

ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING

REGULAR SESSION - APRIL 21, 1997

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on April 21, 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. Minutes from April 4, 1997 and April 7, 1997, were approved and signed.

VOUCHERS AND PAYMENT OF BILLS

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

Voucher (War.) #1268 - #1463.....	\$ 332,402.24
Veterans Assistance Fund (meeting place rent-3 months).....	\$ 75.00
February Payroll: Salary Fund War. #60724-61020.....	\$ 817,529.02

[Total Payroll Cost \$1,474,581.98]

March Payroll: Salary Fund War. #61021-61297.....	\$ 743,330.32
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[Total Payroll Cost \$1,362,884.22]

CLAIM FOR DAMAGES #97-026 - LINDA & RON HONER

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Betty Kemp, Director, General Services Administration (GSA)/Risk Management, presented recommendation on Claim for Damages #97-026 filed by Linda and Ron Honer on March 25, 1997. The claim alleges damage to their property by flooding during the severe winter storm that caused their sand filter and pump to burn out due to insufficient maintenance of a drainage ditch by Island County. After investigation by the County Engineer, Roy Allen, it is recommended the claim be denied based on the fact that the whole State was declared a state of emergency by the Governor and President because of the effect the storm had on most counties; and the county cannot insure property owners against unusual acts of nature.

The Board concurred and by unanimous motion, denied the claim.

HIRING REQUESTS/PERSONNEL ACTIONS

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Five personnel action authorizations were presented by Dick Toft, Director, Human Resources, for the Board's review and action.

Sheriff's Department: PAA #6/97 Deputized Officer (new position #4014.06); and PAA #7/97 Deputized Officer (new position #4014.07). Funding source - "COPS" Grant program. The grant reflects funding over a three year period beginning the date the grant is accepted, with considerably more funding the first year than the subsequent two years. Position #4014.06 to be effective 5/1/97 and #4014.07 effective 7/1/97.

ACTION: Board by unanimous motion approved PAA #6/97 effective 5/1/97

and PAA #7/97 effective 7/1/97.

Auditor's Office: PAA #34/97 Accountant-grants (#202.03) reduction in hours of work from 40 to 20 hrs./week. After a period of time in the position, it has been determined that the level of work supports a lesser number of hours.

ACTION: Board by unanimous motion approved PAA #34/97 effective 4/1/97.

Health Department: PAA #35/97 Dept. Asst. - Camano (#607.00). Reduction in hours from 40 to 20 per week, a reflection of the amount of work processed and recognition of fund availability. PAA #36/97 Dept. Asst.- Camano (#608.00), reduction in hours from 4 to 3 hours per day, for the same reasons noted above (1 hr. per day reduction relates to the

Health Department). Commissioner Shaughnessy pointed out that in his opinion this is a reflection of the Growth Management Act, a 50% reduction in applications for perc tests.

ACTION: By unanimous motion, the Board approved PAA 35/97 and #36/97, both effective 5/1/97.

BID AWARD RECOMMENDATIONS

Larry Kwarsick, Director, Public Works Department, provided bid award recommendations to the Board as follows:

Liquid Asphalt Materials (CRS-2, CMS-2, CSS-1) for the period 5/1/97 - 5/1/98.

Bidders: Koch Materials, B.C.; U. S. Oil, Tacoma; and Chevron, Seattle.

Recommended award based on low bidder to Chevron for CMS-2 for Camano Shop @ \$159.49/T, and Koch Materials for CRS-2 & CSS-1 all shops @ \$149.74 /T and CMS-2 for Oak Harbor and Bayview @ \$160.53/T.

Asphalt Concrete Materials (Modified G, Class B, ATB and Tack Coat Oil) for 5/1/97 -

5/1/98. Bidders: Krieg Construction, Oak Harbor; Koch, B.C.; Lakeside Industries,

Burlington/Oak Harbor. Recommendation: award based on low bidder to Lakeside

Industries for Whidbey Island Shops Modified G and Class B @ \$26.98 and Tack Oil @ \$302.12. Award jointly to Lakeside Industries and Krieg for ATB for Whidbey Island Shops @ \$23.74. Bid to Lakeside Industries for Camano Island: Modified G @ \$25.30; Class B @ \$23.74; ATB @ \$20.50 and Tack Oil @ \$302.12.

Three New 1997 Backhoe/Loaders w/Cab with trade-ins only to be Eqt. #198 and #225, with Eqt. #385 (backhoe) to be purchased by the Solid Waste Department for operation at the Camano Transfer Station. Recommendation: award to Smith Tractor, Mt. Vernon, for a total of \$162,193.74, lowest bidder meeting bid specifications.

