

# ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING

## REGULAR SESSION - NOVEMBER 23, 1998

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on November 23, 1998, beginning at 11:30 a.m., in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa. Wm. L. McDowell, Chairman, and Mike Shelton, Member, were present; Tom Shaughnessy, Member, absent.

### Roundtable Meeting with Island

#### County Elected Officials

**Elected Officials:** Tom Baenen, Assessor; Maxine Sauter, Treasurer; Bill Hawkins, Prosecutor; Mike Hawley, Sheriff; Suzanne Sinclair, Auditor

**Others:** Dick Toft, Human Resources Director; Margaret Rosenkranz, Budget Director.

No new items of concern were brought up to discuss at this time. In general, Elected Officials expressed appreciation for the Board's developing this meeting format, felt it of value, had provided positive results, and agreed the meetings should continue in the next year.

Commissioner Shelton stressed the importance of keeping open lines of communication between the Board and Elected Officials; it does not mean they have to agree, only that there be the open communication.

Commissioner McDowell believed one of the positive results was the forming of the Law and Justice sub-group that met and made a budget package recommendation to the Board. He thought that had worked out very well and thanked everyone who participated. He also suggested it might be worthwhile that the Assessor, Auditor and Treasurer think along similar lines and form a sub-group to come up with a budget priority for those three offices.

Next meeting with Elected Officials: December 28, 1998 at 11:30 a.m.

After the meeting with Elected Officials, the Regular Meeting of the Board resumed at 1:30 p.m., Wm. L. McDowell, Chairman, Tom Shaughnessy, Member, and Mike Shelton, present.

### MINUTES APPROVED

The Board, by unanimous motion, approved and signed the following Minutes from previous meetings:

- September 22 Special Session - GMA Noon Workshop
- September 22 Special Session – GMA Public Hearing 6:00 p.m.
- September 23 Special Session – GMA Workshop Noon
- September 23 Special Session – GMA Workshop 4:00 p.m.
- September 24 Special Session – GMA Noon Workshop
- September 24 Special Session – GMA Public Hearing

### VOUCHERS AND PAYMENT OF BILLS

The following vouchers/warrants were approved for payment by unanimous motion of the Board: **Voucher (War.) # 38934 – 39203..... \$706,693.65.**

**Veterans Assistance Fund:** [emergency financial assistance to certain eligible veterans; the names and specific circumstances are

maintained confidential]. The Board, by unanimous motion, after having received and reviewed the recommendation of the Veterans Assistance Review Committee, accepted the recommendation resulting in the following action:

Claim V98-18 Approved in the amount of \$800.00

Claim V98-19 Approved in the amount of \$752.53

Claim V98-20 Denied in entirety

### **Staff Session for December**

The Board approved for distribution, the Staff Session schedule for December, 1998, outlining staff sessions to be held on December 9 and 23, beginning at 9:00 a.m.

### **Island County Civil Service Commission**

By unanimous motion, the Board accepted the resignation of Patricia A. Sandberg from membership on the Island County Civil Service Commission, and appointed Albert "Bill" Vincent to fill that position for a term to February 1, 2000.

### **North Sound Regional Support Network**

#### **Advisory Board**

The Board, by unanimous motion, appointed Amy Ayers, Coupeville, to serve on the North Sound Regional Support Network Advisory Board for a term to June 30, 1999.

### **Assumption of Liquor License #360025-4L,**

#### **Hong Kong Garden**

Based on favorable recommendation from the Sheriff, the Board, on unanimous motion, approved forwarding recommendation of approval to the Washington State Liquor Control Board for assumption of Liquor License #360025-4L, Hong Kong Garden, from YU-LI, Inc., dba Hong Kong Garden Restaurant, Clinton, to KINLIN, Inc.

### **CLAIM FOR DAMAGES #R98-040-CD, Brazelton**

Betty Kemp, Director, GSA/Risk Management, presented for Board action, Claim for Damages #R98-040-CD by Ms. Brazelton, alleging County refused to provide reasonable accommodation

for disability. On Ms. Kemp's recommendation of denial, the Board by unanimous motion, denied said claim.

### **Contract #ICPD-004-99 with JBL Construction for**

#### **Freeland Hall Handicap Ramp**

Ms. Kemp asked that the Board approve and sign Contract for Services with JBL Construction Inc., of Freeland, in the amount of \$26,760.32 to do all work and furnish all tools, material and equipment for Freeland Hall Handicap Ramp project. As she explained, intent is to do the work necessary in order to make restroom facilities ADA accessible. JBL Construction, Inc., was the lowest of five bidders on the project and Ms. Kemp recommended the Board award the bid.

