

ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING

REGULAR SESSION - JULY 7, 1997

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on July 7, 1997, at 9:30 a.m., in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa. Mike Shelton, Chairman, Wm. L. McDowell, Member, and Tom Shaughnessy, Member, were present. Also in attendance were Margaret Rosenkranz, Auditor/Clerk of the Board, and E. Meyer, Secy. to the Board. The Board approved and signed minutes from the meeting of June 16, 1997.

VOUCHERS AND PAYMENT OF BILLS

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The following vouchers/warrants were approved for payment by unanimous motion of the Board, along with June Payroll:

Voucher (War.) #6110 - #6363..... \$ 369,676.53.

Veterans Assistance Claims. [emergency financial assistance to certain eligible veterans; the names and specific circumstances are maintained confidential]. The Board, by unanimous motion, accepted the recommendation of the Island County Veterans Assistance Review Committee resulting in the following action:

V97-26 Approved in part \$1,645.77 V97-27 Approved in part \$ 363.71

V97-28 Denied V97-29 Approved in part \$ 593.45

V97-30 Denied.

WASHINGTON STATE DEPARTMENT OF SOCIAL & health SERVICES

"BECCA" Contract Work Order

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[named after a young girl and now referred to as the "Becca law" associated with impact funds for Truancy, At-Risk Youth and Child in Need of Services programs]. Elizabeth McKay, Juvenile Court Services Director, by memorandum dated June 26, 1997, submitted for the Board's signature, Work Order providing funding for the next biennium, 1997-99, for work done during that period associated with the three programs. The total amount of the grant is \$72,984, split into two \$36,492 amounts (not carried over from year to year). With the two-year funding, she will request that the position of Probation Aide be added to Juvenile Court Services to process Becca petitions. By unanimous motion, the Board approved the Becca Interagency Work Order for the period July 1, 1997 through June 30, 1999 under Basic Interagency Agreement 91-6001321.

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Special Occasion Liquor License, Application #368601

Class GJK by Takitae Foundation

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Having received favorable recommendations from the Island County Sheriff and Health Department, the Board by unanimous motion, recommended approval to the Washington State Liquor Control Board on Special Occasion License #368601 for issuance to Takitae Foundation, Friday Harbor, for special occasion July 17, 1997, Captain Conner (boat), Saratoga Passage, Penn Cove, Langley/Coupeville.

Liquor License, #080484-4I, Olsen's Flowers by the Bay

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A new application for Liquor License #080484-4I by Olsen's flowers By the Bay, L.L.C., Freeland, was forwarded to the Board with recommendations of approval from the Island County Sheriff, Health Department and Planning Department, for issuance of a gift delivery service or florist with wine Class P license. The Board, by unanimous motion, approved recommendation to the Washington State Liquor Control Board to issue said license as requested.

Assumption of Liquor License #351399-4I,

Old Maxwellton Store

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The Sheriff, along with the Health and Planning Departments, submitted recommendations of approval after review of request for assumption of Liquor License #351399-4I from John and Doreen Deland dba Maxwellton Beach Mall, by Marina Hardy and Andrew B. Goodwin, Old Maxwellton Store, Clinton, Class E and F. With that, the Board by unanimous motion, agreed to forward a recommendation of approval to the Washington State Liquor control Board.

APPOINTMENT TO ISLAND COUNTY LAW & JUSTICE COUNCIL

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By unanimous motion, the Board appointed Linda Wernecke, Oak Harbor, to serve on the Island County Law & Justice Council, representing Commissioner District #2, refilling the position previously held by Ronald Macdonald.

HEARING HELD: ORDINANCE #C-27-97 - AMENDING ISLAND COUNTY Code Chapter 3.22A and Ordinances C-055-92 and C-17-94 to Modify Annual Allocation & Selection Criteria - Conservation Futures Program)

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The Board by previous action on June 2, 1997, scheduled a Public Hearing for this date and time with advertisement accordingly, to consider Ordinance #C-27-97 amending ICC 3.22A and Ordinances #C-55-92 and C-17-94, to modify

the annual allocation and selection criteria for Conservation Futures Fund purchases. At the time of hearing, approximately 50 people were present.

Larry Kwarsick, Director, Public Works Department, indicated that the Conservation Futures property tax levy was established in 1991 at 6-1/4 cents per \$1,000 assessed valuation. The following year the CAB (Conservation Futures Citizens' Advisory Board) and TAG (Technical Advisory Committee) were established. Since inception of the program, the County has successfully acquired: Double Bluff, Maxwellton Outdoor Classroom property, Ala Spit, Kettles property, and preservation of wetlands in Oak Harbor within the urban growth area. The Program requires review every 5 years of the fund allocation schedule and this is the fifth year. Some concern had been raised relative to the distribution of funds and proposed an amendment to provide for a more specific means of allocating funds, outlined in Exhibit A of proposed Ordinance #C-27-97.

Public Input

Laurie Taylor, Oak Harbor, at-large member of the Conservation Futures TAG, did not support the proposed ordinance change because conservation futures projects that come before TAG are what limit them. Projects have to be sponsored by a government organization or non-profit organization. There have been more South Whidbey projects submitted and she holds no grudge, noting there may be fewer projects on North Whidbey because of less to preserve due to greater development. She suggested the County find a way to promote groups from all around Island County to come forth with projects.

Curt Gordon, South Whidbey, Chairman TAG, felt any ordinance suggesting a separation of County interests into different districts was a blow against a unified Island County. He pointed out that the County Commissioners have the ability to accept or deny any project on its own merit. Projects are ranked by CAB and TAG for local benefit, district benefit or regional benefit, and get higher ranking for some immense regional benefit. Consideration to make a large expenditure for a regional benefit project, such as the Greenbank Farm, should not be "charged" against North or South districts, rather should stand alone. Note that Greenbank Farm is on the Cascade Loop and probably will receive IAC funding because it has such a dramatic regional benefit.

Karen Anderson, Clinton, member CAB, thought the proposed ordinance was a mistake because the unique sensitive wonderful pieces of land the program is designed to project are where they are. The program was implemented to preserve those lands and not make sure a certain number of dollars or acres would be allotted to each district. She mentioned that this was the first year any projects were submitted from Camano Island. From the Committee's perspective, the Board has the power to decide what will be purchased so she questioned why the Board would want to prevent even the suggestion of a great piece of property just because of location. She too suggested encouraging interest by conducting workshops and informational meetings. In conjunction with the Greenbank Farm, she lives near Clinton and the Farm is about as far away from her as it is to Oak Harbor, and the Farm's location on the highway is a wonderful benefit to all County residents who are just driving by.

Ann Below, Langley, member of CAB, thought the ordinance unnecessary as well as divisive, and questioned if the Board planned to equalize the spending in all county department budgets, since the Board has the authority already to fund or not fund any project, the proposed ordinance has no purpose. She agreed perhaps the answer was to more aggressively seek out areas that should be put into conservation in all parts of the county. Additionally, she felt critical

areas should be defined in the comprehensive plan so that measures to conserve and preserve can be taken.

Steve Erickson, Clinton, WEAN, felt a long term comprehensive county wide preserve and park system planning was needed, based on landscape ecology, conservation biology organisms and their habitats. First is the need to represent all the eco types present in the county with an emphasis on those currently rare and those which are becoming rare, i.e. patches of forest 80 acres or more, mature or approaching maturity, and prairie remnants; native prairie the rarest and the most endangered terrestrial eco type on the Island. Those patches and main reserves need to be buffered which can be done through easements on activities that occur in those buffers, and regulatory restrictions, including important out layers, places where rare specie or desirable community types or habitats occur outside of the main system. All these need to be linked together with multiple corridors and linkages between the reserve patches. This will take a lot of planning and will be long

term in implementation, and encouraged the Board allocate funding to begin that planning. WEAN opposes the proposed ordinance amendment.

Gloria Koll, Freeland, member of the TAG, agreed with other speakers, and noted that in order for a project to be evaluated it must first be proposed by a sponsoring group, pointing out that there had been carefully crafted step by step tools in the current evaluation system. After TAG and CAB make recommendations, final decisions are made by the Board of Commissioners and this gives credibility to the selection of land preserved and prevents the appearance of pork barrel politics. Instead of a geographical quota system, she suggested encouraging more project submissions from Camano Island and North Whidbey through advertisement of the Conservation Futures Program, and providing workshops.

Kim Drury, South Whidbey, supported the previous speakers, adding only two things: she likes her tax dollars to go for land based on the value and the benefit it brings to the region as a whole, and felt it was very important to respect the process.

Rod Lewis, Langley, observed that not one person spoke in favor of the proposed measure, and therefore questioned where the support was for such a proposal.

Commissioner Action

Commissioner Shaughnessy reflected that most comments referred to the location of projects or lack of location, and not the funding involved or the fact that when Greenbank Farm is purchased there will be no more funding available for quite some period of time for this purpose anywhere in the County. Rather than size, scope, location, he looks more at the money issue and dollars spent for the County as a whole. The Commissioners do the best they can with the funds available, and this is nothing new, Road Funds for example, as well as others, are distributed as equally as possible throughout the County. Interesting to note that when he addressed this topic at a meeting on Camano Island two weeks ago, there was all kinds of applause for the proposal.

Commissioner McDowell addressed the fact that the 1992 Ordinance requires review within 5 years. The five years is up now and the Board is reviewing the allocation of resources. Although the program has been very successful and some fine pieces of property purchased which residents of Island County can enjoy, the properties have been pretty regional. There are a number of funds within the County the Commissioners try to balance out funding wise and try to distribute county wide and he feels the Conservation Futures fund is collected county-wide and should be distributed county wide. The Commissioner supported the allocation proposal until there is more even distribution. Again, the Ordinance calls review again in 5 years. He agreed to make sure advertising is done on North Whidbey and Camano for projects to try to even up the allocation of resources. The fact there is more growth and development on North Whidbey and less to preserve is a good indication why properties should try to be preserved on the North end.

Chairman Shelton was not the driving force behind the Ordinance, but indicated he agreed to support it because without doing so he did not believe he had the support for the purchase of the Greenbank Farm. He thought preservation of the Farm was critically important to the future of Island County, an opportunity to incorporate a broad base of preservation in terms of wetlands, recreation and economic facilities at Greenbank. One of the things which makes the Greenbank Farm issue a little unique is that what is being done is spending ahead the Conservation Futures funds in order to repay the bond issue. His decision will be based on his desire to preserve the Greenbank Farm.

Commissioner Shaughnessy moved to approve Ordinance #C-27-97 in the matter of amending the Island County Code Chapter 3.22A and Ordinances C-055-92 and C-17-94 to modify annual allocation and selection criteria. Motion, seconded by Commissioner McDowell.

Chairman Shelton noted that this year the Conservation Futures Fund expected to receive about \$360,000. When talking about what will be expended out of the Conservation Futures Fund to repay the bond, it is \$120,000 a year for the Greenbank Farm out of the total amount collected of \$360,000.

