

# ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING

## REGULAR SESSION - JUNE 15, 1998

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on June 15, 1998 beginning at 9:30 a.m., in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa. Wm. L. McDowell, Chairman, Tom Shaughnessy, Member, and Mike Shelton, Member, were present. Also in attendance were Margaret Rosenkranz, Clerk of the Board, and Ellen Meyer, Administrative Assistant to the Board.

### VOUCHERS AND PAYMENT OF BILLS

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

**Voucher (War.) # 28045-28300**.....\$ 427,865.93;

(Voucher #9810186 pulled for further review of correct departmental account, the voucher in the amount of \$9,014.10 to be presented next week)

### APPOINTMENTS NAMED

By unanimous motion, the Board named the following individuals to the Island County Parks Board, Conservation Futures Technical Advisory Group and Island County Park Board, and Island County Mental Health and Substance Abuse Advisory Board:

**Island County Parks Board:** Mrs. Lois Fisher, Oak Harbor - 6-year term effective 6/30/98 Island

**County Conservation Futures Technical Advisory Group:** Bill Vaux, Stanwood

**Island County Mental Health & Substance Abuse Advisory Board:** Mike Hawley, Island County

Sheriff, a term to June 30, 2001; and Jeanne Yassick, Camano Island, a term to June 30, 2001.

### PERSONNEL AUTHORIZATION ACTIONS

Dick Toft, Director, Human Resources Department, presented an overview of three proposed Personnel Authorization Actions described below:

#### **Department PAA # Description/Position No. Action Eff. Date**

**Planning** 046/98 Plans Examiner/Bldg. Inspector - New Position 6/15/98

Temporary Position #402

Assist for 4 month period, temporary, with backlog of permits and seasonal upsurge in building permit requests, as well as two inspectors being out on leave.

**Auditor** 047/98 Indexing Deputy-Records Reduction in Hours 6/15/98

Position 208

Reduce hours to half-time position at request of employee occupying the position; trial for a 4-month period.

**Auditor** 048/98 Indexing Deputy-Records New Position 6/15/98

Position #208 – Temporary

This new position to cover the remaining 4 hours from above position, is only for as long as Position 208 stays half-time.

By unanimous motion, the Board approved PAA 046/98 effective June 15, 1998; PAA 047/98 effective June 15, 1998; and PAA 048/98 effective today with the note this position is only for the period that PAA 047/98 stays halftime. Individual hired into this position will be made fully aware of the temporary nature of this position.

### **Claim for Damages R98-13CD, Richard Flajole**

Betty Kemp, Director, General Services Administration, presented for the Board's action, Claim for Damages R98-13CD by Richard Flajole, filed on May 15, 1998. Mr. Flajole alleges his car was damaged when he drove through freshly painted white line on Honeymoon Lake Road, and reported damage to vehicle in the amount of \$940.04. On investigation of this claim, Mark Greene, Coupeville Road Shop Supervisor, advised that the County Paint Striper had been striping fog lines on that day, did not test the paint, and believed that that fog line paint may not have dried as fast as it should have. The claim has been determined to be County error and approval of the claim is recommended.

By unanimous motion, the Board approved for payment Claim for Damages R98-13CD by Richard Flajole, in the amount of \$940.04.

## **APPROVAL OF REVISION TO ISLAND COUNTY COMPREHENSIVE**

### **EMERGENCY MANAGEMENT PLAN**

The Board received from T. J. Harmon, Island County Department of Emergency Services, a cover memorandum dated June 2, 1998, transmitting a copy of the 1998 revision of the Island County Comprehensive Emergency Management Plan for approval and signature. Ms. Harmon's memo explained that the plan had been formatted to be consistent with the State Plan and Federal Response Plan, and was intended to be used as a comprehensive framework for county wide mitigation, preparedness, response and recovery activities, and provide better operability between local, state and federal governments during time of emergencies or disasters.

By unanimous motion, the Board approved the Plan and signed the following Letter of Promulgation:

#### **LETTER OF PROMULGATION**

This document is adopted as the Island County Comprehensive Emergency Management Plan, as approved by the Board of County Commissioners. The Plan is the culmination of a two-year planning effort on behalf of all County Departments and results in the definition of departmental responsibilities in preparing for, responding to, and recovering from emergencies. It is designed to comply with applicable federal and state regulations, Island County Ordinance No. ES-83-01, and provides policies and procedures to be followed when dealing with emergency operations or situations.

