

**ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING
REGULAR SESSION - MARCH 5, 2001**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on March 5, 2001, beginning at 9:30 a.m. in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa., with William F. Thorn, Chairman, and Wm. L. McDowell, Member, present. Mike Shelton, Member, was absent from the meeting. By unanimous motion, the Board approved and signed the following minutes of previous meetings: February 12, 2001 Regular Session; February 13, 2001 Special Session.

VOUCHERS AND PAYMENT OF BILLS

The Board approved the February payroll, and the following vouchers/warrants, by unanimous motion: Voucher (War.) #94250 - 94467\$ 340,395.10.

PERSONNEL ACTION AUTHORIZATIONS

The Board, by unanimous motion, approved the following Personnel Authorization Actions:

PAA #	Department	Description/Position No.	Action	Eff. Date
029/01	Public Works	Laborer I #2245.01	Replacement	3/5/01
027/01	Planning/CD	Plans Ex/Bldg. Ins Trainee #418.04	Replacement	3/21/01
028/01	Planning/CD	Plans Ex/Bldg. Ins Trainee #418.05	New Position	3/5/01

RESOLUTION #C-28-01 CERTIFICATION OF THE ISLAND COUNTY PERSONAL PROPERTY INVENTORY FOR 2000

As customarily occurs this particular meeting in March, as required by R.C.W. 36.32.210, the Board by unanimous motion approved Resolution #C-28-01, Certification of the Island County Personal Property Inventory for 2000.

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

**IN THE MATTER OF CERTIFICATION)
OF THE ISLAND COUNTY PERSONAL) RESOLUTION NO. C-28-01
PROPERTY INVENTORY FOR 2000)**

WHEREAS, pursuant to R.C.W. 36.32.210, the Board of County Commissioners of Island County, Washington, hereby certifies that the inventory of all personal property of Island County, Washington, consisting of the returns from the various county departments for the year 2000 shall be filed with the Island County Auditor on March 5, 2001; and

WHEREAS, the members of the Board of Island County Commissioners hereby certify that they have reviewed said inventory of personal property for the year 2000, and believe the same to be complete, accurate and true to the best of their knowledge and belief, based upon the information submitted and certified by the individual elected officials and county department heads.

ADOPTED this 5th day of **March, 2001**.

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

ATTEST: Margaret Rosenkranz
Clerk of the Board BICC 01-156

**RESOLUTION #C-29-01 APPROVING SPECIFICATIONS AND
AUTHORIZING CALL FOR BIDS FOR TITLE REPORTS**

As submitted by the Island County Treasurer, the Board by unanimous motion, approved Resolution #C-29-01 Approving Specifications and Authorizing Call for bids for Title Reports with bids to be received April 2, 2001.

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

IN THE MATTER OF APPROVING)
SPECIFICATIONS AND AUTHORIZING) RESOLUTION NO. C-29-01
CALL FOR BIDS FOR: TITLE REPORTS)

WHEREAS, the purchase of title reports is required for tax foreclosure.

BE IT HEREBY RESOLVED that Exhibit A, attached hereto, Invitation for Bids for Title Reports, together with bid form and specifications are approved as written. The Island County Treasurer, Maxine R. Sauter, is hereby authorized and directed to call for bids for furnishing Island County with these services. The bids are to be received by the Island County Treasurer not later than 3:00 p.m. on April 2, 2001, with bid opening to occur at that time in the office of the Island County Treasurer and bid award to occur at 9:45 a.m. on April 9, 2001 in the Hearing Room, Courthouse Annex, Coupeville, Washington.

ADOPTED this 5th day of March, 2001.

**BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON**
William F. Thorn, Chairman
[absent-Mike Shelton, Member]
Wm. L. McDowell, Member
BICC 01-157

ATTEST: By Ellen K. Meyer, Deputy
Margaret Rosenkranz, Clerk of the Board

HEALTH CONTRACTS APPROVED

The Board by unanimous motion approved two health related contracts as follows:

- Health Contract #HS-05-01 with Oak Harbor School District for State Incentive Grant, \$153,807 [RM-HLTH-99-0090]
- Health Contract #HS-04-01 Whidbey General Hospital, Protective Custody Monitoring, \$2,000 [RM-HLTH-00-0001].