The proposed language change was read for the record:

"D. In consideration of the existing fund allocation schedule for projects located in Southern Whidbey Island, and in an effort to assure even distribution of resources and benefits realized from the Conservation Futures Program to all the citizens of Island County, and given the inherent inequities of population and tax base within the geographical areas of the county, a percentage break-down is established for distribution

of projected revenues. The distribution is based on a split of the geographical area of Island County into two sections labeled as Northern Island County (encompassing all of North Whidbey and Camano Island and representing approximately 60% of population

and tax base) and Southern Island County (representing approximately 40% population and tax base). The boundary line for this division shall be the northern-most boundary of the Coupeville School District. Until the commitment of the Conservation Futures Fund (bonded indebtedness or outright purchase price when taken directly from Conservation Futures Fund, less contributions from other sources such as IAC or other contributors) for Northern Island County projects equals a total of 50% of all the commitments made from the

Fund, all future Conservation Future Funds shall be used solely for Northern Island County projects. At the point in time when the Conservation Futures monies available is estimated to be equal to the amount currently allocated to Southern Island County, the legislative authority will again entertain applications for distribution of funds to areas within the Southern Island County area. "

Motion, as made and seconded, carried unanimously.

BEFORE THE BOARD OF COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF AMENDING)

ISLAND COUNTY CODE CHAPTER) ORDINANCE NO. C-27 -97

3.22A AND ORDINANCES C-055-92)

AND C-17-94 TO MODIFY ANNUAL)

ALLOCATION AND SELECTION)

CRITERIA)

WHEREAS, in accordance with Section 3.22A.110 ICC at least every five (5) years after the effective date of Chapter 3.22A, the Conservation Futures Program Citizens' Advisory Board, C.A.B., the Conservation Futures Technical Advisory Committee, T.A.G., and Board of Island County Commissioners shall review and, if deemed in the public interest, amend the fund allocation and selection criteria; and

WHEREAS, Chapter 3.22A ICC was originally adopted on July 6, 1992 and in accordance with Section 3.22A.110 ICC and in the public interest the history of fund allocation should be reviewed; and

WHEREAS, during the first five years of implementation of the Island County Conservation Futures Program the public has gained substantial benefit from the public acquisition of open space, wetlands, habitat areas, farm, agricultural, and timber lands, which were under the pressure of increasing urban development; and

WHEREAS, the existing fund allocation and selection criteria did not include a formula for distributing monies collected under program and during this first five years, program purchases have not been distributed regionally due to the threat of development and the loss of valuable resources within the Central and South Whidbey area of the County as compared to other regions. Furthermore the existing fund allocation and selection criteria did not include guidelines regarding the equitable distribution of expenditures within geographic regions of the County; and

WHEREAS, the Conservation Futures Fund revenue is derived from an ad valorem tax levied against the assessed evaluation of all taxable property within the County;

NOW THEREFORE BE IT HEREBY ORDAINED that Sections 3.22A.080 of the Island County Code and County Ordinances C-055-92 and C-17-94 and are hereby amended as shown on Exhibit "A" attached hereto. Lined through material is deleted and underlined material is added.

Reviewed this 2nd day of June, 1997 and set for Public
Hearing at 9:45 a.m. on July 7, 1997.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

[absent - Tom Shaughnessy, Mbr.] *Wm. L. McDowell*, Member

ATTEST: *Margaret Rosenkranz*,

County Auditor & Ex-Officio Clerk of the Board

Adopted this 7th day of July, 1997.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Tom Shaughnessy, Member

Wm. L. McDowell, Member

Attest: *Margaret Rosenkranz*, County Auditor &

Ex-Officio Clerk of the Board

APPROVED AS TO FORM

David L. Jamieson, Jr.

EXHIBIT "A"

3.22A.080 Conservation Futures Funds - Annual Allocation

A. A process is hereby established for the C.A.B.'s annual allocation of Conservation Futures Funds, commencing no later than January 1, 1993.

B. No later than thirty (30) days prior to February 1 of each year, the C.A.B. shall provide notice to all cities and towns, park districts, and historic districts within Island County, that applications may be submitted to Island County for a share of the annual allocation of the Conservation Futures Funds. Notice shall also be provided for two (2) consecutive weeks prior to February 1 of each year in the daily newspapers of general circulation in Island County and in the official County paper.

C. Applications shall be submitted to the C.A.B. on or before March 1 of each year and referred to the T.A.G. for evaluation. The T.A.G. shall evaluate the applications and shall forward its recommendations to the C.A.B. on or before April 30 of each year. On or before May 31 of each year, the C.A.B. shall forward its recommendations to both the Island County Planning Commission, for inclusion in the Annual Island County Capital Facilities Program, and to the Commissioners for approval or modification; the C.A.B. shall be required to hold at least one (1) public hearing and provide notice for said hearing(s) by advertising once a week for two (2) consecutive weeks in the official County paper.

D. In consideration of the existing fund allocation schedule for projects located in Southern Whidbey Island, and in an effort to assure even distribution of resources and benefits realized from the Conservation Futures Program to all the citizens of Island County, and given the inherent inequities of population and tax base within the geographical areas of the county, a percentage break-down is established for distribution of projected revenues. The distribution is based on a split of the geographical area of Island County into two sections labeled as Northern Island County (encompassing all of North Whidbey and Camano Island and representing approximately 60% of population and tax base) and Southern Island County (representing approximately 40% population and tax base). The boundary line for this division shall be the northern-most boundary of the Coupeville School District. Until the commitment of the Conservation Futures Fund (bonded indebtedness or outright purchase price when taken directly from Conservation Futures Fund, less contributions from other sources such as IAC or other contributors) for Northern Island County projects equals a total of 50% of all the commitments made from the Fund, all future Conservation Future Funds shall be used solely for Northern Island County projects. At the point in time when the Conservation Futures monies

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available is estimated to be equal to the amount currently allocated to Southern Island County, the legislative authority will again entertain applications for distribution of funds to areas within the Southern Island County area.

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Public Input or Comments

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Kathy McLaughlin, Rehberg Road, Greenbank, addressed the Board as a citizen, not representing any group she is involved with or works for. She described herself as a citizen for GMA (Growth Management Act) and believed the neighborhoods and families in Island County were vulnerable to

inappropriate potential development without the benefit of GMA land use planning. She asked that the Commissioners stop the delay and do what is right for the families of Island County.

Dean Enell, Langley, commented on the lack of a GMA plan and with the County now over three years' late in complying with State law, believed it was the responsibility of the Planning Commission to draw up a comprehensive plan. If the present Planning Commission membership prevents that from happening, he suggested the Board of Commissioners replace members on that Commission to get compliance with State law.

Diane Kendy, Langley, spoke on behalf of *Save the Woods on Saratoga*, remarking that July 1, 1997, began the fourth year Island County failed to comply with GMA, and a comprehensive plan still nowhere in sight. She mentioned that South Whidbey faced a second attempt by off-Island developers to site a huge urban scale development in a rural area, clearly outside a designated urban growth area and she did not think that GMA, or even the current draft comprehensive plan, envisioned a 278 unit destination resort on this piece of property. The latest comprehensive plan shows no sign of either a resort or a landing strip there, and even the Planning Director acknowledged this project would have no chance of approval had a comprehensive plan been in place. She said that the County's continued violation of GMA and what she assumed deliberate stalling on adoption of a of a comprehensive plan would lead to the County facing further law suits and sanctions, and strongly urged that all applications for development in areas zoned Non-Residential be held in abeyance until adoption of a comprehensive plan in compliance with GMA.

Mike Seriphinoff, Greenbank, spoke from the point of view of a constituency not heard from very often -- wildlife, holding a sign saying: "*Wildlife Need Humans to Manage Their Growth*", noting appreciation for some of the wetland habitat that will be saved at the Greenbank Farm but more than that is needed for wildlife.

Steve Erickson, Clinton, speaking on behalf of WEAN (Whidbey Environmental Action Network), submitted to the Chairman Case No. 95-2-0063, before the Western Washington Growth Management Hearings Board, WEAN versus Board of Island County Commissioners, WEAN's second motion and brief to invalidate development regulations. WEAN is asking the Hearings Board to invalidate the following sections of the Island County Code still in effect: (1) classification of all shoreline wetlands as Category B; (2) exemption from the wetland ordinance for all agricultural parcels; and (3) industrial, commercial and mixed use provisions in the Code. The Growth Management Hearings Board can only specifically invalidate certain sections of the Code, and the only option he saw that WEAN has at this point is to request sanctions from the government or Governor Locke.

He suggested steps the County Commissioners could take to comply with GMA: appoint Planning Commission members who are not adamantly opposed to implementing GMA, alleged the Chair of the Planning Commission is now essentially a legislative analyst for the Washington Association of Realtors, basically a lobbyist, and that is the tenor of the Planning Commission. While he agreed mapping finally was more or less done and an honest attempt by Vince Moore to comply with GMA, he did not believe it complied, and the Planning Commission basically pitched

that and it sounds like they will be starting all over again. The question in his mind is when the Growth Management Hearings Board hears WEAN's new request for invalidity, whether or not WEAN will ask for sanctions to be imposed, which will depend on whether or not the County begins making an honest attempt to comply and whether or not the County complies with some kind of reasonable deadline.

HEARING HELD: ORDINANCE #R-38-97 – Speed limit changes on miscellaneous county roads, North Whidbey area and a portion of Maxwellton Road, South Whidbey

A Public Hearing was held on Ordinance #R-38-97 proposing speed limit changes on a number of miscellaneous county roads located on North Whidbey, and a portion of Maxwellton Road on South

Whidbey. About 40+ people attended the hearing. Letters and comments from citizens received subsequent to the legal ad are on file and a matter of record.

Mr. Kwarsick commented that this was the third public hearing held to consider speed limit changes on miscellaneous roads in Island County. Local access roads by existing State law are 50 mph unless the County enacts a special speed limit. The review for the most part relates to existing speed limits principally on local access roads, short segment roads/cul de sacs that do not provide for circulation; and route continuity. Joe Araucto, Traffic Engineer, provided handouts which included a list of the roads under consideration and proposed speed limit changes. He did point out that there were several errors in the legal ad and therefore couple roads would be deleted from consideration today. The Interim Transportation Plan includes a table setting the criteria for speed on particular roads, and the Federal Manual for Uniform Traffic Control Devices explains how a speed limit is established. Speed limits are based on criteria which includes such things as the 85th percentile - 85% of the drivers driving on that road go at that speed or lower, and safety factors as geometric alignment, sight distance, accident history.

