

The Board of Island County Commissioners met in Regular Session on January 13, 1997, at 9:30 a.m., in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa. Mike Shelton, Chairman; Wm. L. McDowell, Member; and Tom Shaughnessy, Member, were in attendance. Also present were Art Hyland, Auditor and Clerk of the Board, and Ellen Meyer, Secy. to the Board.

VOUCHERS AND PAYMENT OF BILLS

The following vouchers/warrants were approved for payment by unanimous motion of the Board:

1996: Voucher (War.) #171798 - #172089.....\$199,496.76
1997: Voucher (War.) #171766 - #171797.....\$ 9,298.07.

Payroll for October and December approved and signed.

Request for Clarification of Computer Purchases

The Auditor's Office, Accounting Section, was previously told to verify that every voucher submitted for anything pertaining to computers first have Central Services review and approval. However, the Board's memorandum in August indicated only that computer purchases and large equipment purchases were to be processed through Central Services before payment would be authorized by the Board. This has caused some confusion about purchases of computer supplies, etc., and the Board's clarification through written memo with clear directives was requested.

Cathy Caryl, Director, Central Services, indicated that departments for the most part do check with her for computer supplies in stock (a list is sent to all departments of stock on hand). Some supplies are not stocked, for example, color cartridges. Departments are encouraged to use the stock of supplies from Central Services because of the good price obtained by purchasing in bulk.

Board Decision: The Chairman will issue a Memorandum to clarify that all computer equipment, hardware and software, and computer contracts, are to be approved and signed off by Central Services before the voucher is processed. Departments are free to purchase computer supplies and consumables on their own, but are encouraged to check with Ms. Caryl first to see if the needed supply is in stock.

EMPLOYEE OF THE MONTH NAMED FOR DECEMBER, 1996

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Wes Kirkpatrick, Central Services Department, was named as "Island County Employee of the Month" for December, 1996. This is the second time Mr. Kirkpatrick received this award.

PERSONNEL ACTION AUTHORIZATION

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Dick Toft, Human Resources Director, presented one personnel action authorization for the Board's review and consideration, as below noted.

PAA #1/97 Health Department - Personal Health Tech, Position #2412. Increase in hours requested from 24 to 30 per week, resulting from grant funding increase. Initial projection for 1997 Regional AIDSNET Allocation grant was \$58,600, but actual grant amount has been confirmed at \$66,038.

Board Action: by unanimous motion, the Board approved PAA #1/97 as presented, effective this date.

RESOLUTION #C-02-97 IN THE MATTER OF AMENDING THE PERSONNEL POLICY AND PROCEDURES MANUAL

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The next item considered by the Board was a proposed resolution regarding site differential pay for the four Road Shop Supervisors, recognizing the continued and steady demand for extra hours above what normally is expected. The resolution was drafted for the Board's

review based on language developed through the Human Resources Director and County's personnel consultant. Provisions are included to ensure that no language touches on increased duties and that the focus is on the extra hours spent in performing the job. This would also get the actual monetary amounts out of the Personnel Policy and avoids having to make unnecessary changes to the Manual.

Commissioner Shaughnessy moved approval of Resolution #C-02-97 as presented. Motion was seconded by Commissioner McDowell.

The Chairman explained, in response to a question from Mr. Hyland, this was an increase in site

differential pay from \$126 to \$250 per month. It addresses a problem recognized by the Board, a problem demonstrated clearly in the past few days where road supervisors were required, because of their supervisory capacities, to be at different locations around the county at times other than the normal work day. Commissioner McDowell commented that it had been explained to him that back when FLSA applied to government workers, road supervisors received overtime for the extra work, until they came under FLSA and no longer received overtime. At that time, the then Board set up pay differential system to recognize this situation for road supervisors.

Mr. Hyland pointed out though that road supervisors were paid more to begin with, and when they took the position, were made aware this additional work may be required. He wondered why this was not a part of their regular salary instead of separate compensation. He suggested that virtually any position in the county could be broken into parts and he said there are separate things being done because of a unique situation, but he did not know why this situation was any more unique than any one else.

