

**ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING
REGULAR SESSION - JULY 9, 2001**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on July 9, 2001, beginning at 9:30 a.m. in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa., with William F. Thorn, Chairman; Mike Shelton, Member; and Wm. L. McDowell, Member, present. Newly-appointed Budget Director and Clerk of the Board, Elaine Marlow, was also in attendance.

VOUCHERS AND PAYMENT OF BILLS

The following vouchers/warrants were approved for payment by unanimous motion of the Board:

Voucher (War.) #102,531-102,716..... \$357,580.75 .

EMPLOYEE AWARDS

Employee Service Awards

Department	Employee	Anniversary Date	# yrs.
AUDITOR	SINEMA, CHERRY	7/1/66	35
DISTRICT COURT	LEWIS, KAREN	7/786	15
DISTRICT COURT	ROLLAG, DONNA L.	7/8/96	5
MAINTENANCE	MATTICE, ANNEMARIE	7/8/96	5
MAINTENANCE	MINER-SCHWEERS, DEBORAH	7/8/96	5
ROAD	CORBETT, WAYNE R.	7/29/96	5

Employee of the Month – June, 2001. Congratulations to John Whitten, Planning and Community Development Department, selected as Employee of the Month for June. John is a Plans Examiner/Building Inspector who works on Camano Island. His positive approach to helping others and getting the job done in a cheerful manner has been regularly recognized by fellow employees and County residents alike. He goes out of his way to help out and do that little something extra whenever he can.

Special Recognition. Suzanne Sinclair, Island County Auditor, awarded “Auditor of the Year Award” at the County Auditor’s 95th Annual Convention.

HIRING REQUESTS & PERSONNEL ACTIONS

The Board, by unanimous motion, approved on personnel action authorization, effective today, as follows: PAA #075/01 Paralegal/Legal Asst. I, Position #1813.01 Replacement.

COMMITTEE RE-APPOINTMENTS

By unanimous motion, the Board made the following re-appointments to the Island County Parks Board and Northwest Senior Services Board:

Island County Park Board

Reappointed: Charles R. “Dick” Horgan, Freeland, 6-year term to 6/30/07
Lyla Snover, Coupeville, 6-year term to 6/30/07

Northwest Senior Services Board

Reappointed: Dorothy Gailey, Oak Harbor, 3-year term to 6/30/04

REQUEST FOR WAIVER FROM COMPETITIVE SOLICITATION PROCUREMENT PROCEDURE FOR CHEMICAL DEPENDENCY TREATMENT SERVICES AND DEVELOPMENT DISABILITIES SERVICES

As outlined and requested in a memorandum dated June 29, 2001, from Jackie Henderson, Island County Human Services, the Board by unanimous motion approved Request for Waiver from Competitive Solicitation Procurement procedure [Staff Session 4/18/01] under ICC 2.29.03 (B) (12) for the following contracts:

Chemical Dependency Treatment Services (County)
Early Childhood Intervention Services (Whidbey)

Community Access Services (Whidbey)
Individual Employment Services (Whidbey)
Person to Person Services (Camano).

LIQUOR LICENSES APPROVED

Having received recommendations of approval from the appropriate elected officials and appointed department heads, the Board by unanimous motion approved two liquor licenses, as follows:

Application for Added Privilege Liquor License #073063- 3E Greenbank Farm
Change in Corporate Officers Liquor License #078667-3G Camaloch Association.

WASHINGTON STATE DEPARTMENT OF FISH AND WILDLIFE CONTRACT #33012513 FORAGE FISH BIOLOGIST – NEARSHORE PROJECT

On presentation and summary provided by Don Meehan, WSU Extension Agent, the Board by unanimous motion, approved Washington State Department of Fish and Wildlife Contract #33012513 [RM-EXT-01-0053] which would provide a Forage Fish Biologist to do work for Island County MRC Nearshore Project, in the amount of \$48,000, with a project end date of June 30, 2002.

MEETING SCHEDULED ON 2002-2007 TRANSPORTATION IMPROVEMENT PROGRAM & CAPITAL IMPROVEMENT PROGRAM

The Public Works Director, Larry Kwarsick, confirmed that the 2002-2007 Transportation Improvement Program and the Capital Improvement Program would be on the Board's agenda on July 16, 2001, at 10:20 a.m. to hear recommendations of the Planning Commission and staff with regard to those two programs.

