

ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING

REGULAR SESSION - DECEMBER 28, 1998

The Board of Island County Commissioners met in Regular Session on December 28, 1998, beginning at 11:30 a.m. to meet with Elected Officials, meeting in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa.

Roundtable Meeting with Island County Elected Officials

County Commissioners: Wm. L. McDowell; Mike Shelton

Elected Officials: Tom Baenen; Mike Hawley

Staff: Cathy Caryl; Diana Vaughn; Chris Nelson; Stan Bradshaw; Dick Toft;

Others: Bill Thorn, Commissioner-elect; Mary K. Doody, Whidbey Reporter

Enhanced 9-1-1 System

Sheriff Hawley advised that E-911 would come on line at Midnight December 31, 1998. Still working to get the last of the network in and is close to being done. A follow-on issue is to make sure County employees are aware they need to dial **9-911** from the in-house County phone system. Chairman McDowell asked that Cathy Caryl prepare a memo to employees about how to dial 911 from the office phone system, and to look into setting up an auto dial for 911 as a speedy dial for County phones, and if done, let all employees know.

Gun Lockers

There is still a problem with regard to gun lockers in the Courthouse [old building] or the lack thereof. There was an individual standing outside the Courthouse door by the Assessor's Office with a revolver wanting to know where he could lock the gun up while in the Courthouse. Individual was made aware he could use the gun locker in the Sheriff's Department located in a secure place, but chose not to do so, wanting instead a gun locker located in the old Courthouse Building.

New Courthouse Plans . Late Spring as far as the bid being complete and getting started.

Computer Problems

Mr. Baenen expressed some concern about the overall implementation of the network and on-going support services and training which will be very much in demand by a lot of departments very soon.

Ms. Caryl advised that the network itself has been in place for quite awhile. Central Services is creating applications which will give all the departments access to the assessment package and data a lot more readily than before. What will be provided to most departments will be a viewer system that gives all information needed and will be attaching the source view system. She thought that a few general training sessions would take care of the need. In terms of the switch over from the mainframe to the new system and the ability to produce appraisal cards or actual tax statements she was comfortable with the status. Historically with the mainframe, boxes of blue-bar paper were used, now will need only copier or lazer jet paper. Central Services is budgeted to support the old mainframe printers and she hoped those funds would support most of the additional needs, and when running tax statements, that would come from Central Services budget She has anticipated some change in budget but at this point did not see a huge difference. As far as system shut-downs, there will be a back up on the system. She did point out to everyone that this year will be sort of an "experiment". Ms. Caryl will have the assessment and taxation system and most likely the recording system tied by early Spring. Central Services will be working on the permit tracking system the first of the year and hopes to have it all done by summer.

Commissioner Shelton noted that in January, the Washington Association of Cities and Counties were conducting a

Y2K seminar. There is a group of people on South Whidbey who came together trying to anticipate things that might affect the general population. Some of them would like to go to that seminar and he has a call in to the WSAC office to see if it is possible for some of them to go at the County rate.

Ms. Caryl is looking at several examples of how to go through and try to catch everything, and has started a list of what needs to be looked at. Her biggest concern is how people will react and cause an impact versus actual problems that might be faced. A presentation has been developed by the Central Services office for all employees in January to provide an idea of what is being done with the networks, what to do and what not to do regarding Y2K [looking to schedule employee meetings].

Roundtable adjourned 11:55 a.m. Next Roundtable 1/25/99 @ 11:30 a.m.

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on December 28, 1998, at 1:30 p.m. in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa., with Commissioners Wm. L. McDowell, Chairman, Tom Shaughnessy, Member, and Mike Shelton, Member, present.

VOUCHERS AND PAYMENT OF BILLS

The following vouchers/warrants were approved for payment by unanimous motion of the Board: **Voucher (War.)** #s 41021 – 41230.....\$ 132,509.27.

COMMISSIONER SHAUGHNESSY PRESENTED AWARD

It was with great pleasure that the Chairman presented to Commissioner Tom Shaughnessy a Certificate of Appreciation for his service as County Commissioner, with a special inscription of a particular quotation from Sir Winston Churchill.

Board of Trustees – Camano Mosquito Abatement District

By unanimous motion, the Board made the following reappointments to the Board of Trustees of the Camano Mosquito Abatement District:

Grant Lawrence Term expiring January 1, 2001

Valerie Marsh Term expiring January 1, 2001

William Enger Term expiring January 1, 2001

Lodging Tax Advisory Committee (2% HOTEL-MOTEL TAX)

As the Chairman noted, Island County Code was changed to comply with new 1998 State Legislative requirements, specifying certain committee representation, and the Board adopted Ordinance # C-156-98, effective 14 December 1998. The new committee is to be comprised of 13 members, one member is the Chairman of the Board, who serves as the committee chair. The Board will review committee membership annually and make changes as appropriate. In addition to the Chairman of the Board serving on the Committee, the Board, by unanimous motion, named the following members:

Representing businesses subject to the tax:

Lyle Spink (*B & B*)

John Stone (*Hotel*)

Don DeBode (*Hotel*)

Joe Franssen (*Motel*)

Anita Anderson (*B & B*)

Robert Whitlow (*B & B*)

Representing those from activities eligible to receive the tax funds:

Lynn Tippery (*Freeland Chamber of Commerce*)

Stan Stanley (*Oak Harbor Chamber of Commerce*)

Jim Koepke (*Kiwanis Club of Oak Harbor*)

Keith Englund (*Camano Chamber of Commerce*)

Jackie Vincent (*Central Whidbey Chamber of Commerce*)

Joan Houchen (*Is. Co. Historical Society Museum*)

Island County Planning Commission

On motion of Commissioner Shelton, the Board unanimously appointed Mike Joselyn, Freeland, as a member of the Island County Planning Commission, with a term to expire on January 1, 2003, to replace Linda Moore who earlier resigned.

Sno-Isle Regional Library Board

CONCURRENCY OF APPOINTMENT

The Board, on adopting unanimous motion, concurred in the appointment made by Snohomish County Council of Karla McConnell to a seven year term on the Sno-Isle Regional Library Board. (*concurrency required by RCW 27.12.190*)

Freeland And Clinton Sub-Area Planning

Advisory Committees

By unanimous motion, the Board appointed the following individuals to serve on the Freeland Sub-Area Planning Advisory Committee and Clinton Sub-Area Planning Advisory Committee:

Freeland Clinton Sub-Area Planning Advisory Committees

Jerry Stonebridge *Jack Sikma

Tom Roehl Pete Friedman

Jerry Robillard Allen Peyser

Chuck Edwards Helga Johnson

Steve Shapiro

(Note: see minutes 1/4/99 – inasmuch as Jack Sikma is not a registered voter in Island County, the appointment was rescinded and another individual appointed)

Clinton Sub-Area Planning Committee

Mary Jane Aurdal Patrick J. Normile, Sr. Stuart Munson

Douglas Zook John Q. Cooper

Donald O. Nelson, Sr. Mike Helland

Phillip E. Moore, Jr. Vince Mack.