Commissioner Shaughnessy expressed some concern over what he felt was somewhat excessive for providing a handicap ramp and suggested perhaps looking at a different less-cost design, and inquired about options with ADA accessibility in light of the age of the building.

Ms. Kemp explained the building is under County ownership; Small Works Roster process was used to solicit bids.

The intent is to do the work necessary in order to make restroom facilities comply with ADA accessible requirements. JBL Construction, Inc., was the lowest of five bidders on the project. The three low bids were: \$31,250; \$28,450; and \$26,760.32. The bathrooms are downstairs and the ramp will be on the outside. The building is old, available to the public and used regularly in Freeland.

While Commissioner Shelton tended to agree with Commissioner Shaughnessy about the amount of money, he was well aware ADA compliance is not an option and moved approval of the contract with JBL Construction, Inc., in the amount of \$26,760.32.

Without a second from Commissioner Shaughnessy, the motion was seconded by the Chair, and carried by majority vote; Commissioner Shaughnessy voting in opposition.

**Resolution #C-154-98 Proclaiming World**

**Aids Day December 1, 1998**

Commissioner Shelton read a proposed proclamation for those present and the record which, if adopted, would proclaim World AIDs Day as December 1, 1998.

Lea Kouba, AIDs Case Manager, Island County Health Department, encouraged the Board's adoption of the Resolution. Activities in Island County for World AIDs Day are being organized by the HIV/AIDs Task Force. There are two programs planned this year, both on December 1<sup>st</sup> from 7:00 to 8:00 p.m.: (1) Parker Hall, Oak Harbor High School; and (2) South Whidbey High School Auditorium. Work is being done on Camano Island as well, working with churches and pastors to bring a message around World AIDs Day. She believed that the Board by adopting the proclamation makes an important statement to the community.

The Board, by unanimous motion, adopted Resolution #C-154-98 proclaiming World AIDs Day December 1, 1998.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS**

**ISLAND COUNTY, WASHINGTON**

**IN THE MATTER OF PROCLAIMING } P R O C L A M A T I O N**

**WORLD AIDS DAY DEC. 1, 1998 } RESOLUTION #C-154-98**

**WHEREAS**, the global spread of HIV infection and AIDS necessitates a worldwide effort to increase communication, education and action to stop the spread of HIV/AIDs; and,

**WHEREAS**, the joint United Nations Program on HIV/AIDs (*UNAIDS*) observes December 1 of each year as *WORLD AIDS DAY*, a day to expand and strengthen the worldwide effort to stop the spread of HIV/AIDs; and

**WHEREAS**, *UNAIDS* estimates that 30.6 million people are currently living with HIV/AIDs, with young people under the age of 25 accounting for at least half of all new infections; and

**WHEREAS**, the American Association for World Health is encouraging better understanding of the challenge of HIV/AIDs nationally as it , recognizes that the number of people diagnosed with HIV and AIDS in the United States continues to increase; and

**WHEREAS**, World AIDS Day provides an opportunity to focus on HIV infection and AIDS, caring for people with HIV infection and AIDS, and learning about HIV and AIDS; and

**WHEREAS**, the 1998 World AIDS Day theme "*Be a Force for Change*" (a) challenges young people around the world to recognize the crucial role they play in the ever-changing course of the AIDS pandemic; (b) aims to motivate young people to get involved in reducing the spread of HIV; and (c) encourages them to have compassion for and lend

support to those affected by HIV/AIDS.

**BE IT HEREBY RESOLVED** that the Board of Island County Commissioners declare **December 1, 1998** as **WORLD AIDS DAY**, urge that Island County citizens take part in activities and observances designed to increase awareness and understanding HIV/AIDS as a global challenge, and to join in the global effort to prevent the further spread of HIV/AIDS.

**ADOPTED** this 23 day of November, 1998.

**BOARD OF COUNTY COMMISSIONERS**

**ISLAND COUNTY, WASHINGTON**

Wm. L. McDowell, Chairman

**ATTEST:** Tom Shaughnessy, Member

Mike Shelton, Member

Margaret Rosenkranz,

Clerk of the Board

**Resolution #C-155-98 Proclaiming and Observing December 7<sup>th</sup> Each Year As Pearl Harbor Remembrance Day**

Proposed proclamation was read for the record by Commissioner Shelton. Glen Nichols, Langley, active in the American Legion Post, makes sure to remind the Board concerning the adoption of this proclamation each year.

