

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on March 24, 1997, beginning at 1:30 p.m., in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa. Commissioners Mike Shelton and Tom Shaughnessy were present; Wm. L. McDowell, Member, absent. Also in attendance were Margaret Rosenkranz, Interim Auditor/Clerk of the Board, and E. Meyer, Secy. to the Board.

VOUCHERS AND PAYMENT OF BILLS

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

Voucher (Warrant #) 176495-196754.....\$337,341.00

Veterans Assistance Fund: *[emergency financial assistance to certain eligible veterans; the names and specific circumstances are maintained confidential].*

Claim #V97-12 - Commissioner Shaughnessy moved to approve V97-12 in the amount of \$752.99 as recommended by a majority of the Veterans Assistance Review Committee. Motion, seconded by Commissioner Shelton, carried unanimously.

Claim #V97-13 - \$50.00 recommended for approval by a majority of the Veterans Assistance Review Committee. Island County Veterans Assistance Fund Procedures state that "in general, assistance will be limited to one-time emergency situations" and this Veteran received approval of a claim in November, 1996.

Don Mason, Veterans Assistance Fund Coordinator, stated that although the name on the claim is a veteran who applied within the last 12 months (initially denied and approved on appeal 11/25/96), it is actually submitted from the Oak Harbor VFW. The only method the Fund can pay for emergencies such as food and medicine is from a veterans organization, and in turn the veterans organization reimbursed by the County's Veterans Assistance Fund. There is only one veterans organization with such a fund, the VFW, who will issue within certain restrictions a \$50 voucher for medicine or food. The Veterans Assistance Review Committee has been working hard to try to come up with a way to do this more efficiently because someone in need does not have the time to wait for funds from the Veterans Assistance Fund. The claim before the Board is to reimburse the VFW's food fund, the \$50 going to an individual who knew another claim would not be approved by appealing directly to the Board of County Commissioners. He agreed technically if the Board established this as a precedent, that whenever someone went to the VFW fund they could get around the County's one time in 12 month policy. However, most other counties for food and medicine allow a voucher every three months, as allowed by VFW policy. This individual could go to the VFW and receive another \$50 food voucher in 3 months.

One of the problems Commissioner Shelton saw was that the County has an established process for Veterans Assistance claims; this is an after the fact claim, a replenishing of the VFW Fund and he was not sure the County should give authority to the VFW to spend an amount of dollars a month for a variety of veterans with the assurance the County would always replenish their fund.

Mr. Mason was certain the VFW did not believe the County would always replenish their fund. When the VFW processes a \$50 voucher for someone who is qualified for the Veterans Assistance Fund, the VFW has been encouraged by the Committee in the past and currently to submit a claim to recoup that. It is the Board's decision.

Commissioner Shaughnessy moved approval of this claim. Motion was seconded by Commissioner Shelton.

Under discussion, Commissioner Shaughnessy stated that his approval was with the realization that while it might appear to be setting a precedent, he hoped the Board would not see this repetitively, that it is this time and this time only.

Commissioner Shelton asked that Mr. Mason very clearly relay to the VFW that just because the amount is \$50.00 they should not think because the Board approved this claim that every such claim would be automatically approved.

Motion, as made and seconded, carried unanimously.

SPECIAL SESSIONS SCHEDULED

April 4, 1997 @ 9:30 A.M. Island County Courthouse Annex, Coupeville, Wa.

Purpose: interview candidates for Auditor

9:30 a.m. Suzanne Sinclair

10:00 a.m. Margaret Rosenkranz

10:30 a.m. Grant Jones

April County Conference Meetings

Purpose: receive public input on any areas of concern from people within the community:

April 8 South Whidbey Bayview Senior Center 7:00-9:00 p.m.

April 15 North Whidbey Oak Harbor Senior Center 7:00-9:00 p.m.

April 22 Camano Island Terry's Corner Fire Station 7:00-9:00 p.m.

April 29 Central Whidbey Courthouse Annex Hearing Rm. 7:00-9:00 p.m.

STAFF SESSION SCHEDULE FOR APRIL, 1997

The Board approved for distribution the Staff Session schedule outlining the April 2 and 16 staff sessions:

1997

APRIL

REGULAR 1st WED. MEETING - APRIL 2, 1997

9:00 a.m. Public Works

11:00 a.m. General Services Administration

11:20 a.m. Maintenance

11:40 a.m. Extension

12:00 Noon B R E A K

1:00 p.m. Planning & Community Dev.