Staff Session for January, 1999

The Board the Staff Session schedule for distribution for the month of January, 1999, with regular staff sessions on January 6 & 20, beginning at 9:00 a.m., held in the Courthouse Annex Hearing Room.

New Application for Liquor License # 021525-4I,

La Creperie, Freeland

Having received favorable recommendations from the Sheriff's Office and Health Department, the Board by unanimous motion voted to forward a recommendation of approval to the State Liquor Control Board on Liquor License #021525-4I, for La Creperie in Freeland.

HEARING HELD: Ordinance #C-166-98, Change in Designation of County Emergency Services Director and Amendment

of Section 9.24A.050 ICC

A Public Hearing was held at 1:55 p.m., as scheduled and advertised, to consider Ordinance #C-166-98, Change in Designation of County Emergency Services Director and Amendment of Section 9.24A.050 ICC. The proposed Ordinance would amend Island County Code 9.24A.050 to change the director of the County's Emergency Services Management Department from the Sheriff to an appointee of the Board under the supervision of the General Services Administration Director.

No comments were made either for or against the proposed Ordinance.

By unanimous motion, the Board adopted Ordinance #C-166-98, change in designation of County Emergency Services Director and Amendment of Section 9.24A.050 ICC, and to rescind approval of the revised Ordinance #C-126-98.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF ISLAND COUNTY, WASHINGTON

CHANGE IN DESIGNATION)

OF COUNTY EMERGENCY) **ORDINANCE NO. C-166-98**

SERVICES DIRECTOR AND)

AMENDMENT TO SECTION)

9.24A.050 ICC)

WHEREAS, state law requires each county to have a local organization for emergency management with a director appointed by the Board of County Commissioners; and

WHEREAS, Island County's emergency management department was previously established and in 1991 the Island County Sheriff was designated as the director of emergency management for Island County rather than having a separate county official be the director due to then existing county budget

limitations; and

WHEREAS, the county's budget limitations from 1991 have been remedied and the Sheriff has requested that his position now be relieved of the additional work and responsibility of being the director of emergency services; and

WHEREAS, this Board wishes to amend the Emergency Management Director position to be an appointee of the Board and subject to the supervision of the county General Services Administration Director; NOW, THEREFORE,

BE IT HEREBY ORDAINED that Ordinance No. C-172-91 adopted December 16, 1991 and ICC 9.24A.050 are amended to read as set forth on Exhibit "A" attached hereto. Underlined material is added to the existing code and lined through material is deleted.

Reviewed this 7th day of December, 1998, and set for public hearing on the 28th day of December, 1998 at 1:45 p.m. in the Commissioners' Hearing Room.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Wm. L. McDowell, Chairman

Mike Shelton, Member

Tom Shaughnessy, Member

ATTEST:

Margaret Rosenkranz

Clerk of the Board

Ordinance C-166-98 is adopted this 28th day of December, 1998 following public hearing.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Wm. L. McDowell, Chairman

Mike Shelton, Member

Tom Shaughnessy, Member

ATTEST: Margaret Rosenkranz

Clerk of the Board

APPROVED AS TO FORM:

David L. Jamieson, Jr.

Deputy Prosecuting Attorney and

Island County Code Reviser

EXHIBIT "A"

ISLAND COUNTY CODE

9.24A.050 Director of Emergency Service--Powers and Duties

There is hereby created the Island County Emergency Services Department, to be headed by a director of emergency services. The director shall ~~be the same person as the Island County Sheriff~~ appointed by the Board of County Commissioners and the director who shall be directly responsible for the organization, administration, and operation of the Island County Emergency Services Department. The director shall be subject to the supervision of the General Services Administrative Director. The Island County Emergency Services Department shall represent only the political subdivision of Island County. The director of emergency services is empowered:

- A. To control and direct the effort of the Island County Emergency Services Department (ICESD) for the accomplishment of the purposes of this chapter;
- B. To direct coordination and cooperation between divisions, services, and staff of the ICESD, and to resolve questions of authority and responsibility that may arise between them; and,
- C. To represent the ICESD in all dealings with public or private agencies pertaining to emergency services.

Hiring Requests & Personnel Actions AND CONTRACT

AMENDMENT-BENEFITS ADMINISTRATION

As presented and reviewed briefly by Dick Toft, Human Resource Director, the Board by unanimous motion, approved three personnel actions, as follows:

District Court 101/98 Court Clerk #1002.07 New Position 12/28/98

District Court 124/98 Court Clerk #1005.00 Replacement 12/28/98

HR/Bud. Dir 123/98 Adm. Asst. #2303.00 Increase Hrs. 12/28/98.

PLAN MEMBER SERVICES CORPORATION -- ADMINISTRATIVE SERVICES CONTRACT RENEWAL - (Flexible Benefit Plan [section 125, IRC])

Dick Toft presented a contract renewal with Plan Member Services Corporation [Contract RMHR-98-0084] representing the provision of administrative services for the operation of Employer's Flexible Benefits Plan, in accordance with Section 125 of Internal Revenue Code. The contract has been reviewed and approved through County contract review. The last contract in place was in 1992. Contract renewal comes with increased costs to \$3.60 per employee versus prior amount \$3.00 at the inception of the contract in 1992. Mr. Toft's recommendation was that the Board approve the contract renewal, but that during the course of the new year, he will search out other programs potentially offering a lower price.

By unanimous motion, the Board approved contract #RM-HR-98-0084 between Island County and Plan Member Services Corporation, and that the Board concurs in the waiving of competitive solicitations.

Brons Property Donation – 13.62 Acres,

Bayview Road, South Whidbey

Lee McFarland, Parks Superintendent, presented the paperwork necessary, including Statutory Warranty Deed, Real

Estate Excise Tax Affidavit, and Supplemental Statement, to accept and approve a property donation of 13.62 acres from Alvin R. Brons, located on Bayview Road, South Whidbey just west of the Cemetery [parcel #R32197-035-0330]. The property is donated with the stipulation: *"This property donated to Island County Parks for use by the public forever and shall be forever known as Marguerite Brons Memorial Park"*.

On unanimous motion, the Board accepted the Brons Property Donation of 13.62 acres located on Bayview Road and authorized the Board's signature on the necessary paperwork to accomplish same.

HEALTH CONTRACTS APPROVED

The Board, having reviewed contracts for various health services at staff session with appropriate health staff, by unanimous motion approved the following contracts:

- Contract #HS-02-99, Island County/Community Mental Health, Mental Health Millage Funds \$51,811
- Contract #HS-01-99, Island County/DSHS HEP B Vaccine Injection
- Contract #HS-09-98 Mini Grant, Island County and Catholic Community Services, \$2,500
- Contract #99-340 (Date Change), Americorps Ropes Challenge Program position, \$3,000

CONTRACT AMENDMENTS APPROVED

By unanimous motion, the Board approved the following amendments to existing contracts:

- Contract #EM997062, Amendment C, Washington State Military Department, a contract having to do with E-911 adding \$53,360 for a back-up radio system;
- Amendment #2 to Agreement for Professional Services with Keith Dearborn, extending date to December 31, 1999 and adding \$150,000;
- Amendment #2 to Agreement for Professional Services with Bogle & Gates extending date to

December 31, 1999 and adding \$50,000;

- Island County/Solid Waste Management of Skagit County, Contract Extension #2, regarding recycling services on Camano Island extending contract to 12/31/99.

