No.: 1

Subject: Discussion with the Sheriff regarding drug enforcement in Island County

Description: The Board has invited the Sheriff for a discussion about drug enforcement in Island County and the feasibility of creating a drug taskforce.

Attachment: None

Request: *(Check boxes that apply)*

- | | |
|--|--|
| <input type="checkbox"/> Move to Consent | <input type="checkbox"/> Move to Regular |
| <input checked="" type="checkbox"/> None/Informational | <input type="checkbox"/> Schedule a Public Hearing |
| <input type="checkbox"/> Signature Request | <input type="checkbox"/> Other: _____ |

IT Review: Not Applicable

Budget Review: Not Applicable

P.A. Review: Not Applicable

Agenda Item No.: 2

Subject: Appointment to the Veterans Advisory Board (VAB)

Description: The Board has received a request for appointment to Position 9, Member-at-Large on the Veterans Advisory Board

Attachment: VAB Roster

Request: *(Check boxes that apply)*

- | | |
|---|--|
| <input checked="" type="checkbox"/> Move to Consent | <input type="checkbox"/> Move to Regular |
| <input type="checkbox"/> None/Informational | <input type="checkbox"/> Schedule a Public Hearing |
| <input type="checkbox"/> Signature Request | <input type="checkbox"/> Other: _____ |

IT Review: Not Applicable

Budget Review: Not Applicable

P.A. Review: Not Applicable

Agenda Item No.: 3

Subject: Appointment to the Marine Resource Committee

Description: The Board has received a request for appointment to the Marine Resources Committee Position 10.

Attachment: MRC Roster

Request: *(Check boxes that apply)*

- | | |
|---|--|
| <input checked="" type="checkbox"/> Move to Consent | <input type="checkbox"/> Move to Regular |
| <input type="checkbox"/> None/Informational | <input type="checkbox"/> Schedule a Public Hearing |
| <input type="checkbox"/> Signature Request | <input type="checkbox"/> Other: _____ |

IT Review: Not Applicable

Budget Review: Not Applicable

P.A. Review: Not Applicable

VETERANS ADVISORY BOARD (VAB)

<https://www.islandcountywa.gov/408/Veterans-Advisory-Board>

Established as required under RCW 73.08.035, the Veterans Advisory Board was formally established per Resolution No. C-20-06 for the purpose of advising the Board of County Commissioners on needs of local indigent veterans, available resources, and programs that could benefit and serve the needs of those local indigent veterans. On July 26, 2016, the Board of Island County Commissioners adopted Resolution C-83-16 amending Resolution C-20-06.

The Board of County Commissioners will appoint members for a two-year term. The board will consist of at least one representative from each active branch, chapter, post, section or organization of each nationally recognized veterans' service organization operating in Island County, as well as at least three veterans at large directly appointed from veteran volunteers by the Board of County Commissioners.

POSITION	MEMBER	REPRESENTING	ORIG.APPT.DATE	TERM EXPIRES
1.	Cynthia Jennings	Washington Dept. of Veterans Affairs – County Veteran Service Officer	01/01/23	01/01/26
2.	George Saul	NMRC	06/13/23	06/13/26
3.	Jeff Westlund	American Legion Post 207	06/30/18	01/18/24
4.	VACANT	DAV Post 47		
5.	Ross Labrenz	Member at Large	01/7/2020	01/18/24
6.	VACANT	Member at Large – WVRC		
7.	Michael Oyola	Member at Large	06/30/18	06/23/23
8.	Jeff Rogers	Member at Large	06/30/16	07/19/24
9.	VACANT	Member at Large		
10.	Jenny Verduzco	Member at Large	02/09/21	02/09/23

The Board has received a request for appointment to Position 9 from Michael Scheldorn.

MARINE RESOURCES COMMITTEE (MRC)

<http://www.islandcountymrc.org/>



In accordance with the adoption of Resolution No. C-59-99 on May 24, 1999, the Board of Island County Commissioners established the MRC for the purpose of making recommendations for remedial actions to local authorities to aid in the protection of the local marine environment in Island County and contribute to the protection of the Northwest Straits marine environment through education, research and voluntary action, consistent with the goals and tasks spelled out within the "Murray-Metcalf Northwest Straits Citizens Advisory Commission Report to the Convenors", published 8/20/98.

Per Resolution C-79-99 adopted June 28, 1999, and updated per Resolution C-93-14 on October 27, 2014, the MRC membership shall be composed of 13 voting members and 3 ex-officio members.

POSITION	MEMBER	ORIG.APPT.DATE	TERM EXPIRES
1.	Melanie Bacon, Ex Officio - BOCC		
2.	Sarah Bergquist, Ex Officio, WSU Extension		
3.	DNR Manager, Ex Officio - ICDNR		
4.	Kestutis Tautvydas	12/15/15	12/31/24
5.	Paul McElwain	02/14/23	12/31/26
6.	Andi Kopit	12/21/09	12/31/26
7.	Barbara Bennett	12/15/15	12/31/23
8.	Patrick Havel	02/14/23	12/31/26
9.	Kelly Webb	02/14/23	12/31/26
10.	VACANT		
11.	Scott Chase	06/18/19	12/31/25
12.	Greg Easton	05/09/23	12/31/26
13.	Kirk Larson	05/09/23	12/31/26
14.	Ken Collins	02/09/21	12/31/24
15.	Jill Lipoti	02/09/21	12/31/24
16.	VACANT		
	Linda Rhodes – non-voting technical advisor		
	Florian Graner – non-voting technical advisor		
	Kelly Zupich – MRC Coordinator		

The Board has received a request for appointment to Position 10 from Jeff Wheeler.



