

**ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING
REGULAR SESSION - OCTOBER 2, 2000**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on October 2, 2000, beginning at 9:30 a.m. in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa., with Wm. L. McDowell, Chairman, William F. Thorn, Member and Mike Shelton, Member, present. By unanimous motion, the Board approved and signed the minutes from the meeting of September 18, 2000.

VOUCHERS AND PAYMENT OF BILLS

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

Voucher (War.) #83232 - 83461 \$ 864,667.32

HIRING REQUESTS & PERSONNEL ACTIONS

After review and summary provided by Dick Toft, Human Resource Director, the Board by unanimous motion, approved the following Personnel Action Authorizations:

PAA #	Description/Position No.	Action	Eff. Date
109/00	Prob. Couns./Drug Crt. #1402.07	New Position	10/2/00
114/00	Sergeant #4012.05	New Position	1/1/01
115/00	Sergeant #4012.06	New Position	1/1/01

RESOLUTION #C-98-00 SUPPORTING THE 2000 UNITED WAY DRIVE

As has occurred the last several years at this time, Mr. Toft brought forward for the Board's review and consideration, a proposed resolution setting up the Island County United Way Drive. Accompanying Mr. Toft was Jean Salls, Executive Director, United Way, who expressed appreciation to the County for supporting United Way generously in the past and hoped that would continue. Island County as the fourth largest employer in the County is very important to the success of the campaign.

By unanimous motion, the Board adopted Resolution #C-98-00 in the matter of supporting the 2000 United Way Drive within Island County.

**IN THE MATTER OF SUPPORTING)
THE 2000 UNITED WAY DRIVE)
WITHIN ISLAND COUNTY, WA) **RESOLUTION C-98-00****

WHEREAS, United Way of Island County is a major contributor of funds providing support to organizations serving community needs for infants, youth, adults, seniors, and those with physical and mental health problems;

WHEREAS, many of these programs are proactive and address issues before they become County wide problems, it is in the County's best interest to provide active support to United Way;

WHEREAS, United Way returns 92% of funds collected directly back into programs that meet the needs and serve the citizens of Island County;

WHEREAS, all employees of Island County are encouraged to remember citizens of the County who find themselves in a time of need and who will benefit from our generosity;

WHEREAS, it is requested that each department identify an individual to be the department's 2000 coordinator who can answer questions and provide assistance in the conduct of this years' drive;

BE IT RESOLVED, that the Board of County Commissioners designates the period of October 9th to October 27th as the Island County United Way Fund drive.

ADOPTED this 2nd day of October , 2000.

**BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON**
Wm. L. McDowell, Chairman
William F. Thorn, Member
Mike Shelton, Member

ATTEST: Margaret Rosenkranz, Clerk of the Board
BICC-00-585

CONTRACT #HD-13-00 - MSS/MCM PSYCHOSOCIAL AGREEMENT – COMMUNITY MENTAL HEALTH

By unanimous motion, the Board approved Contract #HD-13-00 in the amount of \$15,000 with Community Mental Health Services, having been approved by the Board of Health on September 18, 2000, the Maternity Support Services/Maternity Case Management Psychosocial Agreement, effective 8/1/00 and reviewed every two years.

WARRANTY DEED, PROPERTY DONATION, PLAT OF BON AIR ESTATES

As presented by Betty Kemp, Director, GSA, and outlined in a memorandum to the Board dated 9/26/00 from Lee McFarland, the Board by unanimous motion, accepted and signed Warranty Deed from Robert and Mildred Hilton, Real Estate Excise Tax Affidavit, Real Estate Excise Tax Supplemental Statement, for property donation, Lot 3, Block 11, Division 4, Plat of Bon Aire Estates, as previously discussed in Staff Session.

CLAIM FOR DAMAGES R00-030CD, ROBERT C. REAMER

Ms. Kemp presented Claim for Damages R00-030CD submitted by Robert C. Reamer, filed with GSA/Risk Management on August 31, 2000 in the amount of \$1,111.64. The claimant alleged damages to vehicle came about as a result from a County mowing operation when mower threw a rock damaging the driver's side of the Reamer vehicle, and chipping the door window. After having investigated the claim, both Ms. Kemp as well as the County Engineer recommend payment.