HEARINGS HELD: EMERGENCY AND SUPPLEMENTAL APPROPRIATIONS

Resolution #C-167-98 Emergency Appropriation to 1998 Mental Health Fund Budget; Resolution #C-168-98 Supplemental Appropriation to 1998 Developmental

Disabilities Fund and Mental Health Fund Budgets

A Public Hearing was held, as advertised and scheduled, to consider Resolution #C-167-98, an emergency appropriation to the 1998 Mental Health Fund Budget in the amount of \$12,442.00 from increased millage subcontracts, and Resolution #C-168-98, a supplemental appropriation in the amount of \$5,000 for Developmental Disabilities awarded from Washington State Department of Health, and for the 1998 Mental Health Fund Budget \$24,000 for crisis response and \$7,083 for administration both coming from the North Sound Regional Support Network.

There were no comments made, either for or against the emergency appropriation or supplemental appropriation, by members of the public.

By unanimous motion the Board approved Resolution #C-167-98, an emergency appropriation to the 1998 Mental

Health Fund Budget, and Resolution #C-168-98, a supplemental appropriation in the Developmental Disabilities Fund Budget and 1998 Mental Health Fund Budget.

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

**IN THE MATTER OF DECLARING AN)
EMERGENCY IN THE 1998 MENTAL HEALTH) RESOLUTION C-167-98
FUND BUDGET)**

WHEREAS, it appears that an emergency (legislative definition) exists in the 1998 Island County Mental Health Fund budget that could not be foreseen when that budget was adopted, and

WHEREAS, funding for increased Millage subcontracts has been determined necessary for this budget year from unrecognized funds in the Mental Health

Fund, and

WHEREAS, funds need to be recognized in the amount of Twelve Thousand Four Hundred Forty Two dollars (\$12,442) to cover these expenditures, and

WHEREAS, RCW 36.40.140 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 1:55 p.m. on the 28th day of December 1998, at the usual meeting place of the Board in Coupeville to consider this proposed emergency appropriation to the 1998 Island County Mental Health Fund.

ADOPTED this 14th day of December, 1998.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Wm. L. McDowell, Member

Tom Shaughnessy, Member

Mike Shelton, Chairman

Attest: *Margaret Rosenkranz*

Clerk of the Board

IT IS HEREBY APPROVED AND ORDERED that the amount of Twelve Thousand Four Hundred Forty Two dollars (\$12,442) be appropriated and distributed as shown within the 1998 Island County Mental Health Fund budget.

Fund/Department	Source of Funds	Application of Funds		Amount
Mental Health Fund Budget	Unreserved Fund Balance	Professional Services	\$	12,442
	113-000-30800	113-000-56400-141		

ADOPTED this 28th day of December, 1998.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Wm. L. McDowell, Member

Tom Shaughnessy, Member

Mike Shelton, Chairman

Attest: *Margaret Rosenkranz*

Clerk of the Board

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-168-98
DEVELOPMENTAL DISABILITIES FUND AND MENTAL)
HEALTH FUND BUDGETS)**

WHEREAS, the State of Washington Department of Health Services has awarded Empowerment Project funding to Island County for the 1998 Developmental Disabilities Fund budget in the amount of \$5,000, and

WHEREAS, the State of Washington North Sound Regional Support Network has awarded funding to Island County for the 1998 Mental Health Fund budget in the amounts of \$24,000 for Crisis Response and \$7,083 for Administration, 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 1:55 p.m. on the 28th day of December 1998, at the usual meeting place of the Board in Coupeville to consider this proposed supplemental appropriation.

Adopted this 14th day of December, 1998.

**BOARD OF COUNTY
COMMISSIONERS**

ISLAND COUNTY, WASHINGTON

Wm. L. McDowell, Member

Tom Shaughnessy, Member

Mike Shelton, Chairman

Attest: *Margaret Rosenkranz*

Clerk of the Board

IT IS HEREBY APPROVED AND ORDERED that the amounts shown on Exhibit A be appropriated and distributed as shown within the 1998 Island County Developmental Disabilities Fund and Mental Health Fund budgets.

ADOPTED this 28th day of December, 1998.

**BOARD OF COUNTY
COMMISSIONERS**

ISLAND COUNTY, WASHINGTON

Wm. L. McDowell, Member

Tom Shaughnessy, Member

Mike Shelton, Chairman

Attest: *Margaret Rosenkranz*

Clerk of the Board

Resolution #C-172-98 Establishing Salaries for Non-Bargaining Unit Employees (excluding Elected Officials) for 1999

As prepared and presented by the Budget Director, the Board by unanimous motion, adopted Resolution #C-172-98 establishing salaries for non-bargaining unit employees [excluding elected officials] for 1999.

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

**IN THE MATTER OF ESTABLISHING)
SALARIES FOR NON-BARGAINING) RESOLUTION C-172-98
UNIT)
EMPLOYEES (EXCLUDING ELECTED)
OFFICIALS) FOR 1999)**

WHEREAS, the Board of Island County Commissioners finds that it is in the public interest to make provisions for the 1999 salaries for department heads and all non-bargaining unit employees (excluding Elected Officials) within the following Island County Funds, to wit:

Current Expense, Public Works, Road, Public Health Pooling, Insurance Reserve, Solid Waste and Law & Justice.

WHEREAS, it is in the public interest to maintain morale and compensation equity among county employees both represented and non-represented; **NOW, THEREFORE**,

BE IT RESOLVED, that the above listed shall be granted a cost of living adjustment equal to 2% of base salaries effective January 1, 1999; and

BE IT FURTHER RESOLVED, that department heads and all other non-bargaining unit employees (excluding

Elected Officials) may be granted additional compensation adjustments during calendar year 1999, if approved by the Board of County Commissioners.

ADOPTED this 28th day of December, 1998.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Wm. L. McDowell, Member

Tom Shaughnessy, Member

Mike Shelton, Chairman

Attest: *Margaret Rosenkranz*

Clerk of the Board

OPEN TIMBER APPLICATION #OT-3-98, APPLICATION FOR TRANSFER OF CLASSIFIED OR DESIGNATED FOREST LAND TO CURRENT USE CLASSIFICATION SUBMITTED BY BETTY ALDER

By unanimous motion, on submittal from the Auditor's Office, the Board accepted Application #OT-3-98 for referral to staff for review at Staff Session on January 6, 1999, and to come back with a recommended date and time for setting a public hearing if appropriate.

CONSTRUCTION EASEMENT – WOODLAND BEACH

As part of the Woodland Beach disaster repair under the FEMA program, Larry Kwarsick, Public Works Director, recommended the Board's acceptance of a construction easement per conditions including compensation in the amount of \$208.00, from Ramona Snowden. The Board by unanimous motion accepted the Construction Easement from Ramona Snowden, Lot 20, Plat of Woodland Beach, associated with repair of Woodland Beach, and approved compensation in the amount of \$208.00.