ISLAND COUNTY BUDGET/RISK

WORK SESSION AGENDA

MEETING DATE: 8/14/2024

To: Jill Johnson, Chair
Board of Island County Commissioners

From: Susan Geiger, Director

Amount of time requested for agenda discussion. 10 minutes

DIVISION: Administrative

Agenda Item No.: 1

Subject: 2024 Budget Amendment Discussion

Description: Discuss the proposed amendments to the 2024 Adopted Budget.

Attachment: Exhibit A – 2024-01 Budget Amendment Schedule

Request: *(Check boxes that apply)*

☒ Move to Consent

☐ Move to Regular

☐ None/Informational

☒ Schedule a Public Hearing

☐ Signature Request

☐ Other: _____

IT Review: Not Applicable

Budget Review: Complete

P.A. Review: Not Applicable

Exhibit A
2024-01 Budget Amendment Schedule

FUND	DESCRIPTION		REVENUE		EXPENDITURES		GL CODES		
			INCREASE	DECREASE	INCREASE	DECREASE	KEY	OBJECT	
Current Expense Fund									
		ClearGov Personnel Services Adjustment							
		Salaries			645,931		001-40-21120	511100	9 Sheriff Vacancies
		Taxes			50,706		001-40-21120	512100	
		Retirement			34,364		001-40-21120	512200	
		Medical			211,500		001-40-21120	512300	
		Other Benefits			50,566		001-40-21120	512400	
		Salaries			58,197		001-40-23620	511100	1 Corrections Vacancy
		Taxes			4,568		001-40-23620	512100	
		Retirement			3,096		001-40-23620	512200	
		Medical			23,500		001-40-23620	512300	
		Other Benefits			3,706		001-40-23620	512400	
		IT Assessment							
		Professional Services			19,500		001-26-1881-0	524110	
		Use of Fund Balance					001-90-1992-0	308000	
		IT increase for Nearmap imaging							
		Software Support/Hosting			14,000		001-90-1992-0	524812	
		Use of Fund Balance					001-90-1992-0	308000	
		Accumulation of Ending Fund Balance				44,804	113-13-1992-0	508000	
		Use of Beginning Fund Balance	1,074,830				113-13-1992-0	308000	
County Roads									
		ClearGov Personnel Services Adjustment							
		Salaries			87,703		101-11-4330-0	511100	2 Laborer Vacancies
		Taxes			6,885		101-11-4330-0	512100	
		Retirement			8,358		101-11-4330-0	512200	
		Medical			47,000		101-11-4330-0	512300	
		Other Benefits			7,411		101-11-4330-0	512400	
		Salaries			74,572		101-11-4420-0	511100	1 Engineer Vacancy
		Taxes			5,854		101-11-4420-0	512100	
		Retirement			7,107		101-11-4420-0	512200	
		Medical			23,500		101-11-4420-0	512300	
		Other Benefits			627		101-11-4420-0	512400	
		Use of Beginning Fund Balance	269,017				101-11-1992-0	308000	
Public Health									
		ClearGov Personnel Services Adjustment							
		Salaries			61,999		104-14-6243-0	511100	1 Environmental Health Special
		Taxes			4,867		104-14-6243-0	512100	
		Retirement			5,909		104-14-6243-0	512200	
		Medical			23,500		104-14-6243-0	512300	

Exhibit A
2024-01 Budget Amendment Schedule

FUND	DESCRIPTION		REVENUE		EXPENDITURES		GL CODES		
			INCREASE	DECREASE	INCREASE	DECREASE	KEY	OBJECT	
		Other Benefits			627		104-14-6243-0	512400	
		NEP SSI PIC Program from Consolidated Contract							
		IF US Env Protection	37,938				104-14-6278-0	451330	
		Salaries			31,000		104-14-6278-0	511100	
		Public Health Infrastructure Grant							
		IF US Dept Health & Human Services	200,000				104-14-6210-0	451930	
		Professional Services			150,000		104-14-6210-0	524110	
		Travel - Transportation			3,000		104-14-6210-0	524310	
		Training Registrations			9,866		104-14-6210-0	524960	
		Accumulation of Ending Fund Balance				52,830	104-14-6210-0	508000	
Mental Health									
		ClearGov Personnel Services Adjustment							
		Salaries			115,085		113-13-6444-0	511100	2 Program Coordinators
		Taxes			9,034		113-13-6444-0	512100	
		Retirement			10,968		113-13-6444-0	512200	
		Medical			47,000		113-13-6444-0	512300	
		Other Benefits			1,254		113-13-6444-0	512400	
		Accumulation of Ending Fund Balance				10,954	113-13-1992-0	508000	
		Use of Beginning Fund Balance	172,387				113-13-1992-0	308000	
Mental Health & Court 1/10th Sales Taxes									
		ClearGov Personnel Services Adjustment							
		Salaries			61,175		126-13-6440-0	511100	1 Program Coordinators
		Taxes			4,802		126-13-6440-0	512100	
		Retirement			5,830		126-13-6440-0	512200	
		Medical			23,500		126-13-6440-0	512300	
		Other Benefits			627		126-13-6440-0	512400	
		Salaries			41,081		126-41-2741-0	511100	1 Program Coordinator
		Taxes			3,225		126-41-2741-0	512100	
		Retirement			3,915		126-41-2741-0	512200	
		Medical			23,500		126-41-2741-0	512300	
		Other Benefits			627		126-41-2741-0	512400	
		Accumulation of Ending Fund Balance				80,395	126-90-1992-0	508000	
		Use of Beginning Fund Balance	87,887				126-90-1992-0	308000	
Juvenile Detention									
		ClearGov Personnel Services Adjustment							
		Salaries			188,297		145-41-2762-0	511100	3 Juvenile Detention Officer V
		Taxes			14,781		145-41-2762-0	512100	1 Transition Services Coordinan
		Retirement			17,945		145-41-2762-0	512200	