By unanimous motion, the Board approved Claim for Damages R00-030CD by Robert C. Reamer in the amount of \$1,111.64.

SNO ISLE REGIONAL LIBRARY SYSTEM STATUS REPORT

Arthur Weeks, Library Director, Sno-Isle Regional Library System, provided to the Board a brief status report on operations of the library system pertaining to Island County for the period ending 1999. Accompanying Mr. Weeks was Danete Fowler, Trustee, Sno-Island Regional Library System Board [president-elect]. Hand outs included: (1) Library Services for Island County; (2) Use of Island County Libraries by Residence.

Whidbey Island:	total expenditures for library service	\$2,549,701
	total property tax to Sno-Isle	\$2,135,369
Clinton library opened in March.		
Camano Island:	total expenditures for library service	\$ 427,535
	total property tax to Sno Isle	\$ 682,695.

The library is located in Stanwood; 48% of the business comes from Camano Island. Sno-Isle has been meeting with Stanwood City Council and the Mayor of Stanwood has formed a committee to look into the library situation and one of the questions is whether there should be a larger library in Stanwood or a library in Stanwood and on Camano Island. Sno-Isle and some committee members are hoping to address the question at one of Commissioner Thorn's town hall meetings on Camano Island.

**RESOLUTION #C-99-00 (R-45-00) INITIATING CRP AMENDMENT CRP 9704-B
GLENDALE ROAD & STREAM RESTORATION CONTRACT ALONG WITH CHANGE ORDER NO. 1**

Larry Kwarsick, Public Works Director, along with Dick Snyder, Assistant County Engineer, presented for the Board's review and approval, Change Order #1 to Glendale Road & Stream Restoration contract with Callen Construction, with Amendment to CRP 97-04, designated as CRP 97-04-B, in the total amount of \$162,000, and change order for installation of the box culvert upstream not to exceed \$130,000. The Change Order relates to Glendale Road and stream restoration contract with Callen Construction currently under way, brought about through recent discussions with the Department of Fish & Wildlife [DF&W] who are anxious that Island County move ahead as quickly as possible with replacement of a cross culvert upstream from the townsite project. The current cross culvert constitutes a fish blockage; with pending arrival of fish, DF&W wants the County to accelerate the work so that the culvert is in this Fall so that migration of the fish can be accommodated up through the canyon. Of the \$162,000, funding support includes \$9,000 from DF&W, and \$18,900 from Department of Transportation. Mr. Kwarsick confirmed that DF&W was completely on-board with what is planned except for fully financing it, yet the cost of the culvert is entirely being driven by design perimeters from DF&W. When the

townsite stream was de-watered, there were some 60-75 fish that had to be transported by bucket to another place in the stream [included ling cod, cut throat trout and salmon, 1-4" in size].

By unanimous motion, the Board approved Resolution #C-99-00 (R-45-00) in the matter of initiating CRP 97-04-B, Work Order 236, in the amount of \$162,000, and authorized the Public Works Director to sign the change order within the scope of the CRP authorization. [GMA #5979]

HEARING HELD: ORDINANCE #C-87-00 (R-43-00)-AMENDING ISLAND COUNTY CODE, TITLE XIV, CHAPTER 14.04A, INTERIM 9-1-1 ADDRESSING POLICY

A Public Hearing was held at 10:20 a.m. as scheduled and advertised, to consider Ordinance #C-87-00 (R-43-00) Amending Island County Code, Title XIV, Chapter 14.04A, Interim 9-1-1 Addressing Policy.

Mr. Kwarsick recalled that the rational for the proposed changes had been reviewed during recent staff session; he went over the major changes proposed to the ordinance:

- eliminating the ordinance as an interim ordinance and making it a permanent ordinance
- reconfiguration of the Address Board
- provide the same policy for public roadways as for private roads that provide access to 4 or fewer parcels - such that those are not named
- transfer duties from the Planning Department/Community Development to the Public Works Department

When the Chairman called for public comments on the proposed ordinance, no one came forward to comment either for or against said ordinance. Staff recommended approval of the ordinance as proposed.