HEARING HELD: Ordinance C-160-98 (R-62-98) (Continued from 12/21/98) – Adopting Island County Comprehensive Stormwater and Flood Hazard Management Plan

The Chairman opened a public hearing on Ordinance #C-160-98 (R-62-98), continued from the meeting of December 21, 1998, to consider adopting Island County Comprehensive Stormwater and Flood Hazard Management Plan. Approximately 25 members of the public were in attendance at the time of hearing.

Larry Kwarsick, Public Works Director, gave a PowerPoint presentation lasting about one-half hour on the Comprehensive Stormwater and flood Hazard Management Plan, which began a few years ago sponsored primarily by the Flood Assistance Account program. One of the issues he noted as far as the surface water management was some of the anomalies he observed.

[hard copies of Mr. Kwarsick's slides can be requested through the Public Works Office]

Public Comments

Al Pike, 4282 Witter Road, one of 29 having a condominium located on Shore Meadow Road, advised about a huge water problem with surface and storm water. He referred to his handout for today's hearing and the record, and provided specific information regarding the property in question. Page 2 shows the old FEMA map, on which Mr. Pike has shown in green highlight the drainage coming from the north down through and across Bush Point road. The "green crosslines" show s a valley that in 1996 and 1997 had 4' of water, also the year when apparently the culvert underneath the road was plugged and flowed over the road. His handout provided an enlarged map, and he noted some

draining in the area of some 4,000 to 6,000 acres, going past Trillium's 2,000 acre clearcut and past Classic Road, the whole situation becoming unbearable. He asked for this to be included in the list in order to get some help. He suggested the culvert going through the property to the beach at the east side where there is another drainage ditch, if extended into the salt water would relieve the problem quite a bit.

Mr. Kwarsick pointed out that the fact that this project is not currently in the manual did not mean it could not be considered as part of the County's six year surface water program and annual budget commitments. Mr. Pike's submittal is part of the record and should be part of the County's consideration as it deliberates on what kinds of programs and projects it should pursue and what funds are needed. This is an area where there was some fairly large non-conversion forest practices occur that changed the nature of the landscape within that large watershed.

John Graham, South Whidbey, President, Citizens for Sensible Development, thanked Mr. Kwarsick for the new document, and thought, along with the other documents on this subject adopted in September and with the Capital Facilities Plan, the County now had a far more comprehensive approach to the problem. The main problem he thought that had been the concern of CSD and The Coalition was the perceived lack of commitment by the County to create the funding in order for some of these things happen.

For example, page 1-1 of the new plan states: *"the purpose of this plan is to mitigate the impact of development on the existing stormwater drainage system as funding becomes available"* which to CSD is a loophole. In CSD's view there is not enough of a commitment to adopt the key recommendations by the Surface Water Advisory Committee, which when taken together propose a much more tough approach. For example, the Advisory Committee recommended policies that the County shall implement projects based on priorities, shall establish policies for funding and implementing the Surfacewater and Flood Hazard Management Plan; the Committee provided recommended actions: implement a funding mechanism for a surfacewater management program and adopt and implement a standard drainage problem evaluation and prioritization procedure. The Committee went on to identify drainage problems, with costs totaled at 2.198 million dollars for the problems identified plus \$150,000 more each year for maintenance. The Committee on page 6-82 states: *"implementing the above capital improvements will be difficult if not impossible without a permanent dedicated drainage funding source as recommended in Chapter 7"*. In Chapter 7 the Committee recommended funding policies with a county wide surfacewater utility clearly their first choice. Page 7-23 states that the Board of County Commissioners rejected a surfacewater utility in March of 1997 and that *"in conclusion, the Advisory Committee and the County Staff recognize that without a dedicated and adequate funding source Island County will continue to experience flooding and damage to private and public property from increased surfacewater runoff"*.

Mr. Graham stated that the key issue was money; the Committee identified 2.2 million dollars of problems that existed 1-1/2 years ago; now the County's Comprehensive Plan proposes to allow 43,000 more people over the next 20 years, and Mr. Graham wondered what there was to take care of infrastructure needed for all of that. The Capital Facilities Plan for 1999 has \$313.6 million entirely from REET and Road Funds, and others, with a total of almost \$800,000/year; however, as pointed out by Mr. Kwarsick 2/3 of that is for maintenance, leaving only \$250,000 - \$300,000 for new construction of infrastructure to deal with 2.2 million dollars worth of problems identified a year and a half ago plus all the problems to accommodate 43,000 more people. To CSD that was grossly inadequate and they believe needs to be much more serious intent on creating funding mechanisms, and he added, that was absolutely at the core of the Coalition's appeal of this issue. There are good processes set in motion, but far too little money to pay for them; no prioritization and no established funding mechanism and no commitment to establish the county wide surfacewater utility which the Committee repeatedly said is by far the best way to do, and CSD agrees.

In terms of jurisdiction, Mr. Graham noted a related problem. Exhibit A, the Island County Road Department Drainage Policy, states: *"the county does not accept administration and maintenance of drainage control facilities as a county responsibility except for ditches lying within dedicated rights-of-way accepted by the County...since many existing drainage problems occur outside the county right of way a stormwater utility would be a means to address them"*.

He noted a question of enforcement. He thought there should be more focus on "property wrongs", i.e. when a neighbor's actions upstream send dirt and mud cascading down on property what is the mechanism for redress. The Comprehensive Plan deals with it by going in the exactly the opposite direction by decreasing enforcement

procedures, reducing maximum fine from \$5,000 to \$1,000. He urged that the Board not adopt the plan without making the following commitment: prioritize the issues brought up by the Committee; establish a funding mechanism; and make sure the key element of that mechanism is a county wide surface water utility.

Harry Scott, 3831 Driftwood Drive, Central Whidbey, explained his property location as one of the RAID sites, a development of over 35 years of age. Last December 31st he walked up the hill and discovered two 12" culverts from the County roads above. At that time, Commissioner Shelton visited on-site. He has struggled for the last two years to keep the water off his property. With RAID designation, without plans for protection of the infrastructure he is concerned this will condemn them. Driftwood Drive is a private road; Driftwood Lane a public road. There are some \$300 to \$400 thousand dollar homes being built in slide areas and he sees this as a lack of regard for drainage and forgetting to look at septic systems right on the bluff. His community spent 1.2 million dollars in the last ten years for upgrades to the water system and they currently have a moratorium. The community spend \$150,000 to clean the roads last year. Some 90-% of the people live there full-time are middle to lower middle income.

Steve Erickson, Langley, representing WEAN, faxed comments for last week's hearing and provided a copy of that letter to the Board dated 12/20/98 for today's record as well.

In answer to Mr. Erickson's question about the rainfall figures shown in figure 2-2 of the Stormwater Manual, Mr. Kwarsick stated that all the isopluvial maps that are used for design of systems are produced by the Federal government. He realized that WSU and other entities are also collecting data but the County uses published data from NOAA.

