

ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING

REGULAR SESSION - APRIL 14, 1997

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on April 14, 1997, beginning 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 present. Also in attendance were Margaret Rosenkranz, 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:

- 1) Voucher (War.) #628 - #927 \$502,372.21
- 2) Veterans Assistance Fund: [emergency financial assistance to certain eligible veterans; names and specific circumstances are maintained confidential]. Claim #V97-18 for \$1200.00, as recommended be approved by the Veterans Assistance Review Committee, was approved by unanimous motion of the Board.

EMPLOYEE SERVICE AWARDS

Employee Department Years

Harry W. Uncapher Sheriff 15

Myrna J. Beasley District Court Probation 5

EMPLOYEE OF THE MONTH - MARCH, 1997

Shirley Sorrows Assessor's Office

PARTNERSHIP WITH YOUTH PRESENTATION

Sue Karahalios, representing Partnership with Youth, explained that Partnership with Youth was an organization in the process of obtaining a building for a youth complex for students Greenbank to North Whidbey, looking at the potential purchase of the Roller Barn in Oak Harbor, a site historically used for youth activities. They are looking into various grants to help with the purchase and remodel, some of which will

require interlocal agreements with governmental entities within the area served. This is an umbrella organization now a "501 3C " and takes the Neutral Zone under its umbrella as well. Her purpose today was to explain and answer questions ahead of time, and requested today only philosophical support and that the Commissioners consider designating a representative from the County to serve on their board. No financial support is being requested at this time. The Partnership With Youth Board seats 22, including youth representatives, and is a very active group, meeting now the second Monday of the month at 4:00 p.m. at the Family Service Center. The organization wants to make this a site kids can use, and negotiations are under way now with the judicial system to place a guardian ad litem and DSHS CPS office at the site for access by students. They foresee including in the facility a computer center, not only for games, but also for community services, assistance with potential job searches, and job resume preparation, etc. As far as potential structural problems, the Roller Barn has ADA access and when remodeled the ramp will be redone. Supports and beams are in good shape. The difficulty is in finding someone who can re-roof the other half of the building. There are no blueprints because the barn was built by the "Traveling Barn Builders" at the time. A fire sprinkler system was installed five years' ago in the skating and downstairs areas.

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Chairman Shelton expressed appreciation on behalf of the Board for the presentation, and assured Ms. Karahalios that the Commissioners were vitally interested in anything supportive of youth in Island County.

RESOLUTION TO SET PUBLIC HEARING DECLARING AN EMERGENCY IN THE 1997 CAPITAL IMPROVEMENT (REET 1) FUND

With Resolution #C-17-97 presented by the Auditor's Office, the Board by unanimous motion, scheduled a public hearing for April 28, 1997 at 1:45 p.m. to consider the resolution, an emergency appropriation in the amount of \$35,700 in the 1997 Island County Capital Improvement (REET 1) Fund budget for funds towards City of Stanwood for development of a playground type facility for Heritage Park project for use by Island County residents.

SNO-ISLE REGIONAL LIBRARY SYSTEM

Rudy Jones was appointed by the Snohomish County Council to fill the vacancy created

by the resignation of Ms. Suzanne DeCuir, on the Sno-Isle Regional Library Board of Trustees. Individuals appointed to serve as trustees of intercounty rural library districts are to be appointed by the joint action of the boards of county commissioners of each of the counties included in the district (RCW 27.12.190). By unanimous motion, the Board concurred in the appointment of Rudy Jones.

SHORELINE ADVISORY COMMITTEE

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By unanimous motion, the Board appointed Bob Hedlund, Freeland, to serve as a member on the Shoreline Advisory Committee, representing "Community at Large" sector, for a term to August 20, 1999.

