

ISLAND COUNTY COMMISSIONERS – MINUTES OF MEETING

SPECIAL & REGULAR SESSION – JULY 26, 1999

SPECIAL SESSION

The Board met in Special Session at 9:30 a.m. for the purpose of conducting an Executive Session as allowed under provisions of R.C.W. 42.30.110(1)(i), to discuss pending litigation with Special Legal Counsel. The Executive Session was anticipated to last at least 2+ hours. No announcement expected on conclusion of the session.

Meeting adjourned at 1:00 p.m. The Board will meet next in Regular Session this date beginning at 1:30 p.m. [11:30 a.m. Roundtable canceled].

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Wm. L. McDowell, Member

William F. Thorn, Member

ATTEST: _____

Margaret Rosenkranz, Clerk of the Board

ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING

REGULAR SESSION - JULY 26, 1999

The Regular Meeting of the Board of Island County Commissioners was scheduled to begin at 11:30 a.m. on July 26, 1999, with the monthly Roundtable with Elected Officials, followed by other meeting items as listed on the Agenda, and Chairman’s Agenda, beginning at 1:30 p.m. However, the Roundtable was canceled in order to allow time for the Board to complete the Executive Session during this morning’s Special Session. The Roundtable Meeting to be rescheduled for July 28th in Special Session. The meeting began at 1:30 p.m., held in the Island County Courthouse Annex Hearing Room, Coupeville, Wa., with Mike Shelton, Chairman, Wm. L. McDowell, Member, and William F. Thorn, present.

MINUTES APPROVED

The Board, by unanimous motion, approved the minutes from Special Sessions held on June 22, and 28, 1999, and from Regular Session held on June 28, 1999.

VOUCHERS AND PAYMENT OF BILLS

The following vouchers/warrants were approved for payment by unanimous motion of the Board: Voucher (War.) # 54869-55025..... \$898,050.11.

NORTHWEST SENIOR SERVICES BOARD

By unanimous motion, the Board reappointed Louise Deskey, Oak Harbor, to serve as a member on the Northwest Senior Services Board for a term to June 30, 2002.

FREELAND SUB-AREA PLANNING COMMITTEE

By unanimous motion, the Board appointed Rick A. Brown, Architect, Freeland, to the Freeland Sub-Area Planning Committee, to replace Jerry Stonebridge who earlier resigned.

Staff Session SCHEDULE for August

The Board, by unanimous motion, approved for distribution the Staff Session schedule for August, 1999: August 1 and August 18, beginning at 9:00 a.m.

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Contract #HD-05-99 – DSHS - Alternative Response

With health contract having been discussed previously at a staff session with the Health Services Director, the Board by unanimous motion, approved Contract HD-05-99 with the Department of Social & Health Services (DSHS), for Alternative Response, in the amount of \$8,160.

Special Occasion Liquor License - Guam Society of Whidbey Island

Having received recommendations of approval from the Island County Sheriff and the Health Department, the Board by unanimous motion, voted to send a favorable recommendation to the Washington State Liquor Control Board for approval of Application for Special Occasion Liquor License #091161 by Guam Society of Whidbey Island, for event to be held on August 14, 1999.

Hiring Requests & Personnel Actions

On presentation and summary by Dick Toft, Human Resources Director, the Board by unanimous motion, approved the following personnel action authorizations, all from the Public Works Department:

PAA # Description Action Eff. Date

051/99 Adm. Asst. #1713.00 Replacement 9/1/99

060/99 Plans Ex/Bldg. Insp #402.05 New Position-Temp 7/26/99

074/00 Jr. Civ. Engr I/Eng Tech III #2260.01 Replacement 7/26/99

075/99 Data Entry Clerk New Position, Temp 8/2/99

Resolution #C-90-99 – continuing Wellness Incentive Program/Plan

On presentation and recommendation of approval from Mr. Toft, the Board by unanimous motion, adopted Resolution #C-90-99 Continuing the Wellness Incentive Program/Plan for Island County Employees for program year 1998/99, Plan 1A and Plan 2A.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF CONTINUING THE)

WELLNESS INCENTIVE PROGRAM/PLAN)

FOR ISLAND COUNTY EMPLOYEES) RESOLUTION C-90-99

COUNTY EMPLOYEES _____)