This document is an all-hazard plan, intended for use in any emergency beyond the control or capability of ordinary departmental response. One of the primary objectives of the Plan is to ensure the most effective use of all County resources during emergency operations.

This Plan replaces all previous County emergency plans, with use effected immediately. All plans produced prior to this date will be discarded.

Approved by: Submitted by:

J. Michael Shelton, Michael A. Hawley, Sheriff

County Commissioner, District #1 Director, Emergency Services

Wm. L. (Mac) McDowell,

County Commissioner, District #2

Tom Shaughnessy,

County Commissioner, District #3

**RESOLUTION #C-75-98 [SW-003-98] AMENDING THE CONTRACT FOR RECYCLE SERVICES FOR COLLECTION AND PROCESSING OF RECYCLABLES COLLECTED AT ISLAND COUNTY RECYCLE PARKS ON NORTH AND CENTRAL WHIDBEY**

Larry Kwarsick, Public Works Director, submitted Amendment #3 for the purpose of extending contract for recycle services – collection and processing of recyclables collected at Island County recycle parks on North and Central Whidbey, to June 30, 2001, and modify the compensation for the designated recyclables at \$45/Ton. at Coupeville Recycle Center and Oak Harbor Recycle Park. The contract has been reviewed and approved by the Deputy Prosecuting Attorney and the Risk Manager.

By unanimous motion the Board approved Resolution #C-75-98 [SW-003-98] amending the contract for recycle services for collection and processing of recyclables collected at Island County Recycle Parks on North and Central Whidbey Island, and that the Board expressly waive the competitive solicitation in accordance with Island County Code 2.29.030.L.

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF AMENDING )  
THE CONTRACT FOR )  
RECYCLE SERVICES: COLLECTION )  
AND PROCESSING OF RECYCLABLES ) RESOLUTION NO. C - 75- 98  
COLLECTED AT ISLAND COUNTY )  
RECYCLE PARKS ON NORTH AND ) SW-003-98  
CENTRAL WHIDBEY ISLAND; )  
AMENDMENT NO. 3, EXTENDING )  
CONTRACT TO JUNE 30, 2001 )

I. RECITALS AND FINDINGS

- 1.1 Recycling is a priority above waste disposal in the approved Island County Comprehensive Solid Waste Management Plan.
- 1.2 The recycle services contract entered into June 14<sup>th</sup>, 1993, as amended October 24, 1994 and December 15<sup>th</sup>, 1997 between Island County and Oak Harbor Recycling Center expires on June 30, 1998.
- 1.3 A three (3) year extension will allow the contractor to purchase and pay for recycle equipment that will provide a benefit to the recycling public and competitive solicitation for this services contract is waived by the Board of County Commissioners pursuant to ICC 2.29.030.L.

1.4 Operational changes are not reflected in the original Terms & Conditions and Scope of Work attached to contract and it is necessary to make such changes.

II. CONTRACT AMENDMENT AUTHORIZED AND  
EXTENSION TO JUNE 30, 2001 APPROVED

2.1 The Board of County Commissioners of Island County, Washington, having determined that extension of said contract to the end of June, 2001 is in the best interest of the County, hereby authorizes the execution of Contract Amendment No. 3 to the Contract, a copy of which is attached hereto as Exhibit A.

ADOPTED this 15<sup>th</sup> day of June, 1998.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

WM. L. McDOWELL, Chairman

MIKE SHELTON, Member

TOM SHAUGHNESSY, Member

ATTEST:

MARGARET ROSENKRANZ

Clerk of the Board

EXHIBIT A

CONTRACT AMENDMENT NO. 3

This Amendment No. 3 to the Contract to Provide Recycling Services for Island County is made and entered into by and between Island County, a political subdivision of the State of Washington (the "County") and Oak Harbor Recycling Center (the "Contractor").

CONTRACT AMENDMENTS

1. The second sentence of Section I in said contract dated June 14, 1993 is hereby Amended to read:

Said services are generally described as follows:

Provisions of services for Coupeville Recycle Center and the Oak Harbor Recycle Park consisting of a system for the processing of specific recyclable materials identified by the County at the cost to Island County of \$45.00 per ton for designated recyclables.