AGREEMENT #PW0120-24 FOR CONSTRUCTION & MAINTENANCE OF WHIDBEY SHORES DRAINAGE FACILITIES [MILLER DRAW]

Agreement #PW0120-24 between Island County, Whidbey Shores and C&G Timber was approved by unanimous motion of the Board, related to Construction and Maintenance of Whidbey Shores Drainage Facilities [Miller Draw] in the Plat of Whidbey Shores, Parcel #462-0790, Sec. 13, Twp 30N, Rge 2E. Whidbey Island.

SUPPLEMENTAL AGREEMENT 1 TO CONSULTANT AGREEMENT #PW-012020 - FAKKEMA & KINGMA - BOGUE PIT OPERATIONS & RECLAMATION PLAN

The Board by unanimous motion approved Supplemental Agreement No. 1 to Consultant Agreement #PW-012020 with Fakkema & Kingma associated with the Bogue Pit Operations & Reclamation Plan, to change the completion date to August 31, 2001.

HEARING HELD: FRANCHISE #17- SUNSET WATER DISTRIBUTION ASSOCIATION - EXISTING WATER DISTRIBUTION SYSTEM, PLATS OF MADRONA ANNEX, 1ST ADDITION TO MADRONA BEACH, & MADRONA HEIGHTS, CAMANO ISLAND

At 10:20 a.m. as scheduled and advertised, a Public Hearing was held to consider Application for Franchise #17 by Sunset Water Distribution Association for an existing water distribution system in the Plats of Madrona Annex, 1st Addition to Madrona Beach, and Madrona Heights, located in Sec. 27 and 34, Twp 32N., Rge 2E, Camano Island.

There were no comments from the public at the time of hearing either for or against granting of said franchise.

Larry Kwarsick, Public Works Director, reported that all departments requested to comment had responded with no objections to the existing system. Based on information received, the County Engineer and Public Works Director recommended granting the franchise.

By unanimous motion, the Board approved Franchise #17 by Sunset Water Distribution Association for an existing water distribution system in the Plats of Madrona Annex, 1st Addition to Madrona Beach, and Madrona Heights, located in Sec. 27 and 34, Twp 32N., Rge 2E, Camano Island.

HEARING HELD: IN THE MATTER OF RESOLUTION #C-88-01/R-34-01 IN THE MATTER OF VACATING A PORTION OF SARATOGA ROAD RIGHT-OF-WAY

At 10:30 a.m. a Public Hearing was held as scheduled and advertised, to consider proposed vacation as stated in Resolution #C-88-01/R-34-01, to vacate a portion of Saratoga Road right-of-way located in Government Lot 2, Section 29, Township 30N., Range 3E., W.M.

Mr. Kwarsick recapped the matter, which involves vacation of the public interest in the old alignment of Saratoga Road, abandoned following shoreline toe erosion which impacted the existing roadway location. Under an emergency road project with RAP funds, the road was relocated inland. In association with that abandonment, the Board previously considered vacation, but did not approve the vacation because of public concern at that time. In view of the fact that Whidbey-Camano Land Trust and the community have entered into an option agreement to purchase the property upon which the old alignment rests with the intention to convey to Island County the property for open space and parks purposes, the previous concern is no longer valid. As reflected in the County Engineer's Report, staff supports the vacation, contingent upon the County receiving an exclusive grant of easement from Steven and Charlene Rose for access purposes over and across their existing driveway and then northerly 100' to an existing gate. The vacation would preserve the existing drainage easement for an outfall facility. The legal description has been changed to now correctly reflect two parcels of land: this particular piece, and over the Roses' property [now shown in Revised Exhibit A]. If the Board approves the vacation, once the signed easement is received from the Roses' staff will bring to the Board the final order of vacation.

Phil Pearl, representing the Whidbey Camano Land Trust, spoke in support of the proposed vacation, verifying that it would relieve some complications over small strips of land that are not material to the project, and actually helps with project funding. Raised so far all locally is \$575,000; another \$175,000 is needed. The first phase of the option will allow them to acquire 48 acres which involves the waterfront and subject property and the old growth areas of the property. That will extend their option another 90 days plus 15 to close, to acquire the balance of the property.

Diane Kendy, representing Save the Woods on Saratoga, the major fund raising organization, supported the vacation, and thanked everyone for the cooperation received. She invited the Commissioners to attend the celebration day on Saturday, July 21, 2001 beginning at 1:00 p.m. for the dedication of the 48 acres.