In that case, Mr. Erickson believed the design standards were fatally flawed because essentially it would be designing stormwater detention systems based on rainfall of as little as 80% of what actually occurs on South Whidbey. Typical rainfall on South Whidbey ranges from 30 up to 50" and those rainfall figures shown in figure 2-2 are far below that.

Mr. Erickson pointed out that the Plan does not identify a funding mechanism. The Plan as a whole does not deal much with major changes in land use occurring which individually and cumulatively are causing these problems. The County is doing nothing proactive regarding deforestation. There is no requirement for retention of native vegetation at all for any kinds of developments except in cases of PRDs . The County does not take lead agency status for conversions of forest land to pasture land which also increases runoff . He suggested the new regulations adopted by the County even reward developers for clearcutting and logging without a permit by allowing those lands to be subdivided, which in his opinion is a violation of State law.

The definition of major development seems to exempt land disturbing activities of 2 acres or more not associated with construction of a single family residence or associated with a Class 4 forest practice permit or a conversion option harvest plan and its associated grading permit. Logging without a permit is exempt and many other kinds of land disturbing activities are exempt as long as those activities are not for class 4 conversion permit or SFR. [Page 5, Chapter 11.03, Exhibit A #C-91-98]. Exempt from almost all the requirements of the Stormwater Manual are developments [page 24 of the Stormwater Manual] on parcels 2.5 acres or larger unless within a critical drainage area or potentially impacting critical area. It is unclear if exempt at which stage and how the county would determine whether there is a potential for impact to a critical area.

Mr. Kwarsick clarified that the Plan itself contained exhibits, which are in the adopted Manual and the adopted Storm and Surface Water Regulation. Most of the comments in Mr. Erickson's letter will be responded to, although most address the Manual and the Regulation, not the Plan itself. The Stormwater Manual has already been adopted as has been the Drainage Regulations concurrently with the Growth Management Regulations.

Mr. Erickson stated that the Stormwater Manual on Page 28 apparently allows discharge into natural wetlands. He reminded that there needed to be a "no degradation of natural surface waters provision" [no net loss of function of surface waters]. On Page 27 of the Manual natural drainage systems prohibits changing the entrance of water into a natural drainage system on other properties but does not prohibit changing it on the same property where the development is occurring, and he suggested that the prohibition should include the property on which the development is located and water quality treatment. There is a section on water quality but it was not clear to him what triggers that

and he also felt it unclear as to whether the regulations are consistent with DOE's model stormwater ordinance. The Plan should contain a prohibition on clearing trees and natural vegetative buffers as the Stormwater Manual allows on page 32. There needs to be a no degradation clause for critical area functions, clearing trees and natural vegetative buffers; same with discharge of stormwater into wetlands, changing location. Also there should be a clear prohibition in the Plan that streams potentially fish bearing, that any new culverts in those streams should have to be fish passable.

Ray Gabelein, Sr., South Whidbey, Diking District No. 1, thanked the committee who worked on this, something he felt was needed and long overdue, going back twenty-five years. Everyone should either join a Diking district or get rid of drainage so it is not dumped on neighbors. His property at the end of the district has been in 4' of water. He suggested what was needed was that the Commissioners put every watershed as a district and everyone who drains into those watersheds pay a little and the whole watershed can be served. There are about 1200 acres in the district but only 460 pay into the district and today with all the homes [18 homes built last year just in one development] being built everyone needs to be apart of it and pay small amount. He suggested reviewing what other counties do.

No others indicating a desire to speak, the public comment portion of the hearing was closed.

Chairman McDowell acknowledged his resistance to a county wide surface water utility, noting this issue having been turned down by a prior Board in 1992, and again by the Board in 1994 in which he participated, and important to note that at both of those meetings, the public input received had been negative enough such that the Commissioners did not adopt a county wide fee for a stormwater utility. Relating to Resolution #C-160-98 adopting the Island County Comprehensive Stormwater and Flood Hazard Management Plan, he suggested the following amendments be included:

- (1) "Chapter 7, Funding Options" of the plan have added "Any new moneys collected for the purpose of stormwater control shall not supplant the five prior years average annual amount of county dollars spent for stormwater control/ maintenance within the area where the new money is collected"; and (2) "Chapter 7, Surface Water Utility" of the plan have added "Any future surface water utility created shall be no larger in geographic area than a single school district and all moneys collected within that district shall be spent within that district."

In explaining his rationale, the Chair commented that the County already spends dollars for stormwater control, mostly for maintenance, and he did not want a new fund started, only to stop spending the funds that now go towards stormwater control. He did believe that if new money is collected for this purpose it should be spent in that specific area from which the funds are collected. Having four geographic areas [four surface water utilities] would be a reasonable size, and money collected in each of those areas should be spent in that area.

Commissioner Shaughnessy agreed with the two suggestions the Chairman recommended, although he was not sure four utilities was the right number, thinking perhaps it should be a few more, but if created, need to serve those specific areas. The last thing he wanted to see was the creation of a county-wide surface water utility, and very strongly felt that any funds levied and collected in one area should be spent in that area. He suggested a third amendment be included in the Resolution:

- o that Chapter 7, County Administrative Options of the Plan have added: " The creation of any surface water utility larger than a drainage basin shall be enacted only after an advisory vote of that drainage district area, and said vote is to be held at a special election as outlined per RCW 29.13.010(2)."

Commissioner Shelton thought this ideally would be done on the basis of drainage basins or watersheds, and agreed that the example of the Marshall Road utility district was not a practical solution. He acknowledged that most of those speaking today were from South Whidbey, which he thought was because there had been rapid development, lots of rain, and because larger problems existed in South Whidbey than most other areas of the County. While he wanted to make sure the County pursued every effort within the existing County budget, one of the things he was committed to was being able to issue building permits with the knowledge same would not adversely affect the people downstream. In terms of the Critical Drainage Ordinance the County has already adopted, the County is on record recognizing the need to resolve storm drainage before continuing to issue permits. He believed this was a good start to address the problem, but he was aware that the stormwater issue would not be resolved without a verifiable funding source, some

of which may be within the existing county budget, but suspected a larger portion would not be so readily available.

Other Amendments to Plan

As far as other amendments, Mr. Kwarsick reminded that during last Monday's hearing, some

modifications were handed out by Julie Buktenica that are now incorporated in the document, with the intent that the Board's adoption today would include those modifications: adding two projects, one at Terronda, Central Whidbey, and another at Green Road on North Whidbey, and eliminating projects that have been completed.

Additionally, there are two other amendments to be acted on by the Board today, read by Mr. Kwarsick as follows:

1. West Camano Drive

Page 6-66 of the Plan referring to West Camano Drive, the statement: "Additional stormwater and snow melt continued flowing north on West Camano Drive (downhill). Near culvert #4, the runoff flowed over the bank and damaged three beach cabins. At culvert #2 above the County expended over \$50,000 to remove debris resulting from the December 1996 storm event and to install a temporary outfall pipe to limit further erosion.", the word "damaged" should be changed to "destroyed" to reflect actually what occurred.