WHEREAS, the Board of Island County Commissioners adopted Resolution C-47-98 on April 27, 1998 which continued the Wellness Incentive Program; and

WHEREAS, the above Resolution requires an analysis of potential costs to be reviewed no later than April 1, 1999, after which the program may be renewed for program year 1998-1999; and

WHEREAS, by participation in the program the Island county employees demonstrated that a percentage of employees favored incentives for maintaining health life styles and incentives for unused sick leave; and

WHEREAS, absenteeism is expensive to the County, both in paid time off and lost productivity to the organization; and

WHEREAS, after review it has been determined that the Wellness Incentive Plan for 1998-1999 will only contain Plan 1a and Plan 2a, ***NOW THEREFORE***

BE IT RESOLVED, that an analysis of potential cost be reviewed no later than April 1, 2000 at which time the program may be renewed for program year 2000-2001.

ADOPTED this 26th day of July, 1999.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman Wm. L. McDowell, Member

William F. Thorn, Member

ATTEST: Margaret Rosenkranz,

Clerk of the Board BICC 99-421

Resolution #C-91-99: Revising Resolution

#C-80-99 adopted on June 28, 1999

As presented and recommended by Dick Toft, the Board by unanimous motion, approved Resolution #C-91-99, revising Resolution #C-80-99 adopted on June 28, 1999, to clarify that the personnel **who were employed on June 28, 1999**, will be granted the additional COLA equal to .5% of base salaries effective January 1, 1999.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF ADJUSTING)

SALARIES FOR NON-BARGAINING UNIT) RESOLUTION C-91-99

EMPLOYEES (EXCLUDING ELECTED) (Revising Resolution C-80-99)

OFFICIALS) FOR 1999)

WHEREAS, the Board of Island County Commissioners adopted Resolution No. C-80-99 on June 28, 1999 which found 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; and

WHEREAS, the Board adopted Resolution C-172-98 on December 28, 1998, that provided a 2.0% base salary increase subject to further adjustment during this calendar year.

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 identified personnel who were employed on June 28, 1999 shall be granted an additional cost of living adjustment equal to .5% of base salaries effective January 1, 1999 in addition to that which was approved by Resolution C-172-98.

ADOPTED this 26th day of July, 1999.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Wm. L. McDowell, Member

ATTEST: William F. Thorn, Member

Margaret Rosenkranz, Clerk of the Board

BICC 99-422

REVISED GMA CALENDAR

The Board, by unanimous motion, adopted a Revised GMA calendar dated 7/23/99 as discussed at the Board meeting on 7/19/99 with special legal counsel Keith Dearborn, and reviewed with the Planning Commission at the 7/20/99 GMA Workshop, with the addition of a public hearing September 20, 1999 at 7:00 p.m. on Camano Island, on the topic of AG lands of long term commercial significance. [GMA doc. #4517]

AG ADVISORY COMMITTEE

The Board, by unanimous motion, named the following to serve on the AG Advisory Committee to deal with the remand from the Growth Hearings Board:

Board Representative Bill Thorn [Committee Chair]

Planning Commission Anne Pringle

WSU Don Meehan

Property Rights Alliance Tom Roehl

The Coalition John Graham

6 [or more] Farmers

1. Engle Farms Len Engle

2. Sherman Farms Don Sherman

3. Case Farms Chuck Jaeger

(At least three or more farmers yet to be appointed).

After review and consideration, the Board approved by unanimous motion, the Agricultural Remand Mission Statement dated July 19, 1999, which will be the charter for the advisory committee to work on. [Mission Statement - GMA doc. #4519]

AGRICULTURE REMAND

MISSION STATEMENT

July 16, 1999

The Western Growth Board has remanded three Ag issues for reconsideration. They are stated at page 73 of the June 2 Decision. The Ad Hoc Ag Committee is charged with the responsibility to recommend actions to comply with the Board's Order for these three issues. These recommendations are to be presented to a Joint Board/Planning Commission Workshop scheduled for August 27, 1999.

ISSUE #1

Reconsider the designation of agricultural lands of long-term commercial significance avoiding the use of inappropriate and exclusionary criteria.