By unanimous motion, the Board adopted Ordinance #C-87-00 (R-43-00) Amending Island County Code, Title XIV, Chapter 14.04A, Interim 9-1-1 Addressing Policy.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF AMENDING ISLAND)	ORDINANCE <u>C-87-00</u>
COUNTY CODE, TITLE XIV, CHAPTER 14.04A,)	<u>R-43-00</u>
9-1-1 INTERIM ADDRESSING POLICY)	

WHEREAS, ICOM has completed the implementation of Enhanced 9-1-1; and

WHEREAS, the existing code requires revision to accommodate changes to Departmental structure; and

WHEREAS, there is a need to standardize the requirements for naming a public road and a private road; and

WHEREAS, the Board of Island County Commissioners finds that it is in the best interest of the community to revise its addressing policy to avoid confusion in the location of addresses in cases of requests for emergency assistance; NOW, THEREFORE,

BE IT HEREBY ORDAINED THAT the Board of County Commissioners of Island County, Washington, do hereby amend Island County Code, Title XIV, Chapter 14.04A, Interim 9-1-1 Addressing Policy as set forth in Exhibit "A" attached hereto. Material lined through is deleted. Material underlined is added.

REVIEWED this 11th day of September, 2000, and set for public hearing on the 2nd day of October, 2000, at 10:20 a.m.

**BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON**
 Mac McDowell, Chairman
 William F. Thorn, Member
 Mike Shelton, Member

ATTEST: Margaret Rosenkranz
Clerk of the Board BICC 00-536

PASSED INTO LAW this 2nd day of October, 2000 following public hearing.

**BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON**
 Wm. L. McDowell, Chairman
 William F. Thorn, Member
 Mike Shelton, Member

ATTEST: Margaret Rosenkranz

Clerk of the Board

APPROVED AS TO FORM:

David L. Jamieson, Jr.

Deputy Prosecuting Attorney & Code Reviser [Note: Exhibit "A" placed on file with the Clerk of the Board]

HEARING HELD: RESOLUTION #C-88-00 (R-42-00) – CERTIFICATION OF COMPLIANCE FOR COMMUNITY DEVELOPMENT PLANNING ONLY BLOCK GRANT FOR AN INTERGENERATIONAL NEIGHBORHOOD CENTER

A Public Hearing was held as scheduled and advertised, beginning at 10:30 a.m. for the purpose of considering Resolution #C-88-00 (R-42-00) In the Matter of Certification of Compliance for Community Development Planning Only Block Grant for an Intergenerational Neighborhood Center. Certification is required under the County’s submitted planning only grant for an Intergenerational neighborhood Center on South Whidbey. Upon submittal of the grant to the State, although the grant was considered secure, the State required that Island County and the City of Langley fulfill some additional requirements.

Mr. Kwarsick recently made a presentation to the City of Langley and the City subsequently passed a similar resolution to that before the Board, and held a public hearing and he expected to receive all the documents from Langley this evening. With action proposed by the Board today a fully complete application will be submitted for this planning only grant and the project started upon receipt of the grant.

When the Chairman called for public comments on the proposed ordinance, no one came forward to comment either for or against said resolution. Staff recommended approval of the ordinance as proposed. Activities and commitments specified in the proposed resolution are commitments the County has made in the past, and continues to make, under the Community Development Block Grant program.

By unanimous motion, the Board adopted Resolution #C-88-00 (R-42-00) in the matter of certification of compliance for Community Development Planning Only Grant for an Intergenerational Neighborhood Center.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ISLAND COUNTY, WASHINGTON

**IN THE MATTER OF CERTIFICATION)
OF COMPLIANCE FOR COMMUNITY)
DEVELOPMENT PLANNING ONLY) RESOLUTION C-88-00
BLOCK GRANT FOR AN INTER-) R-42-00
GENERATIONAL NEIGHBORHOOD CENTER)**

WHEREAS, Island County and the City of Langley are applying to the Department of Community, Trade and Economic Development for funding assistance; and

WHEREAS, it is necessary that conditions be met as part of the application; and

WHEREAS, Larry Kwarsick , Public Works Director, is authorized to submit this application to the State of Washington on behalf of Island County; and

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Island County Commissioners authorizes submission of this application to the State Department of Community, Trade and Economic Development to request \$29,410.00 for the South Whidbey Intergenerational Neighborhood Facility, and certifies that, if funded, it:

Will comply with applicable provision of Title I of the Housing and Community Development Act of 1974, as amended, and other applicable state and federal laws; and