PUBLIC COMMENT ON PROPOSED SPEED LIMIT CHANGES

Appian Way, from Torrence Lane northerly to south boundary of Faranda's subdivision,

50 to 25 mph

Arnold Road from SR 20 west to Zylstra Rd. 50 to 35 mph

Ault Field Road from Heller Rd. E 1700' east of Langley Blvd., 35 mph; represents no change in speed limit, only a correction of Code language that incorrectly refers to this section as Clover Valley Road

Balda Road, from Scenic Hts. /Farrel Road west to Balda Road at 90 degree curve, 50 to 40 mph and from Scenic Hts. Road southerly to Balda Road at 90 degree curve, 50 to 40 mph

Best Road from Torrence Lane southerly to end of county road, 50 to 25 mph

Borgman Road from Green Road northerly to end of county road, 50 to 20 mph

Christian Road from Old Goldie Road southwesterly to end of county road, 50 to 20 mph

Clover Valley Road from its intersection with Golf Course Road easterly to intersection with Heller Road, 35 to 40 mph and from Heller Road westerly 300', 35 to 40 mph

Colin Lane from Goldie Road northerly to end of county road, 50 to 25 mph

Crescent Harbor Road from 500' west of Taylor Road to 2100' west of Taylor Road, establish 20 mph "when children are present" zone

Bill Heller noted "when children are present" was something pretty hard to enforce and subject to different interpretations. There are no crosswalks and no cross-children traffic, no houses on the north side of the road, and he saw no reason to establish a school zone, a 30 mph limit having been sufficient for years.

Deputy Rick Norrie, Traffic Safety Officer, stated that the State Legislature mandated there be established school zones and provided funding. This is a school zone and children travel on the bus and sometimes have bus changes. He sees older kids milling about on occasions who change bus routes, and there needs to be an established school zone. He understood the concern about where kids are in relation to the school, but pointed out the intention is to establish the school zone and in the near future to install flashing lights to regulate when kids are present. This would only be necessary on Crescent Harbor Road when kids are loading and unloading.

Mr. Kwarsick commented that the State recognized the need for school zone to the extent the County has received notice of funding for the flashing signal. Mr. Araucto explained that the school zone would front the school and pointed to the area on the map. Currently the speed limit is 30 mph, proposed to be reduced to 20 mph when children are present. Until a flashing light is installed, a sign would be placed "When Children are Present 20 mph". During summer and weekends the 20 mph zone would not be in effect and the limit would be the current speed, 30 mph.

Mr. Heller still opposed the zone, not believing children were a problem in that area. Should the limit be changed, he did ask that nothing be done until the flashing lights are installed.

Stephanie Meehan suggested putting the school zone closer to the school, starting at Navy housing, allowing a small area for the 20 mph zone. Mr. Araucto responded that Navy housing extended from Hunt Road to Crescent Harbor; the area is just a narrow portion of that - 1600'.

Dick Moore, a school bus driver, pointed out that kids loading and unloading are under direct super-vision of an aide, and are leaving the school either directly from the gym or directly into the school when exiting the bus. He agreed kids get off the bus at Crescent Harbor who live in Navy housing and adjacent areas that walk on Crescent Harbor Road, but his question was at what point do you continue extending a 20 mph school zone. He suggested the speed limit be raised to 50 mph, and if a school zone is established that zone should be right by the school.

From Homer Oldemeyer's experience of 27 years in that area he did not see problems with at least a 35 mph limit. He travels the road 3 or 4 times a day and never sees any children that could conflict with autos.

Commissioner McDowell observed a number of issues related to this road from those who live in the area and suggested pulling same from today's consideration, and asked that Mr. Araucto look into the issues further, along with reviewing the suggestion to actually raise the speed limit outside of the school zone.

Crosby Road from Golf Course Road westerly to Heller Road, not including City Limits of Oak Harbor, 40 mph; and from West Beach/Swantown Roads easterly to Golf Course Road, 45 to 40 mph

Mr. Araucto confirmed that no traffic speed study was performed in this case, the reason for the proposal was continuity, the rest of Crosby and West Beach Roads are 40 mph. The County received petitions to lower the limit even further on West Beach Road, which is not being proposed.

Dee Shore suggested had a traffic speed study been done it would have shown that people go varying speeds.

Tad Gordon was interested in whether the County took into consideration the fact that quite a number of people on North Whidbey commute on and off the Island for their livelihood; reducing speeds will cost time and money. This is a major feeder route for many who live on the west side of the Island, and he believed that the rationale behind speed reductions should be safety as the number one priority, not just slowing things down. With no speed study having been done, the County is dealing with an unknown quantity and therefore not logical to proceed. He saw a need to look at the big picture and the whole direction headed - look long term where people live and work - does the County want to get people on and off the Island to where they are going to work, or restrict traffic?

Mr. Araucto indicated that the existing speed limit from Libbey Road is 50 mph until the north end 40 mph; from that point, changes from 40 around the curve and 45 at Swantown; making a turn to Golf Course, 40 mph. A portion of Ault Field Road is now 35 mph and then goes to 50 mph for the remainder. The proposal is for a more consistent limit, changing the 45 mph speed zone to 40 mph. As far as accidents, there was only one injury accident there in 1995, and other than for continuity, by experience and observation that could be raised to 50 mph. Mr. Kwarsick explained given the fact that speeds were lowered by a prior Board as a result of concerns from the public, the proposal now is to establish continuity of speed limits along that route.

Deputy Norrie agreed this would establish continuity, noting too that a lot of folks have a tendency to cut the corner and cross the lines, not intentionally but by habit, and does not allow the driver enough reaction time. That, along with some areas of limited sight distance, was the reason for a consistent 40 mph limit. There have been other accidents, but a majority non-

reportable, less than \$500 damage.

One lady in the audience said she has property on that stretch of Crosby Road, uphill from the State park and sharp turns around farms, and it was fine with her to have the limit 40 mph for consistency.

Jim Clampet did not understand the philosophy behind lowering the speed limits since highways are better now, new roads made it safer, along with better and safer cars, and lowering speed limits will encourage passing in bad places.

Roland Gray who drives West Beach Road to Golf Course Road almost daily, acknowledged this is a difficult road but also made the point that everyone traveling it knows there are two sharp curves, well marked, and no one drives those at 50 mph. To reduce the speed limit did not make sense to him, trouble enough already getting in and out of the City without making it more difficult.

Stephanie Meehan observed it would seem that if the County favored continuity for traffic flow it would make sense to raise the section on West Beach/Sunset Beach to 45 mph and leave the rest at 45.

The Chair, in light of comments and concerns raised, recommended pulling both segments of Crosby Road from today's consideration, continuing same to another date.

DeGraff Road from SR 20 southerly to Sullivan Road, 50 to 40 mph

Dike Road from Frostad Road northerly to Jones Road, 50 to 40 mph.

Mr. Clampet questioned the reason for the proposed reduction on Jones Road.

Mr. Araucto confirmed that a [85th percentile study had not been performed, and the reason for the proposed speed limit reduction was based on curves and the fact that the road can't be driven at 50 mph.

A lady in the audience agreed with the proposed reduction. She has lived on Henni Road some 25 years and listens to the screeching wheels of all the cars going off the road. She agreed with 35 mph advisory curve signs, which she believed was a good safe speed, and felt that that road could not be driven safely at 50 mph.

Mrs. Short thought the speed application signs were posted on almost all of the county roads such that it appeared to be done just to be changing them . She asked why a study had not been done instead on places such as the 90 degree turns out on Crosby Road, or the Troxell and Monkey Hill Road intersection.

Chairman Shelton assured that the County did not go out and post every county road on North Whidbey with the idea of lowering the speed limit, and his assumption was that every proposal was supported by verifiable facts indicating the speed limit should be changed.

Mr. Bradford commented that signs were posted 35 mph advisory. He just did not understand what was behind changing all the speed limits especially in light of better roads and safer cars these days.

Art Lubin who lives on Jones Road said he drove Dike Road everyday, and agreed with the need to slow down to 35 mph for the curves, but there is no reason that during the straight part of that road the speed can't be 50 mph. He reminded that the county cannot make better drivers by reducing the speed from 50 to 40 mph for no apparent reason.

Expanding on the issue of safety, Deputy Norrie noted there were several factors. He agreed there were various changes in designs of cars and some handle the road better than others; however, there are many older which do not handle as well, and it also depends on the way the road is designed, width of lanes, age of the driver. This road is not designed for 50 mph; there are curves, the road unsafe and problems out there with speeding and accidents, and there are also civil liability concerns. The Deputy advised that the accident rate had been greatly reduced on South Whidbey because of speed limit reductions.

Commissioner McDowell requested Dike Road proposed speed limit reduction be pulled from today's consideration, and asked for a 85th percentile speed study on that road.

Ducken Road from Monkey Hill Road easterly to end of county road, 50 to 25 mph [dead end]

Bruce Carman stated with regard to the proposal for speed limit reduction on Ducken Road going from 50 to 25 mph, this is a rural area with no new developments, and leaving Highway 20 basically is a straight road; some ups and downs until the corner with Monkey Hill Road. He did not see a reason to lower the limit.

Mr. Araucto clarified the location proposed for speed limit reduction was the eastern portion of Ducken Road to the dead end (not the portion between the Highway and Money Hill Road which is being left at 50 mph).

Barbara Short noted 50 to 25 mph was quite drastic. While she agreed 50 was a little high, she thought 35 or 40 mph would be more appropriate, while 25 too slow. There have been no accidents, no complaints; one-half along her farm and maybe only 5 driveways.

Mr. Araucto noted the road was rural in nature, but a dead end and local access road. He did support 35 mph for that portion of the Road, and Deputy Norrie concurred.

Frostad Road from SR 20 westerly to Hoffman Road, 50 to 40 mph and from SR20 easterly to Dugualla Road/Taylor Road, 50 to 35 mph

Lori Taylor made the assumption that speed reductions were done for safety purposes, and agreed with some decrease. Frostad Road has no shoulders, has a slide area and is very narrow, and also has some animal traffic. She tried driving the road at 35 mph but found that was too slow, usually 40 to 45 comfortable. She worried about people passing at the slower limit when there are no shoulders and limited sight distances. This is the road with the most accidents in 1995, and she thought part of the problem was that the road did not always get adequate sanding and salting quickly enough in the winter (receives no direct sunlight).

Christy Miller, living in the Frostad Road area all her life, agreed the speed limit should be reduced on the road due to the hazards, not much of a bank. The County repaved the road but has not replaced the fog lines which is a problem at night.. She has had many conversations with Island county Sheriff's Department and invited a deputy out to her driveway to sit there at certain times of the day to catch those who tend to go 65 to 70 mph on that road. However, a 35 mph limit is not realistic, having done her own traffic study, finding 45 mph more in line, and would she felt give people time within which to react to any kind of situation

Mr. Bradford opposed reducing the speed limit at all. This road drains a tremendous amount of residential area, and reducing speed to 35 mph would cause more accidents, not less.

Deputy Norrie reported this to be a heavily traveled road; many travel significantly faster than the limit. Concerns about the road include: no shoulders, edge of fog line is right on the edge of the road [broken up in the bank] limited

sight distance. He would agree with a 40 mph speed limit (also across the other side of Frostad Road).