2. Revised Terms & Conditions and Scope of Work as part of this Contract amendment are hereto attached.

EFFECTIVE DATE

This Amendment No. 3 shall take effect and be in force on the first day of July, 1998. All provisions of the original Contract not expressly amended herein remain in full force and effect.

Dated this 15<sup>th</sup> day of June, 1998.

CONTRACTOR: BOARD OF COUNTY COMMISSIONERS

Oak Harbor Recycling Center ISLAND COUNTY, WASHINGTON

By: Mary Malsam, Owner Wm. L. McDowell, Chairman

Dated this 11 day Mike Shelton, Member

of June, 1998 Tom Shaughnessy, Member

ATTEST: Margaret Rosenkranz,

Clerk of the Board

**RESOLUTION #C-76-98 [SW-002-98] CONTRACT AMENDMENT #2 – EXTENDING CONTRACT FOR RECYCLE SERVICES – COLLECTION AND PROCESSING OF RECYCLABLES COLLECTED AT ISLAND COUNTY RECYCLE PARKS ON SOUTH WHIDBEY ISLAND , AMENDMENT #2 EXTENDING CONTRACT TO JUNE 30, 2003**

Next, Mr. Kwarsick submitted Amendment #2 for the purpose of extending the contract for recycle services – collection and processing of recyclables collected at Island County recycle parks on South Whidbey, extending the contract to June 30, 2003, again with the modification of the compensation for the designated recyclables at \$45.00 per ton for designated recyclables, \$-0- per ton for scrap steel collected at Freeland; \$30.00 per ton for scrap steel collected at Coupeville and \$45.00 per ton for collected plastics at Freeland. Contract has been reviewed and approved by the Deputy Prosecuting Attorney and the Risk Manager.

By unanimous motion the Board approved Resolution #C-76-98 [SW-002-98] amending the contract for recycle services for collection and processing of recyclables collected at Island County Recycle Parks on South Whidbey between Island County and David Campbell dba Island Recycling, and that the Board expressly waive the competitive solicitation in accordance with Island County Code 2.29.030.L.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF AMENDING THE CONTRACT)

FOR RECYCLE SERVICES: COLLECTION AND )

PROCESSING OF RECYCLABLES COLLECTED ) RESOLUTION NO. C -76- 98

AT ISLAND COUNTY RECYCLE PARKS ON ) SW-002-98

SOUTH WHIDBEY ISLAND; AMENDMENT NO. 2, )

EXTENDING CONTRACT TO JUNE 30, 2003 )

I. RECITALS AND FINDINGS

1.1 Recycling is a priority above waste disposal in the approved Island County Comprehensive Solid Waste Management Plan.

1.2 The recycle services contract entered into June 14<sup>th</sup>, 1993 and as amended December 15<sup>th</sup>, 1997 between Island County and David Campbell, doing business as Island Recycling expires on June 30, 1998.

1.3 A five (5) year extension will allow the Contractor to purchase and pay for recycle equipment that will provide a benefit to the recycling public and competitive solicitation for this services contract is waived by the Board of County Commissioners pursuant to ICC 2.29.030.L.

1.4 The Contract does not allow for differentiation in compensation between designated recyclables and plastics. Plastics have a significantly lower density and disproportionately high handling cost on a per ton basis.

1.5 Operational changes are not reflected in the original Terms & Conditions and Scope of Work attached to contract and it is necessary to make such changes.

II. CONTRACT AMENDMENT AUTHORIZED AND  
EXTENSION TO JUNE 30, 2003 APPROVED

2.1 The Board of County Commissioners of Island County, Washington, having determined that extension of said contract to the end of June, 2003 is in the best interest of the County, hereby authorizes the execution of Contract Amendment No. 2 to the Contract, a copy of which is attached hereto as Exhibit A.

ADOPTED this 15<sup>th</sup> day of June, 1998.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

WM. L. McDOWELL, Chairman

MIKE SHELTON, Member

TOM SHAUGHNESSY, Member

ATTEST:

MARGARET ROSENKRANZ

Clerk of the Board

EXHIBIT A

CONTRACT AMENDMENT NO. 2

This Amendment No. 2 to the Contract to Provide Recycling Services for Island County is made and entered into by and between Island County, a political subdivision of the State of Washington (the "County") and David Campbell, doing business as Island Recycling (the "Contractor").

