

**ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING
REGULAR AND SPECIAL SESSIONS - JULY 23 2001**

SPECIAL SESSION

The Board of Island County Commissioners met in Special Session on Monday, July 23, 2001 beginning at 9:00 a.m., prior to the regular session scheduled for 11:30 a.m. The purpose of the special session was to meet in Executive Session pursuant to RCW 42.30.110 (1) (g) to evaluate qualifications of applicants for public employment. Commissioners Thorn, Shelton and McDowell were present. The Chairman anticipated that the session would last until approximately 11:00 a.m.

REGULAR SESSION

The Regular Meeting of the Board of Island County Commissioners was held on July 23, beginning at 11:30 a.m. for a Roundtable with Elected Officials, followed by other topics at 1:30 p.m. as outlined on the agenda, *including* Diking Improvement District #4. The meeting was held in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa., with William F. Thorn, Chairman, and Mike Shelton, Member, and Wm. L. McDowell, Member, present.

ROUNDTABLE MEETING WITH ISLAND COUNTY ELECTED OFFICIALS

Attendance:

Elected Officials: Tom Baenen; Greg Banks; Marilee Black; Mike Hawley; Maxine Sauter;
Peter Strow
Others: Elaine Marlow

Elected Officials' Request for Salary Adjustment

In follow-up from the June 25, 2001 Roundtable, the Commissioners confirmed their commitment to a salary increase for Elected Officials. A resolution will need to be drafted, and public hearing held, inasmuch as Elected Officials salaries were established by resolution. The majority Board opinion was that the effective date would be 1 August. The Commissioners at this point had differing opinions on using a specific dollar amount or percentage, but agreed it would roughly equal 5% now, and another like amount considered during upcoming budget sessions to be effective 1 July 2002 [or if budget allows 1 January 2002]. The Prosecutor was asked to follow through in drafting a resolution for consideration on the Board's agenda 6 August if possible.

Budget Process

To respond to questions on the process for the 2002 budget, the Chair mentioned it was a bit too late in the cycle to get any innovations in to the system, such as a two year budget cycle, but that was where he wanted to be heading. Shortly, he would provide to Elected Officials and Appointed Department Heads a memorandum outlining the budget process and guidelines to follow. The State Legislature gave counties the authority to adopt a biennial budget. He really would like to see the County headed towards a six year financial plan.

Commissioner Shelton pointed out that it would be difficult in this financial setting dealing with State Legislature for the County to adopt a biennial budget. He did think it was important for departments to be thinking along the line of a two year budget, this year's budget and planning for the next.

Commissioner McDowell had a few concerns about a two year budget cycle, but agreed with a two year plan. Looking at the history, many funds are very irregular year to year. His concerns focused mainly around unpredictability of revenues year to year, because revenues do not necessarily go up every year enough to cover everyone's needs and would hate to see the Board approve a request for the second year funding only to get into the second year budget and not be able to fund it. Also, demands change as rapidly as revenues, and a good example would be unfunded mandates passed down to counties.

Chairman Thorn was not adverse to make a two year commitment but it would have to be made with the understanding that anything can change. The prudent management judgment would be make a second year plan and create an experience and build on that experience. The goal in all of this he thought was so that the Elected Officials would feel they are partners in this process with the Board.

Roundtable adjourned 12:10 p.m. Next Roundtable will be August 27th @ 11:30 a.m.

MINUTES APPROVED

Minutes from the July 16, 2001 regular session were approved by unanimous motion of the Board.

VOUCHERS AND PAYMENT OF BILLS

The Board by unanimous motion approved vouchers/warrants as presented with the exception of Voucher #511603 pulled for further clarification, as follows:

Voucher (War.) #102,825 - #103,113..... \$466,502.77.
Diking Improvement District #4 Voucher #1060611,075.00.

APPOINTMENT TO ISLAND COUNTY FAIR BOARD

By unanimous motion, the Board appointed Gary Fisher, Oak Harbor, to the Island County Fair Board filling the position previously held by Linda Lee Martens, with term running until October 8, 2003.

