

ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING

REGULAR SESSION - JUNE 02, 1997

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on June 2, 1997, at 9:30 a.m., in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa. Mike Shelton, Chairman, along with Wm. L. McDowell, Member, were present. Tom Shaughnessy, Member, was absent due to an emergency dental appointment. Also in attendance were Margaret Rosenkranz, Auditor/Clerk of the Board, and E. Meyer, Secy. to the Board. Minutes from previous meetings were approved and signed: April 22, 1997; April 28, 1997; April 29, 1997; May 5, 1997; and May 12, 1997.

VOUCHERS AND PAYMENT OF BILLS

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

Voucher (War.) #4009-#4303..... \$ 622,382.62.

Veterans Assistance Fund: [emergency financial assistance to certain eligible veterans; the names and specific circumstances are maintained confidential]. #V97-22 for \$5,121.53 denied by unanimous motion of the Board, in accordance with the recommendation of the Veterans Assistance Review Committee (claimant does not meet State Law .

APPOINTMENT TO ISLAND COUNTY/STANWOOD

COMMUNITY PUBLIC HEALTH & SAFETY NETWORK

By unanimous motion, the Board appointed Peter Rivera, Oak Harbor, to serve as a member on the Island County/Stanwood Community Public Health & Safety Network, representing Commissioner District 2, refilling the position previously held by Erlinda Signo-Warren.

APPOINTMENT TO CLINTON FERRY ADVISORY BOARD

By unanimous motion, the Board appointed Stuart Munson, Clinton, to serve as a member of the Clinton Ferry Advisory Board filling an existing vacancy following the resignation of Lois Timmons, for a term to August 8, 2000.

PERSONNEL ACTION AUTHORIZATIONS

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Dick Toft, Director, Human Resources Department, presented three personnel action authorization, with the following action taken by the Board:

Planning Department: PAA #048/97 Plans Examiner, Position #404.02, replacement. Employee occupying the position resigned as of May 30, 1997. Taking into account leave payout, the new hire date would be 6/13/97.

Board Action: by unanimous motion, approved PAA #048/97 effective 6/13/97.

Central Services: PAA #049/97 Office Mgr/Data Processing, Position #702, replacement. Employee occupying the position submitted resignation effective June 30, 1997. In this case, the individual has been employed with Island County for some 21 years and leave payout is significant, and would mean a new hire date 9/2/97. Because of the criticality of this position, the Department Head, Cathy Caryl, requested the Board's permission to fill the position earlier, and confirmed her budget contained sufficient funds to accommodate a hire date of 7/1/97.

Board Action: by unanimous motion, approved PAA #049/97 effective 7/2/97, funding from Central Services Department.

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Maintenance: PAA #050/97 Night Custodian, Position 901.04, increase in hours. Request was discussed at recent staff session with Department Head, Paul Messner, and the pros and cons debated hiring part time versus increasing hours from 5 to 8 per day. The increase in hours necessary because of added facilities, and Mr. Messner favors increase in hours for the employee occupying this position over hiring a new part time employee mainly because of his concern about part time employees leaving to take other full time positions and the continual replacement. The cost of increasing the hours, taking into account salary and benefits, would be \$8,000, and in this case, the maintenance budget does not have sufficient funds to accommodate the additional amount required.

Board Action: by unanimous motion approved PAA 050/97 effective June 9, 1997, with funding required to come from Commissioners Contingency Fund.

CONTRACT AMENDMENT: DEPARTMENT OF
HEALTH CONSOLIDATED CONTRACT #9920-04737 (3)

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The Board, by unanimous motion, having previously discussed said amendment to contract at staff session, approved Amendment #3 to Department of Health Consolidated Contract #9920-04737, increasing contract by \$19,437.00, which allows increase in the WIC [Women-Infants-Children] program, by 150 (bringing total to 825).

**Resolution #C-26-97 Island County Protocol for Seeking
Services From State's Municipal Research Council Contractor**

A proposed resolution drafted by Dave Jamieson, Jr., at the Board's direction, was reviewed at this time which would establish the Island County protocol for obtaining services from the contractor of the State's Municipal Research Council, drafted to cover all the services to be provided to the County, legal services, technical services and consultative services and field services. This matter was discussed at the May 21st staff session with the Board. SB 5521 signed by the Governor effective July 1, 1997 funding county participation in MRSC. The current contractor is an organization named Municipal Research and Services of Washington, a non-profit corporation.

The Commissioners agreed this was something needed, a new service now available to counties, and by unanimous motion, adopted Resolution #C-26-97 as presented.

