

**ISLAND COUNTY COMMISSIONERS – MINUTES OF MEETING  
REGULAR SESSION - OCTOBER 16, 2000**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on October 16, 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.

**VOUCHERS AND PAYMENT OF BILLS**

The following vouchers/warrants were approved for payment by unanimous motion of the Board: **Voucher (War.) # 84050 – 84255**  
..... \$406,978.08.

**Veterans Assistance Fund:** [emergency financial assistance to certain eligible veterans; the names and specific circumstances are maintained confidential]. By unanimous motion, the Board approved Claim V2K-16 in the amount of \$113.65 as recommended by the Veterans Assistance Review Committee.

**CONTRACT TO INSTALL RESTROOMS AT DAN PORTER PARK**

Lee McFarland, Assistant Director, GSA, presented for the Board’s review and approval Contract RM-PARK-00-0055 between Island County and CXT Incorporated, Precast Division, for delivery and installation of Cortez flush toilet building at Dan Porter Memorial Park, Clinton, at a total cost of \$32,281.18. The Contract was reviewed and approved by the Prosecuting Attorney’s Office as well as Risk Management. By unanimous motion, the Board approved Contract #RM-PARK-00-0055 as presented.

**ASSUMPTION OF LIQUOR LICENSE NO. 071015-4I, LA PAZ INC DBA LA PAZ**

Having received recommendations of approval from the Island County Sheriff and the Health Department, the Board by unanimous motion, approved the application for Assumption of Liquor License #071015-4I, Cooks Corp. Too, d/b/a LA PAZ, Clinton.

**RESOLUTION #C-103-00 CANCELLATION OF WARRANTS**

As has been the past practice on an annual basis, the Board received from the Auditor’s Office proposed resolution which if adopted would cancel certain warrants not presented within one year from the date of issue, in accordance with RCW 39.56.040, and Exhibit “A: attached listed the various warrants proposed to be canceled. By unanimous motion, the Board approved Resolution #C-103-00.

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

**IN THE MATTER OF  
CANCELLATION OF WARRANTS**

**RESOLUTION C-103-00**

**WHEREAS**, RCW 39.56.040, provides for the cancellation of warrants not presented within one year of the issue date, and

**WHEREAS**, the warrants listed in Exhibit “A” / Claims Fund and Exhibit “B” / Salary Fund have not been presented for payment and have been outstanding for more than one year, or the issuing fund or department has requested the cancellation, and

**WHEREAS**, effort to contact the recipients have not resulted in presentation of the warrants, or an affidavit to request issuance of replacement warrants, and, **NOW THEREFORE**

**BE IT RESOLVED**, that the warrants listed in Exhibit “A” and “B” are canceled. The County Auditor and County Treasurer, by copy of this resolution, are directed to take action to transfer all records of such warrants so as to leave the funds as if such warrants had never been drawn.

**ADOPTED** this 16th day of October, 2000.

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

**ATTEST:**  
Margaret Rosenkranz,  
Clerk of the Board BICC 00-612

**HIRING REQUESTS & PERSONNEL ACTIONS**

As presented and summarized by Dick Toft, Human Resources Director, the Board by unanimous motion approved Personnel Action

Authorization #116/00, Environmental Health Specialist, Position #2403.04, increase in hours from 30 per week to 40 per week, effective today.

**PRESENTATION BY FRIENDS OF GLENDALE CREEK**

Lorrenda Kay, Clinton, provided introductory comments with regard to today's agenda item relating to a presentation by Friends of Glendale Creek. Some 50 people attended. Friends of Glendale Creek became concerned when the County decided to open Glendale Road up through Glendale Canyon. The group fears that opening up the road going up Glendale canyon will create the problem where a road and stream cannot co-exist. The canyon is volatile, slides, a wet area even in the dry summer. The uniqueness of the topography and the stream make it an area that should be set aside for the public as a walking corridor not as a traffic corridor. The Washington State Conservation Commission calls Glendale creek one of the top three creeks in Island County for salmon habitat and one of only a handful of perennial streams that is in Island County. Their number one recommendation is to abandon Glendale Road and acquire that land for public trust, which is what Friends of Glendale Creek ask: that the County close Glendale Road, create a walking corridor and make it available for a larger public to enjoy year around.