Christy Miller thought 40 mph too slow. Mr. Bradford said slowing it down would cause problems.

One other concern Mr. Araucto pointed out was the active slide area; should something happen, 50 mph would not allow much reaction time. This is new pavement and the road not finished; painting to be scheduled this summer.

Geck Road from Jones Road easterly to end of county road, 50 to 20 mph

Green Road from DeVries road northwesterly to end of county road, 50 to 25 mph

Gun Club Road from Oak Harbor Road westerly to end of county road, 50 to 25 mph, and from Oak Harbor Road easterly to end of county road, 50 to 25 mph

Haga Road from SR 20 westerly to end of county road, 50 to 25 mph

Hastie Lake Road from SR 20 northwesterly 3600', 50 to 35 mph [through the curve]

Henni Road from Monkey Hill Road westerly to end of county road, 50 to 25 mph

Dottie Jordon was concerned about safety and impaired vision and agreed with the proposed speed limit reduction. Although not under consideration today, she expressed concern about the east end Henni Road where it joins Jones Road. In the first 1/4 there are 10 residences shared by 6 to 8 driveways, 12 to 14 school-age children plus pets. There were 2 rollovers in front of their house coming off Jones Road strictly because of speed. She requested the County consider safety as a reason for lowering the speed limit on that end.

Deputy Norrie agreed that between Monkey Hill and Jones Road had very limited sight distance and no shoulders and understood the need to reduce the limit to 40.

Chairman Shelton agreed to add that road to the list for review and consideration at some future time, and asked Mr. Araucto to compile whatever additional information is needed given Ms. Jordan's comments and come back with a recommendation.

Henry Loop, its entire length, 50 to 20 mph

Richard McCormick, one of three residents on this road, supported the reduced speed limit. All three residents signed a letter petitioning speed change from 50 to 20 mph. Addressing comments earlier in the hearing about automobiles having improved in safety, he cautioned that speed was not the answer.

Hersig Road from Reservation Road easterly to end of county road, 50 to 25 mph

Hoffman Road, from SR20 northerly to Frostad Road, 50 to 40 mph

Holbrook Road from SR20 northerly to Arnold Road, 50 to 25 mph and from Arnold Road northerly to end of county road, 50 to 25: **deleted from list**, having determined within the plat of San de Fuca.

Hunskor Road its entire length, 50 to 25 mph

Imperial Lane from Jones Road northerly to Henni Road, 50 to 35 mph

Jones Road from Helder Road northerly to Troxell Road/Anglers Haven Drive, 50 to 35 mph

George Hamlin lived in the area since 1971, walks the road every morning from the crest at the north end of Jones Road to Sunrise Hill and back. He sees the school bus go by at 50 mph and people going to work driving 50 mph and he has not had any problem with that and felt 35 mph made no sense. He questioned how many road signs would be needed for these changes and at what cost.

Mr. Araucto estimated that each sign cost \$50 for materials. In all of Island County there are probably about 1,000 signs.

A lady who lives at the north end of Jones Road, questioned if the Sheriff would have more deputies assigned to provide enforcement, noting that at the top of the hill going down to Ala Spit with "Slow" , "Curve" and "25 mph" signs, never has she seen a car doing only 25 mph and probably once a day is the only time a deputy could get out on that road.

Kinzie Road from Troxell Road to end of county road, 50 to 25 mph

Lodgepole Lane from Fakkema Road northerly to end of county road, 50 to 25 mph

Lyon Road from Troxell Road southerly to end of county road, 50 to 25 mph

Maxwelton Road from 1500' north of intersection with French Road to 2400' north of its intersection with Swede Hill Road, 50 to 35 mph; and from SR525 southerly to a distance of 0.6 mile south of Craw Road, 50 to 35 mph

Miller Road from SR20 easterly to Scenic Heights Road, 50 to 40 mph

Monkey Hill Road from Sullivan Road northerly to SR20, 50 to 40 mph; and from SR 20 northerly to Ducken Road, 50 to 35 mph

Bruce Carman stated that as you come off the Highway on Monkey Hill Road there are curves going uphill, a sign posted 25 mph and covers approximately 4/10 of a mile going up that hill. Coming to the top of that hill is a fairly level road, with good to excellent visibility, again a rural area, no new construction in at least 10 years with the exception of one trailer, and the accident rate extremely low. Accidents have basically been at Monkey Hill and Henni Road on the curves, presently 25 mph. His question was why lower that section from 50 to 35 when there is no rationale.

Mr. Araucto explained there had been an error in the legal ad for Monkey Hill Road. Intent was to reduce only the portion of the curve - 4/10 of a mile, to 35 mph. The posting and legal description stated in error it was from Highway 20 northerly to Ducken Road.

Barbara Short requested 35 mph speed limit on both sides of Monkey Hill Road [Troxell and Monkey Hill] because people zoom through the intersection both directions.

Mr. Araucto recalled having done a study on Ducken and Monkey Hill/Troxell roads, at three locations: (1) 460' west of Monkey Hill Road; (2) Monkey Hill Road about 650' north of Troxell Road; and (3) Monkey Hill Road about 350' south of Troxell Road, which confirmed 85th percentile at 50 mph.

Monroe Landing Road from SR20 southerly to Arnold Road, 50 to 40 mph

Responding to Dick Moore's request for justification to reduce the speed limit from 50 to 40, Mr. Araucto stated that currently there is 24' pavement, a fog line but no shoulder for transit or school bus to pull off, and commercial traffic for the airport. The five year accident history was reviewed, 1992-September, 1996, finding about 8 accidents that occurred. A 40 mph speed limit is being proposed because of the accident rate and commercial traffic, and a petition from the public with multiple signatures petitioning reduction to 40 mph.

Mr. Moore did not know what justified the commercial traffic by the airport because of plenty of visibility, and he saw no congestion as far as the airport goes. Many roads have no areas where school buses can pull off the road, which is the reason school buses have stop signs and lights. There is no major development on that section of road as far as housing. Monroe Landing is a straight road and easy to go 50 mph. Much of the road presently no passing and if the speed limit is lowered to 40 mph, he thought people anxious to go would start passing in no passing zones, and create more of a hazard.

Jim Walker opposed the speed limit reduction, concerned this is an alternate access to Rolling Hills and believed if the speed limit is reduced people would decide to go Highway 20 and enter on Sidney which is not a good location for making that turn. Southbound SR20 turn lane onto Monroe Landing people seem to cut very tight and that is where an accident occurred in 1997. The lines on SR20 are washed out and you can see where people have cut that corner.

Gerry Yakovleff worked for the airlines when the petitioning group came, and involved a few homeowners in Rolling Hills who requested that people traveling on the airline sign petitions, but no one checked to see if those people signing the petition resided in the County or even the State. Any of the accidents that have occurred were by the Drive-In or due to farm vehicles, not due to speed.

Steve Hall speaking as a resident of Burroughs Avenue and having been a 30 year law enforcement veteran with many years of traffic experience, thought 50 mph when traffic used to be lighter might have been appropriate, but it is not now and the limit needs to be dropped to where it is safe to drive, 40 mph more than reasonable.

Deputy Norrie also pointed out the need to take into consideration county liability with limited sight distance, no shoulders and driver reaction time.

Old Goldie Road from Ault Field Road northerly to end of county road, 50 to 25 mph

Olsen Road from Van Dam Road southerly to end of county road, 50 to 25 mph

Power Road from SR20 northerly to Arnold Road, 50 to 25 mph

Scully Lane from Slater Road easterly to end of county road, 50 to 25 mph

Slater Road from Silver Lake Road southerly to end of county road, 50 to 25 mph

Sleeper Road from SR20 westerly to Hoffman Road, 50 to 40 mph, and from Taylor Road easterly to end of county road, 50 to 35 mph

Starflower Road from Heller Road easterly to end of county road, 50 to 25 mph

Sullivan Road from DeGraff Road easterly to Monkey Hill Road, 50 to 40 mph

Swantown Road from Heller Road westerly to its intersection with Crosby and West Beach Roads, 35 mph (revises code to exclude city limits)

Taylor Road from Fakkema Road south to Crescent Harbor Road, 50 to 40 mph

Bob Palmer displayed on the wall a chart showing Taylor Road and the various speed limits in the area. Taylor Road he thought was today probably the best road on North Whidbey. Facts changed since Mr. Araucto's report - he and Mr. Araucto talked about it and are in agreement on what they think should be done. From the standpoint of continuity, Silverlake Road is 50, Fakkema Road, Hunt Road, Crescent Harbor, except for school zone, is 50 mph; Taylor Road in part is 50. At the beginning of the project from a housekeeping standpoint to make it all one limit is not a bad idea, but the right limit is 50 mph because: while data says the paving on that road is 22', striping done last week and now it is 36'; the new road and now it is 36'; the County spent tons of money in the past 1-

1/2 years on this road and done a beautiful job. Having paid to move traffic, that is what should be done - the whole road should be 50 mph.

Bill Heller and Mr. Oldemeyer supported a 40 mph speed limit the whole length. When the project was first proposed a number of years ago he was assured that the speed limit would not change.

Mr. Palmer checked the same length of road where the houses exist on Taylor with the same length of road on Fakkema, and there are more roads and houses served o Fakkema in the same distance at 50 as there are on the north

end of Taylor Road.

Art Lubin still did not know why this was being done. This is rural residential and the people who use these roads are people who live on these roads, very few tourists, and he assumed when a curve is coming up, people using the road know about the curve and have driven it many times in the past, and are either safe drivers or not.

Chairman Shelton, who serves as the President of the Washington County Risk Pool, which provides liability insurance for Island County, pointed out that the Pool just paid out a \$275,000 claim where the court ruled Island County should have known that was not the correct speed limit for the road. This is a very litigious society and Island County is regularly the target of lawsuits related to road design and setting proper speed limits for conditions of the road. This is a real liability there to the taxpayers of Island County. The driving force is to try to get speed limits that are reasonable, safe and that can be enforced.

Mr. Lubin maintained that no matter what is done or speed limit reductions made, there are people who will be hurt in accidents and take advantage of court system. For every road on this proposal, less change is probably better.

Mr. Araucto stated that the majority of roads on the proposal basically were dead end, narrow roads, where it makes no sense for a 50 mph speed limit.

Commissioner McDowell agreed it made no sense to pass laws that cannot be enforced, which to him was the reason for performing 85th percentile traffic study - people will drive at the speed they feel comfortable with on these back roads. His hope is that, except for the roads with real safety issues, speeds will be set at limits people are comfortable driving.