RESOLUTION #C-30-01 CERTIFYING THE LEVIES FOR COLLECTION OF TAXES IN THE YEAR 2001

As submitted by the Island County Assessor, Tom Baenen the Board by unanimous motion, approved Resolution #C-30-01 Certifying the Levies for Collection of Taxes in the year 2001.

Mr. Baenen provided a hand-out in the form of a pie chart to show visually and describe percentages and distribution of Island County Property Taxes, and along with the pie-chart supplied a press release for the news papers. The average levy in the County this year is \$10.19 per \$1,000 assessed value. Important to note that in Island County the average levy rate for a senior in Level 1 [income between \$24,000 and \$30,000] is \$7.90; the senior exemption exempts seniors from any voted levies. Compared to other Counties in the State, Island County ranks 38 or 39 out of the 39 counties with respect to the lowest rate.

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

IN THE MATTER OF CERTIFYING)
THE LEVIES FOR COLLECTION OF) RESOLUTION C-30-01
TAXES IN THE YEAR 2001)

WHEREAS, the Clerk of the Board of County Commissioners has received and filed as public record the certified budgets or estimates of the taxing districts of Island County, for the purposes of levying taxes, all as required by RCW 84.52.020, and

WHEREAS, the board scheduled a public meeting for March 5, 2001 to receive the levy estimates and requests, and to set the levies for the year 2001 and

WHEREAS, the Board of County Commissioners hereby determines to levy taxes as allowed and required by law, based upon the assessed valuation as determined by the Island County Assessor, and set forth in Exhibit A, which is attached hereto, and by reference incorporated herein. NOW, THEREFORE,

BE IT HEREBY RESOLVED that the Board of County Commissioners of Island County, Washington, hereby levies and certifies to the Island County Assessor, the above taxes for collection in the year 2001 as set forth in Exhibit A attached hereto, to be extended upon the rolls against the taxable property in Island County.

NOW, THEREFORE, BE IT RESOLVED.

ADOPTED this 5th day of March, 2001.

BOARD OF COUNTY

COMMISSIONERS

Board of County

Commissioners

ISLAND COUNTY, WASHINGTON

William F. Thorn, Chairman
[absent-Mike Shelton, Member]
Wm. L. McDowell, Member

ATTEST: By Ellen K. Meyer, Deputy
Margaret Rosenkranz, Clerk of the Board

[Exhibit A placed on file with the Clerk of the Board] BICC 01-158

LOCAL AGENCY FEDERAL AID PROJECT PROSPECTUS – ISLAND COUNTY & WASHINGTON STATE DEPARTMENT OF TRANSPORTATION; EAST CAMANO DR./CROSS ISLAND RD. SIGNAL PHASE 2

As presented and reviewed by Larry Kwarsick, Public Works Director, assisted by Randy Brackett, Construction Engineer, the Board by unanimous motion, approved the Local Agency Federal Aid Project Prospectus between Island County and Washington State Department of Transportation (DOT) for the East Camano Drive/Cross Island Road roadway reconstruction/signal phase 2, (CRP) 99-07, Work Order #279. The modified project prospectus now includes a total of \$440,000 of STP Funds and \$150,000 of School Safety Project funds.

LOCAL AGENCY AGREEMENT – ISLAND COUNTY & WASHINGTON STATE DEPARTMENT OF TRANSPORTATION; EAST CAMANO DR./CROSS ISLAND ROAD SIGNAL, PHASE 2

By unanimous motion, the Board approved Local Agency Agreement between Island County Washington State DOT for East Camano Dr./Cross Island Road Signal Phase 2, CRP 99-07, Work Order #279. This Agreement reflects only the \$440,000 in STP funds and \$150,000 School Safety Project funds as the two relate to the construction, divided among the various parts of the construction project.

PETITION FOR VACATION OF COUNTY ROAD RIGHT-OF-WAY – PORTION OF MADRONA STREET – SUBMITTED BY MS. JANE PATON; AREA LOCATED IN THE PLAT OF MADRONA BEACH 1ST ADDITION

By unanimous motion, the Board acknowledged receipt of a Petition for Vacation of County Road Right-of-Way by Ms. Jane Paton, for a portion of Madrona Street, an area located in the Plat of Madrona Beach 1st Addition, Block 13, Lots 1-9, Sec. 34, Twp 32N. R 2E, Camano Island, and referred the petition to the County Engineer for review and recommendation back to the Board.