AUGUST, 2001 STAFF SESSION SCHEDULE

The Board by unanimous motion, approved for distribution the August, 2001 Staff Session Schedule, outlining the two regular staff sessions to be held on August 1 and 15.

NEW APPLICATION FOR LIQUOR LICENSE #073063 CLASS 6B – GREENBANK FARM WHIDBEY ISLAND

New Application for Liquor License #073063 Class 6B, for domestic winery, by Greenbank Farm Whidbey Island. Based on review and recommendations of approval from the Sheriff, Health Department and GSA, the Board by unanimous motion approved the application for liquor license.

SPECIAL OCCASION LIQUOR LICENSE #091699 – ORCA CONSERVANCY

Although July 16th request to withdraw application for special occasion liquor license was received from Susan Berta, Orca Conservancy, a later request was submitted indicating that the Orca Conservancy was still in the process of trying to figure out the wine-serving situation for their planned July 31st event at Freeland Hall, and asked that the Board approve the application for special occasion license, subject to working out the insurance issue to the satisfaction of GSA/Risk Management. Recommendations of approval were previously received from the Sheriff's Office as well as the Health Department.

By unanimous motion, the Board approved Special Occasion Liquor License #091699 by Orca Conservancy conditioned that prior to the event, Island County Risk Management will be provided proof of insurance that there is liability coverage for the sale of liquor, naming Island County as an additional insured.

HEALTH CONTRACTS APPROVED

Two Health contracts were approved by unanimous motion of the Board, both having been reviewed and approved by the Island County Board of Health on July 16, 2001:

Contract #N10337 with State Department of Health for Childcare & Children with Special Needs [RM-HLTH-01-0062]

Contract #20872(2) – Passport Program Agreement between Island County and DSHS.

[RM-HLTH-01-0064]

AMENDMENT #5 TO INTERLOCAL AGREEMENT BETWEEN SNOHOMISH COUNTY AND ISLAND COUNTY - JUVENILE DETENTION SERVICES

Amendment #5 to Interlocal Agreement between Snohomish County and Island County regarding Juvenile Detention Services, as submitted from Michael Merringer, Juvenile Court Services Director, was approved by unanimous motion of the Board, in an amount not to exceed \$80,000 for the year 2001.

HIRING REQUESTS & PERSONNEL ACTIONS

After review and summary provided by Dick Toft, Human Resources Director, the Board by unanimous motion approved the following Personnel Action Authorizations, all three effective 7/23/01:

| <u>Department</u> | <u>PAA #</u> | <u>Description/Position No.</u> | <u>Action</u> |
|-------------------|--------------|-----------------------------------|---------------|
| Assessor | PAA 086/01 | Dept. Support Asst. I #115.02 | Replacement |
| Health | PAA 087/01 | Env. Health Spec. I Temp #2409.01 | New Position |
| Health | PAA 088/01 | Env. Health Spec. I Temp #2409.02 | New Position |

PUBLIC INPUT OR COMMENTS

This is time set aside for members of the public to speak to the Board about subjects of concern or interest, or items not already set aside for a public hearing. The Board will take all information under advisement, but generally will not take any action unless it is emergency in nature. To ensure your comments are recorded properly, you need to state your name and address clearly into the microphone. Please limit your comments to 2 minutes.

Lehman Road Closure Appeal

Lisa Yost, 1171 Orcas Drive, Camano Island, an attorney with Merrick, Hofstedt & Lindsey, Seattle, appearing on behalf of the residents of Cavaleiro Estates and the residents of the Country Club area on Camano Island. Over 300 petitioners and an additional 59 petition signatures turned in today, request that the Board reconsider its decision to close Lehman Road to residents that live south of the East Camano Drive construction project. She received copies of the resolution and meeting minutes used to substantiate the decision to close the road and after review of those, determined there was no objective basis to close the public road and therefore believe the road was closed in violation of state law. RCW 47.48.010 requires establishing that the road could either be greatly damaged or a danger to traffic. She contended that nothing in the meeting minutes June 25 or the resolution which indicates that road is either going to be greatly damaged or that it is a dangerous condition. The road was used before as a detour route for the first phase of the project. Because of the way the decision was made, they do not believe the road to be legally closed. State statute 47.48.020 also requires publication of at least three days prior to the closure of the road. While the detour route itself was published, the closure of Lehman Road was not published in the local newspaper. The closure of Lehman Road to residents south asks residents to bear tremendous cost; the four miles each way for every

trip equals eight mile round trip at .32-1/2 cents a mile using current IRS code through the life of the 91 day project will cost \$270 each resident plus 30 minutes extra, asks the residents to drive an additional 45 hours during the life of the project.