CONTRACT AMENDMENTS

1. The second sentence of Section I in said Contract dated August 9, 1993 is hereby Amended to read:

Said services are generally described as follows:

Provisions of services for Freeland and Bayview Recycle Parks consisting of a system for the processing of specific recyclable materials identified by the County at the cost to Island County of \$45.00 per ton for designated recyclables, \$ -0- per ton for scrap steel collected at Freeland, \$30.00 per ton for scrap steel collected at Coupeville and \$45.00 per ton for collected plastics at Freeland.

2. Revised Terms & Conditions and Scope of Work as part of this contract amendment are hereto attached.

EFFECTIVE DATE

This Amendment No. 2 shall take effect and be in force on the first day of July, 1998. All provisions of the original Contract not expressly amended herein remain in full force and effect.

Dated this 15<sup>th</sup> day of June, 1998.

CONTRACTOR: BOARD OF COUNTY COMMISSIONERS

David Campbell, dba ISLAND COUNTY, WASHINGTON

Island Recycling WM. L. McDOWELL, Chairman

By: David Campbell, Owner MIKE SHELTON, Member Dated this 11<sup>th</sup> day TOM SHAUGHNESSY, Member of June, 1998

ATTEST: Margaret Rosenkranz

Clerk of the Board

**CHANGE ORDER #8 TO COUNTY ROAD PROJECT CRP 96-13**

**EAST CAMANO DRIVE, PHASE I**

Mr. Kwarsick recommended approval of Change Order #8 to CRP #96-13, East Camano Drive, Phase I, in the amount of \$70,000 compensating contractor, R Excavating, Everett, in full for all costs associated with any and all claims pertaining to the project, including the utility delay that occurred between the dates of June 2 and June 20, 1997, as presented in Contractor letters dated November 6 and December 15, 1997, and as further described in Contractor letter dated January 22, 1998. Upon payment of the \$70,000 to the Contractor, any and all claims in any manner arising out of or pertaining to the East Camano Overlay and widening, Phase I CRP 96-13, W.O. 137, have been satisfied in full and Island County released and discharged from any claims or extra compensation in any manner. This settlement was worked out with GTE and GTE is participating in the settlement in the amount of 50% per signed letter from GTE confirming that obligation.

By unanimous motion, the Board took action to approve Change Order to CRP #96-13, East Camano Drive, Phase I, with the Contractor R Excavation, for \$70,000, and that \$70,000 split 50/50% between Island County and GTE.

**PUBLIC HEARING SCHEDULED: ORDINANCE #C-74-98 [PLG-027-98] REPEAL OF ICC CHAPTERS 16.22 AND 16.23 REGARDING CAMANO COMMUNITY COUNCIL AND GREENBANK COMMUNITY COUNCIL**

The Board considered proposed Ordinance #C-74-98 which would repeal Ordinance #C-004-95, Island County Code 16.22 and Ordinance #C-04-96, Island County Code 16.23, the framework ordinances for the work on the Camano

Community Council and Greenbank Community council. The State Act upon which the community councils were established and the community councils themselves were found by the Thurston County Superior Court and Washington Supreme Court to be void and invalid as being in violation of the Washington State Constitution.

By unanimous motion, the Board set the ordinance for public hearing on July 13, 1998 at 10:45 a.m.

**financial Reports**

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

***Auditor Monthly Review of Revenues and Expenditures***

Neither the Auditor nor Treasurer were available for today's report. The Treasurer did, however, by memorandum dated June 9, 1998, provide her current expense report for May, 1998, which shows that revenues are up from the 1997 revenue figure at this time by \$291,446, and disbursements up by \$537,594.

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

adjourned the meeting at 10:35 a.m. to meet next in Regular Session on June 22, 1998

beginning at 11:00 a.m.

**BOARD OF COUNTY  
COMMISSIONERS**

**ISLAND COUNTY, WASHINGTON**

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Wm. L. McDowell, Chairman

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Tom Shaughnessy, Member

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Mike Shelton, Member

**Attest:**

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Margaret Rosenkranz,

Clerk of the Board