ADOPT A ROAD LITTER CONTROL PROGRAM AGREEMENT RENEWALS

By unanimous motion, the Board approved the renewal of two Adopt-A-Road Litter Control Program Agreements:

Beachwood Community Association; Wilkinson Road from 100' north of Herring Street to Witter Road

Whidbey Audubon Society; West Beach Road from one (1) mile south of Hastie Lake Road to one (1) mile north of Hastie

Lake Road

RESOLUTION #C-31-01/R-13-01 AMENDING COMPREHENSIVE STORMWATER AND FLOOD HAZARD MANAGEMENT PLAN TO INCLUDE THE MUTINY BAY RIVIERA DRAINAGE PROBLEM

Mr. Kwarsick presented proposed Resolution #C-31-01/R-13-01 for the purpose of amending the Island County Comprehensive Stormwater and Flood Hazard Management Plan to include the Mutiny Bay Riviera Drainage problem. The whole drainage issue was brought to the Board's attention on several different occasions. The resolution is intended to include drainage issues, problems and proposed solutions identified through a community process into the Plan. The Surface Water Manager presented the proposal to the Water Resource Advisory Committee who recommended the County modify the plan to incorporate the work done by the Mutiny Bay Riviera Association. Mr. Kwarsick, on behalf of the Public Works Department, concurred and recommended the Board amend the previously approved Plan to include this specific project.

By unanimous motion, the Board approved Resolution #C-31-01/R-13-01 Amending Island County Comprehensive Stormwater and Flood Hazard Management Plan to include the Mutiny Bay Riviera Drainage Problem.

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

IN THE MATTER OF AMENDING THE ISLAND)
COUNTY COMPREHENSIVE STORMWATER) RESOLUTION C-31-01
AND FLOOD HAZARD MANAGEMENT PLAN) R-13-01
TO INCLUDE THE MUTINY BAY RIVIERA)
DRAINAGE PROBLEM)

WHEREAS, the Island County Board of County Commissioners (BOCC) approved Resolution G-160-98 adopting Island County Comprehensive Stormwater and Flood Hazard Management Plan (CSFHMP), on December 21, 1998; and

WHEREAS, the Island County CSFHMP identified, reviewed and ranked local drainage problems that require additional action by the county; and

WHEREAS, after adoption of the CSFHMP, the Mutiny Bay Riviera Association (MBRA) alerted the county to a surface water drainage problem in the Shore Meadows Marsh/Lake Drainage Basin that was not identified in the CSFHMP; and

WHEREAS, a narrative description of the drainage problem, accompanied by a watershed topographic map, aerial photo and street map were submitted by the MBRA to the county with a request that the BOCC participate in a drainage basin wide solution to periodic flooding in the area as shown in the attached Exhibit A; and

WHEREAS, the BOCC directed the Surface Water Manager to work with the MBRA to review and rank their request per ranking criteria outlined in the CSFHMP; and

WHEREAS, the County Engineer presented the findings of the Surface Water Manager to the Island County Water Resources Advisory Committee (WRAC), which includes in its membership former members of the sunset Island County Stormwater Advisory Committee; and

WHEREAS, the WRAC recommended amending the CSFHMP to include the drainage problem identified herein; NOW THEREFORE,

IT IS HEREBY RESOLVED by the Board of Island County Commissioners that the Island County Comprehensive Stormwater and Flood Hazard Management Plan prepared by KCM, Inc., dated December 21, 1998, is revised to reflect the above mentioned drainage problem in the Shore Meadows Marsh/Lake Drainage Basin as appears in Exhibit B.

APPROVED this 4th day of March, 2001.

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

William F. Thorn, Chairman
[absent-Mike Shelton, Member]
Wm. L. McDowell, Member

ATTEST: By Ellen K. Meyer, Deputy
Margaret Rosenkranz Clerk of the Board
BICC 01-169 [Exhibits on file with the Clerk of the Board]

RESOLUTION #C-32-01/R-10-01 - APPROVING PLANS & SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR COURTHOUSE EXPANSION AND IMPROVEMENT PROJECT, PHASE 2: COURTHOUSE REMODEL

By unanimous motion, as presented, the Board approved Resolution #C-32-01/R-10-01 Approving Plans & Specifications and Authorizing Call for Bids for Courthouse Expansion and Improvement Project, Phase 2: Courthouse Remodel; Work Order #302.