The results of bid openings having been reviewed and discussed with the Board at staff session last week, the Board by unanimous motion accepted the recommendation of the Public Works Director and awarded bids as stated above according to Mr. Kwarsick's recommendation.

PROFESSIONAL SERVICES AGREEMENT

#PW-972019 - DATUM PACIFIC

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A Professional Services Agreement was presented for consideration, recommended for approval by Mr. Kwarsick, between Island County and Datum Pacific, Coupeville, a task-oriented agreement representing two separate tasks, evaluation, surveys and design for Humphrey Road reconstruction (CRP 97-05, W.O. 237) Glendale Road/Creek (CRP 97-04, W.O. 236).

The Board, on unanimous motion, approved and signed Professional Services Agreement #PW-972019 with Datum Pacific in the amount of \$110,520.00 as presented.

COUNTY ROAD PROJECTS INITIATED: HUMPHREY ROAD;

GLENDALE ROAD; MAXWELTON ROAD

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Three Road Department resolutions were presented for Board action for the purpose of initiating County Road Projects on South Whidbey Island, outlined by Mr. Kwarsick as follows:

#R-28-97 Initiating CRP 97-03, W.O. 222, Maxwelton Road Intersection with State Route 525. Widen roadway on W. side of existing shoulder N. of intersection

with SR525 to provide left-turn & right-turn lanes approximately 500' in length; widening includes work on SR525 in NW intersection quadrant within WSDOT r/w. Total appropriation: \$69,000. The project is included in the officially adopted Annual Road Program as Item #21.

#R-29-97 Initiating CRP 97-05, W.O. 237, Humphrey Road. Minimum cost

repairs as part of permanent restoration of roadway to pre-flood conditions.

Total appropriation: \$79,000. Project made a part of the officially adopted

Annual Road Program as item #24, Emergency Repair.

R-30-97 Initiating CRP 97-04, W.O. 236, Glendale Road Sections A & B.

Repair and minimum cost restoration of Glendale Road to pre-flood conditions

as recommended by consultant and approved by the Board, dependent on

available funding. Section A: within community; Section B: W. of community.

Section A dependent on availability of grant funding for stream restoration.

Total Appropriation: \$74,000. Project is made a part of the officially adopted

Annual Road Program as Item #23, Emergency Work.

The Board approved Resolutions #R-28-97, R-29-97 and R-30-97 as presented and recommended initiating the above County Road Projects.

**HEARING HELD: PERMIT TO OPEN UNOPENED COUNTY R/W CONSTRUCT
SOUTHERLY END OF COLES ROAD (Vance Knowles/Mark Arnold, Agent)**

A Public Hearing was held at 10:30 a.m. as scheduled and advertised, to consider the application to open unopened County right-of-way and construct the southerly end of Coles Road right-of-way to the W. line of the NE 1/4 of Sec 21, T29N, R3E (Feeks First Plat of Island Farm, South Whidbey).

Lew Legat, Assistant County Engineer, summarized the application to perform work in County right-of-way requested by Vance Knowles, represented by Mark Arnold. The property is located in the most southerly portion of Coles Road. This involves some 230' of right-of-way that would be reopened. Some work did begin within the right-of-way in 1996, but the work stopped, and a wetland violation was involved. Memorandum dated October 14, 1996 from Bud Fry, Development Coordinator, Public Works Department, to Jeff Tate, Assistant Planner, Planning Department, outlined the following conditions for continued work within the right-of-way:

- Culverts installed are to be 40' in length, and 18" in circumference;
- Roadbed must be a minimum of 6" gravel base with 2" top course

with a 2% crown in roadway;

- Roadway width or travel path must be a minimum of 18';
- Ditches as necessary;
- Applicant required to survey centerline of roadway;
- Upon completion, roadway must be inspected by Engineering

personnel for compliance with County standards.

Mr. Legat confirmed the Department recommendation to approve the application to work within County right-of-way, subject to the conditions stated in the October 14, 1996 Memorandum.

Mr. Kwarsick noted that the culvert actually had been installed according to upgraded requirements of the Department of Fisheries and Wildlife consistent with hydraulic permit.

Although approximately 14 people were in the audience, no comments were made either for or against the proposed permit. Mark Arnold was present in support of permit approval

and confirmed that conditions as stated by Mr. Legat were fully acceptable to the Applicant.