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

IN THE MATTER OF THE ISLAND)
COUNTY PROTOCOL FOR SEEKING)
SERVICES FROM THE STATE'S) **Resolution No. C-26-97**
MUNICIPAL RESEARCH COUNCIL)
CONTRACTOR)

WHEREAS, the 1997 State Legislature adopted Substitute Senate Bill (SSB) 5521, effective July 1, 1997, which amends state law by providing that the State Agency known as the Municipal Research Council contract for legal services, technical services, consultative services and field services to be provided to county governments in addition to city and town governments; and

WHEREAS, the County Prosecuting Attorney is the statutory officer elected to give legal advice to county officials; and

WHEREAS, pursuant to SSB 5521, Section 2, all requests for legal advice from the State's Municipal Research Council contractor are to be sent through the County Prosecuting Attorney and the Prosecuting Attorney is to get a copy of any advice given; and

WHEREAS, it is necessary to establish an Island County protocol for the seeking of services from the State's Municipal Research Council contractor; NOW, THEREFORE,

IT IS HEREBY RESOLVED as follows:

1. All requests for legal services to be submitted to the contractor of the State's Municipal Research Council from Island County departments whose department heads are appointed by the Board of County Commissioners shall be placed on a standard Prosecuting Attorney legal assistance request form, signed and approved by the department head, sent to the Board of County Commissioners for approval, and, if approved, then sent to the Prosecuting Attorney; and

2. All requests for technical services, consultative services or field services from Island County departments with department heads appointed by the Board of County Commissioners shall be put in writing, signed and approved by the department head, sent to the Board of County Commissioners for approval, and, if approved, sent to the State's Municipal Research Council's contractor; and

3. All requests for legal services to be submitted to the contractor of the State's Municipal Research Council from county officials other than those department heads appointed by the Board of County Commissioners shall be placed on a standard Prosecuting Attorney legal assistance request form, signed and approved by the county official, and then sent to the Prosecuting Attorney. All requests for technical services, consultative services or field services by those county officials may be submitted directly to the State's Municipal Research Council's contractor.

ADOPTED this 2nd day of June, 1997.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

William L. McDowell, Member

[absent - Tom Shaughnessy, Member]

ATTEST:

Margaret Rosenkranz, Auditor

and Ex-Officio Clerk of the Board

Title III Dislocated Worker Biennial Substate

Plan 1997 & 1998 - Private Industry Council

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The final 1997-98 Dislocated Worker Biennial Substate Plan, job training plan, for the Northwest Washington Substate area, must be jointly submitted to the Governor by the Private Industry Council and lead Local Elected Official from the four county region. The Plan authorizes expenditure of funds allocated under Title III to the four county area under the Job Training Partnership Act.

Commissioner McDowell is the lead LEO for the four county region consisting of Island, San Juan, Skagit and Whatcom counties. The Draft Plan was published and made available for public comment on March 26 and distributed to the designated LEO contact person for each jurisdiction, labor organizations and vocational education agencies. PIC has not received any public comments on the Plan. Commissioner McDowell explained that the Plan was placed on today's agenda, and unless there were concerns or questions, he would sign the Plan on behalf of the LEOs and forward same to the State.

By unanimous motion, the Board concurred that Commissioner McDowell as lead LEO sign the Plan as presented.

Public Input or Comments

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Kristi O'Donnell, Greenbank, addressed the State Department of Transportation (DOT) highway project through the Greenbank area. Members of the community heard this past week the contractor was considering stalling the project until next Spring. There is concern in the community because trees have been removed and people want to renew landscaping and want to see the project completed in an expedient manner.

Chairman Shelton was well aware of the problem and was advised that GTE now says they cannot

complete the underground phase of the project for a period of three months which to him was unconscionable. To come in and start a project and in essence, create a huge mess and then not to complete the project sounds like someone did a very poor job of planning. The Commissioner will be meeting with DOT tomorrow and he will carry the banner to try to keep the project moving and get the mess cleaned up.

Mike Seraphinoff, Greenbank, was unable to attend the meeting later when the Greenbank Farm would be discussed and had some comments to make at this time. With regard to Commissioner McDowell's statement read at the special session on May 30, the issue of whether to buy the whole farm including adjoining forest lands, Mr. Seraphinoff believed one major reason the County should go through with the whole purchase is that there has been an

unprecedented number of letters and support and believed none of those asked that only a portion of the farm be purchased.

Commissioner McDowell's comment on that referred to whether any thought had been given to buy, instead of the 300 treed acres out of the total 522 acres, only 300' to 600' of buffer.

Mr. Seraphinoff felt that one major reason for purchasing the whole farm was the watershed for

Lake Hancock; purchasing as open space will ensure a pristine lake lagoon for the distant future. People adjoining farm and forest lands are asked to sign a statement to not complain about activities from the farm or forest activities and purchase of the entire property would ensure neighbors would not be unhappy about those types of activities. He saw this as an issue with overwhelming public support, and noted that the Greenbank Council represented some 1100 voters, all highly supportive of purchasing the farm, not just the 140 acre cleared portion but the entire property. He believed that part of the population who has shown a concern about the issue is aware of the recommendation to purchase the entire property and not just a portion.