By unanimous motion, the Board adopted Resolution #C-155-98 proclaiming and Observing December 7<sup>th</sup> each year as Pearl Harbor Remembrance Day.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF PROCLAIMING )

DECEMBER 7TH OF EACH YEAR AS ) RESOLUTION NO. C-155-98

PEARL HARBOR REMEMBRANCE DAY )

\_\_\_\_\_)

WHEREAS, on December 7, 1941, the Imperial Japanese Navy and Air Force attacked units of the armed forces of the United States stationed at Pearl Harbor, Hawaii; and

WHEREAS, more than 2,000 citizens of the United States were killed and more than 1,000 citizens of the United States were wounded in the attack on Pearl Harbor; and

WHEREAS, the attack on Pearl Harbor marked the entry of the United States into World War II; and

WHEREAS, the veterans of World War II and all other people of the United States commemorate December 7th in remembrance of the attack on Pearl Harbor; and

WHEREAS, commemoration of the attack on Pearl Harbor will instill in all people of Island County a greater understanding and appreciation of the selfless sacrifice of the individuals who served in the armed forces of the United States during World War II; NOW, THEREFORE,

BE IT HEREBY RESOLVED that the Board of County Commissioners of Island County, Washington, concur and join with action by

the One Hundred and Third Congress of the United States of America in proclaiming December 7th of each year as "Pearl Harbor Remembrance Day" in Island County, and that this Board of Commissioners calls on all citizens, groups and organization of the County to observe the day with appropriate ceremonies and activities, and urge all individuals and agencies to fly the flag of the United States at half-staff each December 7th in honor of the individuals who gave their lives at Pearl Harbor for the betterment of the lives of all Americans.

ADOPTED this 23<sup>rd</sup> day of December, 1998.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Wm. L. "Mac" McDowell, Chairman

Mike Shelton, Member

ATTEST: Tom Shaughnessy, Member

Margaret Rosenkranz

Clerk of the Board

**HEARING SCHEDULED: ORDINANCE #C-156-98 AMENDING ICC**

**CHAPTER 3.06, LODGING EXCISE TAX, TO ESTABLISH A LODGING**

**TAX ADVISORY COMMITTEE**

The Board, on motion adopted unanimously, scheduled a public hearing to consider Ordinance #C-156-98 amending Island County Code, Chapter 3.06, Lodging Excise Tax, to Establish a Lodging Tax Advisory Committee, for December 14, 1998 at 11:30 a.m.

**HEARING HELD: Resolution #C-142-98 - Supplemental**

**Appropriation to the 1998 Solid Waste Fund**

A Public Hearing was held for the purpose of considering proposed Resolution #C-142-98, Declaring a Supplemental Appropriation to the 1998 Solid Waste Fund. The supplemental appropriation is in the amount of \$30,000, and as explained by the Budget Director, comes from funding awarded from the Washington State Litter Control fund.

There were no comments from members of the public, either for or against said Supplement. By unanimous motion, the Board adopted Resolution #C-142-98 as scheduled and advertised, in the amount of \$30,000.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF ISLAND COUNTY, WASHINGTON

**IN THE MATTER OF DECLARING A SUPPLEMENTAL )**  
**APPROPRIATION TO THE 1998 ISLAND COUNTY ) RESOLUTION C-142 -98**  
**SOLID WASTE FUND )**

*WHEREAS*, the State of Washington has awarded Litter Control funding to Island County for the 1998 Solid Waste budget in the amount of \$30,000, and

*WHEREAS*, there is a need to recognize these monies to allow expenditures in excess of the 1998 budgets heretofore authorized by the Board of Island County Commissioners as shown on Exhibit A; and

*WHEREAS*, RCW 36.40.100 requires that a public hearing be held prior to adoption of supplemental appropriations; *NOW THEREFORE*

*BE IT RESOLVED*, that a public hearing be held at the hour of 1:45 p.m. on the 23<sup>rd</sup> day of November 1998, at the usual meeting place of the Board in Coupeville to consider these proposed supplemental appropriations.

*Adopted* this 2nd day of November, 1998.

**Board of County Commissioners**

**Island County Washington**

Wm. L. McDowell, Chairman

**ATTEST:**

Tom Shaughnessy, Member

Margaret Rosenkranz, Clerk of the Board

Mike Shelton, Member

*IT IS HEREBY APPROVED AND ORDERED* that the amounts shown on Exhibit A be appropriated and distributed as shown within the 1998 Island County Solid Waste Fund budget.