The Board, by unanimous motion, approved the permit to allow opening of the unopened County right-of-way to construct the southerly end of Coles Road right-of-way, subject to conditions outlined in the October 14, 1996 Memorandum.

SUPPLEMENT #1 - PROFESSIONAL SERVICES AGREEMENT

- DATUM PACIFIC

Supplement #1 to Professional Services Agreement with Datum Pacific was presented with a

recommendation of approval by Mr. Kwarsick related to West Beach, Phase III, W.O. #207. The supplement is necessary to extend completion date to August 1, 1997, for submittal of the 100% design and right-of-way plans identified in Scope of Service. Island County has been unable to provide review work under the contract due to circumstances involving storm events/disaster and the extension is at no fault of Datum Pacific.

Action of the Board was by unanimous motion to approve Supplement #1 as presented.

AMENDMENT #1- SHELDON & ASSOCIATES, INC.

AGREEMENT FOR PROFESSIONAL SERVICES

Amendment #1 to Professional Services Agreement with Sheldon & Associates, Inc., was presented by Mr. Kwarsick for approval, to include subcontracting with a Licensed Land Surveyor for the project " Cultus Creek Restoration Plan" under W.O. #230, with completion date June 2, 1997. Island County initiated correction of some drainage problems associated with the cross culvert, and after the fact discovered through inspection by the Department of Fish and Wildlife this was a fish-bearing stream and enforcement action taken against the County requiring correction.

The Board by unanimous motion, approved Amendment #1 to Professional Services Agreement with Sheldon & Associates, Inc.

RESOLUTION #R-34-97 AMENDING 1997 - 2002 SIX YEAR

TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

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Resolution #R-34-97 was presented to the Board for approval amending the 1997-2002 Six Year Transportation Improvement Program [Resolution #R-27-96 dated 6/3/96] to include the Camano Annex Transit Facility and STP Project Administration. Island Transit is seeking a Rural Mobility Transit Grant and part of the perquisite of that grant is that the project needs to be included in the TIP. Included is also the allocation of some STP (Surface Transportation Program) funds in the amount of \$11,000 to the lead agency for administrative work of the RTPO (Regional Transportation Planning Organization).

The Board unanimously adopted a motion approving Resolution #R-34-97 as presented.

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

**IN THE MATTER OF AMENDING ISLAND)
COUNTY'S SIX-YEAR TRANSPORTATION)
IMPROVEMENT PROGRAM FOR THE) RESOLUTION NO. R-34-97
YEARS 1997-2002)**

WHEREAS, the County Engineer, in accordance with RCW 36.70A.070, 36.81.121 and WAC 136-14-040, has submitted his recommended plan for construction of roads for 1997 through 2002; and

WHEREAS, the Island County Planning Commission has reviewed this program and found it in compliance with the Island County Comprehensive Plan; and

WHEREAS, the Island County Board of Commissioners adopted the Six-Year Transportation Improvement Program for 1997 through 2002 on June 3, 1996; and

WHEREAS, two minor additions to the adopted program have become necessary to meet funding requirements;

NOW, THEREFORE BE IT HEREBY RESOLVED by the Island County Board of Commissioners amends the Six-Year Transportation Improvement Program for 1997 through 2002.

ADOPTED this 21st of April, 1997.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Wm. L. McDowell, Member

Tom Shaughnessy, Member

ATTEST: Margaret Rosenkranz, County

Auditor & Ex-Officio Clerk of the Board

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**RESOLUTION #R-31-97 APPROVING SPECS & AUTHORIZE CALL FOR BIDS
FOR INSTALLATION OF GABION WALL, PLAT OF LEDGEWOOD BEACH**

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Deferred to next meeting. Staff awaiting information for plans and specifications. Important too that staff meet with the Board and discuss Ledgewood Beach situation before moving on.

**HEARING SCHEDULED: RESOLUTION # R-32-97 - INTENT TO VACATE COUNTY R/W IN
THE PLAT OF BEVERLY BEACH, LOTS 132 & 133**

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By unanimous motion, the Board scheduled a public hearing to be held on June 2, 1997 at 10:30 a.m. to consider the petition to vacate County right-of-way in the Plat of Beverly Beach, Lots 132 and 133, South Whidbey. Petitioners are Charles and Joan Sienkiewicz, et.al.

**HEARING SCHEDULED - RESOLUTION # R-33-97 - ADOPTING NORTH WHIDBEY
WATERSHED MANAGEMENT ACTION PLAN**

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By unanimous motion of the Board, a public hearing was scheduled for May 12, 1997 at 10:30 a.m. to adopt the North Whidbey Watershed Management Action Plan.