There was no question in Commissioner McDowell's mind that people support purchase of the Farm on a County-wide basis, but his personal opinion was that most people thought of the Farm only as the cleared area.

Ms. O'Donnell made the point that the Greenbank Community Council educated people to the fact that it is a 522 acre parcel. Maps had been drawn depicting that which were presented in public meetings and hearings. Negotiation on the purchase of the land to date has been for the whole parcel.

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PUBLIC WORKS EQUIPMENT RODEO RESULTS

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Larry Kwarsick, Public Works Director, announced the results of this year's local road shop competition:

CATEGORY WINNER

Truck Driver: Sheldon Stremler

Loader: Brad Hanson

Grader: Sheldon Stremler

Overall: Sheldon Stremler, followed by Brad Hanson

County Shop: Camano Island Road Shop

Brad Hanson, competed in the State Equipment Rodeo and won for loader operations and is now eligible to participate in a regional competition to be held in Colorado in September or October.

AMENDMENT #1 TO CHRISTENSEN BUILDING LEASE AGREEMENT #PW-972013

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Mr. Kwarsick presented for approval Amendment #1 to existing Lease Agreement #PW-972013 dated April 14, 1997, between Island County and Theodore C. And Gloria J. Christensen, for lease of a portion of the southerly section of the Christensen Building and associated parking thereof (former Main Street Market, Coupeville). The purpose of the Amendment is to: (1) record the drawing marked "Market" (Exhibit A, Paragraph 1) inadvertently omitted in recording the April 14, 1997 agreement; (2) firm up contract amount, which includes 2,797 sq.ft. County space and 793 sq.ft. shared space, to be \$2,692.50 per month until such time that the remaining unoccupied portion of the MSM space is leased to other non-County parties, at which time the cost to the Lessee of the shared space will be re-negotiated by both parties.

By unanimous motion, the Board approved and signed Amendment #1 to the Christensen Building Lease Agreement.

HEARING SCHEDULED: ORDINANCE C-26-97, AMENDING ISLAND

COUNTY CODE CHAPTER 3.22A, ORD. #C-55-92 & #C-17-94,

CONSERVATION FUTURES FUND

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Next, the Board considered a proposed ordinance to amend ICC Chapter 3.22A, and the Ordinance establishing the Conservation Futures Fund program, to establish and allocation fund mechanism and criteria for Conservation Futures fund. By unanimous motion, the Board scheduled Ordinance #C-26-97 for consideration at a public hearing to be held on July 7, 1997 at 9:45 a.m.

AGREEMENT FOR SALE OF REAL PROPERTY (GREENBANK FARMS)

BETWEEN ISLAND COUNTY AND TRUST FOR PUBLIC LANDS

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Mr. Kwarsick presented next the Agreement for Sale of Real Property dealing with the property known as the Greenbank Farm, an agreement between Island County and Trust for Public Lands (TPL). TPL currently has an option agreement to purchase the Greenbank Farm property, and Peter Scholes, Director of Washington Projects, Trust for Public Lands, was present at today's meeting.

Mr. Kwarsick reviewed the three specific contingencies in the Agreement:

1. Purchase of the property by Island County shall have been approved by the Island County Board of Commissioners and the Port Commissioners.

1. Island County and the Port have entered into an agreement under the Interlocal Cooperation Agreement Act, Chapter 39.34 RCW to purchase, and finance the purchase of the subject property.
1. Sufficient funds for the purchase of the subject property shall have been allocated by the Island County Board of Commissioners and the Commissioners of the Port and are or will be available on or before the close of escrow.

This agreement represents moving from verbal discussions and agreements between the County, Port and TPL to entering into a written agreement. The Port Commission has agreed to pursue purchase of the Farm portion of the property. The interlocal agreement is being developed between the County and Port with Bond Counsel because of the relationship between the purchase of property and the bonding for financing of the purchase of the property. Once the agreement presented today is signed by the Board of County Commissioners, Mr. Kwarsick did not believe Island County was obligated to anything because of the contingencies within the Agreement.

Peter Scholes agreed with Mr. Kwarsick's statement, noting that until the County has satisfied all the contingencies, including the interlocal agreement with the Port of Coupeville, Island County is not on the hook for anything.

On the other hand, Mr. Kwarsick pointed out that TPL under this agreement would be obligated if the County lifted the contingencies to pass on the option agreement to the County.