2. Forest Practice Amendment

"Forest Practices

Citizens, County staff, and Advisory Committee voiced several concerns about forest practices in Island County. Their concerns focus primarily on the following issues:

- The County typically does not exercise its 6-year moratorium authority to limit development on property managed for timber production, but later converted to other land uses without the proper class four forest practices permit.
- Inadequate forest practices rules to control stormwater runoff, limit the use of herbicides and pesticides, limit the size of clearcuts, and protect wetlands and steep slopes.
- Rapid rate of forest conversion on numerous small parcels

Recommended Action

To Address the identified forest practices issues, the following actions are recommended:

- As described in the North Whidbey Watershed Nonpoint Pollution Prevention Action

Plan, the County should continue to support the funding and implementation of the Forestry for Clean Water Program and Commercial Woodlot Technical Assistance Program.

- ~~The County should continue the tracking of forest practices permits to ensure that the 6 year moratorium is enforced for illegal land conversion as now required by law.~~ As of July 1997, state law mandates the

moratorium. In September 1998, the BOCC adopted regulations providing for lifting the moratorium when in compliance with county standards. The County should enforce the 6-year moratorium where water quality and stormwater impacts have occurred.

- The County should work with Washington State Forest Practices Board (WSFPB) to amend

forest practice rules so they include more stringent drainage controls for non-conversions.

However, recommendations by Island County to the WSFPD must be consistent with ICC 16.25 Agriculture and Forestry Protection Ordinance. This ordinance declares that Island County 'conserve, protect, enhance and encourage agricultural and forestry operations within Island County.' It is not the intent to encourage conversion of forest lands by over-regulating".

Mr. Kwarsick confirmed his understanding that the lifting of the moratorium was for the purpose of siting a single family residence and not for the larger development, and he suggested it would be appropriate to insert in the second bullet under recommended action, dealing with the moratorium: "lifting the moratorium for single family residences".

Commissioner Shelton moved approval by the Board, with the correction of adding "lifting the moratorium for single family residences" and correcting the spelling error, of the forest practice amendment as read by Mr. Kwarsick. Motion, seconded by Commissioner Shaughnessy, carried unanimously.

On motion of Commissioner Shelton, seconded by Commissioner Shaughnessy, the Board unanimously approved for inclusion in the Plan a correction to the West Camano Drive section on page 6-66, to read: "Additional stormwater and snow melt continued flowing north on West Camano Drive (downhill). Near culvert #4, the runoff flowed over the bank and destroyed three beach cabins. At culvert #2 above the County expended over \$50,000 to remove debris resulting from the December 1996 storm event and to install a temporary outfall pipe to limit further erosion."

Commissioner Shelton moved approval of the recommendation of Chairman McDowell to include the following amendment: "Chapter 7, Funding Options" of the plan have added "Any new moneys collected for the purpose of stormwater control shall not supplant the five prior years average annual amount of county dollars spent for stormwater control/ maintenance within the area where the new money is collected". Motion, seconded by Commissioner Shaughnessy, carried unanimously.

Hearing no motion from Commissioner Shelton or Shaughnessy, the Chair moved approval of an amendment to Chapter 7, Surface Water Utility of the plan to add: "Any future surface water utility created shall be no larger in geographic area than a single school district and all moneys collected within that district shall be spent within that district.". Motion was seconded by Commissioner Shaughnessy and carried by majority vote; Commissioner Shelton voting opposed.

Commissioner Shaughnessy moved an amendment to be included: that Chapter 7, County Administrative Options of the Plan have added: "The creation of any surface water utility larger than a drainage basin shall be enacted only after an advisory vote of that drainage district area, and said vote is to be held at a special election as outlined per RCW 29.13.010(2)". Motion, seconded by the Chair, carried by majority vote; Commissioner Shelton voting in opposition.

With those amendments having been adopted, Commissioner Shaughnessy moved approval of the Comprehensive Stormwater and Flood Hazard Management Plan and Resolution #C-160-98 [R-62-98] as revised this date. Motion was seconded by the Chair; motion carried unanimously.

Commissioner Shelton explained his vote in the positive in this case was because he felt it absolutely critical that the Board adopt the Plan. He did not disagree with most of the amendments, with the exception of the last two.

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

**IN THE MATTER OF ADOPTING THE)
ISLAND COUNTY COMPREHENSIVE) RESOLUTION NO. C-160-98
STORMWATER AND FLOOD HAZARD) R-62-98
MANAGEMENT PLAN)**

WHEREAS, RCW 86.12.200 authorizes county governments to adopt comprehensive flood control management plans "for any drainage basin that is located wholly or partially within the county," and

WHEREAS, the Washington State Department of Ecology's Flood Control Assistance Account Program grants maintenance project funds, as established by RCW 86.26, to jurisdictions that have adopted a comprehensive flood control management plan, per WAC 173-145-040, and

WHEREAS, the Island County Comprehensive Stormwater and Flood Hazard Management Plan fulfills the requirements for a comprehensive flood control management plan, and

WHEREAS, the Island County Department of Planning and Community Development issued a SEPA DETERMINATION OF NON-SIGNIFICANCE for the Island County Comprehensive Stormwater and Flood Hazard Management Plan, and

WHEREAS, three public forums were held to obtain public input in South Whidbey, Coupeville and Camano Island as part of the public participation requirements of FCAAP Grant No. G9600244 received by Island County Public Works to produce the CSFHMP, and

WHEREAS, Washington State Department of Ecology must approve the Island County Comprehensive Stormwater and Flood Hazard Management Plan and the Island County Public Works Department has submitted the Plan for approval, and

WHEREAS, the Island County Stormwater Management Advisory Committee and the Public Works Department recommended to the Board of County Commissioners that the Island County Comprehensive Stormwater and Flood Hazard Management Plan be adopted consistent with the process established under RCW 86.12, and

WHEREAS, the Board of Island County Commissioners concur with the findings and Recommendations of the Island County Stormwater Management Advisory Committee; **NOW THEREFORE,**

IT IS HEREBY RESOLVED by the Board of Island County Commissioners that the Island County Comprehensive Stormwater Flood Hazard Management Plan attached hereto as Exhibit A is approved.

REVIEWED this 23rd day of November, 1998, and set for Public Hearing on the 21st day of December, 1998, at 10:15 a.m., continued to December 28, 1998 @ 2:15 p.m.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

William L. McDowell, Chairman

Mike Shelton, Member

Tom Shaughnessy, Member

ATTEST: *Margaret Rosenkranz*, Clerk of the Board

APPROVED AND ADOPTED this 28 day of December 1998, after public hearing, with the modifications that section "Chapter 7, Funding Options" of the plan have added "Any new moneys collected for the purpose of stormwater control shall not supplant the five prior years average annual amount of county dollars spent for stormwater control/ maintenance within the area where the new money is collected" and section "Chapter 7, Surface Water Utility" of the plan have added "Any future surface water utility created shall be no larger in geographic area than a single school district and all moneys collected within that district shall be spent within that district; and Section "Chapter 7, County Administrative Options" of the plan have added " The creation of any surface water utility larger than a drainage basin shall be enacted only after an advisory vote of that drainage district area, and said vote is to be held at a special election as outlined per RCW 29.13.010(2).".