Exhibit A
2024-01 Budget Amendment Schedule

FUND	DESCRIPTION		REVENUE		EXPENDITURES		GL CODES		
			INCREASE	DECREASE	INCREASE	DECREASE	KEY	OBJECT	
		Medical			94,000		145-41-2762-0	512300	
		Other Benefits			2,509		145-41-2762-0	512400	
		Accumulation of Ending Fund Balance				317,532	145-41-1992-0	508000	
Planning & Community Development Fund									
		ClearGov Personnel Services Adjustment							
		Use of Beginning Fund Balance	92,503				152-53-5811-0	308000	
		Salaries			58,252		152-53-5961-3	511100	1 Plans Examiner Vacancy
		Taxes			4,573		152-53-5961-3	512100	
		Retirement			5,551		152-53-5961-3	512200	
		Benefits			23,500		152-53-5961-3	512300	
		LI/Unemp/Other Benefits			627		152-53-5961-3	512400	
Natural Resources									
		NEP SSI PIC Program from Consolidated Contract							
		IF US Env Protection	62,571				165-15-3173-0	451330	
		Salaries			43,100		165-15-3173-0	511100	
		Supplies - Operating			1,825		165-15-3173-0	523120	
		Professional Services			8,000		165-15-3173-0	524110	
		Accumulation of Ending Fund Balance			9,646		165-15-3173-0	508000	
Solid Waste Fund									
		ClearGov Personnel Services Adjustment							
		Use of Beginning Fund Balance	233,980				401-11-1992-0	308000	
		Salaries			129,803		401-11-3780-0	511100	3 Solid Waste Attendant Vacan
		Taxes			10,190		401-11-3780-0	512100	
		Retirement			12,370		401-11-3780-0	512200	
		Benefits			70,500		401-11-3780-0	512300	
		LI/Unemp/Other Benefits			11,117		401-11-3780-0	512400	
Equipment Rental & Revolving									
		Boom Truck budgeted in 2023, will not be received until 2024							
		Use of Beginning Fund Balance	234,630				501-11-1992-0	308000	
		Capital Machinery & Equipment			234,630		501-11-4865-0	546410	

Exhibit A
2024-01 Budget Amendment Schedule

FUND	DESCRIPTION		REVENUE		EXPENDITURES		GL CODES		
			INCREASE	DECREASE	INCREASE	DECREASE	KEY	OBJECT	
Motor Pool Fund									
	Amendment for the purchase of equipment for Sheriff Vehicles								
		Transfer					506-28-4879-0	397703	
		Capital Vehicles					506-28-4879-0	546430	
TOTAL ALL FUNDS			2,465,742	-	2,972,258	506,516			
	Summary								
	Revenues Increase		2,465,742						
	Revenues Decrease		-						
	Revenues Net Change		2,465,742						
	Expenditures Increase		2,972,258						
	Expenditures Decrease		(506,516)						
	Expenditures Net Change		2,465,742						
	Difference Net Change Rev-Exp		-						



ISLAND COUNTY PUBLIC HEALTH

WORK SESSION AGENDA

MEETING DATE: 8/14/2024

To: Jill Johnson, Chair
Board of Island County Commissioners

From: Shawn Morris, Director

Amount of time requested for agenda discussion. 10 minutes

DIVISION: Environmental

Agenda Item No.: 1

Subject: Wastewater Proviso Agreement with Biohabitats

Description: Review interagency agreement with Biohabitats to provide comprehensive project management for the Island County Wastewater Proviso project outlined in Contract No. CLH31012 Amendment 16 with the Washington State Department of Health.
See Executive Summary for additional information.

Attachment: Executive Summary and Contract

Request: *(Check boxes that apply)*

- | | |
|---|--|
| <input checked="" type="checkbox"/> Move to Consent | <input type="checkbox"/> Move to Regular |
| <input type="checkbox"/> None/Informational | <input type="checkbox"/> Schedule a Public Hearing |
| <input type="checkbox"/> Signature Request | <input type="checkbox"/> Other: _____ |

IT Review: Not Applicable

Budget Review: In process

P.A. Review: In process

**Consolidated Contract with WA State Dept of Health
Subcontract for Wastewater Proviso Statement of Work**

- Executive Summary -
BOCC Work Session

Summary	Consolidated Contract CLH31012 Amendment No. 16 with Washington State Department of Health added statements of work for the Wastewater Treatment Solutions Proviso to study innovative technologies that can serve as alternatives to single-family on-site systems in unincorporated Island County to support affordable housing. After a competitive bidding process, Island County selected Biohabitats for comprehensive project management, including research into regulations, legislative barriers, and innovative technologies. Biohabitats will lead public engagement and develop a comprehensive project report and legislative proposal to support solutions, building on the prior project phase.
Policy Context, Community Impact, and Outcomes	<ul style="list-style-type: none">• Aligns with the priority of supporting sustainable development and improving supportive housing opportunities in unincorporated Island County by developing innovative alternatives to single family on-site septic systems. The contractor will identify solutions, existing barriers, and develop a comprehensive report that will be shared with community members and stakeholders to guide sewage infrastructure improvement.• Aging single family on-site infrastructure impacts habitat health and water quality, and proactively identifying solutions lays the groundwork for long-term resiliency. The project will outline innovative approaches and technologies to advance equity and climate resiliency.• The contractor will take an inclusive approach by collaborating with local agencies, stakeholders, and community members, implementing collaborative design practices.
Fiscal Impact	Amendment 16 provided funding for the Wastewater Treatment Solutions Proviso, which was an amount included in the 2024 Public Health Budget. 147,691 will be sub-contracted through the attached contract to support project management.
Recommendations	Accept sub-contract based on factors outlined in this Executive Summary.