Has provided opportunities for citizen participation comparable to the state’s requirements; has complied with all public hearing requirements and provided citizens, especially low- to moderate-income persons, with reasonable advance notice of, and the opportunity to present their views during the assessment of community development and housing needs, during the review of available funding and eligible activities, and on the proposed activities;

Has provided technical assistance to citizens and groups representative of low-to moderate-income persons that request assistance in developing proposals; and

Will not use assessments against properties owned and occupied by low- to moderate-income persons or charge users fees to recover the capital costs of CDBG-funded public improvements from low- to moderate-income owner-occupants; and

Will establish a plan to minimize displacement as a result of activities assisted with CDBG funds; and assist persons actually displaced as a result of such activities, as provided in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1960, as amended; and

Will conduct and administer its program in conformance with Title VI of the Civil Rights Act of 1964 and the Fair Housing Act, and will affirmatively further fair housing, (Title VIII of the Civil Rights Act of 1968);

Has adopted and will enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstration; and has adopted a policy enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstration within its jurisdiction, in accordance with Section 104(1) of the Title I of the Housing and Community Development Act of 1974; and

Will provide, upon request, and prior to any obligation of funds being made, a complete and accurate CDBG Federal Funds Disclosure Report detailing the required applicant/grantee information, and as appropriate other government assistance provided or applied for, interested parties and expected sources, and uses of funds;

The Board of Island County Commissioners designates Larry Kwarsick, Public Works Director, as the authorized Chief Administrative Official and authorized representative to act in all official matters in connection with this application and Island County's participation in the Washington State CDBG Program.

Reviewed this 11th day of September, 2000 and set for public hearing at 10:30 a.m. on the 2nd day of October, 2000.

**BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON
Mac McDowell, Chairman
Mike Shelton, Member
William F. Thorn, Member**

ATTEST: Margaret Rosenkranz
Clerk of the Board BICC 00-539

APPROVED AND ADOPTED this 2nd day of October, 2000 following public hearing.

**BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON
Wm. L. McDowell, Chairman
Mike Shelton, Member
William F. Thorn, Member**

ATTEST: Margaret Rosenkranz
Clerk of the Board

**RESOLUTION #C-100-00 (SW-02-00) – AUTHORIZING
PROCUREMENT OF GENERAL SERVICES**

Dave Bonvouloir, Solid Waste Manager, presented Resolution #C-100-00 (SW-02-00) in the In the Matter of Authorizing Procurement of General Services: Recycle Services – Transportation and Processing of Recyclables Collected at Island county Drop Box station and Recycle Park, Camano Island. This was a topic of discussion at a recent staff session

The Board, on unanimous motion, approved Resolution #C-100-00 (SW-02-00) in the matter of authorizing procurement of general services as outlined.

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

**IN THE MATTER OF AUTHORIZING }
PROCUREMENT OF GENERAL SERVICES }
Recycle Services: Transportation and Process- }RESOLUTION NO. C-100-00
ing of Recyclables Collected at Island County }RESOLUTION NO. SW-02-00
Recycle Park, Drop Box Station Camano Island & }**

WHEREAS, recycling is a priority above waste disposal in the approved Island County Comprehensive Solid Waste Management Plan, and

WHEREAS, recycle centers or drop-off boxes are required at conveniently located transfer stations per RCW

70.95.090 (7) (b) (i) , and

WHEREAS, funds are available in the Solid Waste FUND for the transportation and processing of recyclables collected at the Camano Drop Box Station/Recycle Park, and

WHEREAS, each of three allowable extensions to the existing contract for said services expires December 31, 2000.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the attached Terms & Conditions and Scope of Work is approved as written and that Director of Public Works and/or the Solid Waste Manager is authorized and directed to obtain competitive bids for providing Island County with said services.

ADOPTED this 2nd day of October, 2000.

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

Wm. L. McDowell, Chairman

Mike Shelton, Member

ATTEST: Margaret Rosenkranz, William F. Thorn, Member
Clerk of the Board BICC 00-591

**APPROVAL OF CONTRACT AND PERFORMANCE BOND
FROM SIDELINE EXCAVATION**

As presented and recommended by Mr. Bonvouloir, the Board by unanimous motion awarded bid and signed a Contract in the total bid amount of \$20,456.53 with Sideline Excavation, Camano Island, and accepted that Company's Performance Bond, for installation of two retaining walls on Camano Island associated with the Camano Island Solid Waste Transfer Station.