PRELIMINARY APPROVAL - SPR 450/96, TOWN OF COUPEVILLE

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Vince Moore, Director, Planning & Community Development, and Debra Little, Development Services Manager, presented request for the Board's preliminary approval of Site Plan Review #450/96 by the Town of Coupeville. Larry Cort, Town of Coupeville Planner, was in the audience at the time the matter came before the Board. The request is to site and construct a water treatment facility on a 55 acre parcel zoned Residential, located NW of Wanamaker and Keystone Roads. The Hearing Examiner heard the matter at public hearing on March 20, 1997 and recommended preliminary site plan approval subject to conditions (outlined in Hearing Examiner file # SPR 450/06 Findings of Fact,

Conclusions of Law and Recommendation signed 4/1/97), including waiving of requirements for final site plan approval.

By unanimous motion, the Board approved SPR #450/96 as recommended by the Hearing Examiner for the Town of Coupeville to allow siting and construction of a water treatment treatment facility on the property described, Parcel #R13114-250-4610.

PRELIMINARY APPROVAL - SPR 173/96,

SCS INVESTORS, LTD.

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Ms. Little presented SPR #173/96 by SCS Investors, Ltd., for approval by the Board of preliminary site plan for a water storage tank and an area for community drainfields. The proposal is to develop a 12.82 acre site zoned Residential, Parcel #R32814-205-1880, with

a 13 lot Planned Residential Development (PRD), including a 15,000 gallon water storage tank. The property is located on Cultus Bay Road, Gvt. Lot 2, South Whidbey Island. The Island County Hearing Examiner issued a decision of approval for PRD #174/96 and recommended the Board grant preliminary site plan approval to the water and community septic drainfield parts of the project, subject to conditions [Hearing Examiner File #PRD 174/96 and SPR 173/96 Findings of Fact, Conclusions of Law, Decision and Recommendation signed on April 1, 1997].

The Board by unanimous motion, approved Site Plan Review SPR 173/96 as recommended by the Hearing Examiner to site and construct a 15,000 gallon water storage tank and an area for community

drainfields.

**RESOLUTION #PLG-008-97 INCORPORATING EXPANDED SERVICE
AREA FOR HARBOR HILLS COMMUNITY WATER SYSTEM INTO
THE COORDINATED WATER SYSTEM (CWSP)**

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Harbor Hills Water Community Water System serves Holmes Harbor Golf & Yacht Club located on South Whidbey on the west side of Holmes Harbor near the golf course area

expanding from 216 to 490 water connections, according to Ms. Little. This is a matter that has been under review for some time. Comments have been received from all applicable County departments and all requirements met; therefore staff recommends approval.

By unanimous motion, the Board approved and signed Resolution #PLG-008-97.

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

IN THE MATTER OF EXPANDING THE)
EXISTING SERVICE AREA FOR THE)
HARBOR HILLS COMMUNITY WATER)
SYSTEM INTO THE COORDINATED) RESOLUTION PLG-008-97
WATER SYSTEM PLAN)
)

WHEREAS, the Harbor Hills Community Water Company has prepared and submitted a water system plan per the Island County Coordinated Water System Plan, RCW 70.116, and WAC 248-56; and

WHEREAS, the water system plan and existing service area of the Harbor Hills Water Company has been reviewed for consistency with the Island County Comprehensive Plan, the Island County Coordinated Water System Plan, and other applicable State and local codes and regulations.

WHEREAS, the Island County Engineering Department does not object to approval of the Harbor Hills Community Water System Service Area.

WHEREAS, the Island County Health Department does not object to approval of the Harbor Hills Community Water System Service Area.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Island County Commissioners that the water system plan and existing service area for the Harbor Hills Water Company water system be incorporated into the Island County Coordinated Water System Plan.

ADOPTED this 21st day of April, 1997.

**BOARD OF COUNTY
COMMISSIONERS**

ISLAND COUNTY WASHINGTON

Mike Shelton, Chairman

Wm. L. McDowell, Member

Tom Shaughnessy, Member

ATTEST: Margaret Rosenkranz, County Auditor

& Ex- Officio Clerk of the Board

ISLAND COUNTY HEALTH CONTRACTS

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Tim McDonald, Health Services Director, presented three health-related contracts for the Board's approval, all having been previously reviewed with the Board during recent staff sessions. By unanimous motion, the Board approved the following contracts:

#HD-06-97 Interlocal Agreement with San Juan County - nutrition services. San Juan

County will pay Island County \$3,500.00 to provide nutrition services to clients of San Juan County Health Department.