INTERAGENCY AGREEMENT BETWEEN ISLAND COUNTY AND BIOHABITATS

1. **PURPOSE:** The purpose of this agreement is to contract with a qualified firm to conduct research, engage the public, and collect data to inform an analysis for innovative sewage solutions to support affordable housing in unincorporated Island County. Specifically, Island County is seeking a comprehensive understanding of innovative alternatives to single-family on-site septic systems, with a focus on alternative options that support affordable housing developments and advance environmental health equity for rural communities. The comprehensive project analysis and report will outline legislative barriers, financial barriers, and other obstacles to implementing innovative solutions, and include case study examples of specific technologies in practice.

2. RESPONSIBILITIES:

Island County will:

- A. Regularly engage with contractor to define project parameters, charter, and scope.
- B. Facilitate engagement with community partners, elected officials, and other stakeholders.
- C. Support alignment with County planning and policy activities.
- D. Support report dissemination with community members and stakeholders via social media, community meetings, newsletters, and other approaches.
- E. Fund the services to complete the Scope of Work as defined in the original proposal for the agreed amount of \$147,691. If any scope of work changes or additional invoicing are submitted by Biohabitats such changes or invoices must be pre-approved in writing by Island County and the total payment, including work for the original proposal, shall not exceed \$147,691.

BIOHABITATS will:

- A. Develop a comprehensive project timeline and a finance plan to ensure cost-effectiveness and adherence with financial requirements. Oversee all aspects of the project while closely coordinating with Island County Public Health, including facilitating research, data collection, analysis, coordination, outreach, and completion of a comprehensive summary report that includes regulatory and legislative recommendations.
- B. Engage in thorough research and analysis activities to include the following:
 - a. Analysis of existing approaches to wastewater treatment, with a focus on strategic areas identified through review of climate, equity, and critical areas data to develop a gap analysis.
 - b. Asset mapping for companies and organizations involved in waste treatment, climate adaptation, and supportive housing development in unincorporated parts of Island County.
 - c. Review of innovative technologies, including researching innovative and emerging technologies that may benefit rural communities, including utilizing specific case study examples developed in the prior project phase. Review wastewater infrastructure strategies used or under development at the regional, statewide,

national, and global scale. Research regulatory, financial, and legislative barriers and opportunities.

- C. Coordinate with stakeholders involved in wastewater management for unincorporated Island County, including development of engagement sessions with the following stakeholders. Coordination involves communication with Island County Public Health leadership regarding project status, barriers, and needs.
 - D. Conduct public outreach regarding septic solutions for affordable housing and the housing continuum. Provide the opportunity for the public to share potential approaches and strategies for alternative septic solutions in unincorporated Island County and develop community involvement in the project.
 - E. Review of existing health and development codes and applicable regulations:
 - a. Health code chapter 8. Review use charts from Planning department. Review relevant elements of published Comprehensive Plan for Island County; Island County critical areas ordinance chapter 17.02 B, Use tables in chapter 17.03, And Shoreline Master program 17.05 A; RCW 84.14.010 and RCW 70A.105; Review of International Building Code 2021.
 - F. Comply with all applicable federal and state requirements that govern this agreement.
 - G. Coordinate with State Department of Health and Island County departments involved in climate adaptation, wastewater treatment permitting, and supportive housing, including Island County Public Health, Human Services, and Planning department.
 - H. Create a comprehensive study report outlining alternative, scalable solutions to septic and sewer and emergent technology to provide wastewater treatment services in the unincorporated parts of Island County. The report will include the following:
 - a. Outline of project strategy
 - b. Research summary
 - c. Policy implications and recommendations
 - d. Evidence based conclusions describing proposed solutions, including how proposed solutions are protective of public and environmental health
 - e. Implementation recommendations, including regulatory changes, funding proposal, legislative proposal.
 - f. Review the draft report with Island County Public Health and the Board of Health to produce a published-ready report.
 - g. Develop a companion PowerPoint presentation that outlines the key findings and recommendations from the report.
3. **TERM OF AGREEMENT:** The start date of this agreement is September 1st, 2024, therefore the start date of this agreement has been established as of that date, and shall be in effect through June 30th, 2025.
4. **EXTENSION:** The duration of this agreement may be extended by mutual, written consent of the parties.
5. **ADMINISTRATION:** The following individuals are designated as representatives of the respective parties. The representatives shall be responsible for the administration of this agreement and for coordinating and monitoring performance under this agreement. In the event such representatives are changed, the party making the change shall notify the other party:

Island County's representatives include the following:

For contract administration and invoicing:

Melissa Overbury-Howland – M.OverburyHowland@islandcountywa.gov

For project management:

Heather Kortuem – H.Kortuem@islandcountywa.gov

Shawn Morris – S.MorrisND@islandcountywa.gov

Island County Public Health

1 NE 6th ST, Coupeville WA 98239

(360) 914-0837

THE BIOHABITATS representative(s) shall be:

INSERT

6. TREATMENT OF ASSETS AND PROPERTY: No fixed assets or personal or real property will be jointly or cooperatively acquired, held, used, or disposed of pursuant to this agreement.
7. INDEMNIFICATION: Each party agrees to be responsible and assume liability for its own wrongful and/or negligent acts or omissions or those of their officials, officers, agents, or employees to the fullest extent required by law and further agrees to save, indemnify, defend, and hold harmless the other party from any such liability. It is further provided that no liability shall attach to Island County by reason of entering into this agreement, unless expressly provided herein. See complete Insurance and Indemnification information.
8. TERMINATION: Any party hereto may terminate this agreement upon (30) day notice in writing either personally delivered or mailed to the party's last known address for the purposes of giving notice under this paragraph. If this agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this agreement prior to the effective date of termination.
9. CHANGES, MODIFICATIONS, AMENDMENTS, OR WAIVERS: The agreement may be changed, modified, amended, or waived only by written agreement executed by the parties hereto. Waiver or breach of any term or condition of this agreement shall not be considered a waiver of any prior or subsequent breach.
10. SEVERABILITY: In the event of any term or condition of this agreement or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other terms, conditions, or applications of this agreement which can be given effect without the invalid term, condition or application. To this end, the terms and conditions of this agreement are declared severable.
11. ENTIRE AGREEMENT: This agreement contains all the terms and conditions agreed upon by the parties. All items incorporated herein by reference are attached. No other understandings, oral or otherwise, regarding the subject matter of this agreement shall be deemed to exist or to bind any of the parties hereto.