PERFORMANCE BOND FOR KIMLER SHORT PLAT/SHP #137/00

The Board, by unanimous motion, accepted a Performance Bond in the amount of \$10,000.00 associated with Kimler Short Plat/SHP #137/00, Parcel #R33119-125-0300, for completion of installation of waterline as required by Island County Health Department.

**HEARING HELD: FRANCHISE #319 – MUTINY SANDS CLUB, INC.
EXISTING WATER DISTRIBUTION SYSTEM**

A public hearing was held at 10:30 a.m. as advertised to consider Franchise #319 by Mutiny Sands Club, Inc., for an existing water distribution system lying in County rights-of-way within the Plat of Mutiny Sands, Sec. 9, Twp. 29N., R 2E. There are no plans for expansion of their current system.

The County Engineer's memorandum dated September 13, 2000, confirmed that all departments requested to comment responded with no objection to the proposal and the Prosecuting Attorney's Office reviewed and approved the documents to form, along with the Risk Management office. Staff recommends approval.

When the Chairman called for public comments, no one in the audience came forward to speak either for or against the franchise as requested.

By unanimous motion, the Board approved Franchise #319 by Mutiny Sands Club, Inc.

**HEARING HELD: ORDINANCE #C-121-99 (PLG-043-99) ADOPTING OAK HARBOR INTERLOCAL
AGREEMENT GOVERNING LAND USE DECISIONS WITHIN NON -MUNICIPAL PORTION OF OAK
HARBOR'S UGA**

A Public Hearing was held at 10:45 a.m. on Ordinance C-121-99 (PLG-043-99) for the purpose of adopting the Oak Harbor Interlocal Agreement governing Land Use Decisions within the non-municipal portion of Oak Harbor's UGA, continued from 10/25/99, 11/23/99, 2/7/00, 3/13/00, 4/17/00 & 8/7/00.

Attendance:

Public: None

Staff: Phil Bakke, Planning Director

Phil Bakke commented that the City and County continue to work together on this matter but had not yet been completed and recommended the hearing be continued.

By unanimous motion, the Board continued the public hearing to December 18, 2000 at 10:45 a.m.
[Notice of Continuance, GMA doc. #5978]

HEARING HELD: PROJECT PERFORMANCE REGARDING ISLAND COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANTS RELATED TO COMMUNITY FACILITIES: CONTRACT #1-94-743-003 & CONTRACT #1-95-744-009

A Public Hearing was held at 11:00 a.m. as scheduled and advertised, for the purpose of reviewing project performance regarding Island County's Community Development Block grants related to community facilities: Contract #1-94-743-003 and #1-95-744-009. The purpose of the grants was to provide funding for the South Whidbey Family Resource Center and the Camano Island Family Resource Center. This hearing is one of the required elements in the conclusion of the Community Development Block Grant program, both for the construction of the South Whidbey Family Resource Center and the Camano Island Family Resource Center. This requirement is part of a performance audit conducted by the State.

Gary Hess, Public Works Engineer, further commented to note that part of what will be provided is information documenting low and middle income beneficiaries served by both of the clinics constructed by the Block Grant and that information has been received from the Health Department, to be forwarded with the close out performance report to C-TED which is due by October 16th. The other requirement is conducting this public hearing to review performance of the two grants; all other requirements have been met.

No public comments were made at this time from any members of the public. The public hearing held as required; grant requirements met and the matter concluded as mandated. Hearing closed.

BUDGET WORKSHOP

The Board met at 1:30 p.m. to conduct a budget workshop with Public Works, Community Development, Solid Waste, Road, ER&R, Paths & Trails, Storm Water Utility, Diking Improvement District #4, Family Resource Centers. Minutes from the budget workshop are on file in the Office of the Commissioners and Budget Director.

There being no further business to come before the Board at this time, meeting adjourned at 3:15 p.m.. after the budget workshop. The next regular meeting will be held on October 9, 2000 at 9:30 a.m.

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

Wm. L. McDowell, Chairman

William F. Thorn, Member

Mike Shelton, Member

ATTEST:

Margaret Rosenkranz, Clerk of the Board