Tidewater Road from DeGraff Road easterly to end of county road, 50 to 25 mph

Torrence Lane from east boundary of plat of Whidbey Park easterly to end of county road, 50 to 25 mph

Troxell Road from SR20 westerly to end of county road, 50 to 20 mph and from Helder Road northerly to Jones Road/Anglers Haven Drive, 50 to 35 mph

Vanderwell Road from Henni Road northerly to end of county road, 50 to 35 ,mph

Wieldraayer Road from Swantown Road westerly to end of county road, 50 to 25 mph

Wilson Road from Torrence Lane northerly to end of county road, 35 to 25 mph

Yates Road from Heller Road easterly to end of county road, 50 to 25 mph

Zylstra Road from Fort Nugent Road northerly to end of county road, 50 to 25 mph

ACTION:

By unanimous motion, the Board approved Ordinance #R-38-97 regulating speed limit on County roads as shown on Exhibit A, amending Island County Code, Title X, Chapter 10.01, with the following exceptions:

- speed limit proposed on Frostad #2 is changed to 45 mph [Frostad #1 - remains as proposed at 40 mph as proposed]

- pull from consideration today, for further review and study, at public hearing continued to August 18, 1997 at 1:30 p.m.

Crescent Harbor

Crosby Road (1 and 2)

Dike

Ducken

Monkey Hill (#1 and #2)

Jones

Monroe Landing

Taylor Road

- delete from consideration: Hollbrook Road #1 and #2.

Those roads discussed for other consideration not advertised under today's public hearing or continued hearing, will be taken under review by the by Public Works Department and if change warranted, a future public hearing scheduled: Jones Road - add review of a new segment for speed limit change; Monkey Hill - reconsider speed limit change

different segment; and Henni Road - new segment.

A man in the audience were interested in finding out by the next hearing to know as general information how much it costs per sign, materials, staff work, and labor.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

AN ORDINANCE OF ISLAND COUNTY, WASHINGTON,)
REGULATING SPEED LIMIT ON COUNTY ROADS AS)
SHOWN ON ATTACHED EXHIBIT "A" , AMENDING) ORDINANCE NO. R- 38 - 97
ISLAND COUNTY CODE, TITLE X, CHAPTER 10.01)
_____)

WHEREAS, an engineering and traffic investigation has been made relative to the above described roads; and

WHEREAS, from review of the information obtained during said engineering and traffic investigation, 50 miles per hour is greater than is reasonable and safe under the conditions found to exist upon the roads described on the attached Exhibit "A"; and

WHEREAS, regulation of maximum vehicle speeds and traffic control upon County roads is a function of police power properly exercisable by the Board of County Commissioners; Now, therefore,

BE IT HEREBY ORDAINED by the Board of County Commissioners of Island County, Washington, as follows:

The maximum speed on the roads listed in the attached Exhibit "A" shall be as shown in said Exhibit, and the Island County Code is amended to read as shown on said Exhibit. Underlined material is added to existing county code and interlineated material is deleted.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FIFTEEN DAYS FROM AND AFTER ITS PASSAGE INTO LAW.

REVIEWED this 2nd day of July, 1997, and set for public hearing on the 7th day of July, 1997 , at 10:15 p.m.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

ATTEST: Margaret Rosenkranz, County Wm. L. McDowell, Member

Auditor & Ex-Officio Clerk of the Board Tom Shaughnessy, Member

PASSED INTO LAW this 7th day of July, 1997, following public hearing. (*)

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

ATTEST: Margaret Rosenkranz, County Wm. L. McDowell, Member

Auditor & Ex-Officio Clerk of the Board Tom Shaughnessy, Member

APPROVED AS TO FORM:

DAVID L. JAMIESON, JR. (*) As amended on Exhibit "A" and as

Deputy Prosecuting Attorney Continued to August 18, 1997, on

EXHIBIT "A"

10.01.040 "A" Roads

I. Appian Way, Road Log No. 65530, located in Section 19, Twp. 33N, Rge. 2E., WM, from Torrence Lane northerly to the south boundary of Faranda's subdivision, MP 0.00 to MP 0.250 twenty five (25) miles per hour (Ord.R-38-97, July, 1997, vol. p.)

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J. Arnold Road, Road Log No. 51000, located in Sections 19 & 20, Twp. 32N, Rge. 1E., WM, from SR 20 westerly to Zylstra Road, MP 0.000 to MP 0.720 thirty five (35) miles per hour (Ord.R-38-97, July, 1997, vol. p.)

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K. Ault Field Road, Road Log 95030, located in Section 27, Twp. 33N, Rge. 1E., WM from Heller Road easterly 1,700 feet east of Langley Boulevard, MP 9.430 to 9.992 thirty five (35) miles per hour (Ord.R-38-97, July, 1997, vol. p.)

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10.01.050 "B" Roads

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Z. Balda Road

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1. Road Log No. 55460, located in Sections 10 and 15, Twp. 32N, Rge. 1E., WM, from Scenic Heights Road/Farrel Road westerly to Balda Road at 90° curve, MP 0.00 to MP 0.250, forty (40) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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2. Road Log No. 95460, located in Section 15, Twp. 32N, Rge. 1E., WM, from Scenic Heights Road southerly to Balda Road at 90 degree curve, MP 2.130 to MP 3.450, forty (40) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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AA. Best Road, Road Log No. 65550, located in Section 19, Twp. 33N, Rge. 2E., WM, from Torrence Lane southerly to end of county road, MP 0.000 to MP 0.100 twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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BB. Borgman Road, Road Log No. 65010, located in Section 26, Twp. 33N, Rge. 2E., WM, from Green Road northerly to end of county road, MP 0.000 to MP 0.100 twenty (20) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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10.01.060 "C" Roads

B. Crescent Harbor Road

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3. Road Log No. 64500, located in Sections 33 and 34, Township 30 North, Range 2 East, W.M., from its intersection with Reservation Road to its intersection with Busby Road, twenty five (25) miles per hour (Ord. R-52-95, January 22, 1996, effective February 6, 1996, vol. 39, p. 283; amended by Ord.R-38-97, July 7, 1997, vol. p.)

C. Clover Valley Road

1. From its intersection with Golf Course Road, easterly to a point 300 feet west of its the intersection with Heller Road, forty (40) miles per hour. (Ord. 706, August 11, 1969, amended by Ord. R-11-75, February 9, 1976, vol. 16, p. 55; amended by Ord.R-38-97, July 7, 1997, vol. p.)

~~2. From a point 300 feet west of its intersection with the Heller Road to a point 1,700 feet east of its intersection with the Heller Road, thirty five (35) miles per hour. (Ord. 614, January 13, 1969, vol. 13, p. 142)~~

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~~O. Crescent Harbor Road, Road Log No. 64500, located in Sections 33 and 34, Township 30 North, Range 2 East, W.M., from its intersection with Reservation Road to its intersection with Busby Road, twenty five (25) miles per hour, (Ord. R-52-95, January 22, 1996, effective February 6, 1996, vol. 39, p. 283)~~

~~P. O.~~

~~Q. P.~~

~~R. Q.~~

~~S. R.~~

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S. Christian Road, Road Log No. 59200, located in Section 26, Twp. 33N, Rge. 1E.,WM, form Old Goldie Road southwesterly to end of county road, MP 0.000 to MP 0.130 twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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T. Colin Lane, Road Log No. 59100, located in Section 26, Twp. 33N, Rge. 1E.,WM, from Goldie Road northerly to end of county road, MP 0.000 to MP 0.230, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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10.01.070 "D" Roads

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K. DeGraff Road, Road Log No. 67310, located in Section 11, Twp. 33N, Rge. 1E.,WM, from SR 20 southerly to Sullivan Road, MP 0.000 to MP 0.740, forty (40) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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10..01.090 "F" Roads

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L. Frostad Road

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1. Road Log No. 65140, located in Sections 13 and 18, Twp. 33N, Rge. 1E.,WM, from SR 20 westerly to Hoffman Road, MP 1.130 to MP 2.230, forty (40) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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2. Road Log No. 65140, located in Sections 17 and 18, Twp. 33N, Rge. 1E.,WM, from SR 20 easterly to Dugualla Road/Taylor Road, MP 2.230 to MP 3.150, forty five (45) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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10.01.100 "G" Roads

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J. Geck Road, Road Log No. 68910, located in Section 32, Twp. 34N, Rge. 2E.,WM, from Jones Road easterly to end of county road, MP. 0.000 to MP 0.100, twenty (20) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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K. Green Road, Road Log No. 64590, located in Section 22, Twp. 33N, Rge. 2E.,WM, from DeVries Road northwesterly to end of county road, MP 1.270 to MP 1.570, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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L. Gun Club Road

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1. Road Log No. 58020, located in Section 26, Twp. 33N, Rge. 1E.,WM, from Oak Harbor Road westerly to end of county road, MP 0.000 to MP 0.410, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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2. Road Log No. 58000, located in Sections 26 and 27, Twp. 33N, Rge. 1E.,WM, from Oak Harbor Road easterly to end of county road, MP 0.000 to MP 0.170, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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10.01.110 "H" Roads

P. Haga Road, Road Log No. 52620, located in Section 10, Twp. 32N, Rge 1E.,WM, from SR 20 westerly to end of county road, MP 0.000 to MP 0.240, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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Q. Hastie Lake Road, Road Log No. 51700, located in Sections 16 and 17, Twp. 32N, Rge. 1E.,WM, from SR 20 northwesterly 3,600 feet, MP 0.000 to MP 0.682, thirty five (35) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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R. Henni Road, Road Log No. 67440, located in Section 11, Twp. 33N, Rge. 2E.,WM, from Monkey Hill Road westerly to end of county road, MP 1.970 to MP 2.350, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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S. Hersig Road, Road Log No. 61460, located in Section 3, Twp. 32N, Rge. 2E.,WM, from Reservation Road easterly to end of county road, MP 0.000 to MP 0.480, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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T. Hoffman Road, Road Log No. 65140, located in Sections 13 and 24, Twp. 33N, Rge. 1E.,WM, from SR 20 northerly to Frostad Road, MP 0.000 to MP 1.130, forty (40) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

U. Hunskor Road, Road Log No. 63510, located in Section 2, Twp. 32N, Rge. 2E.,WM, in it's entire length, MP 0.000 to MP 0.310, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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V. Henry Loop, Road Log No. 48780, located in Section 3 Twp. 31N, Rge. 1E.,WM, it's entire length, MP 0.000 to MP 0.180, twenty (20) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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10.01.120 "I" Roads

A. Imperial Lane, Road Log No. 67050, located in Section 12, Twp. 33N, Rge. 1E., WM, from Jones Road northerly to Henni Road, MP 0.000 to MP 0.250, thirty five (35) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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10.01.140 "K" Roads

C. Kinzie Road, Road Log No. 68250, located in Section 1, Twp. 33N, Rge. 1E., WM, from Troxell Road southerly to end of county road, MP 0.000 to MP 0.200, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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10.01.150 "L" Roads

M. Lodgepole Lane, Road Log No. 64330, located in Section 19, Twp. 33N, Rge. 2E., WM, from Fakkema Road northerly to end of county road, MP 0.000 to MP 0.250, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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N. Lyon Road, Road Log No. 68103, located in Section 1, Twp. 33N, Rge. 1E., WM, from Troxell Road southerly to end of county road, MP 0.000 to MP 0.270, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

10.01.160 "M" Roads

A. Maxwellton Road

1. From ~~200~~ 1,500 feet North of its intersection with French Road in Section 33, Township 20 North, Range 3 East, W.M., to 2,400 feet North of its intersection with Swede Hill Road, Section 4, Township 28 North, Range 3 East, W.M., thirty-five (35) miles per hour. (Ord. February 6, 1967, vol. 12, p. 477; amended by Ord. R-71-76, July 16, 1976, vol. 19, p. 214; amended by Ord R-87-85, January 27, 1986, vol. 25, p. 159; amended by Ord.R-38-97, July 7, 1997, vol. p.)
2. From its intersection with ~~the~~ SR 525 southerly to a distance of 0.6 mile south of Craw Road southerly for a distance of ~~0.6~~ 0.6 mile, thirty-five (35) miles per hour. (Ord., February 6, 1967, vol. 12, p. 477; amended by Ord.R-38-97, July 7, 1997, vol. p.)