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HEARING HELD ON RESOLUTION R-18-97 - DESIGNATING NORTHERLY END OF
DRIFTWOOD WAY AS PRIMITIVE ROAD

A public hearing was held at 10:15 a.m. as scheduled and advertised on #R-18-97, proposed designation of the northerly end of Driftwood Way abutting Lots 1 through 4, Block 1, Plat of Ledgewood Beach #1, as a primitive road. Approximately 20 people attended the hearing.

Roy L. Allen, Island County Engineer, read from his April 11, 1997 Memorandum

to the Board regarding "Recommendation for Designation of N End of Driftwood Way as a Primitive Road", as follows:

BACKGROUND

- Island County entered into a contract with Golder Associates, Inc. to conduct a geotechnical study and evaluation to stabilize the northerly end of Driftwood Way fronting Lots 1, 2, & 3, Block 1, Division 1, and Tract "A," Section 30, Township 31 North, Range 2 East, W.M., Plat of Ledgewood Beach.
- In Brief, the Golder report recommended a plan to control the subsurface flow that acts as a lubricant that causes sliding and soil movement along a deep seated slip plane. The Golder plan called for the installation of a series of three deep French drains starting in the uphill location in the fault line crack located at the toe of the bluff face and a series of horizontal drain pipes located above Driftwood Way in Tract A and below Driftwood Way in Lots 1 and 2 to be laid in fan shaped patterns more or less perpendicular to the French drains.
- Implementation of the Golder de-watering plan would require either the purchase of Lots 1, 2, and 3, and Tract A or the obtaining of an easement over said parcels.
- Implementation of the Golder de-watering plan also would involve a very dedicated maintenance effort to keep the system functioning and could involve considerable liability should the de-watering system fail.
- If the County chose to purchase the properties involved at their assessed values, reconstruct the road and develop the lots into a waterfront park type facility, the cost could approach \$390,900.

A & E Fee to Prepare Plans & Specs	\$12,000
Estimated Cost to Install the De-watering System with Contingency Fee	\$69,000
Estimated Cost to Rebuild the Road	\$18,000
Estimated Cost to Administer and Inspect Construction	\$9,500

Acquisition Cost to Purchase Property, Appraisal Fees, Negotiation Fees, Escrow Account Fee, Title Insurance	\$9,400
Assessed value of the four properties (<i>Appraisal would be necessary to determine the actual value of the four properties</i>).	\$142,000
Design Fee 290 LF Sea Wall, Lots 1-4	\$25,000
Seawall Demolition and Construction 290 LF Administrative and Inspection	\$81,000
Restoration of Damage to Lots 1 & 2 and Removal of House	\$25,000
	\$

OPTIONS AVAILABLE TO THE COUNTY INCLUDE:

- Implementation of the Golder Report and purchase of the four parcels. \$390,900
- Vacate the right of way that fronts Lots 1, 2, 3 & 4, approximately 298 LF
- Initiate the establishment of a road improvement district to fund reconstruction of the road with the cost to be borne by the benefiting properties.
- Declare the road a primitive road; reconstruct it to its former configuration; and maintain the road as similarly done in the past. However, recognizing that should the road fail again in the future - timing of reconstruction would depend on weather and available funds. Primitive road classification removes any requirement to comply with any established road construction standard or maintenance standard. Normally, travel on a primitive road is at the risk of the user.

I recommend that the BICC declare the northerly \pm 298 LF of Driftwood Way fronting Lots 1-4, Block 1, Division 1, as a primitive road.

Larry Kwarsick, Public Works Director, assured that the County was not considering designation of other portions of Driftwood Way or Seaward Way as a primitive road.

The RCW provides that primitive road classification may be applied only to roads where the designated road portion:

1. is not classified as part of the county primary road system, as provided for in RCW 36.86.070;
2. has a gravel or earth driving surface; and
3. has an average annual daily traffic of 100 or fewer vehicles.

While this section of Driftwood Way meets the 100 ADT or less threshold, based on numbers of existing or potential homes, Seaward Way or other portions of Driftwood Way would not qualify. The section of Driftwood Way being considered for designation as a primitive road meets all three requirements.