Mr. Scholes agreed with that statement. He confirmed that the \$55,000 mentioned in Exhibit B (Assignment of Bargain Sale Option Agreement) all goes toward the purchase price. There is an opportunity for another \$50,000 re extending option on the property from August 1 to the end of November, and that money as well could be applied toward the purchase price. TPL had contemplated in this agreement that the County would get to the point of authorizing sale of the bond, but may not have sold the bond, and be able to purchase the property by the end of July. TPL is prepared to pay that \$50,000 to carry another 4 months, assuming that the County might need that 4 months to sell the bond and make the purchase money available. It is hoped that by the end of July, the County will have made a commitment.

Mr. Kwarsick stated that the Port and Board of Commissioners had a copy of the draft interlocal agreement and draft contracts, and comments had been submitted back to bond counsel relative to those draft documents and hoped to have those back in a week or so. It is true that the Port at public session and in writing voted to purchase the property.

Commissioner McDowell stated that as far as the bond issue, several items were included in the sale of bonds, not just the purchase of the Greenbank Farm property, that are not completely resolved. Given that, and should those items not be resolved soon, wondered if there would be a problem getting the bonds for this purchase sold by the end of November. He did not believe that the Board committed yet when to begin Courthouse Expansion and should the Board decide it is too much at this point in time, asked what effect would that have on the sale of the bond.

Mr. Kwarsick thought the County could look at bond anticipation notes and other forms of internal financing if necessary. There are some economies of scale: higher than or much lower than \$10 million the whole refinancing of existing debt - advantages of doing that - go away. The bottom line is there is interim financing available to pursue the Greenbank farm purchase.

Chairman Shelton stated that the relationship with TPL and Island County had again proven to be a very beneficial one and expressed appreciation of all the work TPL had done not only in relation to this purchase but other purchases they had been involved in for the county. Commissioner McDowell echoed those comments and noted TPL worked very well with Island County on this issue and in fact had not charged any costs incurred.

Mr. Scholes mentioned that TPL continued to work with The Nature Conservancy (TNC) who are interested potentially in purchasing a portion of the property, about 50 acres working out at about \$190,000. TNC is having their own appraisal done and if there is an agreement on fair purchase price of that portion, then TPL proposes to come back to the County and amend the Agreement so that TNC can buy that 50 acres.

By unanimous motion, the Board approved and signed the Agreement for Sale of Real Property between Island County and The Trust for Public Land.

**HEARING HELD: FRANCHISE #289 - TRANSFER OWNERSHIP FROM
NETWORK CABLE TO SUMMIT COMMUNICATIONS, INC. (SOUTH WHIDBEY)**

A Public Hearing was held at 10:25 a.m. as scheduled and advertised, to consider Application for Franchise, consolidating #248 and #248(1) and transferring ownership of franchise from Network Cable, Monroe, Wa., to Summit Communications, Inc., Bellevue, Wa. The owner was present in the audience at the time of hearing in support of the transfer.

Roy L. Allen, Island County Engineer, reviewed the application for transfer of ownership for cable television communications system, and recommended approval of the franchise. The franchise agreement includes a provision regarding fiber optic cable, the only change to the existing franchise, and he received no objection to same from the owner.

No comments from members of the public were received at this time. By unanimous motion, the Board approved Franchise #289 as presented.

HEARING HELD: Resolution # R-32-97, ORDER VACATING COUNTY ROAD

**Petition for vacation of 20' strip of R/W adjacent to Lots 132 and
133, Plat of Beverly Beach #1; petitioner Charles and Joan Sienkiewicz**

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A Public Hearing as advertised was held for the purpose of considering Resolution #R-32-97, Order Vacating County Road, in response to Petition for Vacation of a 20' strip of right-of-way adjacent to Lots 132 and 133, Plat of Beverly

Beach Division #1, South Whidbey, by Petitioners Charles and Joan Sienkiewicz, et.al. Mr. Sienkiewicz was present at the time of hearing.

The County Engineer's report, dated May 27, 1997, was in favor of the vacation in that the public would be benefited by the vacation *provided* the County is reimbursed for the estimated cost to acquire additional right-of-way from adjacent properties across the road. The fair market value of the right-of-way proposed to be vacated has no value when added to Lots 132 and 133 since the assessed value is based on waterfront footage assessed value, but if the County had to acquire the right-of-way the cost would be approximately \$12,537.00. There is no public benefit unless Petitioner reimburses the County for the estimated value of acquiring an equal 20' wide strip from Lots 123 and 124 located directly across the road from the Sienkiewicz property. The estimated value of said 20' wide strip 108.8' long is \pm \$5,100. The County Engineer's costs relative to this vacation are itemized in attachment Exhibit A and total \$484.97. Total reimbursement recommended: \$484.97 and relative costs to appraise and negotiate acquisition of \$5,144.00, for a total of \$5,628.97. The present roadway is partially located outside the dedicated right-of-way and this vacation may trigger the need to acquire further right-of-way in the future.