Don Miller, Langley, addressed the ecological impacts of having a road through Glendale canyon. The repair on the upper Glendale Road is 1800' long. There is a 180' section that caved off back about midway in the road and project proposes stabilization of that by building a rock wall contained in wire baskets 10' wide up to 18' tall – takes out material that gets soggy and unstable and replaces with porous material and drainage added to drain efficiently. As far as the other 1600' there areas of sliding all along some areas couple inches other areas 6-8" and the plan calls for conservative treatment for that – eventually when conditions are right there will be more slippage. When this slippage increases it will probably be stabilized with a design similar to the 180' section – and eventually end up with 1800' of road drained well, in essence an 1800' gutter system down Glendale canyon. He submitted for today's record, copies provided to the Commissioners, was information provided by Robert Barnes relative to comparative data for Glendale and Maxwellton Creek water quality the first page an e-mail from Jennifer Lail from Robert Barnes [degree in forestry, botany and others] with picture of Glendale Creek August, 2000, and the second page "Comparing Glendale and Maxwellton Creeks 1999+" [copy on file]. Water quality is better in Glendale (higher dissolved oxygen, lower water temperature). Stream flow is higher in Maxwellton during the rainy season but higher in Glendale during the driest time of the year [cited examples from August and May 1999]. Another ecological impact of the road is that it changes the natural erosion of that area. By narrowing the roadway to a single lane more closely approximates its natural erosion state with smaller less frequent amounts of material caving off into the creek. Clarification is needed as far as how and when to start addressing this area as a watershed and salmon habitat.

Angie Dixon, Clinton, saw the area as stunningly beautiful and when she heard Glendale creek was a viable salmon stream felt needed to participate at some level. She understood that it was not just silver salmon, but also chum salmon returning to the creek which would be related more to the lower portion in terms of spawning. A great deal of research has been done in terms of information about Glendale Creek, all indicating Glendale Creek is a special place and deserves to be taken care of. She too referenced the report from the Washington State Conservation Commission listing as its top recommendation to abandon Glendale Road and acquire public ownership for fish and wildlife habitat. A stream and a road occupying a canyon will always be in conflict with each other; as a road is bolstered more and more it confines the creek into a narrower straighter passage, detrimental to fish.

Diane Kendy, Langley, spoke on behalf of the Citizens Growth Management Coalition, reading a letter into the record a statement prepared by Dean Enell, in summary stating that the Coalition encourages the County to opt for a one-lane emergency only road through the Glendale Canyon and the preservation of a natural area, where citizens can see, enjoy and study the regeneration of NW salmon. [complete letter on file]

Mindy Thompson, Clinton, although had concern for the salmon, expressed interest in also seeing the creek preserved for other wildlife in the area which include eagles, blue heron, owls, various birds, mallard ducks, coyotes, deer, fox, beaver, trout, salamanders, frogs, and numerous other forms of wildlife. She was concerned about a concrete wall, removal of the trees and greenery that help shade the creek.

Bill Rowlands, Clinton, has been involved with trying to publicize the rebuilding of Glendale Road for about three years, having a number of friends in the Glendale area and a vested interest in some property at the headwaters of Glendale Creek, and wrote three letters on this topic, 1998, 1999 and 2000. He and Representative Dave Anderson walked the stream from the mouth approximately a mile and a half up to Holst Road in mid winter during the fastest flow of water, specifically looking to see if any of the salmon were getting past the 90' long culvert blocking Glendale Creek and found that none of the salmon were getting around that culvert. They saw a number of slides and where trees normally growing vertically were leaning over, the first significant clue slides are going on continuously. He was concerned whether or not the County had done any significant testing of the soil below this wall that will weigh tons of concrete because that much weight on a soil that has any significant amount of clay will act like a greasy sliding slippery base. He has heard there is an earthquake fault up the canyon and was interested whether that had been addressed. He commented that in 1998 a determination was made by the County of no significant environmental concern on the project; after a letter by Mr. Rowlands and Steve Erickson from WEAN during the comment period on the determination, the then Planning Director, Vince Moore, changed his mind and made a determination of significant environmental concern. A few months later Planning Director Phil Bakke issued a determination of non-significance, 180 degrees from what Mr. Moore determined, and Mr. Rowlands has been told this is due to a loop hole because this now is being called a repair.