Regarding the other section, Mr. Allen stated that final plans and specs for gabion basket wall had been prepared and he was ready to brief the Board at Staff Session Wednesday, and the following Monday, bring the matter to the Board to schedule a bid opening date. Mr. Kwarsick added that the timing of the repair to Driftwood Way appears to be the first week in May.

PUBLIC COMMENTS

Carolyn Cliff, P. O. Box 925, Langley, Attorney representing Dick and Joan Caldwell, Lot 1 of the Holvis Short Plat at the northerly end of Driftwood Way, just north of the portion that is closed, perceived this as the last good opportunity to avoid a court battle. She developed a chronology of significant events, but did not want to go into it or provide the Board with copies unless there was some opportunity for the Board to review it before acting.

Ms. Cliff contended that on January 24, 1996, the County illegally closed the northerly portion of Driftwood Way, because: (1) under the statute used, if a road is to be closed for any appreciable period of time those who will be affected are to be notified in advance; (2) to close a road temporarily, people are to be told how long it will be closed; and (3) this road has been closed for 15 months and there is no end in sight. It is coming up on a year now that she has been representing the Caldwells on this project and trying to get basic information on alternatives, plans and time table for action, thus far unsuccessfully.

Since closing the northerly portion of Driftwood Way 1/24/96 the Board authorized spending in excess of \$20,000 to study the problem - the Golder Report, on June 3, 1996. She believed then as she does now that was intended to help, and not hurt, affected property owners. The report was due back July 31, 1996 but for

whatever reason was not received by the County until October 21, 1996, and the County decided not to disclose the results of the report, notwithstanding the fact that Mr. Allen committed in writing to property owners to secure the permission to conduct the borings saying to property owners, that if they gave permission to have the borings done the County would provide the results of the study. Eventually the County changed its mind and provided copies of the Golder & Associates Report to those who asked for it only one week before this public hearing. On March 3, 1997, the Board denied the Caldwell claim for damages arising from the illegal closure of the northerly portion of Driftwood Way.

As a practical matter, Ms. Cliff believes that designating the northerly portion of Driftwood Way as a primitive road does not make the road safe for vehicular traffic, passable to vehicular traffic and did not open the road. As a legal matter, one of the criteria must be that the surface is earth or gravel. The northerly portion of Driftwood Way was paved, and was paved for years until 1991 when the last catastrophic slide event occurred and the County ignored warnings from Golder & Associates and trucked in fill over the paved portion of Driftwood Way. The advice from Golder & Associates was not to do that because placing fill on top of the active portion of a slide area could contribute to a subsequent failure of the road, which is what she believes happened. She had only one week to look at the Golder Report, and differs with Mr. Allen's description of the Golder Report because the report indicates that a relatively permanent fix can be achieved with a combination of horizontal and french drains for \$56,900. The Golder Report states the County does need permission from Lot 1, Lot 2 and Tract A, and specifically stated that the drains would benefit the owners of Lot 1 and 2: Lot 1 of Ledgewood Beach is what Mrs. Mitre used to own where the house is that failed; Lot 2 is Mr. and Mrs. Froman, who moved their house off that property. The report states that drainage may make those properties buildable, developable. She talked with Mr. Stephen who now owns the Mitre lot and Mr. Lawless who represents Mrs. Froman and found the County has not even talked to them about whether they would be willing to provide the permission. Ms. Cliff hopes it is true the County applied for FEMA money to defray some substantial part of the expense that will be required. She did mention that during the time the County sat on the Golder Report, the Caldwells filed their claim against the County and the South Whidbey Record published an article January 15, 1997, about the Caldwells claim against county and quoted Mr. Kwarsick as saying: "the cost to fix the unstable area in Ledgewood is estimated at \$800,000 to 1 million dollars, citing a study that was done last year".