12. OTHER PROVISIONS: BIOHABITATS will comply with all applicable Federal and State requirements that govern this agreement.

Each signatory below to this Agreement warrants that he/she is the authorized agent of the respective party; and that he/she has the authority to enter the agreement and to bind the party thereto.

ISLAND COUNTY:

Jill Johnson, Chair
Board of Island

Date

BIOHABITATS:

Name, Title/Role

Date

Exhibit A

I. INDEMNIFICATION

To the fullest extent permitted by law, BIOHABITATS shall indemnify, defend, and hold harmless Island County, all officials, agents, and employees of Island County, from and against all claims arising out of or resulting from the performance of the agreement.

“Claim” as used in this agreement means any financial loss, claim, suit, action, damage, or expense, including but not limited to attorney’s fees, attributable for bodily injury, sickness, disease or death, or injury to or destruction of tangible property including loss of use resulting therefrom. BIOHABITATS obligation to indemnify, defend, and hold harmless includes any claim by BIOHABITATS agents, employees, representatives, or any subcontractor to its employees.

BIOHABITATS expressly agrees to indemnify, defend, and hold harmless Island County for any claim arising out of or incident to BIOHABITATS or any subcontractor’s performance or failure to perform the agreement. BIOHABITATS obligation to indemnify, defend, and hold harmless Island County shall not be eliminated or reduced by any actual or alleged concurrent negligence of Island County or its agents, agencies, employees, and officials.

II. INSURANCE

Prior to the commencement of services under this agreement, BIOHABITATS shall submit to Island County certificates of insurance or certified copies of insurance policies and endorsements, if requested by the County, for the coverage required below and shall maintain the same type and amount of coverage as is currently in effect for the life of this agreement. Each insurance certificate shall provide that coverage will not be canceled or reduced below the contractual amounts stated herein without forty-five (45) days prior to notice to the County. BIOHABITATS shall maintain at BIOHABITATS’s sole expense unless otherwise stipulated, the following insurance coverages, insuring BIOHABITATS employees, agents, designees, and indemnities as required herein:

1. BIOHABITATS shall not commence work under this agreement until BIOHABITATS has obtained all insurance required under this paragraph and such insurance has been approved by the County.
2. All insurance policies shall be issued by companies authorized to do business under the laws of the State of Washington and have a Best’s rating of at least A-VII. All insurance, other than Professional Liability and workmen compensation to be maintained by BIOHABITATS shall specifically include the County as an “Additional Insured” and shall not be reduced or canceled without forty-five (45) days written prior notice to the County. BIOHABITATS Insurance coverage shall be primary insurance as respect to the County, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the county, its officers, officials, employees, or volunteers shall be excess of the Agency's insurance and shall not contribute to it.
3. BIOHABITATS shall maintain, during the life of the agreement, Industry Standard Occurrence Commercial General Liability Policy Form (CG0001) or equivalent, including

Premises/Operations, Products/Completed Operations, Blanket Contractual Liability and Personal Injury Coverage, to protect BIOHABITATS from claims for damages for bodily injury, including wrongful death, as well as from claims of property damage which may arise from any operations under this agreement whether such operations be by BIOHABITATS or by anyone directly employed by or contracting with BIOHABITATS.

Specific limits required:

\$2,000,000 General Aggregate
\$1,000,000 Products/Completed Operations

\$1,000,000 Personal Injury and Advertising Injury
\$1,000,000 Each Occurrence

The Commercial General Liability Policy will contain an endorsement naming the County as Additional Insured (CG2010) and an endorsement that specifically states BIOHABITATS's General Liability shall be primary, and not contributory, with any other insurance maintained by the County.

The policy shall be endorsed to include stop gap employer's liability coverage with minimum limits as follows:

\$1,000,000 Each Accident
\$1,000,000 Policy Limit for Disease
\$1,000,000 Each Employee for Disease

4. Commercial General Liability insurance shall be endorsed to include a "cross liability", indicating essentially that except with respect to the limits of insurance, and any rights or duties specifically assigned in this coverage part to the first named insured, this insurance applies as if each named insured were the only named insured, and separately to each insured against whom claims are made or suit is brought.
5. BIOHABITATS shall maintain, during the life of this agreement, Business Automobile Liability Insurance(CA0001), or equivalent in the amount of \$1,000,000 Bodily Injury and Property Damage per Accident to protect BIOHABITATS from claims which may arise from the performance of this agreement, whether such operations be by BIOHABITATS or by anyone directly or indirectly employed by BIOHABITATS. Covered auto shall be designated as "Symbol 1" any auto.
6. All Liability coverages, except Professional Liability, shall be written on an Occurrence policy form. If coverage is Claims Made form, the Retroactive Date shall be prior to or coincident with the date of this agreement, and the policy shall state that coverage is Claims Made, and state the Retroactive Date.