2:00 p.m. Health Department

3:00 p.m. Central Services

a. 1997 Equipment Requests (review)

3:45 p.m. **Chairman's Agenda:**

a. Prosecuting Attorney

REGULAR 3rd WED. MEETING - APRIL 16, 1997

9:00 a.m. Public Works

11:00 a.m Auditor

11:30 a.m. Human Resources

12:30 Noon "Brown Bag" - with Appt'd Dept. Heads. Non

Rep'd Employees welcome to attend.

1:00 p.m. Planning & Community Dev.

2:00 p.m. Health Department

3:00 p.m. Assessor

3:20 p.m. Sheriff

3:40 p.m. **Chairman's Agenda:**

a. Superior Court Judges (GAL)

PROCLAMATION RESOLUTION #C-15 -97, PUBLIC HEALTH

WEEK IN ISLAND COUNTY APRIL 7 THROUGH APRIL 13, 1997

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Tim McDonald, Health Services Director, and Roger Case, M.D., Health Officer, were present in support of proclaiming **Public Health Week in Island County April 7 through April 13, 1997**. Governor Locke proclaimed the week as Public Health Week in Washington State.

As far as showcasing accomplishments in protecting Island County citizens' health as part of this years' observance, Mr. McDonald stated that the Island County Health Department will make details clear as Public Health Week nears.

By unanimous motion, the Board approved Resolution #C-15-97 proclaiming the week of April 7 through April 13, 1997, as Public Health Week in Island County.

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PROCLAMATION RES. #C -15 -97

BEFORE THE BOARD OF ISLAND COUNTY COMMISSIONERS

OF ISLAND COUNTY, WASHINGTON

WHEREAS, National Public Health Week was established in 1995 as a way of recognizing the contributions of public health and prevention services to America's well-being; and

WHEREAS, April 7-13 is designated ***National Public Health Week*** and the theme of this third annual event is *An Investment in Your Future*; and

WHEREAS, Gary Locke, Governor, Washington State, on March 3, 1997, proclaimed the week of April 7-13, 1997 as Public Health Week; and

WHEREAS, Island County health officials are showcasing their many accomplishments in protecting Island County citizens' health as part of this year's National Public Health Week, and point out that public health ensures that our water is clean, and that diseases are kept under control; and

WHEREAS, it is recognized that an appropriate investment in Public Health can lead to substantial future savings in medical care, and that the well being of all County residents is dependent upon proactive health programs emphasizing quality, prevention, education, and early intervention which are affordable and accessible to all.

NOW, THEREFORE, we, the Island County Board of Commissioners, hereby proclaim the week of April 7 through April 13, 1997, as ***PUBLIC HEALTH WEEK*** in Island County, in the State of Washington, and urge all citizens to join us in this observance by seeking knowledge and understanding of public health issues.

PROCLAIMED this 24th day of March, 1997.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

[absent - Wm. L. McDowell, Member]

Tom Shaughnessy, Member

Attest: Margaret Rosenkranz,

Interim County Auditor & Ex-Officio

Clerk of the Board

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AMENDED CLAIM FOR DAMAGES 97-018/ ALBERT E. LAVOIE

AND CLAIM FOR DAMAGES 97-019/ STEVE TIMM

Betty Kemp, Director, General Services Administration/Risk Management, presented amended claim for damages submitted on February 27, 1997, by Albert E. Lavoie in the amount of not less than \$250,000, alleging improper removal from the LEOFF Retirement Plan and that the actions by the State and County deprived him of property rights without due process of law. Due to the complexity of the claim, the Island County Sheriff recommended denial of the claim, and Ms. Kemp concurred the claim be denied at the County level and forwarded to the insurance carrier (WCR) for further investigation.

Claim for damages from Steve Timm was submitted on February 27, 1997, in the amount of not less than \$250,000, alleging improper removal from the LEOFF Retirement Plan and that the actions by the State and County deprived him of property rights without due process of law. Although the document filed states it is an "amended claim for damages" Ms. Kemp found no other record of previous claim filed. Due to the complexity of the claim, again the Sheriff recommended denial and Risk Management concurred the claim be denied at the County level and forwarded to the insurance carrier, WCRP, for further investigation.

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By unanimous motion, the Board denied Claim #97-18 and #97-19, with the claims to be forwarded to the Risk Pool, as recommended by Ms. Kemp.