T. Miller Road, Road Log No. 55900, located in Sections 14 and 15, Twp. 32N, Rge. 1E., WM, from SR 20 easterly to Scenic Heights Road, MP 0.000 to MP 0.710, forty (40) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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180. "O" Roads

E. Old Goldie Road, Road Log No. 59200, located in Section 26, Twp. 33N, Rge. 1E.,WM, from Ault Field Road northerly to end of county road, MP 0.130 to MP 0.380, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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F. Olsen Road, Road Log No. 51090, located in Section 19, Twp. 32N, Rge. 1E.,WM, from Van Dam Road southerly to end of county road, MP 0.000 to MP 0.220, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

10.01.220 "S" Roads

- A. Swantown Road, Road Log No. 95520 located in Section 3, Twp. 32N, Rge. 1E.,WM, from State Highway 20 Heller Road, northwesterly to its intersection with Crosby and West Beach Roads excluding City of Oak Harbor, Section 32, Township 33 North, Range 1 East, W.M., thirty-five (35) miles per hour. (Ord. R-28-76, May 6, 1976, vol. 16, p. 141 amended by Ord.R-38-97, July 7, 1997, vol. p.)

X. Scully Lane, Road Log No. 64874, located in Section 27, Twp. 33N, Rge. 2E.,WM, from Slater Road easterly to end of county road, MP 0.000 to MP 0.240, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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Y. Slater Road, Road Log No. 64870, located in Section 27, Twp. 33N, Rge. 2E.,WM, from Silver Lake Road southerly to end of county road, MP 0.000 to MP 0.440, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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Z. Sleeper Road

1. Road Log No. 65400, located in Section 24, Twp. 33N, Rge. 1E.,WM, from SR 20 westerly to Hoffman Road, MP 0.000 to MP 0.480, forty (40) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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2. Road Log No 65400, located in Section 20, Twp. 33N, Rge. 2E.,WM, from Taylor Road easterly to end of county road, MP 1.990 to MP 2.970, thirty five (35) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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AA. Starflower Road, Road Log No. 57838, located in Section 27, Twp. 33N, Rge. 1E.,WM, from Heller Road easterly to end of county road, MP 0.000 to MP 0.240, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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- AB. Sullivan Road, Road Log No. 67310, located in Section 11, Twp. 33N, Rge. 1E.,WM, from DeGraff Road easterly to Monkey Hill Road, MP 0.740 to MP 1.430, forty (40) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

10.01.230 "T" Roads

H. Tidewater Road, Road Log No. 67311, located in Section 11, Twp. 33N, Rge. 1E.,WM, from DeGraff Road easterly to end of county road, MP 0.000 to MP 0.178, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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I. Torrence Lane, Road Log No. 64200, located in Section 19, Twp. 33N, Rge. 2E.,WM, from the east boundary of the plat of Whidbey Park easterly to end of county road, MP 0.250 to MP 0.750, twenty five miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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J. Troxell Road

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1. Road Log No. 67760, located in Section 2, Twp. 33N, Rge. 1E.,WM, from SR 20 westerly to end of county road, MP 0.000 to MP 0.050, twenty (20) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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2. Road Log No. 96030, located in Section 31, Twp. 34N, Rge. 2E.,WM, from Helder Road northerly to Jones Road/Anglers Haven Drive, MP 11.260 to MP 12.070, thirty five (35) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

10.01.250 "V" Roads

C. Vanderwell Road, Road Log No. 67570, located in Section 7, Twp. 33N, Rge. 2E.,WM, from Henni Road northerly to end of county road, MP 0.000 to MP 0.740, thirty five (35) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

10.01.260 "W" Roads

Q. Wieldraayer Road, Road Log No. 56434, located in Section 4, Twp. 32N, Rge. 1E.,WM, from Swantown Road westerly to end of county road, MP 0.000 to MP 0.420, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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R. Wilson Road, Road Log No. 64070, located in Section 19, Twp. 33N, Rge. 2E.,WM, from Torrence Lane northerly to end of county road, MP 0.620 to MP 0.750, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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10.01.280 "Y" Roads

A. Yates Road, Road Log No. 57830, located in Section 27, Twp. 33N, Rge. 1E.,WM, from Heller Road easterly to end of county road, MP 0.000 to MP 0.250, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

10.01.290 "Z" Roads

A. Zylstra Road, Road Log No. 51890, located in Section 5, Twp. 32, Rge. 1E., WM, from Fort Nugent Road northerly to end of county road, MP 1.210 to MP 1.470, twenty five (25) miles per hour (Ord.R-38-97, July 7, 1997, vol. p.)

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HEARING HELD: Ordinance #R-40-97 – Restrictions on Possession Road; one-lane roadway in vicinity of slides & 10 ton load limit from Brockman Road south to end of road

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A Public Hearing was held as scheduled and advertised to receive public input and consider proposed Ordinance #R-40-9 to declare a one-lane roadway in the southbound lane, closing northbound lane and setting 10 ton load limit on Possession Road, in Sections 11, 13 and 14, TWP 28N, Rge 3E, W.M., South Whidbey.

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Lew Legat, Assistant County Engineer, explained that the load restriction and lane width restriction came about as a result of three slides on Possession Road this year. The proposal is to reduce the road to one lane in the vicinity of the bluff failures, and reduce the load limit to 10 tons, except special permits can be issued by Public Works, and exempted are school buses, public transportation,

fuel deliveries and refuse pickup. This action is necessary for public safety and to reduce liability to the county in the slide area. Possession Road is eligible for FEMA funds. An engineering study is currently underway funded by FEMA, and the potential date for reconstruction, given that FEMA funds have not yet been received, is late this year or early next year. A July 1997 date reported was actually the date indicated to begin the engineering process. A contract was signed in June with a consulting firm to review not only this road but five others to come up with alternatives. By imposing the load limit the County is trying to protect what's there, because of already severe damage to the road.

Mr. Kwarsick commented that unlike prior repairs on Possession, the County has hired a geotechnical consultant, Reid Middleton, Lynnwood, who is now reviewing the issue of stability on the road and will propose three different alternative solutions which will be discussed with FEMA. A proposed design will result from that and move forward. FEMA funds are very slow in terms of getting to the County.

Stanley W. Tauscher, President, Possession Point Community Club, representing about 65 members,

referred to their letter dated June 30, 1997, regarding posted road restrictions on Possession Road from Brockman Road to road end and ten ton weight limit and one lane [Commissioners were provided a copy and letter placed on file]. Research on the vehicles and most trucks coming down there are already 10 tons or over and this restriction viewed as unreasonable. The limit means a concrete truck can only haul 3 yards of concrete, a real problem for those in process of rebuilding. He was concerned about what was going to be done about this road built in 1940 and sliding ever since. Every time the road gets fixed, it seems to be only a band aid repair.

One of the residents went on to elaborate on that situation - the limit placed allows 3 yards; the truck empty is about 13-18 tons; 3 tons adds about another 6 or about 24 tons; however, the surcharge is for anything less than 6 yards (\$1400), charged by the supplier to customer. The community has 3,000' of road to maintain and need to be able to bring in gravel trucks for private driveways and access, and other things needed by the Possession Community Club.

One of the ladies in the audience wondered about the type of repairs the County would make, expressing her desire that the road be put in properly and drained, and interested to know what that project could be sped up.

Chairman Shelton confirmed that the County did not want anyone to have to pay more for concrete but does want to make sure the concrete truck is able to deliver the load. Empty, an average concrete truck probably weights 22,000 to 24,000 pounds, add concrete to that at 4,000 pounds a yard, comes to 34,000 - 35,000 pounds, even with only 3 yards of concrete. The County is concerned about the stability of the road; the road built in a very difficult precarious place. In terms of control of runoff the fix proposed is not designed to be a temporary fix. The County expected to receive FEMA funds, and there could be additional funds for restoration of that road.

Responding to a question from another audience member about the restriction being based on the address of the resident rather than the whole road (in his case driveway is 400' before the slide), Mr. Legat said that the County wanted to limit the traffic; i.e. if someone comes down with a load they could turn around at the intersection. If someone needs a delivery exceeding 10 ton limit they can contact the Bayview Road Shop or the Public Works Office and receive a verbal or written permit to proceed, or proceed with restrictions. As proposed the 10 ton limit would start at Brockman Road . He did not know once someone started down that road beyond Brockman Road with a load where they could turn around. As far as the process for obtaining a special permit and the sensitivity and judgment used in determining same, Mr. Legat indicated that the Road Supervisor at the Bayview Road Shop could be given the authority under some situations to give a verbal to proceed; or by calling the Public Works Office in Coupeville if there is extended hauling for written permit.

Another resident believed the road problem was because the County had not maintained it since the park went in - even though residents were assured at the time it would be maintained. This was agreed to by another person in the audience, adding the fact there is no drainage at all and when the park was to go in the residents were given promises.

One of the residents who spoke earlier and is a licensed civil and mechanical engineer, was of the opinion that the root cause definitely was drainage. He thought it would be a good road when fixed, and with the understanding the community wants consideration for current needs, the community will work with the County as long as it does not add extra dollars because of limitations.

Mary Loscher suggested some problems were due to the large boats, trucks and RV's going up and down the road to the park, with heavy use this Fourth of July - perhaps there should be some thought to restricting some of that use until the road gets repaired and restricting the road to just residents and their vehicles.

Jan Smith, Chairman, Port District t of South Whidbey, confirmed this is not a County Park, rather the Port District's park. She offered to those in attendance to attend the Port District meeting scheduled Wednesday night at the Freeland

Library where the issue of the park can be further discussed. Something to remember are the problems of last winter with landslides - unusual because of the heavy amount of snowfall and inordinate amount of rain. One advantage of this being a Port District park is that the District also put in for a FEMA project and she believed by working with the County, perhaps some of the FEMA funding can be expedited.