Chairman Shelton pointed out that because of the supervisory capacity, road supervisors are the highest on the pay scale in each of the particular road districts. What the Board is responding to a past practice when a prior board set up the pay differential system for road supervisors for the purpose of receiving the extra compensation for being in charge of a facility off site. The current Board is addressing the matter by changing the pay differential amount per month to recognize the extra hours required above and beyond the basic job. He saw this as unique situation - in time of an emergency in the County, the road supervisors are required to work extended hours, weekends, and evenings.

Commissioner McDowell mentioned that when the road supervisors initially took the job they received overtime for the additional work, which they do not now receive. He agreed that other salaried employees worked extra hours on occasion, but not to the extent as is required of the road supervisors.

Commissioner Shaughnessy was also in agreement and believed the situation with the road supervisors was something special and unique; a previous board made it their priority to make the matter a part of the policy manual and he personally saw no reason to change that.

Motion, as made and seconded, carried unanimously.

BEFORE THE BOARD OF COUNT COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF AMENDING THE)
PERSONNEL POLICY AND PROCEDURES)
MANUAL) RESOLUTION NO. C-02-97

WHEREAS, it is expected, that on occasion, all salaried employees may be required to put in extra hours above the normal 40 hour work week; and

WHEREAS, the Road Shop Supervisors have experienced continued and steady demand for extra hours far and beyond that normally expected of a salaried employee; and

WHEREAS, there has not been adequate recognition of the increased hours required to effectively carry out the responsibilities of the position of Road Shop Supervisor; and

WHEREAS, the Island County Personnel Policy and Procedures Manual does not adequately reflect the extraordinary amount of work that the Road Shop supervisors routinely perform often as a result of acts of nature or adverse weather; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Island County Commissioners that the Personnel Policy and Procedures Manual will be changed by the incorporation of Exhibit (A) attached hereto.

BE IT FURTHER RESOLVED by the Board of Island County Commissioners, that the amount of the off site pay differential will be established as \$250.00 effective January 1997 and shall be adjusted by the same percentage as the basic rate whenever such adjustments occur to the basic rate of affected employees. The Board of county Commissioners may revise or discontinue this differential at any time.

ADOPTED AND EFFECTED THIS 13TH DAY OF JANUARY, 1997.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

MIKE SHELTON, CHAIRMAN

Wm. "MAC" MCDOWELL, MEMBER

ATTEST: TOM SHAUGHNESSY, MEMBER

ART HYLAND, Auditor and

Ex-Officio Clerk of the Board

EXHIBIT A

RESOLUTION NO. C - 02- 97

ARTICLE 2.01.015 PAY SCALE

MIDDLE MANAGEMENT - FACILITY - OFF SITE FROM COURTHOUSE

**2.01.015 PAY SCALE – MIDDLE MANAGEMENT – FACILITY – OFF SITE
FROM COURTHOUSE COMPLEX**

When County employees in middle management **positions** are responsible for the day-to-day administration of a County facility not within the Coupeville campus, and that facility does not fall under the direct responsibility of an **Elected Official** or **Department Head** such middle management employees shall be eligible to a monthly pay differential in addition to the appropriate rate published in the County wage grid effective in 1997, provided, that the position is so certified by a **Department Head** and approved by the Board of County Commissioners. The differential referenced above shall be adjusted by the same percentage as the basic rate whenever such adjustments occur to the basic rate of affected employees. The Board of County Commissioners may revise or discontinue this differential at any time.

ESTABLISH CUSTODIAL ACCOUNT AUTHORIZATION
REGARDING DEFERRED COMP PLAN WITH PEBSCO

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The matter of establishing a custodial account and life insurance transfer authorization regarding the deferred comp program, came before the Board for action, continued from the January 6th meeting. This would change the custodian of deferred comp assets to a separate custodian, in this case, Bank One Trust Company that PEBSCO has assigned as the custodian. Hartford in about three or four weeks will be coming to the County with their recommendation for a separate bank assigned as custodian. Bank One Trust Company is a bank out of Ohio (information provided by Dick Toft).