She urged that the Board do the following: make no decision today; direct staff to sit down with affected property owners, their engineers and attorneys, to see if they can find common ground and something the county and property owners can agree upon; and continue the hearing for 30 days.

On behalf of Carol and David Watts, 1988 S. Driftwood Way, Coupeville, Wa., Ms. Cliff read the following for the record:

"As property owners on Driftwood Avenue, we, the undersigned, wish to express our opposition to the proposal to reclassify North Driftwood Avenue as a 'primitive road.' We feel that once a governmental entity makes a commitment to build a particular item of infrastructure, be it a road, a bridge, or whatever that entity has an obligation to maintain that structure. People make purchase decisions based on the existence of access to property, and they are left 'holding the bag' - that is, with property they can neither use nor sell - when the government fails to maintain existing access.

While we live on S. Driftwood, not N. Driftwood, we are just as concerned as if it were our street that was being reclassified. After all, if the road department is successful in reclassifying N. Driftwood today, what's to stop them from reclassifying Seaward Way tomorrow, and leaving another 10-15 families without access to their properties, and with lowered property values as a result?

Plus, what of all the nearby residents who use N. Driftwood as a public access road to the beach? You are doing a disservice to far more than the four families who live on N. Driftwood when you stop maintaining that road.

Property owners need to be able to count on the road department to maintain what they build - otherwise, nobody's property value is safe"

Howard C. Merchant, 1785 S. Driftwood Lane, the last house at the very north end of Driftwood Lane, addressed three items.

1. Concerns Regarding Revised Road Designation. Access for vehicles: fire trucks, septic tank pump truck, ordinary two-wheel drive passenger vehicles, and other vehicles such as dump trucks to maintain driveway and rockery, cement trucks and lumber trucks for repairs and new construction. Concern for maintenance at a level that would allow the above vehicles access including scheduling He relies on this road as his only access.

2. Background for Concerns. No written Island County policy on access or maintenance requirements for primitive roads. Island County Code, Title XII, Roads and Bridges, and Chapter 11.01 County Development Standards contain no information on access or maintenance requirements for primitive roads. ICC 12.08.010 refers to Wa. State Dept. of Transportation "Standard Specifications for Roads and Bridge Construction" provides no requirements for primitive roads. RCW 36.75.300 does not put any design or maintenance standard on primitive roads, therefore delegates this responsibility to the county.

Snohomish County Code 13.02.300 defines a primitive road in general terms consistent with the RCW and says "may be a county maintained road, unmaintained road or privately maintained road", but Engineering Design and Development Standards, Section 1-16, defines a primitive road limited to "An unmaintained or privately maintained" road, and Section 5-04b limits the construction requirements to a gravel or earth driving surface as required in RCW 36.75.300, with no other requirements.

Skagit County Code 11.30 refers to RCW 36.75.300, Laws of 1980 Chapter 45, and lists some designated roads. The Engineering Division Manager for Skagit County said that some roads designated as primitive are given minimal attention, i.e. graded occasionally but some receive no maintenance and to his knowledge all primitive road were originally designated as such and no road had been downgraded, but some had been upgraded from the primitive road designation. Skagit County has a rural access road designation for roads with an ADT level under 100 which does have minimum standards for construction and these roads are maintained.

ICC 12.01.050 refers to County Resolution #731 dated 12/15/69, policy statement on priority of construction of Island County road systems. Section 1 states: "county roads are built to serve the following purposes" and goes on to say one purpose is to accommodate existing traffic movements where they exist, another is for social benefits to people of the county. Section 3 states that it will be the policy of the county to give maintenance first claim to road funds until the following are accomplished: (1) the county's investment is protected - more important to protect all existing investments in roads and bridges than to make new investments; (2) safety of the motoring public is protected; and (3) all traffic is permitted to move, uninhibited with as little discomfort, inconvenience and cost as is consistent with good management. Section 4 provides that any privately owned property on a county road which is used as a permanent residence, business, farm, or other source of income will be provided year-round, all-weather accessibility by a public road suitable for travel by a conventional passenger car; further, that in times of bad weather and road damage the less important roads will be given lower priority but will not be neglected. Those statements directly addressed Mr. Merchant's concerns but apply to official county roads and not to primitive roads. The section of Driftwood Way is currently a county road and was originally a surfaced section. The gravel surface when the road was last passable was only a temporary repair, as is the longer section which is currently gravel south of the intersection of Driftwood Way with Seaward.