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DESIGNATION OF APPLICANT'S AGENT - RESOLUTION #C-16-97

The Board by unanimous motion approved Resolution #C-16-97 designating Michael A. Hawley, Island County Sheriff and Director of Emergency Services, to be the authorized representative for obtaining federal

and/or emergency or disaster assistance funds. [Federal

Disaster Form No. FEMA 1159-DR-WA]

CONTRACT FOR ASBESTOS ABATEMENT - ISLAND COUNTY FAIR 4-H BLDG.

Paul Messner, Facility Director, requested the Board's action on a proposed contract between Island County and Long Services Corporation, Seattle, the low bidder of four received for the asbestos popcorn ceiling removal project at the Island County Fair 4-H Building, in the amount of \$6,783.00 plus tax.

By unanimous motion, the Board approved and signed the contract with Long Services Corporation as presented by Mr. Messner, in the amount of \$6,783.00 plus tax.

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HEARING HELD: FRANCHISE #18(6) - CITY OF OAK HARBOR [cont. from 2/24/97]

A Public Hearing was held at 2:15 p.m., continued from February 24, 1997, to consider Franchise #18 (6), a "blanket franchise" for the City of Oak Harbor Urban Growth Area (UGA) for waterlines, eliminating the necessity of applying for an expansion franchise each time there is work to be done outside of a franchised area, yet within the UGA. On February 24th, the Commissioners expressed a desire to have the benefit of the decision of the City Council of Oak Harbor scheduled for March 18, 1997, relative to provision of water service outside the incorporated limits before taking action on the franchise.

Tim McDonald reported that the City Council decided to continue with the temporary moratorium on water service for six more months and remanded back to the City Planning Commission the ordinance regarding how to go about being annexed to the City's water service. Commissioner McDowell spoke at that Council meeting in favor of the City extending the water service out into the UGA. Mr. McDonald advocated the Board's approval of the blanket franchise, for a number of reasons from the viewpoint of water system coordination and public health, and that the City do everything it can to provide water services to the UGA area. He recalled that the four City Council members who voted to continue the temporary moratorium wanted to take time to carefully plan how the water would be provided. There were a number of businesses within the UGA that wanted very much to have the moratorium lifted and testified about that. Mr. McDonald testified before the City Council about some issues pertaining to public health and the Council wrote one sentence into the draft ordinance before remanding it back to the Planning Commission that addressed the public health issues.

Commissioner Shelton agreed the County Commissioners would want to encourage the City to extend the water service to the UGA.

County Engineer, Roy L. Allen, reiterated his recommendation that the Board approve the franchise. Whatever Oak Harbor's growth area eventually comes to be the franchise would be in place giving them the right to place waterlines in county rights of way.

Commissioner Shaughnessy moved approval of Franchise #18 (6) with the City of Oak Harbor. Motion, seconded by Commissioner Shelton, carried unanimously.

SUPPLEMENT NO. 1 - PROFESSIONAL SERVICES AGREEMENT

GLEASON & ASSOCIATES, ARCHITECTS

The Board was asked to approve Supplement No. 1 to Professional Services Agreement with Gleason & Associates, Architects, entered into on December 9, 1996, for the South Whidbey Family Resource Center, the supplement approving Environmental Works as the Subcontractor. Gleason & Associates merged with Environmental Works, and exists primarily as a clearing house for invoices, etc. The supplement does not change the amount of the contract, scope or duration, and was reviewed by the Deputy Prosecuting Attorney, Risk Management, and CDBG.

By unanimous motion, the Board approved Supplement No. 1 to the Professional Services Agreement with Gleason & Associates, Architects.

ESCROW ACCOUNT - R EXCAVATING, INC.

Regarding contract awarded to R. Excavating, Inc., CRP #96-13, Work Order #137, East Camano Drive Phase I project, the Board by unanimous motion approved Escrow Agreement for Acct. #110008521 representing the dollars to be retained and held by

American First National Bank (15% of total contract).

ANNUAL CERTIFICATION TO COUNTY ROAD ADMINISTRATION BOARD

Annual certification to the CRAB for 1996 was presented for the Board's approval, as required under WAC 136-04. Under state law the Department is able to spend based upon the budget \$497,696.00 as day labor construction, whereas for the year 1996 as the report shows actual expenditures for day labor construction was \$76,906.00.