7. BIOHABITATS shall secure its liability for industrial injury to its employees in accordance with the provisions of Title 51 of the Revised Code of Washington. BIOHABITATS shall submit a copy of its certificate of coverage from the Department of Labor and Industries prior to the commencement of work.
8. Industrial Insurance Waiver - With respect to the performance of this agreement and as to claims against the County, its officers, agents and employees, BIOHABITATS expressly waives its immunity under Title 51 of the Revised Code of Washington, the Industrial Insurance Act, for injuries to its employees and agrees that the obligations to indemnify, defend and hold harmless provided in this Agreement extend to any claim brought by or on behalf of any employee of BIOHABITATS against the County. This waiver is mutually negotiated by the parties to this Agreement.
9. Professional Liability Insurance - Prior to the start of work, BIOHABITATS will secure and maintain at its own expense Professional Liability Insurance in the amount of not less than \$1,000,000 per claim and in the aggregate. Such insurance will be provided by an insurance carrier with a Best's Rating of not less than A-VII. If coverage is Claims Made, the retroactive date shall be prior to or coincident with the date of this agreement. The policy shall state that coverage is claims made, and state the retroactive date. Claims Made from coverage shall be maintained by BIOHABITATS for a minimum of three (3) years following the termination of this agreement, and BIOHABITATS shall annually provide the County with proof of renewal.
10. Subcontractors - BIOHABITATS shall include all subcontractors as insured under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontracts shall be subject to all of the requirements stated herein. **NOTE TO DEPARTMENTS: Limits of insurance may vary depending on individual contracts.**



ISLAND COUNTY PUBLIC WORKS

WORK SESSION AGENDA

MEETING DATE: 8/14/2024

To: Jill Johnson, Chair
Board of Island County Commissioners

From: Fred Snoderly, Director

Amount of time requested for agenda discussion. 10 minutes

DIVISION: County Roads

Agenda Item No.: 1

Subject: Road Closure for Chapman Creek Fish Passage Culvert Replacement Project

Description: Request Board Approval of Road Closure for the Chapman Creek Fish Passage Culvert Replacement Project.

Attachment: Memorandum, Vicinity Map, Traffic Control Plan

Request: *(Check boxes that apply)*

- | | |
|---|---|
| <input type="checkbox"/> Move to Consent | <input checked="" type="checkbox"/> Move to Regular |
| <input type="checkbox"/> None/Informational | <input type="checkbox"/> Schedule a Public Hearing |
| <input type="checkbox"/> Signature Request | <input type="checkbox"/> Other: _____ |

IT Review: Not Applicable

Budget Review: Not Applicable

P.A. Review: Not Applicable



Island County Public Works

Ed Sewester, P.E., County Engineer

1 NE 7th Street, Coupeville, WA 98239

Ph: Whidbey 360-679-7331 | Camano 360-387-3443 | S Whidbey 360-321-5111

Email: Ed.Sewester@islandcountywa.gov | www.islandcountywa.gov

MEMORANDUM

August 14th, 2024

TO: Board of County Commissioners – Island County

FROM: Edward Sewester – County Engineer

RE: Road Closure of Chapman Road, Camano Island, WA
JL 00590-0401, CDP 23-03

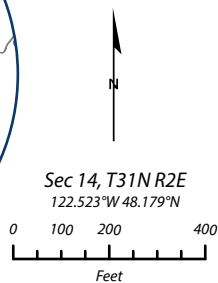
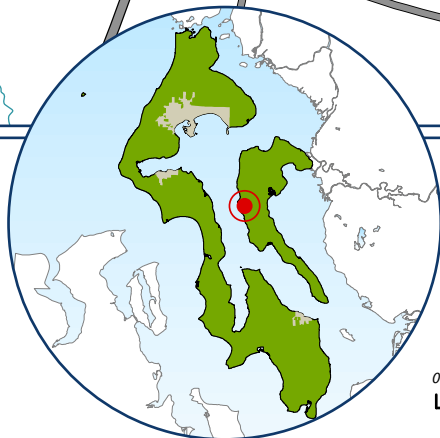
On June 4, 2024, the Island County Board of County Commissioners (BOCC) executed a contract for the Chapman Creek Fish Passage Culvert Replacement project. Island County Public Works seeks permission from the BOCC for a twenty consecutive day closure of Chapman Road.

The project is located on Chapman Creek crossing Chapman Road beginning approximately 1000-feet south of Camano Hill Road and continues for 1,000-feet, ending approximately 3,000-feet east of West Camano Drive. The project consists of the removal of existing culvert and the installation of three sided concrete box culvert with concrete wing walls.

Due to the nature of the project's excavation activity and equipment movements, Chapman Road will need to be closed between approximately 1000-feet south of Camano Hill Road and approximately 3,000-feet east of West Camano Drive for twenty consecutive days to complete the project. The total working days allowed for this project is twenty working days. Local access for property owners in the road closure zone will remain during the closure.

The construction start date is to be determined due to contractor's procurement of materials.

Island County Public Works



Road Closure

Detour Route



Chapman Creek
Culvert Replacement
Project

Road Closure
and Detour Map

8/8/2024



ISLAND COUNTY PLANNING & COMMUNITY DEV.

WORK SESSION AGENDA

MEETING DATE: 8/14/2024

To: Jill Johnson, Chair
Board of Island County Commissioners

From: Jonathan Lange, Director

Amount of time requested for agenda discussion. 90 minutes

DIVISION: Long Range Planning

Agenda Item No.: 1

Subject: 2025 Comprehensive Plan – Buildable Lands Analysis

Description: Long Range Planning staff will present the findings from our Buildable Lands Analysis to the Board of Island County Commissioners.