Numerous less restrictive alternatives available which appear not to have been considered. The statute allows restriction of the road to passenger vehicles, restrict the weight, and the request today is that the County do that if there is truly a concern about the road condition, re-define the term local traffic to include those residents who live immediately south of the project between that and Monticello. Country Club residents agrees with that too; the Country Club is actually north of Monticello, and trying to reach a reasonable compromise.

Chairman Thorn advised that the Board would take the matter under advisement, and review the materials submitted and State Statutes cited.

RESOLUTION #C-101-01/R-45-01 IN THE MATTER OF RESPONDING TO ISLAND COUNTY BOARD OF LAW LIBRARY TRUSTEES

Larry Kwarsick, Public Works Director, introduced proposed Resolution #C-101-01/R-45-01 In the Matter of Responding to Island County Board of Law Library Trustees. At the Board's request, Mr. Kwarsick prepared a report and recommendation, along with proposed resolution, available today as a hand-out. The report reviewed and analyzed standards for county law libraries; recapped the history of the county law library design and activities associated with the design and construction of the Law and Justice Center.

Chairman Thorn clarified that contrary to a circular that was being distributed, this was not public hearing, rather the Board convening to consider the resolution that has been prepared and proposed. As a matter of routine, and on advice of counsel, the Board would not take public testimony on this subject.

By unanimous motion, the Board adopted Resolution #C-101-01/R-45-01 In the Matter of Responding to Island County Board of Law Library Trustees.

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

**IN THE MATTER OR RESPONDING)
TO ISLAND COUNTY BOARD OF) Resolution C-101 -01
LAW LIBRARY TRUSTEES) R-45-01**

WHEREAS, the Island County Board of Law Library Trustees on June 11, 2001, pursuant to RCW 27.24.066, made a demand to the Board of Island County Commissioners for a room suitable for the Island County Law Library; and

WHEREAS, the Island County Board of Law Library Trustees has also made specific demands that the Board of Island County Commissioners immediately rescind its decision to appropriate the northernmost end of the law library room to the Prosecuting Attorney's office, and that the Board of Island County Commissioners expand the Law and Justice Center's second floor to the east with new construction consistent with the next phase of the law and justice facility master plan; and

WHEREAS, the Island County Board of Law Library Trustees has threatened to initiate a lawsuit against the Board of Island County Commissioners if this Board does not accede to the demands of the Law Library Board; and

WHEREAS, the Board of Island County Commissioners has reviewed the *Law Library Facilities Report* prepared by Public Works Director Larry Kwarsick dated July 18, 2001, which is attached and hereby incorporated by reference; and

WHEREAS, the Board of Island County Commissioners is required by Washington statutory law to provide suitable building facilities to all county offices, the Superior Court, and the District Court, as well as the Island County Law Library; and

WHEREAS, the southernmost approximately 470 square feet of the law library room is 50% larger than the former law library, and is configured in a much more user-friendly, ergonomic, and aesthetically pleasing manner; and

WHEREAS, the southernmost approximately 470 square feet of the law library room meets the *Standards for County Law Libraries* physical facilities guidelines (as adopted in 1996 by the Executive Board of the American Association of Law Libraries) in regard to location, environment, ADA compliance, work space, electrical and electronic systems infrastructure, and shelving; and

WHEREAS, the southernmost approximately 470 square feet of the law library room now accommodates a part-time law librarian and includes four computer-ready workspaces for patrons; and