- A. Do parcels smaller than 40 acres in size need to be conserved for long term commercial production?
- B. Is requiring that 50% of the Farm Unit be composed of prime soils an inappropriate designation criterion?
- C. What lands in commercial production or management that were not classified in the CA Zone should be designated as long-term commercial significance?
- D. What lands (if any) that are not in commercial production or management should be classified in the CA Zone and designated as long-term commercial significance?
- E. What additional actions should the County take for designated agricultural land of long-term commercial significance:
 1. to maintain and enhance these lands;
 2. to encourage conservation of these lands; and
 3. to discourage nearby incompatible uses that threaten long-term productivity.

ISSUE #2

Reconsider the provisions of the EDU section which allow designated agricultural lands to be used as receiving properties and fails to severely limit the amount of development that can occur on these lands.

- A. How should the EDU program be modified to avoid using EDU's on designated lands?
- B. What cap is appropriate to limit the total number of dwelling units and resultant densities that can be generated through use of EDU's in the CA Zone?

ISSUE #3

Reconsider the provisions of the EDU in rural designations to ensure that development density is capped to preclude future need for urban services and conflicts with resource use and rural character.

- A. What cap is appropriate to limit the total number of dwelling units and resultant densities that can be generated through use of EDU's in the R and RA Zone?

Resolution #C-92 -99 [PLG-024-99] Washington State Department of ecology adoption of Revised Rules & Regulations Governing SHORELINE management master plans

As part of the Chairman's Agenda, Chairman Shelton presented for review and adoption proposed Resolution in the matter of Washington State DOE adoption of revised Rules & Regulations Governing Shoreline Management Master Plans [SMMPs], a matter recently discussed at Staff Session. Chairman Shelton indicated that Association of Counties officers would be meeting with the Governor next Tuesday morning, and this issue will be discussed.

By unanimous motion, the Board adopted Resolution #C-92-99, PLG-024-99 in the matter of Washington State Department of Ecology adoption of revised Rules & Regulations Governing Shoreline Management Master Plans. [GMA doc. 4495]

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF WASHINGTON STATE DEPARTMENT OF ECOLOGY ADOPTION OF REVISED RULES AND REGULATIONS GOVERNING SHORELINE MANAGEMENT MASTER PLANS.)) RESOLUTION C-92-99) PLG-024-99)
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WHEREAS, the State of Washington Department of Ecology has proposed the adoption of new rules and regulations governing the preparation and revision of Shoreline Management Master Programs by counties and cities in the State; and

WHEREAS, the 1999 Legislature has not provided any funding to assist local governments in complying with the new guidelines, presenting yet another unfunded state mandate in conflict with legislation prohibiting such actions; and

WHEREAS, the new guidelines alter the Shoreline Management Act's requirement for the balance of economic and environmental policies and further do not integrate the planning requirements and approval processes for planning under the Washington Growth Management Act and the Washington Shoreline Management Act as directed by the State Legislature; and

WHEREAS, significant local government opposition to the new guidelines has developed regarding unresolved issues related to vegetative management, shoreline stabilization, best available science and other important policy issues; and

WHEREAS, Island County, with some of the most extensive shoreline environment in the State, has recently completed and adopted a revised Shoreline Management Plan as a component of the County's Growth Management Act Comprehensive Plan and would be required by these rules to undertake significant additional planning effort to comply with the new rules and regulations, **NOW, THEREFORE**,

IT IS HEREBY RESOLVED that the Board of Island County Commissioners hereby requests the Governor and the Director of the Department of Ecology to defer the proposed adoption of the new rules and regulations until such time as the proposed rules and regulations better address the aforementioned issues and the Legislature enacts new statutory provisions permitting the extension of shoreline regulation to areas not currently provided for, provides additional direction for the integration of the SMA and GMA, and provides adequate funding for the implementation of new shoreline management rules and regulations.

ADOPTED this 26th day of July, 1999.

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

Mike Shelton, Chairman

Wm. L. McDowell, Member

William F. Thorn, Member

ATTEST: Margaret Rosenkranz

Clerk of the Board BICC 99-429

Stormwater Mitigation Agreement – William Spalding -

Holmes Harbor Golf & Yacht Club #5

As presented by Larry Kwarsick, Public Works Director, and recommended for approval and consistent with criteria established in the Zoning Ordinance, the Board by unanimous motion approved Stormwater Mitigation Agreement with William Spalding, Lot 37, Block 1, Holmes Harbor Golf & Yacht Club #5.