*ADOPTED* this 23rd day of November, 1998.

**Board of County Commissioners**

**Island County Washington**

Wm. L. McDowell, Chairman

**ATTEST:**

Tom Shaughnessy, Member

Margaret Rosenkranz, Clerk of the Board

Mike Shelton, Member

*(Note: Exhibit A on file with the Clerk of the Board)*

**HEARING HELD: Resolution #C-143-98 - Emergency  
appropriation to various 1998 Budgets**

A Public Hearing was also held in order to consider Resolution #C-143-98, an emergency appropriation in the 1998 Budgets of the following Funds: Capital Facilities (REET 2), Public Works, Family Resource Center South Whidbey, Family Resource Center Camano Island, Construction & Acquisition and Equipment Rental & Revolving Funds.

According to Ms. Rosenkranz, this represents a variety of funds and Exhibit A identifies funding source and application of funds, reviewed previously with the Board during staff session.

Anna Tamura, Public Works Department, advised that since the resolution had been drafted bids for the fuel facilities had been received, higher than anticipated. Therefore, she presented an amendment to Exhibit A at this time under ER&R the addition \$35,000 for the Coupeville Fuel facility and \$32,000 for the Camano Fuel Facility, the funding source from use of beginning fund balance, bringing the total for these two projects from \$102,000 to \$169,000. There were no comments made, either for or against said emergency appropriation, by members of the public.

By unanimous motion, the Board adopted Resolution #C-143-98 as scheduled and advertised, and considered this date, described in Exhibit A, and in addition, providing under the ER&R Fund, an additional \$35,000 for the Coupeville Fuel facility and \$32,000 for the Camano Fuel Facility, the funding source from use of beginning fund balance, bringing the total for these two projects from \$102,000 to \$169,000, the total of this emergency appropriation being \$1,627,245.00.

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

<b>IN THE MATTER OF DECLARING AN</b>	)	
<b>EMERGENCY IN THE 1998 BUDGETS OF</b>	)	
<b>THE</b>		
<b>FOLLOWING FUNDS: CAPITAL</b>	)))	
<b>IMPROVEMENTS REET 1, CAPITAL</b>		
<b>FACILITIES REET 2, PUBLIC WORKS,</b>	)	<b>RESOLUTION C-143 -</b>
<b>FAMILY RESOURCE CENTER SOUTH</b>		<b>98</b>
<b>WHIDBEY, FAMILY RESOURCE CENTER</b>	)	
<b>CAMANO ISLAND, CONSTRUCTION AND</b>	)	
<b>ACQUISITION AND EQUIPMENT RENTAL</b>	)	
<b>&amp; REVOLVING FUNDS</b>	))	

*WHEREAS*, it appears that an emergency (legislative definition) exists in the 1998 Island County Capital Improvements REET 1, Capital Facilities REET 2, Public Works, Family Resource Center South Whidbey, Family Resource Center Camano Island, Construction and Acquisition, and Equipment Rental & Revolving Fund budgets that could not be foreseen when those budgets were adopted, and

*WHEREAS*, funding for various projects and expenditures has been determined necessary for this budget year, and

*WHEREAS*, additional funding sources have been identified, and

*WHEREAS*, funds need to be recognized in these budgets in the amount of one million five hundred sixty and two hundred and forty-five and 00/100 dollars (\$1,560,245) to cover these expenditures, and

*WHEREAS*, RCW36.40.140 requires that a public hearing be held at which any person may appear and be heard for or against this proposed emergency appropriation, *NOW THEREFORE*

*BE IT RESOLVED*, that a public hearing be held at the hour of 1:45 p.m. on the 23<sup>rd</sup> day of November 1998, at the usual meeting place of the Board in Coupeville to consider this proposed emergency appropriation to the 1998 Island County Capital Improvements REET 1, Capital Facilities REET 2, Public Works, Family Resource Center South Whidbey, Family Resource Center Camano Island, Construction and Acquisition, and Equipment Rental & Revolving Fund budgets in Exhibit A.

*ADOPTED* this 2nd day of November, 1998.

**Board of County Commissioners**

**Island County Washington**

Wm. L. McDowell, Chairman

**ATTEST:**

Tom Shaughnessy, Member

Margaret Rosenkranz, Clerk of the Board

Mike Shelton, Member

*IT IS HEREBY APPROVED AND ORDERED* that the amount of one million five hundred sixty and two hundred and forty-five and 00/100 dollars (\$1,560,245) be appropriated and distributed as shown within the 1998 Island County Capital Improvements REET 1, Capital Facilities REET 2, Public Works, Family Resource Center South Whidbey, Family Resource Center Camano Island, Construction and Acquisition, and Equipment Rental & Revolving Fund budgets in Exhibit A.