Commissioner Shaughnessy moved approval to establish a custodial account and life insurance transfer authorization for PEBSCO. Motion, seconded by Commissioner McDowell, carried unanimously.

PUBLIC INPUT/COMMENTS

Time set aside for members of the public to speak to the Board about subjects of concern or interest, or items not already set aside for a public hearing. As is the practice, the Board took all information under advisement, not generally taking any action unless of an emergency nature.

Frank Billera, 5443 S. Pleasant View Lane, Freeland

Mr. Billera presented a petition with 26 signatures requesting improvements on Old County Road, Greenbank, as follows:

"We the undersigned are property owners in the vicinity of Old County Road and Larson Road to the South and Christensen Road to the North, Greenbank, Washington.

We believe that Old County Road is unsafe. To the south, the road has hair pin turns and the intersection of Old County Road and Larson Road is perilous due to minimum visibility. These conditions could easily lead to a fatal automobile accident. We would like these hair pin turns to be modified for visibility and safety.

In addition, the North end of Old County Road should be maintained in *All Weather* condition. It should be 14 feet wide, all gravel, with 20 feet clearance for fire trucks to access the area. The possibility of a house fire on this road coupled with fallen trees on Larson Road could result in an uncontrolled fire disaster.

We ask that Island County take the necessary steps to correct these problems as soon as possible. Please include this work in the Six Year Road Program.

Thank you."

Chairman Shelton stated that the petition would be forwarded to the Public Works Department for response. Mr. Billera asked that he be apprised of any progress or action.

Sam Cowell, IV, 1850 NE 11th Ave., Oak Harbor

Mr. Cowell referred to his letter of December 23, 1996, to the Board expressing his concerns about the juvenile crime problem in Island County. He asked the Board's position on that letter and what can be done to increase the priority to address a juvenile holding facility in Island County right away. Within Island county there is no holding facility and have to rely heavily on Skagit and Whatcom counties. The Prosecuting Attorney conducted an 18 month study within Island County and the City of Oak Harbor which showed during that time while supervised and unsupervised on probation, 28% of the juveniles reoffended. This will only continue because teenagers under the age of 18 realize there is no real consequence fore their actions because there is no juvenile facility in which to hold them. Mr. Cowell spoke from the experience of being a single father of a 17-year old son incarcerated in Skagit County.

Mark Thomas, 2432 Hemingway, Oak Harbor

Mr. Thomas agreed with comments made by Mr. Cowell. The worst thing in his view was not to hold juveniles accountable soon enough. His son possibly has some pending charges from almost three months ago. By the time the juveniles come to court what are they really seeing from the justice system?

Chairman Shelton acknowledged that part of the frustrations expressed by Mr. Cowell and Mr. Thomas revolved around the Juvenile Justice Code adopted in the late 1970's by the State. He understood why many parents believe that the appropriate thing is for an offending juvenile to spend time incarcerated hopefully to teach them a lesson and not reoffend. Whether the County has a juvenile detention facility or continues to use the facility at either Skagit County or Whatcom County, does not change the statutes by which youth are incarcerated. For a juvenile detention facility in Island County to become a reality does not focus so much on the cost of the building as much as the on-going cost of operation of such a facility. Whether there are an adequate number of juveniles in Island County that qualify for detention to offset the operation costs of such a facility is an issue long debated in Island County, and continues to be debated. It has been reiterated to him on numerous occasions

that every juvenile in Island County that can legally be incarcerated is incarcerated in an appropriate

juvenile detention facility. He encouraged Mr. Cowell and Mr. Thomas to take their concerns in terms of the Juvenile Justice Code to their state legislative representatives.

Mr. Cowell indicated he had done that, and mentioned that the Oak Harbor City Council would be writing a letter to the State Legislature to request enacting that change.