3. Requested Action by Island County Commissioners. In the absence of written county access and maintenance requirements for primitive roads, the Board not designate the referenced portion of Driftwood Way a primitive road, rather repair it and maintain it consistent with current designation as a county road. [A full copy of Mr. Merchant's written comments were submitted and placed on file.]

Ken Brettmann, owner of Lot 3 on the north part of the undeveloped area, remembered calling Mr. Allen right after receipt of the notice of public hearing and Mr. Allen said rather than drainage up above causing a problem that it was probably the aquifer. However, the Golder Report makes it clear the surface water up above is the primary cause of the slippage. He only received the report on Saturday, and although Mr. Allen states the fix will be very expensive, the Report states \$56,900. As to the comment about it being very expensive to maintain, the Report states it will cost about \$1500 every 5 years to flush out the system which does not seem very expensive especially when the Report states that those lots below that are now totally unbuildable will become buildable. Mr. Allen mentioned that part of the total cost would include a sea wall if a park were constructed, but the Golder Report on page 13 states: *"The recommended stabilization system does not address erosion of the landslide toe by the sea. We believe this mechanism or movement to be a secondary mechanism which commences only after initial movement of the slope by groundwater water build up and activation of the slide."*

With respect to property values, Mr. Brettmann went to the Board of Equalization because he was unable to get a building permit due to no access, but felt basically ignored by the Board of Equalization. His contention is that this is a taking of property by turning this into a primitive road. He bought the lot with the knowledge there was a paved blocktop road, and he very strongly objects to primitive road designation. He sees county liability on the whole bank, even to the south. All the surface water is being dumped into the ground. His son, a professional hydrologist looked into this suggested that all the surface water in the upper portion at the top of the bank does not go into the aquifer because it is glacial till below that layer; water in the 10-15' drains on the top and causes this hydraulic action and slipping.

Judith Akin, Lot 2, Holvis plat, believed her problems did not stem specifically to the road and she was more concerned about what was happening above the road. What is there now is completely different than what the Golder Report said, and there is much more material that has come down the hill, and saw the potential for that material to continue to erode and slide, eventually destroying Seaward completely. Mr. Allen and the Road Department have been helpful in giving her information over the phone but she still has nagging concerns and she worries about the economics of it. The slide is from Mother Nature and really has taken out much more material than the year before.

Tom Core, Driftwood Way, opposite side of the slide, totally opposed changes in the designation of the road. The only way in and out is Seaward, which is already caved in and down to a one lane road with 5 ton weight limit. His hope is that the road stay open and that everything be corrected and fixed.

Roy Bell, 1883 Fir Crest, Ledgewood Beach, concurred with those before him as having addressed his problems and concerns regarding maintenance and the road. He requested clarification on a statement made by Mr. Kwarsick about traffic pattern and number of houses that trigger the primitive road designation. Mr. Bell's concern was that any point in time those homes could become summer homes, traffic decreased as a result and the County consider Seaward as a primitive road.

Mr. Kwarsick stated that average daily traffic ADT does not trigger the designation, but 100 or less ADT is the maximum threshold for designation of a roadway as a primitive road if the other two requirements are met. It has nothing to do with homes other than the fact that homes are the generator of the traffic.