WHEREAS, formally gathered statistics regarding usage and traffic through the law library are non-existent, but anecdotal evidence indicates very little use of both the former facility, and the current one, even though there have been recent media reports regarding its availability; and

WHEREAS, the Island County Board of Law Library Trustees has indicated its laudable intention to transition much of its hard-bound collection to digital, computer-based resources to conserve space and money and provide more efficient access to legal resources; and

WHEREAS, the southernmost approximately 470 square feet of the law library room, and its existing shelving, can accommodate expansion of the current hard-bound collection for approximately ten years; and

WHEREAS, the migration to digital resources will likely reduce the future expansion needs; and

WHEREAS, the County has limited financial resources and limited available office space at its disposal, and must allocate such resources in order to obtain the best possible facilities for the greatest number of County staff and officers in order to best serve all the citizens of Island County; and

WHEREAS, the County cannot, at this time, acquire nor allocate resources to the Phase II buildout of the law library room; and

WHEREAS, in order to facilitate the efficient functioning of the Island County Prosecuting Attorney's Office, it is necessary to house all attorneys and staff in one contiguous suite of offices; and

WHEREAS, additional personnel cannot be accommodated in the Prosecuting Attorney's offices without significantly diminishing the quality of that office space; and

WHEREAS, the Board of Island County Commissioners finds that the southernmost approximately 470 square feet of the law library room is a suitable space for the Island County Law Library; **NOW, THEREFORE,**

BE IT HEREBY RESOLVED, that the southernmost approximately 470 square feet of the Island County Law Library room is designated for use as the Island County Law Library.

ADOPTED this 23 day of July, 2001.

**BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY WASHINGTON**

WILLIAM F. THORN, Chairman
MIKE SHELTON, Member
WM. L. MCDOWELL, Member

ATTEST:
ELAINE MARLOW
Clerk of the Board

BICC 01-508

RESOLUTION #C-102-01/R-38-01 – IN THE MATTER OF ADOPTION OF ISLAND COUNTY’S SIX-YEAR CAPITAL IMPROVEMENT PROGRAM 2002-2007

The Board considered Resolution #C-102-01/R-38-01 In the Matter of Adoption of Island County’s Six-Year Capital improvement Program for the Years 2002-2007, deferred from Commissioners meeting 7/16/01. As noted at the prior meeting, the CIP had been presented to Planning Commission at workshop session and at public hearing, resulting in a unanimous recommendation from the Planning Commission that the Board adopt the Six Year Capital Improvement Program. The portion related to parks has since been reviewed with GSA/Parks as requested, and found a series of formula errors and the corrected spread sheets are included in the final document.

Subsequently Mr. Kwarsick received a message from the Sheriff with regard to continuing activity on the South Whidbey Sheriff Precinct, and Mr. Kwarsick notified the Board and Sheriff that place-holder is still maintained for that project in the year 2002. There was some concern regarding REET revenue projections and the figure of 2% is conservative, lower than historical.

The Board, by unanimous motion, approved Resolution #C-102-01/R-38-01 In the matter of Adoption of Island County’s Six-Year Capital improvement Program for the Years 2002-2007. [GMA #6640].

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

IN THE MATTER OF ADOPTION OF)
ISLAND COUNTY’S SIX-YEAR) RESOLUTION NO. C-102 -01
CAPITAL IMPROVEMENT PROGRAM) R- 38 -01
FOR THE YEARS 2002-2007)
_____)

WHEREAS, the Public Works Director, in accordance with RCW 36.70A.070(3) and WAC 365-195-315, has submitted his recommended plan for capital expenditures for 2002 through 2007; and

WHEREAS, the Island County Planning Commission has reviewed this program and found it in compliance with the Island County Comprehensive Plan;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Island County Board of Commissioners that the Six-Year Capital Improvement Program for 2002 through 2007, as submitted this date, is hereby adopted.

ADOPTED this 23 of July, 2001.