Mr. Allen confirmed he had not talked to the owners of Lots 123 and 124 about willingness to sell the right-of-way, because the only time that would be pursued is if all the rights-of-way were vacated on the Sienkiewicz's side. Widening of the road is not presently planned, though the road is located outside the right-of-way on those lots already. If the County in the future, as a result of more dense development in that area needs to acquire more right-of-way, this would be a way of getting that value now. What the cost might be in the future could be different. The as built road and deeded right-of-way is different, and the County already has prescriptive right-of-way for Lots 123 and 124. There was a vacation that occurred some years' ago (Bravenders, 1982) and that property owner exchanged right-of-way from the lots he owned across the road.

Charles Sienkiewicz, owner of the property in question, explained his purpose for the vacation was to build a garage 20' from where the real road is, which is 20' further to the east than the right-of-way would suggest. This approach was suggested by the Bravender vacation. Approximately 50' to the north is a jog in the right-of-way that goes away from Mr. Sienkiewicz's property by 20' and therefore difficult to see what use the County could make of that property because of the Bravender vacation. The benefit of the vacation to the County is that he can build his garage and it will go on the tax rolls. Fair compensation would follow the County Engineer's recommendation except the fact there is an easement on the property, and normal practice to divide the value of the property by a factor of two because of that easement on his side for public utilities which means the property has less value. If the County requires the compensation recommended by the County Engineer, Mr. Sienkiewicz would view that as an excessive amount and withdraw the request. It is his understanding that Mr. Allen first calculated what the value of the strip of land would be based on the properties sold on the other side and added 20% representing the cost incurred by the County in actually trying to acquire that property on the other side. Mr. Sienkiewicz requested that the County reconsider the amount of compensation, the number he recommends is \$1,932.

Mr. Allen explained when he did the first calculation for the 20' strip on the Sienkiewicz side of the road, he did cut that figure in half in recognition of retaining the utility easement for public purposes.

To be consistent with the previous Bravender vacation where the owner provided the County with title to the other 20', Commissioner McDowell inquired if Mr. Sienkiewicz was interested in talking to his neighbors to negotiate a price to sell the property and Mr. Sienkiewicz provide that to the County.

Mr. Sienkiewicz stated he would not be interested in doing that, aware already that the owner was not interested in selling.

Chairman Shelton, having been involved with enough of the County rights-of-ways and difficulties created by the vacation of right-of-way, thought the previous vacation though the property owner was able to provide right-of-way on the opposite side of the road, created a jog in the right-of-way which creates other problems. The situation now is that if the County vacates this right-of-way, there still is a lot in-between with a jog. The property owner across the street from the Gaunt property has already indicated his opposition to vacation and taking any of his property. The Chairman failed to see the public benefit, and given the statement by the applicant, was not sure it would be wide to vacate the County right-of-way.

Mr. Allen, in response to a question from Commissioner McDowell, verified the County had a prescriptive right to that portion of the outside of the right-of-way that the County maintains.

Mr. Sienkiewicz believed that the actual road across from him is entirely on the County right-of-way at this time; the difficulty is if the County wants to widen the road. Alternate request: 10' vacation.

In Commissioner McDowell's view, the long term issue is if the road were ever to be widened, the County would need the right-of-way, and he thought it was fully appropriate since County-owned property would be given up in this vacation to ask for funds to accommodate right-of-way for widening the road at some time in the future. He moved approval of the vacation as recommended by the County Engineer, the Board to sign intention to vacate subject to the property owner within a one year period complying with the recommendation of the Engineer including payment of costs as stated.

Chairman Shelton did not second the motion because of the potential for ending up with County right-of-way that made no sense, then becoming a problem that the County must attempt to straighten out in the future. He was aware of the previous vacation in exchange for right-of-way on the other side of the road, but in his opinion, continuing a patchwork pattern of vacation and trying to add on the other side would ultimately result in some long term undesirable consequences for Island County.

Motion died for lack of a second.

HEARING SCHEDULED: ORDINANCE #C-28-97 (R-36-97)

AMENDING ICC 9.56.200, PARKING RESTRICTIONS

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On unanimous motion, the Board scheduled a public hearing to be held on June 23, 1997 at 2:15 p.m. to consider Ordinance #C-28-97, amending Island County Code, Chapter 9.56.200, Parking Restrictions, to correct typographical error indicated on Exhibit A.

RESOLUTION #R-37-97 APPROVING SPECS & AUTHORIZING
CALL FOR BIDS FOR CAMANO ISLAND ACP OVERLAYS

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The Board, on unanimous motion, approved Resolution #R-37-97, approving specifications and authorizing call for bids for Camano Island ACP overlays, with bid opening date set for June 19, 1997 at 1:00 p.m..