Attachment: Memo and presentation

Request: *(Check boxes that apply)*

- | | |
|--|--|
| <input type="checkbox"/> Move to Consent | <input type="checkbox"/> Move to Regular |
| <input checked="" type="checkbox"/> None/Informational | <input type="checkbox"/> Schedule a Public Hearing |
| <input type="checkbox"/> Signature Request | <input type="checkbox"/> Other: _____ |

IT Review: Not Applicable

Budget Review: Not Applicable

P.A. Review: Not Applicable



Island County Planning and Community Development

Jonathan Lange, AICP, CFM
Director

Physical Address: 1 NE 6th St, Coupeville, WA 98239 Mailing Address: 1 NE 7th St, Coupeville, WA 98239

Ph: Whidbey 360-679-7339 | Camano 360-387-3443 | Fax: 360-679-7306

Email: PlanningDept@islandcountywa.gov | <https://www.islandcountywa.gov/207/Planning-Community-Development>

MEMORANDUM

8/14/2024

TO: Board of County Commissioners

FROM: Planning and Community Development – Long Range Planning

RE: Buildable Lands and Land Capacity Analyses

Background

As part of Island County's 2025 Comprehensive Plan Update, staff conducted a buildable lands analysis and land capacity analysis. Island County is not subject to the Buildable Lands Program (RCW 36.70A.215) under the Growth Management Act; instead, our Countywide Planning Policies direct our buildable lands work.

The purpose and scope of the buildable lands analysis is to look back over the past 10 years and evaluate whether development trends were consistent with the assumptions in our last Comprehensive Plan. The land capacity analysis then looks forward over the next 20 years to determine if there is sufficient land capacity to accommodate future population growth and employment projections.

In 2021, with the passage of House Bill 1220, the State Legislature changed the requirements for how we plan for housing in our Comprehensive Plans. We are now required to plan for and accommodate housing at all incomes levels as a part of our land capacity analysis. These requirements have been included in staff's buildable lands and land capacity analyses.

The results of the buildable lands work will help staff and decision makers determine where changes are needed to our comprehensive plan and development regulations.



Buildable Lands Analysis DRAFT 2025 Comprehensive Plan

**Long Range Planning
August 2024**

Buildable Lands analyses consist of two parts:

A look backward at the actual development to determine if development trends were consistent with the assumptions in the last Comprehensive Plan.

A look forward to determine if there is sufficient capacity for population and employment growth over the next 20 years.

Island County is not subject to the Buildable Lands Program (RCW 36.70A.215) under the Growth Management Act – **Instead our Countywide Planning Policies direct our Buildable Lands analyses to ensure we are working in partnership with municipalities.**

What Buildable Lands Is, and Isn't

What is Included per CPPs

- Inventories of existing land uses and densities.
- Estimated employment densities.
- Identification of lands suitable for development and redevelopment.
- Capacities to accommodate 20 year projections, by income level.

Board Directed

- Water and septic constraints.

What is Not Included

- Parcel by parcel development expectations.
- Proposed new zoning and density standards.
- Analysis of municipal lands (these are conducted by the cities).

Housing Allocations

By Area Median Income Level (AMI)

	Total Housing Units	0-30%	30-50%	50-80%	80-100%	100-120%	120+	Emergency Housing
Existing Stock	25,445	606	1,580	3,311	3,676	3,788	12,484	28
2045 Allocations	2,388	500	486	414	196	187	604	73

Purpose of Planning by Income Level

- The purpose of the State's affordable housing mandate is to highlight where jurisdictions are not meeting the needs of their community in terms of housing stock.
- Land capacity analyses should identify disparities in housing availability by income level.
- Jurisdictions are meant to use the results of the capacity analysis to make adequate provisions for all housing needs in their comprehensive plans.
- Our housing element must document barriers to housing, and address racially disparate impacts, displacement, and exclusion risks.

Steps in the Analysis:

1. Identify existing housing and vacant lands.
2. Remove government owned lands, land used for utilities, churches, schools, and lands in a conservation program or with a conservation easement.
3. GIS analysis of critical areas (including steep slopes, FEMA flood zones, wetlands and streams and their buffers).
4. Assess development potential of vacant and partially vacant lands to estimate capacity.
5. Apply adjustment factors to account for likelihood of redevelopment potential.
6. Conduct Area Median Income (AMI) analysis.

Adjustment Factors Applied

- Critical Areas
- Partially Vacant Parcels
- Vacant Parcels
- Vacancy Rate
- Public Lands
- Redevelopment Factor
- Seasonal/Recreational Use

Process to Calculate Capacity

1. Gross Density: a density calculation based upon the number of units constructed across the entire county, without deductions.
2. Buildable Density: a density calculation that removes critical areas and buffers to better determine the density of construction over the buildable area.
3. Net Density: a density calculation that removes critical areas and buffers, adjustment factors, as well as roads, utilities, and other areas not explicitly used for residential units.

Net Density

Available Dwelling Units After all Constraint Factors are Applied

	Acres	Parcels	Net Dwelling Units (Future Capacity)
Rural	65,088	16,589	3,415
Rural Forest	13,045	227	72
Rural Ag	6,504	125	24
Commercial Ag	4,391	49	14
Rural Residential LAMIRDs	9,359	13,130	2,029
Mixed Use LAMIRDs	409	330	191
Oak Harbor UGA	1,089	921	200*
Freeland UGA	451	455	399*
Clinton LAMIRDs	252	370	92
Camano	14,680	5,309	732
Totals	115,268	37,505	7,168

Housing Target = 2,388

* Densities assume sewer service and are likely not achievable on septic.