*ADOPTED* this 23rd day of November, 1998.

**Board of County Commissioners**

**Island County Washington**

Wm. L. McDowell, Chairman

Tom Shaughnessy, Member

**ATTEST:**

Mike Shelton, Member

Margaret Rosenkranz, Clerk of the Board

*(Note: Exhibit A placed on file with Clerk of the Board)*

**Consultant Agreement for Appraisal Services #PW-982057**

**The Granger Company**

Based on recommendation of Larry Kwarsick, Public Works Director, the Board by unanimous motion approved and signed Consultant Agreement for Appraisal Services #PW-982057 with The Granger Company to conduct right of way and real property appraisals for Island County over a 24 month period, not to exceed a maximum of \$45,000.

**Adopt-A-Road Litter Control Agreement –**

**Greenbank Garden Club**

The Board, on unanimous motion, approved Adopt-A-Road Litter Control Agreement – Greenbank Garden Club for Smugglers Cove Road from 3376 to 3870.

**Abutter's and Drainage Agreement & Covenants – Nichols Brothers Boat Builders, Langley Properties & Taylor United, Inc.**

Abutter's and Drainage Agreement and Covenants was presented by Mr. Kwarsick, between the County and Nichols Brothers Boat Builders, Langley Properties & Taylor United, Inc. The purpose of the Agreement and Covenants is to repair the dike adjacent to Shoreview Drive located on parcels in the plats of Harbor Shores and Freeland. Island County within its right-of-way has a berm, for purposes of this agreement denoted as a dike, which provides protection for flooding along Shore Avenue. The dike is in need of repair and the agreement proposes the County work

together with Nichols Brothers to provide the necessary of the dike and in coordination with that, Nichols Brothers has agreed to provide shore protection along the front footage of their boat launch facility.

By unanimous motion, the Board approved Abutter's and Drainage Agreement and Covenants with Nichols Brothers Boat Builders, Langley Properties and Taylor United, Inc.

**RESOLUTION #C-157-98 (R-60-98) INITIATING PWP#4-98, COUPEVILLE**

**SHOP FUEL STATION REPLACEMENT PROJECT**

As presented by the Public Works Director, the Board by unanimous motion adopted Resolution #C-157-98 [R-60-98] to initiate Public Works Project #4-98, Work Order #267, for a total budget appropriation of \$136,428.75, including contract construction, equipment purchase and contingencies.

*[Resolution #C-157-98, a Road Department Resolution #/R-60-98, is on file with the Clerk of the Board]*

**Bid AWARD -- Coupeville Shop Fuel Station Replacement**

As provided by Public Works staff, the Board received a recommendation to award bid for the Coupeville Shop Fuel Station Replacement was to Glacier Environmental Services Inc., Mukilteo, in the total amount of \$73,690.31, including sales tax. From the Small Works Roster, seven bid packages were sent out to contractors in the area who specialize in fuel station work. Because of the required underground fuel tank removal, only 2 submitted bids. The bid award is recommended to the low bidder. As Gary Hess indicated, this does not include the equipment.

The Board, by unanimous motion, awarded bid to the low bidder, Glacier Environmental Services, Inc., in the total amount of \$73,690.31, as recommended, and authorized the Chairman's approval and signature on the Contract and Performance Bond when received from Contractor.

**Resolution #C-158-98 (R-61-98), initiating PWP 5-98, WO 32**

**CAMANO FUEL STATION REPLACEMENT PROJECT**

As presented by the Public Works Director, the Board by unanimous motion, adopted Resolution #C-158-98 [R-61-98] to initiate Public Works Project #598, Work Order #32, representing a total budget appropriation of \$118,540.16 including contract construction, equipment purchase and contingencies.

*[Resolution #C-158-98, a Road Department Resolution #/R-61-98, placed on file with the Clerk of the Board]*

**Bid Award -- Camano Shop Fuel Station Replacement**

As was the case with the award of bid Coupeville Shop Fuel Station Replacement, Mr. Hess recommended bid award to Glacier Environmental Services Inc., for the Camano Shop Fuel Station replacement, in this case for the total amount of \$57,401.72, including sales tax, again the low bidder.