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF APPROVING PLANS &)
SPECIFICATIONS AND AUTHORIZING CALL) RESOLUTION NO. R-37-97
FOR BIDS FOR 1997 ASPHALT CONCRETE)
PAVEMENT OVERLAYS CAMANO ISLAND)
CRP 97-08, W.O. #104)

WHEREAS, sufficient funds are available in the Island County Road Fund for 1997 Misc. Asphalt Concrete Pavement Overlays, Camano Island; NOW THEREFORE,

BE IT HEREBY RESOLVED that the Plans and Specifications are approved and that the County Engineer is authorized and directed to call for bids for furnishing said construction. Bid Opening is to be the 19th day of June, 1997, at 1:00 p.m. in Hearing Room 3, Courthouse Annex, Coupeville.

ADOPTED this 2nd day of June, 1997.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Wm. L. McDowell, Member (Absent) Tom Shaughnessy, Member

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

RESOLUTION #R-35-97, APPROVING SPECIFICATIONS & AUTHORIZING CALL
FOR BIDS FOR CONSTRUCTION OF CAMANO ANNEX WATER SYSTEM
AND FUEL SYSTEM

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Gary Hess, Public Works Engineer, presented Resolution #R-35-97, requesting approval of specifications and authorizing call for bids for construction of Camano Annex Water System, and Fuel System, with bid opening date of July 2, 1997 at 1:00 p.m., Hearing Room #2, Courthouse, Coupeville. The Board questioned status with regard to alternate water system provider to Camano Annex.

Mr. Hess sent a letter to provider of that water system, Jeff Holbeck, last week asking a number of questions about the proposal, and met with Mr. Holbeck on Thursday, but did not receive definitive information, and therefore requested same by June 12. The project is achievable and is a matter of working through Planning, Health, Engineering and installation time frames. The problem for the County is the need for occupancy for the Health Care Facility by next Spring [pushing envelope of grant through CTED Community Development Block Grant]. Desire construction this Fall with occupancy by Spring. Without water, there is no occupancy or building permit.

Other related issues with the alternative water system are:

- Water rights service area expansion
- Easements through open space owned in common with a community of lot owners
- Possible amendment to PRD [planned residential development] dealing with use of open space
- Other easements to negotiate for waterline installation
- Approval of plans and specs by the Department of Health

Looking at the Block Grant if the project does not get under construction this Fall, Mr. Hess advised the Commissioners that he was already looking into the potential for an extension based on the time frame for design and construction. He thought it was entirely possible the County would have to ask for an extension. CTED indicated if within 6 months of the last extension request the County would not have to do anything – the County has 6 months beyond, which is April, 1998 for project close-out.

As mentioned by Mr. Kwarsick, embedded in this project is the fuel replacement system for the Camano Shop facility. He suggested moving ahead, realizing that in two weeks it may be necessary to come back to the Board with information on the alternate water system and present an amendment to the call for bids. Mr. Hess has asked for a response back by June 12 with regard to the alternate water system which would give him just enough time to modify the call for bids by addendum.

While the Chair recognized an attractive other offer with respect to the water system, his question was: have or will we be able to determine at decision making time this alternative water system will in fact meet the

needs of the Camano Annex Master Plan? He did not want to have in any way the other water source end up being a stop gap measure which would only delay the inevitable.

Mr. Hess asked that the Board go ahead with the call for bids; if definitive answers from the alternate water provider are received allowing the County to agree to connect to that system, he would then prepare bid addendum deleting the work items associated with the pump house, water tank and well connection, and possibly add 2,000' pipe to the project (pre-bid walk through on June 19 and addendum can be handed out at that time as well as being mailed to bidders). Additionally, there is the ability to extend the bid period if needed by one or two weeks.

Commissioner McDowell agreed that the County would be much better off to have a gravity system as opposed to a pump system. He wondered about assurance of expansion.

Mr. Hess understood the Department of Health was in agreement with this, based on verbal conversation with the DOH regional engineer. The County needs something firm and he hoped to obtain documentation. CTED Block Grant time ends April 1998, which includes the 6 mos. extension.

By unanimous motion, the Board approved #R-35-97 as presented. Mr. Kwarsick was requested to keep the Board advised with respect to the status of alternate water provider.