Net Density with Water & Septic Constraints

	Net Dwelling Units (Future Capacity)	Known Septic Constraints	Available Water Connections
Rural Residential LAMIRDs	2,029	533	2,143
Mixed Use LAMIRDs	191	12	916
Freeland UGA	399	13	NA
Clinton LAMIRDs	92	33	NA
Sums	2,711	591	3,059
Total Capacity w/Constraints		2,120	

NOTES: Water rights are managed by Department of Ecology; additional dwellings may be possible via new water rights or other measures. Septic constraints could be mitigated by a Large Offsite Septic or other alternative solution to allow more dwelling units.

Area Median Income (AMI) Analysis

Area Median Income for Island County

Area Median Income (AMI) for Island County is \$102,000 based on a family of four (per HUD 2024 data). HUD recommends that a maximum of 30% of a families annual income should be spent on housing.

0-30%	30-50%	50-80%	80-100%	100-120%	120+
\$30,600	\$51,000	\$81,600	\$102,000	\$122,400	Over \$122,400

Land Uses by Density Allowed

Zoning District	Housing Types Allowed	Max Density Allowed (dwelling units)	Assigned Zone Category
Rural	Single family, ADU, group home, manufactured home park	1 du per 5 acres	Low Density
Rural Forest	Single family, ADU, group home, manufactured home park	1 du per 10 acres	Low Density
Rural Ag	Single family, ADU, group home, farm worker housing	1 du per 10 acres	Low Density
Rural Residential LAMIRDs	Single family, ADU, duplex, tri plex, four plex, group home	1.8 du per acre	Moderate Density
Mixed Use LAMIRDs	Mixed use, multifamily, group home	2.25 du per acre	Moderate Density, Multifamily
Freeland UGA	Single family, ADU, cottage housing, group home, mixed Use, multi family, ADU	4.6 du per acre	Low Density, Moderate Density, Multifamily

Housing Needs vs. Capacity

Income Levels	Projected Need	% from HAPT	Zone Categories	Aggregate Need	Total Zone Capacity	Capacity Surplus/Deficit
0-30%	500	4%	Multifamily	986	58	-928
30-50%	486	7%				
50-80%	414	13%	Moderate Density	610	371	-239
80-100%	196	14%				
100-120%	198	14%	Low Density	802	6,699	5,723
120%+	604	47%				

Key Findings

- With a net capacity of 7,168 dwelling units, we have enough aggregate land to accommodate the 2,388 units allocated.
- However, we have significant deficits in our 0-50% and 50-100% AMI capacities.
- Known septic constraints and available water connections will further limit capacities in some areas.

What Do We Do With The Results?

- The deficits in our 0-80% AMI housing numbers was an anticipated outcome of our buildable lands analysis.
- Almost all jurisdictions planning in 2024-2025 are showing in deficits in 0-50% AMI housing.
- Our upcoming work on the Land Use and Housing Elements will flesh out strategies for mitigating the housing deficits in our capacity analysis.
- Rural counties, like Island County, need to identify creative housing solutions that are appropriate for our rural lands.

Final Steps for Buildable Lands

- Final QC of analysis.
- Employment data must be added to the analysis for urban areas.
- Water and septic constraints need to be added for additional areas.
- A full Buildable Lands report is forthcoming with additional data and details.



Questions?

Long Range Planning

CompPlan@islandcountywa.gov

www.islandcounty2045.com

Those interested in attending the meeting virtually may use the following link:
<https://zoom.us/j/95701446335?pwd=U2N4V1FXSVdiNDJLL1B2UXIDc3F2QT09>
or for voice only, **Dial by your location:** (253) 215-8782
Meeting ID: 957 0144 6335 **Passcode:** 969196

BOARD OF ISLAND COUNTY COMMISSIONERS
BUDGET WORKSHOP DISCUSSION
AUGUST 14, 2024 @ 1:00 P.M.
Board of County Commissioners Hearing Room (Room 102B), 1 NE 6th Street, Coupeville, WA

AUGUST 14, 2024 @ 1:00 P.M.

BUDGET WORKSHOP

Discussion of the 2025 Budget to include:

- Sheriff
- Public Health

AUGUST 15, 2024 @ 2:00 P.M.

CONTINUED 2025 BUDGET WORKSHOP discussion from August 14, 2024.

ZOOM: <https://zoom.us/j/93341115102?pwd=A5Kw45kVv4rajVdkoyGG24rSeQ8Vw3.1>

Meeting ID: 933 4111 5102 **Passcode:** 926296

You can access the 2025 Budget Workshop schedule here:

<https://www.islandcountywa.gov/DocumentCenter/View/7394/2025-Budget-Work-Session-Schedule-PDF>

Jennifer Roll, Clerk of the Board of County Commissioners (360) 679-7385

ASSISTIVE LISTENING AVAILABLE: Please contact the clerk for an assistive listening device to use during the meeting. Please return the device at the end of the meeting.

Those interested in attending the meeting virtually may use the following link:
<https://zoom.us/j/93341115102?pwd=A5Kw45kVv4rajVdkoyGG24rSeQ8Vw3.1>
or for voice only, **Dial by your location:** (253) 215-8782
Meeting ID: 933 4111 5102 **Passcode:** 926296

BOARD OF ISLAND COUNTY COMMISSIONERS
Continued from August 14, 2024
BUDGET WORKSHOP DISCUSSION
AUGUST 15, 2024 @ 2:00 P.M.
Board of County Commissioners Hearing Room (Room 102B), 1 NE 6th Street, Coupeville, WA

AUGUST 15, 2024 @ 2:00 P.M.

BUDGET WORKSHOP

Discussion of the 2025 Budget to include:

- Human Resources
- Board of County Commissioners

You can access the 2025 Budget Workshop schedule here:

<https://www.islandcountywa.gov/DocumentCenter/View/7394/2025-Budget-Work-Session-Schedule-PDF>

Jennifer Roll, Clerk of the Board of County Commissioners (360) 679-7385

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