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

William L. McDowell, Chairman

Tom Shaughnessy, Member

Mike Shelton, Member

ATTEST: *Margaret Rosenkranz*, Clerk of the Board

public hearing held: Ordinance #C-169-98 [PLG-044-98] Amendment to Policy #6, County Wide Planning Policies

At 2:45 p.m., the Board was scheduled to conduct a public hearing, as scheduled and advertised, for the purpose of considering Ordinance #C-169-98 [PLG-044-98] Amendment to Policy #6, County Wide Planning Policies. Due to the length of the public hearing that began at 2:15 p.m., said hearing actually

was held at 4:15 p.m.

Vince Moore, Planning Director, presented Amendment to Policy #6 of the County Wide Planning Policies. The Amendment to Policy #6 relates to policies for county wide transportation facilities and strategies, and the amendments consists of adding item #6 as follows:

All jurisdictions within Island County will cooperate with each other and the State of Washington in coordinated planning for State Highway and Ferry facilities with respect to current revisions to RCW 36.70A and SHB 1487. This coordination recognizes that the State Department of Transportation will be primarily responsible for establishment and maintenance of the level of service for those facilities.

Steve Dernbach, Mayor, City of Oak Harbor, thanked the Board for the County's cooperation with the City over the past three years in particular, enabling such cooperative actions such as the City being able to continue its operation with the Court; solid waste operations; help with the senior center from the County in recognition that 50% of its use is from County residents. The Mayor took this opportunity to express his appreciation to Commissioner Shaughnessy for his sound fiscal management of Island County during his tenure as County Commissioner.

Mayor Dernbach thought the CWPP's had gone very well too. At the December 8, 1998, Oak Harbor City Council meeting, the Council approved the County Wide Planning Policies, including amendment to Policy #6. Since that time, the City received a copy of the letter from the City of Langley in opposition, which he did not understand since Policy #6 applies to transportation and asks everyone to cooperate. He confirmed that the City of Oak Harbor was solidly behind the amendment to Policy #6 of the CWPP's as written, and the County Wide Planning Policies overall, other than after the cited RCW 36.70A, instead of "and" the correct language should be " as amended by".

Commissioner Shelton moved adoption of the addition of item number 6 under Policy Number 6 as read by Planning

Director Moore, with the exception of replacing the word "and" after RCW 36.70A with "as amended by" by SHB 1487, to read: "...RCW 36.70A as amended by SHB 1487.". Motion, seconded by Commissioner Shaughnessy, carried unanimously.

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

IN THE MATTER OF AMENDING THE COUNTY-WIDE PLANNING POLICIES) ORDINANCE C-169-98) PLG-044-98
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WHEREAS, RCW 36.70A.210 – the Growth Management Act (GMA), specifies that Counties are regional governments within their boundaries and that cities / towns are the primary providers of urban governmental services within urban growth areas; and

WHEREAS, the GMA requires that the County develop county-wide planning policies which upon adoption will be used solely for establishing the framework from which county and city comprehensive plans are developed and adopted; and

WHEREAS, the county-wide planning policies will also provide the foundation for assuring that consistency criteria, required between county and cities/towns planning under the GMA; and

WHEREAS, to be effective there must be both agreement between the County and the Cities/Town on the County-Wide Planning Policies, and a commitment between the jurisdictions to adhere to and implement the policies.

WHEREAS, all jurisdictions within Island County will benefit by cooperation with each other and the State of Washington in coordinated planning for State Highway and Ferry facilities with respect to current revisions to RCW 36.70A and SHB 1487, while recognizing that the State Department of Transportation will be primarily responsible for establishment and maintenance of the level of service for these facilities; and

WHEREAS, the amended County-Wide Planning Policies were reviewed in a Public Hearing on December 28, 1998.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Board of Island County Commissioners and the Cities/Town hereby adopt the amendment to Policy #6, County-Wide Transportation Facilities & Strategies, regarding cooperation with all Island County jurisdictions and the State of Washington for coordinated planning for State Highways and Ferry facilities, attached hereto as Exhibit A.

Wm. L. McDowell, Chairman Steve Dernbach, Mayor

Island County Board of Commissioners City of Oak Harbor

Date: December 28, 1998 Date: Signature authorized 12/8/98

Nancy Conard, Mayor Lloyd H. Furman, Mayor

Town of Coupeville City of Langley

Date: _____ Date: _____

POLICY #6

6. All jurisdictions within Island County will cooperate with each other and the State of Washington in coordinated planning for State Highway and Ferry facilities with respect to current revisions to RCW 36.70A as amended by

SHB 1487. This coordination recognizes that the State Department of Transportation will be primarily responsible for establishment and maintenance of the level of service for these facilities.

PUBLIC HEARINGS SCHEDULED FOR CAMANO ISLAND –
ROAD NAME CHANGES AND SPEED LIMIT REDUCTION

By unanimous motion, the Board scheduled a Special Session to conduct public hearings on February 1, 1999, at 3:00 p.m., at Terry's Corner Fire Station located at 525E North Camano Drive, Camano Island, to consider the following:

Ordinance #C-174 -98 (R-65-98) - Renaming roads on Camano Island: Portion Blackburn Rd and 90N to High Road and Porter Way to Camano Real; and

Ordinance #C-175 -98 (R-66-98) – Reducing speed limit on Good Road (south of SR 532) & Heichel Road from 50 to 25 mph

PUBLIC WORKS/COMMUNITY DEVELOPMENT/ROADS - ACTIONS APPROVED

Taken as a consent agenda, the Board, by unanimous motion, approved the following, noting all items having been previously discussed and reviewed at staff session:

Resolution #C-173-98 (R-59-98) – In the Matter of Closing Island County's Completed County Road Projects and Miscellaneous Projects

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF CLOSING)

ISLAND COUNTY'S COMPLETED) RESOLUTION NO. C-173-98

COUNTY ROAD PROJECTS AND) R-59-98

MISC. PROJECTS)

WHEREAS, R.C.W. 36.77.070 requires the publication of the true and complete costs, and a brief description of all County Road Projects where the day labor, either estimated or actual cost, exceeds twenty-five hundred dollars. NOW, THEREFORE,

BE IT HEREBY RESOLVED that the following County Road Project(s) and the total costs as shown on the attached sheet(s) are hereby approved and those C.R.P.'s with day labor in excess of \$2,500 be published in the local newspaper.

NUMBER WORK ORDER NO. NAME

96-01 85 Ault Field/Langley Blvd Traffic Signal

97-08 104 Camano Miscellaneous Overlays

96-08 39 Engle Road Improvements

97-06 120 Humphrey Road Drainage Outfall

97-05(A) 237 Humphrey Road Restoration

97-03 222 Maxwellton Road Channelization

97-09 213 N Camano Guardrail and Overlays

96-02 82 Taylor Road

97-07 114 Whidbey Miscellaneous Overlays '97

97-01 90 Maxwellton Road Culvert Replacement

98-02 240 Possession Road Shoulder Repair

PWP 7-96 116 Marshall Road drainage

NOW BE IT FURTHER RESOLVED that the projects on the attached sheet(s) are completed and therefore are closed to all charges as of December 23, 1998.