Tom Fisher acknowledged this to be a very popular arterial, scenic alternative, for residents of Possession and Sandy Hook to the ferry. There is an inherent contradiction to say that Humphrey Road is unstable and prone to slides and on the other hand to invite more traffic on the road by opening up Glendale. There is a higher use for this creek and it is not as a road.

Gloria Wallin, Clinton, one of four or five landowners who own large wetlands at the upper end of Glendale Creek, told the Board that this summer her son kept saying there were fish in the ponds below the house and actually went and caught some cut throat trout so she is aware that the upper end supports trout, and believed there is potential for a salmon recovery project in this area. In talking with the adjacent landowners on the upper, all are interested in seeing some kind of a salmon restoration project happen.

John Crawford, Clinton, recalled that in November of 1997, the majority of people in Glendale submitted a petition to Commissioner Shelton requesting the road be closed and be maintained only as a one-way emergency access. His priority is keeping this area open, clean and clear for the fish. He and Puget Sound anglers transported 125 chums into the upper area that is still blocked today; that blockage needs to either be removed or replaced with box culverts. Rich Johnson and several others from the Department of Fisheries have requested that the road be either closed or turned into a one lane emergency access road. As far as maintaining Humphrey Road, he said if the County were to just do maintenance on it there would be no problems on Humphrey Road for exist.

Susan Berta, Greenbank, Orca Conservancy, commented that Puget Sound orcas were threatened and may be listed on ESA along with salmon, because of the decline of the salmon. All three pods have been seen feeding off the Glendale Creek outlet area this past month. She sees this as a unique opportunity, a long stretch of undeveloped, undisturbed riparian habitat that is rare to find. It is such a unique opportunity because there are two property owners along the undeveloped part of the creek who are willing to work with the County and come to some sort of compromise. It would seem that one lane emergency access road would be a good compromise. She commended the County for what was being done on the lower reaches of the creek. Orca Conservancy supports any salmon restoration efforts possible.

Bill Feely, North Bush Point, saw a win-win situation: abandon two-way full road and with a single road people want. It costs less money and the County able to keep the people happy.

Joan Hanby [sp], Greenbank, homeowner in Glendale since 1965, wanted to see Glendale Road remain closed with one way access for emergency vehicles, and maintain Humphrey Road to a better quality.

In conclusion, Lorrenda Kay noted that many folks could not attend today's meeting because of work and was interested in having the Board conduct a public meeting in the evening on South Whidbey. This is an issue larger than just a Glendale resident fight, and it is an area all of Whidbey can enjoy from the standpoint of a fish habitat area. She is putting together a list to be submitted at a later date of residents who are asking that the road remain closed with a one lane emergency access.

The Commissioners indicated they were agreeable to scheduling a meeting on South Whidbey in the evening.

-  
[Note: two letters received specifically requested notation in today's record:

*Walt Blackford, Langley, letter dated 10/6/00 supporting position taken by Friends of Glendale Creek*

*Robert Kenny, Clinton, e-mail dated 10/3/00 request prioritize Glendale Creek and Glendale Canyon as a place for salmon, out door education and walking; and do not resume its use as a traffic corridor.*

*There are numerous other pieces of correspondence, e-mails and phone call messages both supporting the position of Friends of Glendale Creek as well as requests to keep Glendale Road open; all are on file in the Office of the Commissioners and Public Works Department.]*

**HEARING HELD: FRANCHISE # 84R [RENEWAL] OLYMPIC MARINE VIEW WATER ASSOCIATION; RENEWAL FOR EXISTING WATER DISTRIBUTION SYSTEM - OLYMPIC MARINE VIEW, DIV. #3**

-  
A Public Hearing was held at 10:20 a.m. as advertised, to consider Franchise # 84R, Olympic Marine View Water Association, a renewal for an existing water distribution system Olympic Marine View, Div. #3, Sec. 19, Twp 29N, R 3E. All departments requested to comment responded on the franchise renewal request and have no objection to the proposal. Based on that information, the County Engineer recommended approval as outlined in Memorandum dated October 11, 2000.

The President of Olympic Marine View Water Association was present in support of approval of the franchise and to answer any questions there may be concerning the request for franchise. No others in the audience commented either for or against said franchise.

By unanimous motion, the Board approved Franchise /#84R, Olympic Marine View Water Association renewal of franchise.