Fax Received from William Stephan

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"My name is William Stephan and I own Lot 1, Block 1, Plat of Ledgewood Beach, as per plat recorded in Volume 4, of Plats, pages 77 through 79, records of Island County. Based on the information I have received and/or been provided I oppose the downgrading of Driftwood Way abutting Lots 1 through 4, Block 1, Plat of Ledgewood Beach, Division No. 1. At this point in time the county has rebuilt this road in such a way that I am denied access to my property and has rendered it worthless. As I understand your proposal, if the road was downgraded, it would relieve the county of any responsibility to repair and maintain the road. In addition, I believe the road was originally a paved road and therefore would not qualify under your criteria. I am open to further discussion and will be available April 22, 1997. Thank you for your time and consideration."

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With no other members of the public indicating a desire to speak, the public input portion of the hearing was closed.

Mr. Allen clarified that the \$56,900 figure referred only to the cost of construction and did not include contingency fee or cost to administer, which added together would come to about \$69,000. Other costs

would be the cost if the County acquired the property and did additional improvements. He reminded that any mechanical system is subject to failure. When a drain system is installed in a slide area where the material hardly supports itself is subject to failure. Should such system fail the County would be exposed to liability and county taxpayers share in that burden.

Mr. Kwarsick advised that this section of Driftwood Way unfortunately was not eligible for FEMA funds because the slide occurred outside the time period of the declared emergency and was a pre-existing condition. Also, the County was notified by FEMA that the Seaward Way slide was not eligible for FEMA Funds; the County has appealed that decision and awaiting decision on the part of FEMA.

Responding to Commissioner Shaughnessy's recollection from staff session that the Board had been advised that the road had never been paved, Mr. Allen stated that was not correct, that they recognized it had been seal-coated in the past, and that the RCW queries "does it have a gravel surface" which Mr. Allen pointed out for the last few years it has been gravel. It was re-sealed in September, 1991, but nothing since that time. The County, he thought, opened up the ditch along the uphill side to try to drain the hillside. The road was never officially closed; just repaired in place and re-graded out.

Commissioner McDowell was sympathetic to the concerns of the affected parties who only received the Golder Report within the past week or so, and felt the County should at least talk with them about an easement. He suggested discussions eventually about the creation of some kind of local road improvement district. The road needs to be brought up to some standard, which he understands will be done even if the road is designated as a primitive road, but he understands peoples concerns since there is no written county policy.

Mr. Kwarsick pointed out that Island County actually paved three primitive roads and the roads therefore had to be pulled off the primitive road designation. Even though there is no adopted policy or standard, Island County schedules maintenance in accordance with the priorities for similar types of roadways. Primitive roads in Island County are maintained.

Commissioner McDowell thought it reasonable to look at the concept of a written policy for certain designated primitive roads. Reasonable points to consider would seem to be:

1. 30 day extension of this hearing
2. discussion of the issues, including easements, with those affected
3. develop written policy
4. discuss formation of local improvement district.

Someone suggested that people in the upland portion of the development put water in the ground and Chairman Shelton totally concurred with that. This is an area proven to be a slide prone area. Although not an expert he has installed many french drains in his life and was amazed that Golder & Associates would recommend a french drain as a fix in a slide area, and his experience indicated that at best would be a very marginal fix. He understood that landowners in the area hired Golder & Associates some years ago

to do a study of their own, and availability of that study for county purposes was not altogether as quick as it might have been. He emphasized that it was not the intent of the Board to deny people the use of their property, but to come up with some sort of a meaningful way that people can continue to access their property and so that emergency vehicles can continue to have access - that is what the goal needs to be. Whether the designation as a primitive road is the right way to go he did not know. He saw no reason not to grant an extension on that decision given the fact those affected had not had an opportunity to completely read and understand the Golder Report. Chairman Shelton noted probably the biggest problem was reconstruction of the road as a primitive road. To reconstruct the road as in the past would seem to indicate the County was willing to accept that periodically the road slips, and he did not know that that was a good route to take. He does have some real hesitation on the Golder & Associates proposed fix, however.