Floyd Wright, 603 NE Sixth Street, Coupeville

Mr. Wright read and observed that within the County and Town, public monies were spent at the request of citizens for:

1) a parking lot to serve employees who park vehicles to accommodate the desire of the Town of Coupeville for parking off the streets; however, there is no place for pedestrians to walk, yet large amounts of public money spent.

2) pathway along route 20 from Main Street in Coupeville West along the State Highway, how many people petitioned the County for the path; how many people currently use the path, and request follow-up to see if it is getting much public use and if not, why not. Looks like money well spent, but there is no one walking that path.

Larry Kwarsick, Public Works Director, indicated that when the County's Non-Motorized Trails Comprehensive Plan was developed, there had been community and regional meetings. The trail was identified by citizen groups, as well as included within the Ebey's Landing National Historic Reserve Comprehensive Plan. The basis for the trail came as a result of a historical need for the trail and also more recent need for the trail. The Americorps portion of the trail is complete, but a significant amount of work remains to be done on the trail in terms of surface quality, fencing, and signing. Staff believes once that work has been completed, the trail will be more user friendly and over time develop in its use.

RESOLUTION #R-8-97 - CLOSE-OUT COUNTY ROAD PROJECTS

Mr. Kwarsick presented for Board action, Resolution #R-8-97 to close out County Road Projects (CRP's): 95-09 Resort Road; 94-04 Saratoga Road; 94-07 Cultus Bay Road; 95-01 East Harbor/Goodell

Road; 95-04 Camano Island miscellaneous overlays for 1995; 95-05 Whidbey Island Miscellaneous Overlays 1995; 95-11 Banta Road; 96-12 Bailey Road; and 96-10 Camano Island Miscellaneous Overlays 1996. Work has been completed on the roads under the CRP's cited.

Commissioner Shaughnessy moved to approve Resolution #R-8-97 as presented. Motion, seconded by Commissioner McDowell, carried unanimously.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON**

IN THE MATTER OF CLOSING)

ISLAND COUNTY'S COMPLETED) RESOLUTION NO. R-8-97

MISC. COUNTY ROAD PROJECTS)

WHEREAS, R.C.W. 36.77.070 requires the publication of the true and complete costs, and a brief description of all County Road Projects where the day labor, either estimated or actual cost, exceeds twenty-five hundred dollars. NOW, THEREFORE,

BE IT HEREBY RESOLVED that the following County Road Project(s) and the total costs as shown on the attached sheet(s) are hereby approved and those C.R.P.'s with day labor in excess of \$2,500 be published in the local newspaper.

CRP NUMBER WORK ORDER NO. NAME

CRP 95-09	89	RESORT ROAD
CRP 94-04	16	SARATOGA ROAD
CRP 94-07	65	CULTUS BAY ROAD
CRP 95-01	71	EAST HARBOR/GOODELL ROAD

CRP 95-04	74	CAMANO ISLAND MISC. OVERLAY 1995
CRP 95-05	75	WHIDBEY ISLAND MISC OVERLAYS 1995
CRP 95-11	123	BANTA ROAD
CRP 96-12	224	BAILEY ROAD
CRP 96-10	218	CAMANO ISLAND MISC OVERLAYS 1996

NOW BE IT FURTHER RESOLVED that the projects on the attached sheet(s) are completed and therefore are closed to all charges as of **December 31, 1996.**

APPROVED this **13th** day of **January, 1997.**

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

ATTEST: Art Hyland Wm. L. McDowell, Member

County Auditor & Ex-Officio Tom Shaughnessy, Member

Clerk of the Board

TEMPORARY CONSTRUCTION EASEMENT - MADRONA WAY

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Next presented was a Temporary Construction Easement related to the Madrona Way slide repair project. The document has now been signed by the property owners. It is a temporary construction easement and is not an easement for the future relocation of Madrona Way that has been in planning stages for some time. The work under the temporary construction easement will be completed today and Mr. Kwarsick asked that the Board accept the document on behalf of Island County under Work Order #171. He mentioned that with that repair being completed today, intention is to reopen Madrona Way. There is still a problem area at the intersection of Madrona and Sherman Road. Consultant will soon be looking at this area in terms of what can be done. There will be some temporary barricades placed to provide some

additional safety.