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

*IN THE MATTER OF APPROVING PLANS &)
SPECIFICATIONS AND AUTHORIZING CALL)
FOR BIDS FOR CONSTRUCTION OF CAMANO) RESOLUTION NO. R-35-97
ANNEX WATER SYSTEM, W.O. #211 AND)
CAMANO ANNEX FUEL STATION, W.O. #32)*

WHEREAS, sufficient funds are available in the Island County ER&R Fund for the Camano Annex Fuel Station and sufficient funds are available in the Island County ER&R Fund, REET II and Solid Waste Fund for the Camano Annex Water System; NOW THEREFORE,

BE IT HEREBY RESOLVED that the Plans and Specifications are approved and the Public Works Director is authorized and directed to call for bids for furnishing said construction. Bid Opening is to be the 2nd day of July, 1997, at 1:30 p.m. in Hearing Room 2, Courthouse Annex, Coupeville.

ADOPTED this 2nd day of June, 1997.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Wm. L. McDowell, Member

(Absent) Tom Shaughnessy, Member

ATTEST: Margaret Rosenkranz, County Auditor

& Ex-Officio Clerk of the Board

HEARING SCHEDULED: ORDINANCE #R-38-97 – Speed limit revisions

on miscellaneous County roads.

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As presented by Joe Araucto, Traffic Engineer, the Board by unanimous motion, scheduled a public hearing for July 7, 1997 at 10:15 a.m. to consider Ordinance #R-38-97, speed limit revisions on miscellaneous roads (majority are within the North Whidbey area) where review of the information obtained during engineering and traffic investigation indicates 50 mph is greater than is reasonable and safe under the conditions found to exist upon the roads (described in Exhibit A). Roads include: Appian Way; Arnold Road; Ault Field Road; Balda Road; Best Road; Borgman Road; Crescent Harbor Road; Clover Valley Road; Crosby Road; Christian Road; Colin Lane; DeGraff Road; Dike Road; Ducken Road; Frostad Road; Geck Road; Green Road; Gun Club Road; Haga Road; Hastie Lake Road; Henni Road; Hersig Road; Hoffman Road; Holbrook Road; Hunskor Road; Henry Loop; Imperial Lane; Jones Road (from Helder Rd. N. to Troxell/Anglers Haven Dr.); Kinzie Road; Lodgepole Lane; Lyon Road; Maxwellton Road (South Whidbey-50 to 35 requested by State DOT); Miller Road; Monkey Hill Road; Monroe Landing Road; Old Goldie Road; Olsen Road; Power Road; Swantown Road (revise existing code to exclude City Limits-no change in speed limit); Scully Road; Slater Road; Sleeper Road; Starflower Road; Sullivan Road; Taylor Road; Tidewater Road; Torrence Lane; Troxell Road; Vanderwell Road; Wieldraayer Road; Wilson Road; Yates Road; and Zylstra Road.

With respect to the remainder of Jones Road, the traffic analysis revealed that the current 50 mph was appropriate. To lower the speed limit, there needs to be justification, including a determination of the speed people are actually driving because there is an enforcement issue, along with safety issues, accident history and geometric of the road.

SUPPLEMENT #I to Agreement for Professional Services #PW-962043; Harding Lawson Associates - EAST Camano Drive, Phase II

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Dick Snyder, Construction Engineer, reviewed the four-part modification to the Agreement for Professional Services

#PW-962043 dated July 1, 1996, between Island County and Harding Lawson Associates Infrastructure, Inc., pertaining to East Camano Drive Project, Phase 2:

- 1) adds geotechnical services, drainfield & wells survey, and cultural resource inventory report
- 2) compensation revised to include 6% escalation clause for services in 1997
- 3) County's representative shown as Richard K. Snyder
- 4) time of performance changed to April 1, 1998.

Commissioner McDowell did not understand a 6% escalation clause, double the inflation rate. Chairman Shelton agreed. Mr. Snyder verified that he checked with other consultants, Reid Middleton and Perteet Engineering, and found they also use a 6% escalation factor. Mr. Kwarsick noted too that this deals with other costs, not just salaries. In the future, the Board indicated to the Public Works Director that instead of just buying off on a 6% inflation factor, that rate needs to be justified.

By unanimous motion, Supplement #1 to Agreement for Professional Services Contract #PW-962043 was approved by the Board as presented.

TASK #C – Consultant Agreement #PW-972019, Datum Pacific; Glendale Road & Glendale Creek vic. of Community of Glendale, W.O. #236

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Task #C to umbrella consultant agreement with Datum Pacific was presented by Mr. Snyder for the Board's approval, this task associated with specific work on Glendale Road and Glendale Creek in the vicinity of the community of Glendale (South Whidbey), under County Road Project CRP 97-04, Work Order #236. The formal task assignment is to perform site reconnaissance, survey, geotechnical investigation (not including drilling) and engineering evaluations and concept plans for (1) restoration of the portion of Glendale Road undermined by stormwater runoff damage; (2a) restoration of the roadside drainage system to an anadromous fish supporting stream; and (2b) a tightline/piped system. The scope of work includes two meetings with the community of Glendale to seek input. The amount is \$26,655.00 (no escalation clause).