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

**IN THE MATTER OF APPROVING PLANS)
& SPECIFICATIONS AND AUTHORIZING)
CALL FOR BIDS FOR COURTHOUSE) RESOLUTION NO. C-32-01
EXPANSION AND IMPROVEMENT) R-10-01
PROJECT, PHASE 2: COURTHOUSE)
REMODEL, WORK ORDER NO. 302)**

WHEREAS, sufficient funds are available in the Construction and Acquisition Fund and the Courthouse Expansion Fund for the above project, **NOW, THEREFORE**,

BE IT HEREBY RESOLVED that the Plans and Specifications are approved and the Public Works Director is authorized and directed to call for bids for the Island County Courthouse Expansion and Improvement Project, Phase 2: Courthouse Remodel. Bid Opening is to be at 1:05 p.m., April 5th, 2001, in Meeting Room No. 3, Courthouse Annex, Coupeville, Washington.

ADOPTED this 5th day of March, 2001.

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

William F. Thorn, Chairman
[absent - Mike Shelton, Member]
Wm. L. McDowell, Member

ATTEST: By Ellen K. Meyer, Deputy
Margaret Rosenkranz, Clerk of the Board BICC 01-170

HEARING CONTINUED: ORDINANCE #C-121-99/PLG-043-99, ADOPTING THE OAK HARBOR INTERLOCAL AGREEMENT GOVERNING LAND USE DECISIONS WITHIN THE NON-MUNICIPAL PORTION OF OAK HARBOR UGA

A Public Hearing was scheduled for this date at 10:45 a.m. on Ordinance #C-121-99/PLG-043-99, Adopting the Oak Harbor Interlocal Agreement Governing Land Use Decisions within the Non-Municipal Portion of Oak Harbor UGA (Continued from 10/25/99, 11/22/99, 11/23/99, 2/7/00, 3/13/00, 4/17/00, 6/5/00, 8/7/00, 12/18/00). The City of Oak Harbor is still meeting on the matter, and by unanimous motion, the Board continued the hearing until June 4, 2001 at 10:45 a.m. [Notice of Continuance GMA # _____]

HEARING HELD: ORDINANCE #C-20-01/PLG-005-01, CONCERNING TECHNICAL AMENDMENTS TO THE ISLAND COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP AND ISLAND COUNTY ZONING ATLAS

A Public Hearing was held at 10:45 a.m. as scheduled and advertised to consider Ordinance #C20-01/PLG-005-01, concerning Technical Amendments to the Island County Comprehensive Plan Future Land Use Map and Island County

Zoning Atlas. The proposed amended maps include: #18, 49, 66, 67, 76, 226 and 785.

Attendance:

Public: Tom Fisher, South Whidbey; Dean Enell, South Whidbey; Bob Whitlow, Coupeville; Christine Smith, Whidbey News Times reporter

Staff: Phil Bakke, Planning and Community Development Director
Jeff Tate, Planning Manager

Hearing Documents:

- Ordinance #C-20-01 as introduced 2-12-01 and set for hearing this date and time, GMA #6293
- Jeff Tate Memorandum dated 2/8/01 regarding Technical Corrections to the Zoning Atlas, GMA #6294

Mr. Tate outlined the changes proposed to six maps in Exhibit A to the Ordinance, technical corrections of the Island County Zoning Atlas:

Map #18: Parcels #R13101-240-4780; R13101-187-4260; R13101-164-4260; R13101-142-4260; and R13101-110-4270. These parcels now as they appear are zoned Rural AG but the lot lines are configured differently. There were some lot line changes, no new parcels, but reconfigured the lots. Updated Map #18 shows the updated lot lines.

Property location is just east of OLF field, Central Whidbey. This is consistent with the Mineral Lands overlay map in the Comprehensive Plan. Dashed lines on the map represent Mineral Lands, and there should be added a notation to say "Mineral Lands of Long Term Commercial Significance".