The Board, by unanimous motion, awarded bid to the low bidder, Glacier Environmental Services, Inc., in the total amount of \$57,401.72, as recommended, and authorized the Chairman's approval and signature on the contract and Performance Bond when received from Contractor.

**APPROVAL OF PRD 140/96 & USA 141/96**

Debra Little, Development Services Coordinator, presented for Board approval, PRD 140/96 & USA 141/96, by Terry and Fawn Swanson and James and Ruth Thoren, Trustees, located in Sections 11/14-28N-3E, Possession Road, South Whidbey. For clarification, Ms. Little confirmed that although the original request was for 10 lots, it is now a 9 lot PRD. Staff recommended approval which the Planning Commission adopted with some minor changes. This represents an increase in base density from one dwelling unit for five acres, to one dwelling unit for every 2.5 acres, on approximately 22.64 acres of Rural Residential zoned land.

By unanimous motion, the Board granted preliminary approval of PRD #140/96 and Use Approval #141/96 as recommended by the Planning Commission.

*[Note: the Decision Document signed by the Board, and copy placed on file with the Clerk of the Board]*

**Resolution #C-159-98 Declaring County Surplus Property**

Low Legat, as a follow-on from discussion at recent Staff Session with the Board, presented for approval, Resolution #C-159-98 to declare County Property Surplus. A 1940 Treasurer's Deed included reference to County interest in a tract of land as a county gravel pit, when in fact the County has no interest in the phrase included in Treasurer's Deed; there is no such county gravel pit, and this title needs to be cleared.

The Board, by unanimous motion, approved Resolution #C-159-98.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS**

**OF ISLAND COUNTY, WASHINGTON**

***IN THE MATTER OF DECLARING )***

***COUNTY PROPERTY SURPLUS ) RESOLUTION NO. C-159-98***

WHEREAS, the County Treasurer's Deed dated August 7, 1940, AF#51543 concerning property as shown on Exhibit "A" gives the County an interest in the property and the right to mine gravel; and

WHEREAS, the County has no interest in exercising this right; and

WHEREAS, Island County Code 2.31.010 requires the Board to declare property surplus prior to transfer of ownership; therefore

BE IT HEREBY RESOLVED by the Board of County Commissioners of Island County, Washington, that the interest in property shown on Attachment "A" is surplus to County needs and it is in the best interest of the County and the people thereof that subject property be sold.

Adopted this 23<sup>rd</sup> day of November 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

**Quitclaim Deed for Unnamed Gravel Pit – Camano Island**

In further action to clear title of the property indicated in Resolution #C-159-98, the Board by unanimous motion approved a Quitclaim Deed as presented, for the unnamed gravel pit located on Camano Island for which the County has no interest [releases County interest in 1940 verbiage on Treasurer's Deed referring to gravel pit which the County

has no knowledge of].

**Agreement – Fuel/Oil Use, Fire District #1**

The Board, by unanimous motion, approved and signed Agreement to sell fuel and oil to Fire District #1, Camano Island, a recurring agreement year to year.

**HEARING SCHEDULED: Resolution #C-160-98 Comprehensive Plan --Stormwater & Flood Hazard Management Plan**

On unanimous motion, the Board scheduled public hearing for the purpose of considering Resolution #C-160-98 [R-62-98], Comprehensive Plan – Stormwater & Flood Management plan, for December 21, 1998 at 10:15 a.m.

**Resolution #C-161-98 – Redefining The Public Works Director’s Authority & Responsibilities due to Transfer of Community Development Staff AND Responsibility from Planning AND Community to Public Works**

Mr. Kwarsick presented for the Board’s review and approval a resolution to designate responsibility for various activities in Island County Code Titles 14, 16 and 17. It was Mr. Kwarsick’s preference that 17.03.230, Existing Uses, be struck from the list because he thought it very important that he have the ability to make decisions regarding existing uses. Other than that, he supported adoption of the resolution.

Vince Moore, Planning Director, recommended that remain under the Planning Department. The entire Code, he believed, basically related to interpretation of the Plan under the Growth Management Act. There are aspects that relate to the permit structure, but there are also aspects that relate to the interpretation of what is intended in the Plan.

The Board, by unanimous motion, approved Resolution #C-161-98 in the matter of redefining the Public Works Director’s authority and responsibilities due to transfer of Community Development staff and responsibility from Planning and Community Development to Public Works, including 17.03.230.