If the large motor homes and boats are an issue for the road, the Chairman said that one way to resolve that would be for the Port District to temporarily close the park; however, he thought that most recreation vehicles would not approach the weight limit.

Terry Swanson who is just completing a house on along Possession Road, with 2600' of road frontage, a geologist with University of Washington, thought it would cost a fortune to repair the road on a permanent basis, a major undertaking. One suggestion he made was to replant the slopes with conifers, a long term process, as alders will do nothing for the slope. Closing the park in the summer he did not think was a good idea; lots of people and residents of Washington State use the public park. As far as the restriction on Brockman Road, the nearest slope to his property is 500' and there are plenty of places to turn around on his driveway, and restriction it is not necessary on that part of the road. He stated that if a truck wants to turn around in his driveway on his property his permission is given. He does not want to be phoning the County every time he needs to do something. Another suggestion was to consider lifting the restrictions on the road in the summer, but

have the restrictions in place Fall to Winter.

Mr. Kwarsick confirmed with regard to phoning for permit exemption, that is "one phone call per project".

Mr. Legat suggested that the Exhibit be amended to read: 10 tons from a point 500' north of the slide area to the end of the county road". He noted that the consultant could be asked for an opinion as far as lifting this limit sometime later on.

By unanimous motion, the Board approved Ordinance #R-40-97 declaring a one lane roadway in the southbound lane (closing northbound lane) and setting 10 ton load limit on Possession Road with the amendment to Section 10.02.010 Y to include the language "ten tons from a point 500 feet north of the slide area southerly to end of county road".

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

IN THE MATTER OF DECLARING A ONE-LANE ROADWAY)

IN SOUTHBOUND LANE (CLOSING NORTHBOUND LANE)

AND SETTING 10TON LOAD LIMIT ON POSSESSION) ORDINANCE R-40-97

ROAD IN SECTIONS 11 AND 14, TOWNSHIP 28 NORTH,)

RANGE 3E, W.M.)

WHEREAS, RCW 47.48.010 authorizes local governments to restrict vehicular traffic whenever the condition of such road is dangerous to the traveling public; and

WHEREAS, an emergency exists, caused by the recent embankment failure on the bluff side of Possession Road located in Sections 11, 13 and 14, Township 28 North, Range 3 East, W.M.; and

WHEREAS, the Board of County Commissioners has determined that bluff failure on Possession Road necessitates a load limit of 10 tons from Brockman Road southerly to county road end, and

WHEREAS, the Board of County Commissioners has also determined it advisable to declare that portion of Possession Road in the vicinity of the bluff failure as a one-lane roadway in the Southbound lane (closing the Northbound lane);
NOW, THEREFORE

BE IT HEREBY ORDAINED by the Commissioners of Island County, Washington as follows:

That Possession Road be restricted to a load limit of 10 tons from Brockman Road to the end of the county road and to one-lane traffic in the southbound lane in the vicinity of the barricaded bluff failures, as shown in amendments to Island County Code 10.02.010 on

the attached Exhibit A.

THIS ORDINANCE SHALL BE IN FULL FORCE and effect five (5) days from and after its passage into law.

REVIEWED this 16th day of June, 1997, and set for public hearing on the 7th day of July, 1997 at 10:35 a.m.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Attest: Margaret Rosenkranz, County Wm. L. McDowell, Member

Auditor & Ex-Officio Clerk of the Board Tom Shaughnessy, Member

PASSED INTO LAW this 7th day of July, 1997, after public hearing (as amended – see Exhibit A).

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Attest: Margaret Rosenkranz, County Wm. L. McDowell, Member

Auditor & Ex-Officio Clerk of the Board Tom Shaughnessy, Member

Approved as to form:

David L. Jamieson, Jr.

Island County Code Reviser

10.02.010 Road Restrictions

Y. Load Restriction—Possession Road, Road Log #01210 in Sections 11, 13 and 14, Township 28 North, Range 3 East, W.M., M.P. 0.01 to M.P. 1.62; ten (10) tons from a point 500 feet north of the slide area southerly to end of county road; EXCEPT when a special permit has been obtained from the Island County Engineer to exceed the ten (10) ton limit. School buses, public transportation buses, fuel deliveries, and refuse pickup are exempt from this weight restriction.

(Ord. R-40-97, _____, 1997, effective _____, vol. ____, p.____)

Z. Road Restriction—Possession Road, Road Log #01210 in Section 14, Township 28 North, Range 3 East, W.M., one-lane in south-bound lane (north-bound lane closed) in vicinity of barricaded bluff failures.

(Ord. R-40-97, _____, 1997, effective _____, 1997, vol. ____, p.____)

HEARING HELD Application to Perform Work in County R/W to open portion of Hagen Road R/W adjacent to Parcel 359.329, Sec. 23-

TWP 31N-r2E; Joyce Christiansen

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A Public Hearing was held as advertised with respect to application to work in County Right of Way to open a portion of Hagen Road r/w adjacent to the Christians parcel. Mr. Kwarsick stated that there had been no opposition received thus far with respect to the requested application. The applicant needs alternative access to a portion of their property

and there is available for that an unopened county right of way. The Department recommends the Board authorize the opening of this unopened portion of Hagen Road to provide access to a portion of the parcel owned by Joyce Christiansen.

No one in the audience spoke either for or against the requested application.

By unanimous motion, the Board approved the Application as requested and presented.

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HEARING HELD: Ordinance #R-41-97 – Temporary speed limit reductions and temporary load limit on roadways to be used as a detour route during closure of East Camano Drive for reconstruction: ptn. Shumway Rd; Sapphire Dr; Russell Rd; Lehman Rd; Short Rd

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A Public Hearing was held as scheduled and advertised for the purpose of considering Ordinance #R-41-97, Setting Speed Limits and Weight Restriction on County Roads to be used as a detour route during the reconstruction of East Camano Drive, #2.

Dick Snyder, Construction Engineer, explained the proposal to reduce speed limits for the duration of the construction of East Camano Drive. This is not the posted detour route, but increased traffic is anticipated on the side roads that parallel the construction, and speeds need to be at a reduced rate due to expected increased traffic. The ten ton load limit is proposed to prevent use of these local access residential roads from commercial use traveling through to South Camano Island. The reduction in speed limit is from 50 mph on five roads, as follows: Shumway Road from East Camano Drive to Sapphire Drive 25 mph; Sapphire Drive its entire length 25 mph; Russell Road from Sapphire Drive to Lehman Road 35 mph; Lehman Road from Russell road to short Road 35 mph; and Short Road its entire length 25 mph.

No one in the audience spoke either for or against the proposal during the hearing.

By unanimous motion, the Board adopted Ordinance #R-41-97.

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

**IN THE MATTER OF SETTING SPEED LIMITS)
AND WEIGHT RESTRICTION ON COUNTY)**

ROADS TO BE USED AS A DETOUR ROUTE) ORDINANCE NO. R-41-97

DURING THE RECONSTRUCTION OF EAST)

CAMANO DRIVE PHASE 2, CRP 96-06)

WHEREAS, RCW 47.48.010 authorizes local government to restrict vehicular traffic whenever the condition of such road is dangerous to the traveling public; and

WHEREAS, Island County Public Works Department is improving East Camano Drive and will temporarily close that portion to through traffic between Shumway Road in Section 31, Township 32N, Range 3E and Short Road in Section 7, Township 31N, Range 3E; and

WHEREAS, the closing of East Camano Drive to through traffic necessitates a speed limit reduction and a load limit on the below listed roads because of the increase in traffic volume and increase in truck traffic; and

WHEREAS, the Board of County Commissioners has determined it to be in the best interest of the public to set temporary speed limit reductions and a temporary load limit on the roads listed below to be used as a detour during said road closure; **NOW, THEREFORE**,

BE IT HEREBY ORDAINED by the Board of County Commissioners that all those roads listed below shall have a temporary 10 ton load limit and temporary speed limit reduction as shown:

- Shumway Road from East Camano Drive to Sapphire Drive (25 miles per hour)
- Sapphire Drive its entire length (25 miles per hour)
- Russell Road from Sapphire Drive to Lehman Road (35 miles per hour)
- Lehman Road from Russell Road to Short Road (35 miles per hour)
- Short Road its entire length (25 miles per hour)

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT ON JULY 7, 1997, AND SHALL TERMINATE UPON USE OF THESE ROADS AS A DETOUR ROUTE DURING EAST CAMANO DRIVE RECONSTRUCTION.

REVIEWED this 23rd day of June, 1997, and set for public hearing on the 7th of July, 1997 at 10:35 a.m.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

ATTEST: Margaret Rosenkranz, County Wm. L. McDowell, Member

Auditor & Ex-Officio Clerk of the Board Tom Shaughnessy, Member

ADOPTED this 7th day of July, 1997, after public hearing.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Attest: Margaret Rosenkranz, County Wm. L. McDowell, Member

Auditor & Ex-Officio Clerk of the Board Tom Shaughnessy, Member

RESOLUTION #C-34-87 (SW-07-97) RESCINDING RES. #C-122-89 & DIRECTING THAT INTEREST EARNED ON SOLID WASTE WORKING CAPITAL RESERVES BE RETAINED IN THE SOLID WASTE WORKING CAPITAL RESERVE ACCOUNT

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Mr. Kwarsick recalled that this subject was discussed with the Board at a recent staff session. A result of this resolution would be the retainage of Solid Waste interest on solid waste working capital reserves to be retained in the Solid Waste Fund. The proposal would take place over a two-year period with certain percentages of the interest being retained by Current Expense and/or Solid Waste Fund through that two year period, with the end result being that on 1/1/99, 100% of the accrued interest from that point on would be deposited in the Solid Waste Account.

Commissioner McDowell stated that these funds had come to Current Expense Fund for a number of years, last year \$86,000, now basically to be turned back to Solid Waste, with a reduction in tipping

fee as a result. He was very hopeful that the City of Oak Harbor and the disposal company would pass that savings along to the consumers.

Mr. Kwarsick advised that a solid waste rate study had been completed. By adopting the resolution today, the proposed tipping fee can be decreased another \$1.00 .

By unanimous motion, the Board adopted Resolution #C-34-97 as presented.