Map #49: Parcel #R13110-515-3940 – change from CA to R. There is a narrow strip at the north portion of the Commercial AG boundary, running east and west, then north and south at a right angle. The CA boundary was drawn on the map originally over that thinking it was a road rather than an independent tax parcel. It is not in the same ownership as the lands zoned CA, rather in the ownership of the lands zoned R.

Maps #66, 67 and 76: Parcels #R13115-220-2200; R13115-172-2510; R13115-026-2590; R13115-023-2250; R13115-036-3130; and R13115-027-2830 – change from RA to R, as indicated through research in the Assessor's data base. Parcels were not in the tax program on June 2, 1999 and because designation criteria states that parcels zoned RA had to be in the AG tax program on that date.

Map #226: Parcel #R13325-011-1350 should be zoned Rural; the parcel is on two different quarter section maps and is currently split zoned.

Map #785: Division 17 was approved prior to adoption of the Zoning Atlas but the parcel lines and numbers did not appear until recently; this change shows the revised lines and numbers.

Public Comments

Dean Enell asked for further information about the six parcels apparently not in the tax program on June 2, 1999. He also inquired if that date applied for Rural Forest land as well.

Mr. Tate verified that was the date set, and noted too that the parcels do not meet the size threshold – ten acres of contiguous property because there are a number of different ownerships. Mr. Tate recalled that if there was a date established with regard to Rural Forest land was the effective date of the Ordinance, September 28, 1998 .

Bob Whitlow, Coupeville, property owner of Lot 5, 6 and 7, Charles Crockett DLC, spoke in favor of the proposal, noting that all the land around his property is Rural, but the four parcels somehow were put into the RA category in error. Lot 4 which he also owns is also Rural.

No one else indicated a desire to speak either for or against the Ordinance.

Board Action

Commissioner McDowell moved that the Board adopt Ordinance #C-20-01/PLG-005-01, concerning Technical Amendments to the Island County Comprehensive Plan Future Land Use Map and Island County Zoning Atlas, with change in Exhibit A

to Map #18 by adding a foot note to explain the dashed line: "Mineral Lands of Long Term Commercial Significance" . Motion, seconded by Commissioner Thorn, carried unanimously.

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

IN THE MATTER OF AN ORDINANCE)
CONCERNING TECHNICAL AMENDMENTS TO) ORDINANCE C-20-01
THE ISLAND COUNTY COMPREHENSIVE PLAN) PLG-005-01
FUTURE LAND USE PLAN MAP AND THE)
ISLAND COUNTY ZONING ATLAS.)
_____)

WHEREAS, on September 28 and 29, 1998, the Board adopted the County's GMA Comprehensive Plan and Development Regulations; and

WHEREAS, by Ordinance C-123-98, the Board also adopted Chapter 17.03 ICC as Island County's official Zoning Code to implement its GMA Comprehensive Plan with the Zoning Atlas as the Official Zoning Map of Island County; and

WHEREAS, certain technical amendments to the Future Land Use Plan Map and the Zoning Atlas have been identified to ensure that the zoning designations are consistent with the County Wide Planning Policies.

NOW, THEREFORE, IT IS HEREBY ORDAINED that the Board of Island County Commissioners hereby adopts certain technical amendments attached hereto as Exhibit A to the Island County Zoning Atlas (Exhibit C to Ordinance C-123-98).

Reviewed this 12th day of February, 2001 and set for public hearing at 10:45 a.m. on the 5th day of March, 2001.

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

ATTEST: Margaret Rosenkranz
Clerk of the Board BICC 01-119

APPROVED AND ADOPTED this 5th day of March, 2001.

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

ATTEST: By Ellen K. Meyer, Deputy
Margaret Rosenkranz Clerk of the Board

[Ordinance #C-20-01/PLG-005-01 as adopted this date, with all Exhibits, placed on file with the Clerk of the Board, entered as GMA record #_____]

There being no further business to come before the Board at this time, the meeting adjourned at 11:00 a.m. The Board will meet next in Regular Session on March 12, 2001, beginning at 9:30 a.m.

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

William F. Thorn, Chairman _____

Wm. L. McDowell, Member _____

[Mike Shelton, Member – absent]

ATTEST: _____

Margaret Rosenkranz, Clerk of the Board