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

**IN THE MATTER OF REDEFINING THE )  
PUBLIC WORKS DIRECTOR’S AUTHORITY ) RESOLUTION NO. C-161-98  
AND RESPONSIBILITIES DUE TO TRANSFER )  
OF COMMUNITY DEVELOPMENT STAFF )  
AND RESPONSIBILITY FROM PLANNING )  
AND COMMUNITY DEVELOPMENT TO )  
PUBLIC WORKS )  
)  
)  
)**

**WHEREAS**, on October 2, 1998, the Board of County Commissioners transferred staff and responsibilities for Community Development under the former Planning and Community Department to Public Works; and

**WHEREAS**, it is necessary to define the portions of Island County Code that are now under the authority and responsibility of the Public Works Director; and

**WHEREAS**, it is necessary to define the authority and responsibilities still residing with the Planning Director.

**NOW THEREFORE BE IT HEREBY RESOLVED** that the Island County Board of County Commissioners declare that for the purposes of administration and interpretation of ICC Titles 14,16 and 17, the Public Works Director is designated and assigned the authority and responsibilities of the Planning Director, except that the following sections of the code shall reside and remain with the Planning Director:

- o 16.14C.040 - SEPA Responsible Official duties under ICC for non-project actions and project actions for which the Department of Public Works is the applicant;
- o 16.26 - Comprehensive Plan/Development Regulations Amendment Review;
- o 17.03.050 - Zoning Classifications and Overlays;
- o 17.03.220 - Zoning Amendments;
- o 17.03.260 Penalties and Enforcement;

**ADOPTED** this 23<sup>rd</sup> day of November 1998.

**BOARD OF COUNTY  
COMMISSIONERS**

**ISLAND COUNTY WASHINGTON**

Wm. L. McDowell, Chairman

Tom Shaughnessy, Member

Mike Shelton, Member

**Attest:** Margaret Rosenkranz

Clerk of the Board

**RESOLUTION #c-162-98 [R-50-98] REVIEWING AND AMENDING**

**THE PUBLIC WORKS Fee Schedule**

Mr. Kwarsick explained that all fees listed under Health were approved by the Board of Health recently; this reflects the action of the Board of Health under the column for the health permitting fees. He brought this to the Board primarily as a result of the fact that the GMA in its implementing development regulations changed numerous processes and paths for development, and in some cases, established new processes. Intention is not to increase fees, but to assign fees for various new processes and paths that development will follow. He then reviewed and discussed with the Board a few key elements of the proposed new fee schedule.

**Item #2 percentage setback reduction--new total \$200 [old \$80]**

The administrative setback reduction process has two different paths, one a simpler path – setback averaging which is shown at the same fee; the percentage setback reduction is a very similar duty for what is required under the variance process, which has an fee of \$623, and staff recommended there be an increase for that percentage setback reduction because it is substantially above and beyond setback averaging requirements. Mr. Kwarsick believed there was a greater effort involved in a percentage setback than the setback averaging, but he also told the Board he would have no objection retaining that fee at \$80 for time being and bring it back to the Board after some experience gained under the new code.

Board consensus: Percentage Setback Reduction; Community Development fee \$16; Health \$64, for a total of \$80.

**Item #7 Certificate of Concurrence**

In this case, Mr. Kwarsick pointed out that the process itself is graduated and, and he tried to create a fee schedule that

was graduated. Single family is exempt; it is a residential non-exempt activity. This is a direct reflection of concurrency requirements under GMA. The fee schedule proposed is strictly for Island County's ordinance.

### **Item #10 Drainage Review**

Drainage – final plan now includes \$550 for conventional and \$250 low-impact. Under the system currently in place, surface water problems have been addressed through the site plan process. Under the new ordinance, most projects will be occurring at the building permit level and fees need to be applied for evaluation of drainage plans at the building permit level.

### **Item #11 Environmental Impact Statement**

The existing fee for Planning for an EIS is \$3,000, now proposed to go up by \$250, in that

Engineering did not previously charge a fee for review of an EIS.

### **Item #14 Grading Permit; Grading Plan Review; Erosion & Sedimentation Control Plan Review**

Class IV, Forestry – proposed for a total fee of \$250. This is an activity that the County has for Class IV conversions and there has always been a fee, but for the most part the fee represented work done under SEPA; about half the fee deals with public notice. The engineered grading plan review is something new and the fee proposed is \$550 and relates to excavations with 5,000 cu. yds. or greater. Erosion & sedimentation control plans are similar to the example on binding site plan, and the total fee proposed is \$150.