APPROVED this 28th day of December 28, 1998.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Wm. L. McDowell

Tom Shaughnessy

Mike Shelton

ATTEST: *Margaret Rosenkranz,*

Clerk of the Board

Resolution #C-176-98 (R-67-98) – County Winter Road Closures and Load Restrictions for period from adoption date through April 30, 1999

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF ISLAND) RESOLUTION NO. C-176-98

COUNTY ROAD CLOSURES) R-67-98

AND LOAD RESTRICTIONS)

WHEREAS, Island County roads are constructed over relatively thin sub-bases, and sometimes directly over natural soil; and

WHEREAS, Island County roads constructed under aforesaid conditions are very vulnerable to rapid breakup during freezing and thawing periods; and

WHEREAS, the reason for this rapid breakup is because the road base will not adequately drain when frozen. (Thus, a rapid thawing from the top down – particularly from a rain or rapidly melting snow – results in excess water being

trapped in this upper, thin surface layer. The action of heavily loaded trucks pounds the saturated, thin layer, causing the pavement to quickly break up. This breakup is caused when the thin layer of saturated soil directly beneath the pavement becomes mushy through repeated pounding by tire impact. In this mushy condition, the saturated soil provides little, if any, support to the pavement. Since the soil below is frozen, the moisture cannot drain off. The mushy soil then starts pumping up through cracks in the pavement, with the ultimate breakup of the pavement. However, when the full road base thaws uniformly, then the excess moisture can escape and drain off as designed and the road base remains relatively stable.); and

WHEREAS, reduced weights and speed help prevent the early breakup of roads from conditions as cited above;

THEREFORE, BE IT HEREBY RESOLVED by the Board of County Commissioners of Island County, Washington, THAT the following notice be published once in a newspaper of general circulation in the County; THAT the wording and intent of same is a part of this Resolution; and THAT the Island County Engineer is hereby duly instructed and ordered to execute the action implied therein.

NOTICE IS HEREBY DULY GIVEN, that, under the authority of Chapter 36.75.270 and 46.44.080, Revised Code of Washington, all Island County roads subject to damage during periods when inclement natural forces are at work, will be closed to all vehicles exceeding the gross weight indicated for each tire size shown in the following tables (when said roads are posted in accordance with Item 4 below), **WITH THE EXCLUSION** of holders of a special permit from the Island County Engineer authorizing the operators of such vehicles as: School buses, emergency vehicles, and trucks transporting perishable commodities necessary to the health and welfare of local residents. (However, under the provision of this notice, in no case shall the gross load exceed the gross loads as set forth in R.C.W. 46.44

WINTER LOAD RESTRICTIONS

(Same as Washington State Department of Transportation Emergency

Load Restrictions, WAC 468-38-080)

Conventional Tires Tubeless or Special with .5 Marking Tire

Tire Size Gross Load Each Tire Tire Size Gross Load Each Tire

7.00 1800 lbs. 8-22.5 2250 lbs.

7.50 2250 lbs. 9-22.5 2800 lbs.

8.25 2800 lbs. 10-22.5 3400 lbs.

9.00 3400 lbs. 11-22.5 4000 lbs.

10.00 4000 lbs. 11-24.5 4000 lbs.

11.00 4500 lbs. 12-22.5 4500 lbs.

12.00 or over 4500 lbs. 12-24.5 or over 4500 lbs.

EMERGENCY LOAD RESTRICTIONS

(Same as Washington State Department of Transportation Emergency

Load Restrictions, WAC 468-38-080)

When a rapid surface thawing over a fully frozen road base occurs (i.e., warm rain over frozen ground, or rapidly melting snow), the Emergency Load Restrictions as cited below shall be immediately imposed as directed by the Island County Engineer.

Conventional Tires Tubeless or Special with .5 Marking Tire

Tire Size Gross Load Each Tire Tire Size Gross Load Each Tire

7.00 1800 lbs. 8-22.5 1800 lbs.

7.50 1800 lbs. 9-22.5 1900 lbs.

8.25 1900 lbs. 10-22.5 2250 lbs.

9.00 2250 lbs. 11-22.5 2750 lbs.

10.00 2750 lbs. 11-24.5 2750 lbs.

11.00 or over 3000 lbs. 12-22.5 or over 3000 lbs.

1. High pressure pneumatic tires shall have the same rating as set forth in the above tables.
2. No allowance shall be made for any second rear axle that is suspended from the frame of a vehicle independent of the regular driving axle, and commonly known as a "Rigid Tail Axle".
3. The load distribution on any vehicle shall be such that it will not load the tires on said axle in excess of the prescribed load set forth in this order; provided that a truck, truck tractor, passenger bus or school bus having conventional 10.00 x 20 tires, or larger, may carry a maximum load of 10,000 lbs. on the front axle over any county highway placed under Regular Winter Load Restrictions.
4. Should there be evidence that any truck supplying motive power for any type of trailer is inadequate to handle with safety the specific maximum load for such trailer, the load on the trailer shall be reduced sufficiently to allow said truck and trailer to operate with safety. Any loading in excess of the specified maximum load will be considered a violation of this order. Island County roads shall be subject to closure during the effective dates stated below; said closure to be identified by continuous or intermittent posting at such locations upon each road as may be necessary by the Island County Engineer, as conditions require, to protect and maintain the same during each period.

THIS ORDER SHALL BECOME effective and be in full force on or after the date of adoption through the 30th day of April 1999, and the foregoing regulations will be rigidly enforced.

ADOPTED this 28th day of December, 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

Supplemental Agreement No. 1 – to Consultant Agreement No. PW-982001; Leonard, Boudinot & Skodje Inc; Wilkes Gary Heights Drainage (Fowler), CRP 98-14

Supplemental Agreement No. 1 – to Consultant Agreement No. PW-982019; Skillings-Connolly; Woodland Beach Road Repair, CRP 98-06

Supplemental Agreement No. 3 – to Consultant Agreement No. PW-972019; Datum Pacific, Inc; Glendale/Humphrey Roads and Stream Restoration, CRP 97-04

Bond for Completion of Requirements – Forest Practice Permit No. FP #2801837 Darryl Jones – Lifting moratorium to obtain permit for single family residence

West Beach Lake Purchase Documents: Closing Agreement & Escrow Instructions and Notice of Compliance with A.P.R 12; Escrow No. S-66349

Consultant Agreement #PW-982071 - HWA GeoSciences, Inc; geotechnical services for courthouse expansion

There being no further business to come before the Board at this time, the Chairman adjourned the meeting at 4:35 p.m., to meet in Regular Session on January 4, 1999, at 9:30 a.m.

**BOARD OF COUNTY
COMMISSIONERS**

ISLAND COUNTY, WASHINGTON

Wm. L. McDowell, Chairman

Tom Shaughnessy, Member

Mike Shelton, Member

Attest:

Margaret Rosenkranz

Clerk of the Board