The Board, by unanimous motion, approved Resolution #C-88-01/R-34-01 vacating a portion of Saratoga Road, conditioned on receiving an easement to be granted to the County before final order of vacation is brought back to the Board for signature. [document will be recorded]

HEARING HELD: RESOLUTION #C-90-01/R-36-01 - VACATING A PORTION OF RHODODENDRON PARK ROAD RIGHT-OF-WAY

A Public Hearing was held at 10:45 a.m. as scheduled and advertised, for the purpose of considering Vacating a Portion of Rhododendron Park Road right-of-way located in Section 2, Township 31N., Range 1E., W.M. per intent to vacate under Resolution #C-90-01/R-36-01.

Dick Snyder, Assistant County Engineer, explained the proposal to vacate from the southern portion of the campground out to Patmore Road as a County public road, to revert to a service road for the Island County Parks Department [also for law enforcement or fire fighting emergency vehicles] but open to the public only as a trail under Parks Department management.

Although several people were in the audience at the time of hearing, no one spoke either for or against said vacation.

By unanimous motion, the Board approved Resolution #C-90-01/R-36-01 Vacating a Portion of Rhododendron Park Road right-of-way located in Section 2, Township 31N., Range 1E., W.M. [document will be recorded].

WAIVER OF 90-DAY APPLICATION REQUIREMENT - TWO-DAY OUTDOOR MUSIC EVENT TO BE HELD ON GOVERNMENT PROPERTY ICC CHAPTER 5.08

Phillip Bakke, Director, Island County Planning and Community Development Department, introduced the request for waiver of the 90-day application requirement in order to hold a two-day event under provisions of Chapter 5.08, Island County Code, Outdoor Public Assemblies. The request was submitted by Jay Nehf, Coupeville, to hold a music festival to benefit Cerebral Palsy the weekend of August 4 and 5, at South Whidbey Parks and Recreation site

located off Maxwellton Road. For requirements under ICC 5.08 other than the 90 day waiver, the Planning Department is coordinating the review with other county departments. Planning Staff recommend approval of the waiver of the 90 day in advance application requirement.

By unanimous motion, the Board approved a waiver of the 90 day application requirement for an Outdoor Public Assembly as specified in ICC 5.08.030 as requested by Jay Nehf for a music event to be held at the South Whidbey Parks and Recreation site August 4 and 5, 2001.

DISCUSSION AND STATUS REPORT - PROPOSED INTERLOCAL AGREEMENT BETWEEN ISLAND COUNTY & FREELAND WATER DISTRICT, AND HOLMES HARBOR SEWER DISTRICT

Mr. Bakke recommended that the matter of an Interlocal Agreement between Island County & Freeland Water District, and Holmes Harbor Sewer District be continued to a date uncertain, inasmuch as the agreement has not been executed by the Freeland Water District or the Holmes Harbor Sewer District at this point.

Commissioner Shelton indicated that the adopted Comprehensive Plan called out Clinton and Freeland for consideration as Non-municipal UGAs. That process has been completed in Clinton resulting in a determination that Clinton will remain a RAID rather than a non-municipal UGA. The process is on-going for Freeland and one of the things required to move forward is urban services, and ultimately he thought everyone had assumed that sewer from Freeland would be handled through the existing sewage treatment facility at Holmes Harbor. The proposed Interlocal agreement was prepared by outside legal counsel and includes Island County, Freeland Water District and Holmes Harbor Sewer District. It is believed that the Freeland Water District is prepared to sign the agreement. The Holmes Harbor Sewer District has not signed the agreement, and as a County Commissioner, he would be uncomfortable moving ahead without Holmes Harbor Sewer District signature. Commissioner Shelton asked Mr. Bakke to schedule a meeting with the Holmes Harbor Sewer District Commissioners, and should he be unavailable, that either Commissioner Thorn or Commissioner McDowell attend that meeting and talk about the project in total.

Commissioner McDowell was interested to have in writing from legal counsel insurance that signing the Interlocal Agreement would not tie Island County or the Freeland Water District into any current difficulties the Holmes Harbor Sewer District may have [recent South Whidbey Record article, June 30, 2001]. The Chairman suggested that included in that meeting should be the Freeland study group or at least the Chairman of that group.

The matter was continued to a date uncertain, with the Interlocal Agreement to be presented to the Board of County Commissioners on signature of the other two parties.

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 July 16, 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

ATTEST: _____
Elaine Marlow, Clerk of the Board