### **Item #20 Road Establishment Petitions and Road Name Changes**

In looking at the amount of work involved in changing addresses from the County perspective,

this is a fee when a member of the public is presenting a petition to the County to change a public or private road name and has nothing to do with I-COM required road name changes. The fees proposed are believed to reflect the costs incurred by the County.

### **Item #26 Vacation of County Right-of-Way**

A petition for vacation comes with a \$500 bond currently [by law] and no change is proposed.

### **Item #28 Water System Review**

Correction: the fee listed under Community Development should say Planning.

### **Item #30 Working on County Right-of-Way**

Commissioner Shaughnessy expressed some concern this appeared to be an arbitrary fee increase. Mr. Kwarsick explained the figure had been rounded from \$230 fee to \$250 for unopened right of way, representing \$232 Engineering and \$18 Health Department. This fee was last raised a decade ago and a study down showed that it cost more than twice that to inspect and do the work.

Commissioner Shelton recognized the recommended fee was a matter of trying to make the permit somewhat comparable to what it costs the County; again, the fee had not been raised in more than a decade and this is an increase because in fact it costs more to do the job.

Commissioner Shelton moved approval of Resolution #C-162-98 [R-50-98] amending Public Works Fee Schedule,

Exhibit A, with correction noted to Item #2 – Percentage Setback Reduction fee to remain at \$80, and an asterisk on the last page of Exhibit A to note:

Item #28 Water System Review, Item #8, CZC, and Item #19, Rezones, to correctly reflect that those portions of the fee shown under Community Development actually goes to the Planning Department.

No second forthcoming from Commissioner Shaughnessy, the motion was seconded by the Chairman, and carried by majority vote; Commissioner Shaughnessy voted in opposition.

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

<b>IN THE MATTER OF REVIEWING ) AND AMENDING THE PUBLIC )  WORKS FEE SCHEDULE )</b>	<b>RESOLUTION NO. C-162-98  R-50-98</b>
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**WHEREAS**, the Board of Island County Commissioners have established and adopted new processes, procedures and official land use control pursuant to RCW 36.70A, the Growth Management Act; and

**WHEREAS**, changes in fees are found to be necessary to offset direct administrative costs associated with review;  
**NOW, THEREFORE,**

**BE IT HEREBY RESOLVED**, that the fee schedule attached as Exhibit "A" shall be established and the fees paid to Island County for deposit, at the time of application or submittal for approval, whichever is applicable.

**BE IT HEREBY FURTHER RESOLVED** that Exhibit "A" shall become effective on December 1, 1998, and the fees in Exhibit "A" are to be reviewed and updated on an annual basis.

**ADOPTED** this 23<sup>rd</sup> day of November, 1998.

**BOARD OF COUNTY COMMISSIONERS**

**ISLAND COUNTY, WASHINGTON**

*Wm. L. McDowell, Chairman*

*Mike Shelton, Member*

[voted No: Tom Shaughnessy, Member]

**ATTEST:** Margaret Rosenkranz, Clerk of the Board

*(Note: Exhibit A, Fees, placed on file with the Clerk of the Board)*

**Consolidated Health Contract Amendment C06977(5)**

By unanimous motion, the Board approved Consolidated Health Contract #C06977 Amendment #5, adding \$2,062 to the contract for the period October through December, 1998, relating to health programs: tobacco assistance (media campaign) and WIC (equipment purchase).

**CONTRACT AMENDMENT APPROVAL - McConnell/Burke, Inc.**

Vince Moore, Planning Director, presented Contract Amendment approvals between the County and McConnell/Burke, Inc. #11, 12 and 13, regarding completion of the Comprehensive Plan and related projects, as follows:

Amendment #11: Phase 12 - \$5,900 Housing Needs

Phase 13 - \$4,000 Non-residential Uses

Phase 14 - \$7,600 Draft EIS

Phase 15 - \$5,600 Staff Training

Amendment #12: Phase 16 - Comprehensive Plan Revisions [date to 12/2/98] and Basis of Compensation for Services

Amendment #13: Phase 17 - \$9,850 - Applications & Public Information Forms

The Board, by unanimous motion, approved Contract Amendments #11 and #13 to the McConnell/Burke, Inc., contract, with Amendment #12 held for further discussion with Mr. Moore at an up-coming staff session.

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

adjourned at 3:30 p.m., to meet next in Regular Session next on December 7, 1998 at

9:30 a.m. (Thursday & Friday November 26 & 27 – Thanksgiving Holiday – Courthouse

Closed; November 30 is a 5<sup>th</sup> Monday and no Board meeting is scheduled)

**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