After the storm runoff damage occurred and the County pursued the idea of making Glendale creek a salmon stream, the Chairman inquired if there had been conversation with the State Department of Fish and Wildlife (F&W) about their participation with the County. Mr. Snyder confirmed that grant funds were requested but so far nothing received.

Assuming Glendale Road remains a viable arterial should that remain an open stream, the Chairman noted right of way issues and did not think the road was wide enough on Glendale to have an open stream and a road. Mr. Snyder indicated it would be a narrow low- standard two lane road because it is almost impossible to buy additional right-of-way.

At one time the Chair was very excited about the fact that F&W might be willing to participate with Island County, but after hearing about the creek situation on Camano Island, it appears that F&W has the authority to require the County to do a project whether the State provides funding or not. Commissioner McDowell recalled that on Camano, the cost would be \$1500 for repair, but the State wanted something done in terms of a \$200,000 project - a \$1500 fix suddenly becoming a \$200,000 project, a matter worth appealing.

Mr. Kwarsick pointed out that F&W is an agency of the State and there are guidelines in terms of appealing decisions of an administrative agency of the State. Mr. Allen confirmed that the appeal period had not expired in that case and he had prepared a response to the F&W's letter with alternatives.

As to the matter at hand, the Board by unanimous motion approved Task #C under Agreement #PW-972019.

BOND ACCEPTANCE – road improvements Short Plat 45/94 Cunningham

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On recommendation of the Public Works Director and County Engineer, the Board by unanimous motion accepted a bond in the amount of \$11,300 for road improvements in Short Plat 45/94, Glenn Cunningham, Camano Island (off Lactrup Road).

LOCAL AGENCY AGREEMENT – Island County, STP Lead Agency

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As presented and recommended for approval, the Board by unanimous motion approved and signed Local Agency Agreement showing Island County as STP Lead Agency . This is an activity reviewed by the RTPO (Regional Transportation Planning Organization).

HEARING SCHEDULED: #OPS 20/97 BY John G. Lussmyer - for Open Space Timber STATUS 17 ACRE PARCEL, BAKKEN ROAD, CENTRAL WHIDBEY

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Matt Nash, Senior Planner, presented request to schedule public hearing to consider Application # OPS 20/97, by John G. Lussmyer, for placement of 17 acres out of a 20.09 acre parcel in open timber status, the property located at 537 W. Bakken Road, near Greenbank, on central Whidbey Island.

By unanimous motion, the Board scheduled the hearing for June 16, 1997 at 10:45 a.m.

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RESOLUTION #PLG-012-97 RELEASE OF BOND - SPR #372/95, Corey Oil,

Landscaping at 1650 Main Street, Freeland, Wa.

Work associated with Site Plan Review #372/95 by Stuart Corey, Corey Oil Company, having been completed to County standards as of May 21, 1997, the Planning Department staff recommended release of bond in the amount of \$810.00 guaranteeing completion of said work. Therefore, the Board by unanimous motion, adopted Resolution #PLG-012-97 releasing said bond.

STATE OF WASHINGTON

COUNTY OF ISLAND

IN THE MATTER OF RELEASE OF THE BOND GUARANTEEING COMPLETION OF WORK IN SPR 372/95 - COREY OIL)
ISLAND COUNTY, WASHINGTON) RESOLUTION PLG-012-97
)
)

WHEREAS, the completion of work in conjunction with Site Plan Review 372/95 has been completed to County standards as of today's date of May 21, 1997; and

WHEREAS, the following described work: Landscaping at 1650 Main Street Freeland consisting of planting 150 (one gallon size) English Laurel, 3' on center around the perimeter of the fenced compound has been completed; and

WHEREAS, to assure the completion of the landscaping above described, the developer/applicant furnished Island County with a cash bond in the amount of (\$810.00) Eight Hundred and Ten Dollars; and

WHEREAS, said work has now been inspected and found to comply with the County standards and conditions; **NOW, THEREFORE,**

IT IS HEREBY RESOLVED that the bond guaranteeing completion of said work be released this date.

DATED this 2ND day of June, 1997.

BOARD OF COUNTY COMMISSIONERS

OF ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

(Absent) Tom Shaughnessy Member

Mac McDowell, Member

ATTEST: MARGARET ROSENKRANZ,

County Auditor & Ex-Officio Clerk of the Board

There being no further business to come before the Board at this time, the Chairman adjourned the meeting at 11:45 a.m.. The next Regular Session will be held on June 9, 1997 at 9:30 a.m.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Wm. L. McDowell, Member

Attest:

[absent - Tom Shaughnessy, Member]

Margaret Rosenkranz, County Auditor

& Ex-Officio Clerk of the Board