Supplemental AgreementS #1 AND #2 to Agreement #PW-992014

Brown and Caldwell, Inc.- MANUAL/BMP WORKSHOPS

Mr. Kwarsick explained that Supplemental #1 as proposed involves the addition of Task 6 to the scope of work, development of a monitoring and enforcement plan for best management practices [BMPs]. The scope of work involves work being conducted within public road rights of ways either in or adjacent to critical areas or buffers. Supplemental Agreement #2 adds Task 7 to the scope of work, and involves the development of utility installation and maintenance manual and BMP workshops, within publicly owned rights of ways.

By unanimous motion, the Board approved Supplemental Agreements #1 and #2, Work Order 266, to Agreement #PW-992014 with Brown and Caldwell, Inc.

Iverson Conservation Preserve Agreements, WO 316 – Earnest Money & Promissory Note and Purchase & Sale Agreement; Frontier Bank, trustee for Edward K. and Edith G. Iverson

Mr. Kwarsick presented Agreements under Work Order 316, including Earnest Money and Promissory Note and Purchase and Sale Agreement; Frontier Bank, trustee for Edward K. and Edith G. Iverson, involving the acquisition of the Iverson Conservation Preserve Property located on Camano Island. This is a significant acquisition of open space and agricultural land as well as shoreline land on Camano Island, including 76 acres wetland; 70 acres on-going agricultural lands; over 3,300 lineal footage of tidelands; and 655 lineal feet no-bank shoreline waterfront property [parcels D, E, F and G]. Parcels A, B and C are properties that the Iverson Family Trust wanted to maintain in their ownership, located on the top of the bluff and are potential home sites. The crop land is currently subject to a lease and that lease, on County's acceptance, would continue on for another three years. The Conservation Futures Advisory Board recommends purchase the property. Proposed purchase price is \$640,000, with one contingency which is that the Board subsequently adopt a resolution denoting public benefit from this acquisition. Intention is to provide passive use recreational opportunities to the public. There is one further public meeting to be held on Camano Island scheduled this Wednesday evening to discuss the acquisition with the community and following that, the Board would make its final decision to lift the contingency and proceed with the acquisition.

By unanimous motion, the Board approved Earnest Money and Promissory Note, the Purchase and Sale Agreement, Frontier Bank, trustee for Edward K. and Edith G. Iverson, involving the acquisition of the Iverson Conservation Preserve Property located on Camano Island.

PUBLIC HEARING SCHEDULED: Ordinance #C-93-99 (PLG-022-99) Designating and Conserving Mineral Lands of Long Term Commercial Significance

Phil Bakke, Planning Manager, presented for purposes of scheduling, Ordinance #C-93-99 (PLG-022-99) In the Matter of Designating and Conserving Mineral Lands of Long Term Commercial Significance. As a follow-on to the joint Board/Planning Commission workshop on Mineral Lands held on July 20th, Mr. Bakke confirmed that letters [packet of letters is included in the GMA record as doc. #4509] were sent on Friday to all known mineral land owners identified on Map E requesting they look over Map E, and if necessary, make appointments with staff to discuss proposed amendments.

By unanimous motion, the Board scheduled a Public Hearing on Ordinance #C-93-99 (PLG-022-99) In the Matter of Designating and Conserving Mineral Lands of Long Term Commercial Significance pursuant to R.C.W.36.70A.060 and R.C.W. 36.70A.170, for August 16, 1999 at

1:30 p.m. [Ord. C-93-99 GMA doc. 4518]

Executive Session

At 3:30 p.m., the Board met in Executive Session as allowed under R.C.W. 42.30.110(1)(i) to discuss pending litigation with Legal Counsel. The length of meeting was about one-half hour, and the Chairman did not expect an announcement on completion of the session.

There being no further business to come before the Board at this time, the Chairman adjourned the meeting at 4:00 p.m.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Wm. L. McDowell, Member

William F. Thorn, Member

ATTEST: _____

Margaret Rosenkranz, Clerk of the Board