**GRANT APPLICATION – CREEK INVENTORIES, RESTORATION PLANS AND COUNTY CULVERT PRELIMINARY DESIGNS; SALMON RECOVERY**

**FUNDING BOARD, STATE OF WASHINGTON**

Larry Kwarsick, Public Works Director, presented and summarized a request for submittal of a grant application to the Salmon Recovery Funding for projects: Salmon Supporting Creek Inventories; Salmon Supporting Creek Restoration Plans; Salmon Supporting Creek County Culvert Assessments, Preliminary Design and cost Estimates. Of the total project amount of \$205,000, grant funds are being requested from the Salmon Recovery Funding Board in the amount of \$155,000.

Janet Kearsley, Watershed Project Associate, was present to elaborate further on the applicant and to answer any questions. The culvert under Glendale Road at the upper stream portion of current project is going to be replaced [part of the change order the Board previously authorized]. The box cross culvert has been ordered and is expected in about two weeks. Intent is to install the box culvert this year. The only fish barrier then will be the culvert under Holst/Glendale Road and that is part of this grant application in order to assess that culvert and various alternatives to remove that barrier.

By unanimous motion, the Board approved Grant Application as presented by Mr. Kwarsick and Janet Kearsley. [GMA doc. #5982]

**HEARING HELD: FRANCHISE #315; UTSALADY POINT WATER SYSTEM; EXISTING WATER DISTRIBUTION; UTSALADY POINT TRACTS, DIV. #1, #2 & #4**

A Public hearing was held at 10:40 a.m. as advertised, for the purpose of considering Franchise #315; Utsalady Point Water System; existing water distribution; Utsalady Point Tracts, Division No. 1, Division No. 2, and Division No. 4; Sec. 24, Twp 32N, Rge 2E. The County Engineer's recommendation of approval was outlined by memorandum dated October 11, 2000.

At the time the Chairman called for public comments, no one in the audience came forward commenting either for or against said franchise.

The Board by unanimous motion approved Franchise #315.

**GRANT APPLICATION – CRESCENT HARBOR SALT MARSH AND SALMON HABITAT RESTORATION; SUBMITTED ON BEHALF OF THE US NAVY; SALMON RECOVERY FUNDING BOARD, STATE OF WASHINGTON**

Grant Application for Crescent Harbor Salt Marsh and Salmon Habitat Restoration submitted on behalf of the US Navy to the Salmon Recovery Funding Board, State of Washington, was approved for submittal by unanimous motion of the Board, as presented and explained by Mr. Kwarsick, along with Julie Buktenica, Surface Water Manager. [GMA doc. #5983]

**HEARING SCHEDULED: ORDINANCE #C-104-00 [PLG 032-00], AMENDING CHAPTER 17.03 ICC TO COMPLY WITH THE ORDER OF THE WWGMHB RELATING TO FREELAND AND CLINTON**

As introduced by Phil Bakke, Planning Director, the Board by unanimous motion scheduled for public hearing Ordinance #C-104-00 [PLG 032-00], Amending Chapter 17.03 ICC to comply with the Order of the WWGMHB relating to Freeland and Clinton on November 6, 2000 at 10:45 a.m. [GMA doc. #5984]

**REVIEW MONTHLY FINANCIAL REPORTS FROM AUDITOR & TREASURER**

The Treasurer's report by Maxine Sauter for the period ending September, 2000 was provided in written form under cover memorandum dated October 10, 2000, noting that overall, Current Expense for September 2000 was basically on target in most areas.

Suzanne Sinclair, Island County Auditor, submitted at this time her written report for the same period, commenting it appeared comparable to last year, the percentage comes out about the same, nothing worrisome or of concern not already known.

**BUDGET WORKSHOPS**

At 1:30 p.m. the Board conducted a budget workshop on the following proposed budgets for the year 2001: Coroner; Commissioners/Camano Annex; LEOFF Disability Board; E-911 Fund; Public Facilities (Hotel/Motel 2%); Joint Tourism Promotion Fund, Office Equipment; Budget Director; Current Expense Miscellaneous, Current Expense Overhead Allocations, Criminal Justice; Capital Project Funds, Conservation Futures, Revenue Projections. 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, meeting adjourned after Budget Workshop at 4:30 p.m. p.m. The Board will meet next in Special Session on October 23, 2000 at 9:00 a.m. to conduct a budget workshop [review and those continued from today] and Regular Session that same day beginning at 11:30 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