#HS-04-97 Contract Between Island County and Stanwood/Camano

Family Center - Substance Abuse Prevention, \$4,000

DOH Title III - #3040-05177 Contract with Evergreen AIDS Foundation, \$16,192.00.

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FINANCIAL REPORTS

Treasurer: Current & YTD Cash Report; County Investment Report & Status

Maxine Sauter, Island County Treasurer, provided to the Board, in writing, her Current Expense Report for the month of March, 1997. Revenues appeared to be pretty much as anticipated this time of year, and expenditures (warrants issued) ahead of last year. Cash balance is \$42,193, behind last year on March 30, and allocated transfers are over last year by \$241,190. Nothing really stood out as a problem and she had no concerns to call to the Board's attention. Dollars invested: \$45,328,560.00 with very secure and appropriate financial institutions. State pool investment rates are much lower than several years ago. Interest rates are running between 5.45% for 14 -30 days up to 5.7% for one year.

Auditor's Monthly Review of Revenues and Expenditures

Margaret Rosenkranz, Auditor, reported revenues down from this time last year; however, most involve just a timing issue, and she saw nothing real alarming at this point in time.

Expenditures are just below where they should be at this time of year. Planning Grants show over-expenditure but that actually was due to incorrect number coding which will be corrected.

DISPUTE RESOLUTION CENTER - STATUS REPORT

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Richard Croll, Director, Dispute Resolution Center, Volunteers of America NW Washington (toll free #1-800-280-4770), provided some materials for the Board's information, including their 1996 Annual Report on Dispute Resolution Centers, dated March, 1997; Evaluation of Mediation Form; and a copy of the Mediation Fee Schedule (sliding fee scale). He shared with the Board some of the things the DRC has been doing to move out into the community a little more and communicating more with governmental officials.

- Working with the Superior Court Judges in the development of Court Rule 21A, a mandatory mediation rule for family cases effective January 21, 1997. So far, no one

has triggered the rule yet, although DRC does some family mediations, none under the court rule at this time. The largest single mediation load is in the area of family disputes.

- DRC and Island County Prosecuting Attorney reached an agreement on a referral process, which will probably require some alteration in the DRC Contract in that it will involve handling cases where low level violence could be involved. DRC has handled a few of those cases in the past and has been very successful.
- DRC and Island County Housing Authority will co-sponsor a "Landlord-Tenant Fair Housing Seminar" in late May or early June in Oak Harbor.
- The BECCA Law [named after a young girl, Rebecca, referred to as the "BECCA Law"] adopted about two years' ago is having an impact, particularly in school truancies, family rights and parents rights, and has created in Juvenile Court two categories defined as "At-Risk Youth" and "Children in Need of Services". A Referral Agreement was approved last week between DRC and Snohomish County Juvenile Court. This is an area where mediation is particularly effective between parents and children.
- DRC will approach the Island County Commissioners with regard to Equal Employment Opportunity situation in county government. A referral agreement has been worked out with Snohomish County where EEO cases will be referred directly to DRC.

DRC has a mediation prison program at Monroe Reformatory for mediation between prisoners, using a prisoner inside the reformatory and an outside mediator. Sexual criminals at the special commitment center on the same campus have appealed to the Federal government and were awarded a grievance procedure providing for mediation, and DRC was selected to mediate that area.

As far as publicity, DRC puts out some 5,000 informational flyers every 3 months; has an announcement on Oak Harbor TV; and talks to governmental officials on a regular basis. DRC staff and volunteers are

available and more than happy to make presentations to local service clubs. An article was published in the paper this Fall and one more recently.

From the DRC Report of Actual Expenditures for the period January and February, 1997, the source of revenue was explained as follows:

- (1) \$1400 - monthly bill to Island County @ \$700.00/mo.
- (2) \$2392.43 - fees from clients, per the Mediation Fee Schedule.

There being no further business to come before the Board at this time, meeting adjourned at 11:30 a.m.

A special session will be held "APRIL COUNTY CONFERENCE " on April 22, from 7 - 9 p.m., Terry's Corner Fire Station, 525 E. North Camano Drive, Camano Island. The next regular meeting of the Board is April 28, beginning at 1:30 p.m., Courthouse, Coupeville.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Wm. L. McDowell, Member

Tom Shaughnessy, Member

Attest:

Margaret Rosenkranz, County Auditor

& Ex-Officio Clerk of the Board