Commissioner McDowell hoped the 30 day period would be used as a productive time and that there be good dialog between the County and those affected in order to come up with some middle ground. A primitive road designation seems a good answer because Island County maintains primitive roads. He encouraged Mr. Brettmann's son to provide written comments from his expertise.

By unanimous motion, the Board continued the public hearing until May 19, 1997 at 10:15 a.m

Mr. Kwarsick stated that although Mr. Allen announced intention was to repair the roadway the first week in May, it appeared the matter should be discussed in workshop session with the Board, and if that time frame is not a fact, then he would commit to notifying all the property owners there may in fact be a delay in making that repair.

LEASE AGREEMENT - ISLAND COUNTY/THEODORE AND GLORIA CHRISTENSEN

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Action postponed from last week's meeting. Commissioner McDowell agreed with the contract except the proposed solatube lighting and had asked Gary Hess from the Public Works Department to check within someone in Washington State who uses this type lighting. The proposed lighting came at a cost of \$6,000, with \$3,000 proposed for funding by Island County.

Based upon review of information and performance, Mr. Kwarsick believed this type lighting would be a valuable asset not only to the building, but also for the employees who will be working in those enclosed areas. It is very important to provide direct sunlight into the work areas, adding to the overall working

environment, and there is a possibility to save electricity because these are very efficient in terms of the amount of light brought into the interior spaces.

Mr. Hess was familiar with this type lighting, had seen it in use and was impressed. He too thought it would be an asset to the space. Employees who will occupy the space requested some kind of outside light. In follow-up to a question from last week, Mr. Hess learned that if the order for the lights was canceled there would be no re-stocking fee and the order is on hold. However, the price is going up \$30.00 per unit.

Tim McDonald, Health Services Director, confirmed that the employees in the Health Department who are to move into that space were interested in this lighting. He saw it as a productivity issue.

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Based on his observation of the lights in use in San Diego, Commissioner McDowell had not changed his opinion. He would not purchase the lights for his own use because they did not function with the appropriate amount of light, and he would not spend taxpayers money in this manner either.

Commissioner Shaughnessy reminded this was not a County building, only a lease for a three year minimum period, and was not interested in the lights at the cost stated for that amount of time.

Chairman Shelton expressed some concern that the Board may perhaps be making a mistake since County employees would be located in that space for a minimum of three years.

Commissioner McDowell moved that the Board approve the lease between Island County and Theodore and Gloria Christensen for a portion of the Christensen Building in Coupeville for a period of three years, with the paragraph providing for installation and

use of solatubes eliminated from the lease. Motion, seconded by Commissioner Shaughnessy, carried unanimously.

Recognizing Chairman Shelton's concern, Commissioner McDowell agreed to go with Mr. Hess to Building Source in Freeland to see the lights in use in this area. If his opinion is changed, this matter can be brought back before the Board and added back into the lease agreement.

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INTERLOCAL AGREEMENT -FACILITIES SECURITY SERVICES-COURTHOUSE

Mr. Kwarsick presented Interlocal Agreement between the County and the Town of Coupeville to provide for security services for the courthouse complex as part of the agreement with Town relative to the Courthouse Expansion proposal through the environmental review process. The amount of the agreement is \$3,500, for facilities security services, including traffic control, parking control, police patrol, and other facilities security services ordinarily provided by the Town to town residents and businesses. As an example, County Department Heads and employees have been concerned about personal security walking to and from parking areas and the Town Marshal is being asked under this agreement to provide specific on-premise visibility during change of shifts in the morning and evening. The agreement sets up a partnership between the Town and the County. The Town has been concerned about parking and parking enforcement and staff has attempted to address those concerns in plan and practice.

By unanimous motion, the Board approved the Interlocal Agreement between Island County and the town of Coupeville as presented.