Commissioner Shaughnessy moved that the Board accept the Temporary Construction Easement from The Sherman Family related to Madrona Way slide repair project, work order #171. Motion, seconded by Commissioner McDowell, carried unanimously.

STATUS OF EMERGENCY REPAIR

The Public Works Department submitted last week to the Sheriff's Department/Emergency Services, a report and estimate of damages to public property of about 2.3 million dollars assuming all the public property is repaired. Out of the 2.3 million dollars, about 1.8 million dollars is what he felt would actually be eligible for reimbursement from Federal disaster relief. Staff met today with a team from FEMA and the State dealing with private damage. It is anticipated that another team will be coming to look at the public damage. There will be a meeting with road supervisors tomorrow to further assess damage, especially damage to roadway surfaces. He did not believe the 2.3 million dollar figure included any accelerated deterioration to roadway surfaces. Intent is to present to the Board at Wednesday's Staff Session a budget plan in terms of how to finance repairs and maintenance activities.

Regarding claim that fiber optic lines were dug up on East Harbor Road, Mr. Kwarsick stated that nothing like that happened. He called Whidbey Telephone on site from day one with regard to the erosion to help protect the fiber optic line. The County did not damage the fiber optic line. Whidbey Telephone was on site and performed an integrity test on the line and

everything was fine. He will be corresponding with Whidbey Telephone Company about the matter, and Road Department staff will be taking pictures of all the areas where fiber optic lines were installed and fill washed out.

ACCEPTANCE OF BOND FOR GUARANTEE OF WETLANDS RESTORATION BRENTWOOD PRD

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Bond #76-0110-07142-96-6 with United States Fidelity Guaranty Company was submitted on behalf of Krieg Construction, in the amount of \$5,000 to guarantee wetland restoration at Brentwood Planned Residential Development (PRD) on Camano Island.

Debra Little, Development Services Manager, Planning Department, indicated the bond would extend through December 11, 1997, for the purpose of guaranteeing the restoration of a wetland that was entered during installation of utility lines. Applicant has already submitted a use approval for the wetland alteration which will be heard by the Hearing Examiner in February, and revision of the original Brentwood Subdivision request will be before the Planning Commission January 28. That revision is for the purpose of reducing the number of lots, and applicant has also requested to establish through the process a phasing plan.

Commissioner Shaughnessy moved that the Board accept Bond #76-0110-07142-96-6 for the wetland restoration for Brentwood PRD, as submitted . Motion, seconded by Commissioner McDowell, carried unanimously.

RELEASE OF BOND - COMPLETION OF SURVEY
AND SHORT PLAT WORK

On verification by Ms. Little that all conditions had been satisfied on the Short Plat and the plat actually was recorded, and that bond release is recommended by staff, Commissioner Shaughnessy moved to authorize the release of bond in the amount of \$2,000 for Cecil Stuurmans for the completion of survey and short plat work. Motion, seconded by Commissioner McDowell, carried unanimously.

APPROVAL OF COUNTY-DESIGNATED MENTAL
HEALTH PROFESSIONAL

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Staff of the Health Department confirmed that Susan Davis, M.S. and Robin Farrand, R.N. met requirements of R.C.W. 71.24 and WAC 275-57 and recommended appointment as County Designated Mental Health Professionals, the Board by unanimous motion officially designated both as County - Designated Mental Health Professionals.

There being no further business to come before the Board at this time, the Chairman adjourned the meeting at 10:50 a.m. The Commissioners will meet today as the Island

County Board of Health beginning at 11:15 a.m. The next Regular Session of the Board will be on Monday, January 27, 1997 beginning at 1:30 p.m.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Wm. L. McDowell, Member

Tom Shaughnessy, Member

Attest:

Art Hyland, County Auditor &

Ex-Officio Clerk of the Board