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

IN THE MATTER OF RESCINDING RESOLUTION)

C-122-89 AND DIRECTING THAT INTEREST) RESOLUTION NO. SW-007-97

EARNED ON SOLID WASTE WORKING CAPITAL) C-34-97

RESERVES BE RETAINED IN THE SOLID WASTE)

WORKING CAPITAL RESERVE ACCOUNT)

WHEREAS, the Board of Island County Commissioners approved resolution C-122-89 on September 25, 1989 which permitted diversion of accrued interest from the Solid Waste Reserve to the Current Expense fund; and

WHEREAS, the Board of Island County Commissioners desires the solid waste tipping fees to be reduced to the lowest level possible to all customers both in the un-incorporated and incorporated areas of the County and, to that end , has determined that said interest should be retained in the Solid Waste Working Capital Reserves (formerly known as Solid Waste Reserves) for the purpose of capital facility maintenance/development, NOW THEREFORE,

BE IT HEREBY RESOLVED that the Board of County Commissioners rescinds Resolution C-122-89 and directs that interest accruing to the Solid Waste Working Capital Reserves be retained in that account, said change in policy to take place over a period of two (2) years beginning January 1, 1998 as follows: Currently 36% of the interest earned is deposited in the Solid Waste account. Starting on January 1, 1998, 68% of the interest will be deposited in the Solid Waste account, and beginning on January 1, 1999, 100% of the interest will be deposited in the Solid Waste account.

ADOPTED this 7th day of July , 1997.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Mac McDowell, Member

Tom Shaughnessy, Member

ATTEST: *Margaret Rosenkranz,*

County Auditor & Ex-Officio Clerk of the Board

RESOLUTION #C-35-97 (SW-008-97) APPROVING USE OF SOLID WASTE WORKING CAPITAL RESERVES TO PROVIDE FOR PAYMENT OF SEPTAGE FACILITY GENERAL OBLIGATION BONDS IF REQUIRED, AND TO ENSURE REPAYMENT OF FUNDS USED FOR THOSE PURPOSES

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In this case, Mr. Kwarsick explained that as part of the rate study mentioned, also reviewed were rates on disposal of septage at the County's Septage Treatment Facility. That facility was funded in part through a grant and in part through 15-year debt. This proposal would enable the County to bolster the revenues received by the septage operation and help extend out the debt service period, thereby allowing reduction of rates on septage.

The important issue according to Commissioner McDowell was the fact that although debt service would be extended out, at the point in time debt service is over those dollars will be refunded to Solid Waste. Mr. Kwarsick agreed, noting the actual dollar amount is highly dependent upon the volume of septage received. If the volume goes up there may be no bolstering of the fund by Solid Waste.

By unanimous motion, the Board approved Resolution #C-35-97 as presented.

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

**IN THE MATTER OF THE BOARD OF ISLAND COUNTY)
COMMISSIONERS APPROVING USE OF SOLID WASTE)**

**WORKING CAPITAL RESERVES TO PROVIDE FOR)
PAYMENT OF SEPTAGE FACILITY GENERAL OBLI-) RESOLUTION NO. SW-008-97
GATION BONDS IF REQUIRED, AND TO ENSURE RE-) C-35-97
PAYMENT OF FUNDS USED FOR THOSE PURPOSES)**

WHEREAS the 1991 comprehensive Solid Waste Management Plan of Island County recom-mended the design and construction of a County owned septage facility for the purpose of providing a long-term, environmentally sound means for the treatment and utilization of residential septage on Whidbey Island; and

WHEREAS, 50% of the cost of the plant was funded by 15 year General Obligation Bonds; and

WHEREAS, annual payment of debt service including principal and interest of said bonds must be provided regardless of the volume of septage coming into the facility NOW, THEREFORE,

BE IT HEREBY RESOLVED by the Board of County Commissioners of Island County, Washington, as follows:

1) In the event that septage volumes do not generate sufficient revenues for repayment of interest and principal, solid waste working capital reserves may be used to provide uninterrupted payment of the debt service obligations related to the septage facilities ; and

2) If use of non-septage based revenues occurs, these funds will be repaid to the solid waste working capital reserves at a time when septage based revenues are sufficient to meet debt service obligations, in no event shall repayment begin later than the date at which the 15 year bond is retired nor be shall repayment period extend for a period longer than ten (10) years following the date at which the 15 year bond is retired.

ADOPTED this 7th day of July, 1997.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Wm. L. McDowell, Member

ATTEST: *Margaret Rosenkranz, County Tom Shaughnessy, Member*

Auditor & Ex-Officio Clerk of the Board

RESOLUTION #R-46-97 Initiating CRP 97-08, W.O. #104, 1997 ACP Overlays, Camano Island; \$452,000; Contractor Lakeside Industries

As presented and summarized by Dick Snyder, the Board by unanimous motion approved Resolution #R-46-97 initiating County Road Project #97-08, Work Order #104, for Camano Island pavement overlays for 1997, for total appropriation of \$451,000, the project included in the adopted annual road program as Item No. 4.

By unanimous motion, the Board adopted initiating resolution #R-46-97 for CRP 97-08.

BOND RELEASE: North Whidbey Enterprises, Bond #5830918; bond covered const. of driveways, stormwater

collection ditches & water system

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Roy L. Allen, County Engineer, by memorandum dated June 25, 1997, having confirmed review of the site for compliance with conditions required and confirmed work had been completed as required, the Board by unanimous motion released Bond #5830918 in the amount of \$110,475.00 for North Whidbey Enterprises, under Binding Site Plan #BSP 08/87.

**DECLARATION OF TRUST BOND – Marilyn J. Bailey, installation
of waterline, Short Plat 51/96; \$2,300**

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On Mr. Kwarsick’s recommendation, the Board by unanimous motion accepted Declaration of Trust submitted by Marilyn J. Bailey guaranteeing installation of waterline for Short Plat #51/96, in the amount of \$2,300.00, the work to be accomplished on or before November, 1997.

**Adopt-A-Road Litter Program Agreement – PRB Associates, Inc., Ault Field Road from SR 20 to intersection
of Goldie Road; and Goldie
Road from city limits to Ault Field Road**

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The Board, by unanimous motion, accepted and approved Agreement with PRB Associates, Inc., for Adopt-A-Road Litter Program, picking up litter within Ault Field Road from SR20 to the Intersection of Goldie Road and Goldie Road from the City limits to Ault Field Road.

**QUIT CLAIM DEED ACCEPTED FROM Darlene P. Waite, R/W West Camano Drive, ptn. Lot 19, Plat of
Highland on Camano; Short Plat 95/96**

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By unanimous motion, the Board accepted for recording a Quit Claim Deed submitted by Darlene P. Waite for right of way on West Camano Drive, within the plat of Highland on Camano Island associated with Short Plat #95/96, provided to the county at no cost.

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PRELIMINARY SITE PLAN SPR#406/96, Central Whidbey Fire & Rescue

Vince Moore, Planning Director, and Stacy Tucker, Assistant Planner, presented for approval, Preliminary Site Plan, SPR #406/96, by Central Whidbey Fire & Rescue, a two-phased development of a fire station and training facility, on Parcel #R23017-456-3250, Greenbank, Wa. On June 5, 1997, the Hearing Examiner recommended approval, subject to conditions recommended by staff. Applicant concurred with the conditions. Joe Biller, Fire Chief, was present in support of the application.

By unanimous motion, the Board approved preliminary site plan approval SPR #406/06 by Central Whidbey Fire & Rescue.

RELEASE OF LANDSCAPE BOND - RENEE'S ON CAMANO

RESTAURANT SITE PLAN SPR #066/93

Debra Little, Development Services Manager, presented for Board acceptance a recommendation to release Declaration of Trust bond for completion of the landscaping plan for Renee's on Camano Restaurant Site plan #066/93. The bond was accepted by the Board on September 23, 1996, and the

Department verified on visit to the site on June 19, 1997, that landscaping improvements were completed in accordance with the approved landscape plan.

The Board, by unanimous motion, released landscape bond under SPR #066/93.

FINAL PLAT ALTERATION APPROVAL - PLA #066/97, ROBERT L. BROG

Mr. Moore presented final plat alteration PLA #066/97, for approval today, submitted by Robert L.

Brog, to relocate the 10' wide community trail easement from its current location, 5' along each side of the boundary between Lots 8 and 9, to the SE boundary of Lot 8, Block 1 in the replat of La Bella Vista, Parcel No's: S7305-00-01008-0 and S7305-00-01009-0. Lots 8 and 9 are subject to the dedications, restrictions and covenants of the replat of La Bella Vista recorded 10/21/63. The project is located at 474 E. Vista Road, Freeland. Stacy Tucker confirmed staff recommendation to approve the Plat Alteration.

By unanimous motion, the Board approved PLA #066/97.

Application for Transfer of Classified or Designated Forest Land

to Current Use Classification" (Teresa McCourt)

The Auditor transmitted to the Board an application for Timber Land classification as provided under RCW 84.34.020(3). The application is to be acted upon after a public hearing and after notice of public hearing having been given by one publication in a newspaper of general circulation at least ten days before the hearing. By unanimous motion, the Board accepted the application and scheduled same for public hearing on September 15, 1997 at 10:45 a.m., providing sufficient time for Planning Department staff review and report on this application.

HEALTH DEPARTMENT CONTRACTS APPROVED

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Tim McDonald, Health Services Director, presented a number of Health Contracts for the Board's review and approval, most having been discussed previously at staff session. The Board, by unanimous motion, approved the following contracts:

Contract HD-08C-97, between Island County and South Whidbey School District for School Health Specialist Services, in the amount of \$12,650.00;

Contract Amendment: HS-05-95(1) - between Island County and Michael Hansen adding \$1,000 for training for new substance abuse prevention specialist;

Consolidated Contract #9920-04737 Amendment 4, with State Department of Health, changing quarterly reporting for breast & cervical health program to semi-annual, and increasing by \$21,000 local capacity funds for Camano Island Community Mobilization pilot project.

Contract HS-05-96 Amendment 1 Extending Ending Date to 12/31/97 - between Island County and Wendy Rowe, for substance abuse prevention evaluation.

PERSONNEL ACTION AUTHORIZATIONS

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The Board took the following action, on unanimous motion, approving personnel action authorizations as presented by Terry Chevront, representing the Human Resources Department:

PAA #62/97 Assessor's Office, Cartography Assistant, Position #117.02, replacement, 7/7/97

PAA #64/97 Sheriff's Department, Corrections Lt. (Sgt.), Position #4011.01, replacement - taking into account leave payout, new hire date 10/10/97

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PAA #65/97 Sheriff's Department, Corrections Officer, Position #4015.01, replacement, with
leave payout, new hire date 8/29/97

PAA #66/97 Auditor's Office, Deputy Auditor-Auditing, replacement, 7/7/97.

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Claim for Damages 97-038 Karen Brazelton

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Betty Kemp, Director, GSA/Risk Management, presented Claim for Damages #97-038 by Karen Brazelton. The Claim was filed on June 9, 1997, in the amount of \$5,000,000, alleging civil rights violation by the Sheriff's Office which prevented her from obtaining employment. An internal investigation by the Sheriff's Office resulted in a determination that the claim is without cause and denial recommended. Ms. Kemp concurred in that recommendation.

By unanimous motion, the Board denied Claim for Damages #97-038.

There being no further business to come before the Board at this time, the Chairman
adjourned the meeting at 2:00 p.m. The next meeting of the Board will be held
on 7/14/97 @ 9:30 a.m.

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