CONTRACT FOR TOWING AND STORAGE SERVICES -

CHRISTIAN'S TOWING & AUTO WRECKING

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A Contract presented for approval for towing and storage services between Island County and Christian's Towing & Auto Wrecking was described by Mr. Kwarsick to be follow-on action under the Courthouse Parking Policy and Plan. The Coupeville Town Marshal is designated as the authorized individual to call for the tow. This agreement pertains only to parking in county parking lots.

The Board, by unanimous motion, approved the contract for Towing and Storage Services between the County and Christian's Towing & Auto Wrecking.

FEDERAL AID PROJECT PROSPECTUS/LOCAL AGENCY AGREEMENT

As presented for action by Mr. Kwarsick, the Board by unanimous motion approved and signed the Federal Aid Project Prospectus/Local Agency Agreement (#WO161) for the purpose of requesting Federal Funds in the amount of \$80,000, along with County share \$20,000, for Camano Parks Trail (from Camano State Park to Cama Beach State Park).

BID AWARD - TRAFFIC CONTROL SIGNS

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On recommendation from Public Works Department staff, the Board by unanimous motion awarded bid for traffic control signs for the period 4/1/97 through 3/31/98 to Zumar, Inc., Tacoma. A unit price has been established for the various signs.

AMENDMENT #2 - PROFESSIONAL SERVICES AGREEMENT PW-972008 BETWEEN ISLAND COUNTY AND FAKKEMA & KINGMA, INC.

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Amendment #2 to Professional Services Agreement between the County and Fakkema & Kingma, Inc., Oak Harbor, Topographic Surveying and Mapping Services for Courthouse Expansion Project, was presented by Mr. Kwarsick to change the date of completion of the agreement from April 14, 1997 to April 22, 1997. All the field work has been done, mapping being completed and should be done by next week.

By unanimous motion, the Board approved Amendment #2 to Professional Services Agreement #PW-972008 as presented.

HUMAN RESOURCES DEPARTMENT - PERSONNEL ACTION

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Dick Toft, Director, Human Resources Department, presented three personnel action authorizations for the Board's review and action.

Sheriff's Department PAA #31/97 Corrections Officer, replacement (#4015.04). Comes as a result of resignation from corrections officer. Taking into account leave payout and comp time, new hire date would be 1 August.

ACTION: Approved by unanimous motion of the Board effective 1 August.

Health Department PAA #32/97 Clerical Nursing Asst.-WIC (Women-Infant-Children program), new position - grant funded (#2423.02). Request brought about and in concert with PIC employment (Private Industry Council). Cost to the County for the remainder of the year for the PIC program is \$4,292.00.

Tim McDonald, Health Services Director, explained that the cost next year would depend upon case load expansion. This position is not funded beyond this point. If the case load increase the Health Department has requested is received, no new funding will be required by the County. If not received, significant new funding will be required. Worst case scenario for next year would be \$12,500.

ACTION: PAA #32/97 approved as submitted effective 18 April by unanimous motion of the Board, and \$4,292.00 identified from carry forward, with the issue to be readdressed during budget for next year.

Civil Service Commission PAA #33/97 Secy./Chief Examiner replacement (#4024.00).

Brought about as a result of resignation.

ACTION: Approved by unanimous motion of the Board effective 1 May.

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There being no further business to come before the Board at this time,

meeting adjourned at 11:55 a.m. The Board at Noon, with the Island County Sheriff and Jail Administrator, conducted the annual jail inspection.

The Board meets next in Special Session, April 15, 1997, "April County Conference" to receive public comments on any areas of concern from people within the community. The conference will be held at the Oak Harbor Senior Center, Oak Harbor, from 7:00 to 9:00 p.m.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Wm. L. McDowell, Member

Attest:

Tom Shaughnessy, Member

Margaret Rosenkranz, County Auditor

& Ex-Officio Clerk of the Board