By unanimous motion, the Board approved the Annual Certification to the County Road Administration Board.

PETITION FROM RESIDENTS OF SOUTH WILKENSON ROAD

A petition was received signed by 12 residents of South Wilkenson Road, as follows:

"WE, the residents of South Wilkenson Road, between Bob Galbreath and Bob Galbreath Roads. hereby petition Island County for the following:

- o Permanent closure of the section of Wilkenson road now closed to vehicular traffic between the road closure barriers currently in place
- o Better signage indicating that the road is closed This road be designated as a bicycle route.

WE present this petition for the following reasons:

- o The road is washed out and undermined, making permanent repair of the road very costly and problematic.
- o Bob Galbreath Road was built as an alternative route that parallels this section of Wilkenson Road.
- o The road has been posted at 25 miles per hour and is, we have been told by Island County, too narrow to stripe; however drivers have made a regular habit of speeding up to 60 m.p.h. on this very narrow road, endangering other drivers, bicyclists and the many walkers who use this road."

On unanimous motion, the Board referred the Petition to the County Engineer for review and Recommendation back to the Board.

HEARING HELD: FRANCHISE #88(1)R - PENN COVE WATER DISTRICT

A Public Hearing was held at 2:30 p.m. as scheduled and advertised, to consider Franchise Application #88 (1) R by Penn Cove Water District, for waterlines in county rights of way; renewal/upgrade of existing system and expansion to cover an additional area on Scenic Heights Road - all within the Water District Service Area.

Mr. Allen reviewed the franchise application submitted by Penhallegon Associates on behalf of Penn Cove Water District for the renewal of the franchise, covering an existing water distribution system along with possible expansion as indicated in the proposal, and reported that all departments requested to comment had no objection to the proposal. The Health Department requires approval by the State Department of Health should the District expand into the proposed future service area. Mr. Allen reported in favor of approving the franchise.

Marty Penhallegon was present on behalf of the District. He noted this was a relatively small district, now planning for a major system upgrade of the entire water system.

By unanimous motion, the Board approved Franchise #88 (1)(R) by Penn Cove Water District.

PERSONNEL ACTIONS

Dick Toft, Director, Human Resources Department, presented one personnel action to the Board, PAA #30/97, Plans Examiner, new position #404.02, Island County Planning Department, as discussed at staff session March 12. The effective date would

be the date the temporary building inspector position ends [sometime the second week in April-exact date to be provided].

By unanimous motion the Board approved PAA #30/97 effective on the date the temporary building inspector position ends, the funding to come from unreserved fund.

RELEASE OF DECLARATION OF TRUST FOR COMPLETION OF LANDSCAPING

Debra Little, Development Services Manager, in memorandum dated March 18, 1997,

indicated that Robert K. Porter, Obligor for the Declaration of Trust requested release of the Declaration of

Trust in the amount of \$3,800.00 for completion of landscaping of Skatchet Hills water tank including site preparation, planing of all trees, shrubs and other plant materials shown on the landscaping plan and mulching related to Skatchet Hills Water Tank Site Plan Review SPR 046/94, Parcel R32915-285-0360. On inspection by the Planning Department the landscaping improvements were determined to be completed to county standards and conditions, and the Department recommended release as requested.

The Board, on unanimous motion, approved release of Declaration of Trust for completion of landscaping, Skatchet Hills Water Tank Site Plan Review, File #SPR 046/94, Parcel #R32915-285-0360.

BOND AGREEMENT ACCEPTANCE

As presented and recommended for approval by Vince Moore, Planning & Community Development Director, the Board by unanimous motion accepted Bond Agreement from

Vance Knowles, Mark Arnold, Agent, for purpose of mitigation conditions in a wetland area including a 3-year monitoring period, Parcel R32921-336-2050, S6625-00-00001/00002/ 00003 & 00004, South Whidbey Island, WA. SEPA 148/96, USA 299/96, FP 1921494, in the amount of \$1,750.00.

There being no further business to come before the Board, the Chair adjourned the meeting at 2:50 p.m. The Board will meet next in Special Session on April 4, 1997, beginning at 9:30 a.m. and the next Regular Session will be held on April 7, 1997, beginning at 9:30 a.m.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Tom Shaughnessy, Member

Attest: [absent-Wm. L. McDowell, Member]

Margaret Rosenkranz, Interim County
Auditor & Ex-Officio Clerk of the Board