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

William F. Thorn, Chairman
Mike Shelton, Member
Wm. F. McDowell, Member

ATTEST: Elaine Marlow
Clerk of the Board

BICC 01-509

**TEMPORARY CONSTRUCTION EASEMENT - STANWOOD SCHOOL DISTRICT/ISLAND COUNTY,
EAST CAMANO DRIVE/CROSS
ISLAND ROAD INTERSECTION**

The Board, by unanimous motion, approved Temporary Construction Easement from Stanwood School District/Island County, East Camano Drive/Cross Island Road Intersection, under CRP 99-07. Mr. Kwarsick commented this was primarily to help accelerate utility relocation efforts.

Chairman Thorn stressed the need that as the project comes up the Department needs to be very clear about what traffic control measures will be.

**STATUTORY WARRANTY DEED & CLOSING DOCUMENTS –
SARATOGA WOODS PROPERTY PURCHASE**

Mr. Kwarsick presented a number of closing and conveyance documents dealing with the County's acquisition of the Saratoga Woods property on South Whidbey. Scheduled closing is July 27, 2001. The documents are consistent with past agreements made. Funds have been delivered in the amounts listed in the documents to the Title Company, \$52,000 previously banked for wetland mitigation.

Phil Pearl, representing Whidbey-Camano Land Trust, was present in support of approval of the documents.

By unanimous motion, the Board approved and signed the following documents related to Saratoga Woods Property Purchase:

Documents relating to the purchase of Saratoga Woods signed by the BOICC

| BICC # | Document | Parties |
|---------------|---------------------------|---------------------|
| 01- | Conveyance | Whidbey-Camano Land |
| 01- | Real Estate Excise Tax | Resource Group, |
| 01- | Real Estate Excise Tax | Whidbey-Camano Land |
| 01- | Buyer Settlement | Resource Group, |
| 01- | Notice of Compliance with | Resource Group, |
| 01- | Closing | Resource Group, |
| 01- | Supplement to Closing | Resource Group, |
| 01- | Narrative to Excise Tax | |
| 01- | Statutory Warranty | Resource Group, |

**BID AWARD FOR YEAR 2001 RAISED PAVEMENT MARKER –
WHIDBEY & CAMANO ISLAND**

By unanimous motion, the Board awarded bid to the low bidder, Strip Rite, Inc., Auburn, for year 2001 Raised Pavement Marker Contract for Whidbey and Camano Island, in the amount of \$16,650.00, per bids opened July 17, 2001.

**OUTDOOR EVENT PERMIT APPROVAL OF OUTDOOR MUSIC FESTIVAL AUGUST 4 & 5, 2001 FUND-
RAISER –SOUTH WHIDBEY PARKS & RECREATION SITE OFF MAXWELTON ROAD**

Debra Little, Development Coordinator, reported that the Planning & Community Development Department received an application from Jay Neff on behalf of Whatever Events, for an outdoor musical event and coordinated review pursuant to Island County Code 5.08.030,. On July 9, 2001, the Board waived the 90 day requirement for the submittal of the application. An Outdoor Music Festival is scheduled for August 4 and 5, 2001, referred to as "Deception Pass Musical Festival – Benefit for Cerebral Palsy" at a site owned by South Whidbey Parks and

Recreation on Maxwellton Road, South Whidbey. Staff recommendation is approval subject to conditions contained in correspondence from the Island County Sheriff, Health Department, County Engineer, and Building and Fire Code requirements. Estimated participation has been revised from 2500 to 2000. There are some 500+ parking spaces identified at the South Whidbey High School and Elementary./Middle School lots, and on the park site.

Jay Neff was present in support of his application.

By unanimous motion, the Board approved the Outdoor Musical Event known as “Deception Pass Musical Festival” a Benefit for Cerebral Palsy, as requested for August 4 and 5, 2001, to be held at the South Whidbey Parks and Recreation site on Maxwellton Road, subject to conditions listed in attached county staff documents identified by Debra Little.

HEARING HELD: ORDINANCE #C-92-01/PLG-011-01 IN THE MATTER OF INTERIM AMENDMENT OF ICC 17.02.110 TO COMPLY WITH THE INVALIDITY ORDER OF THE WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD REGARDING TYPE 5 STREAM BUFFERS

A Public Hearing was held as advertised and scheduled, to consider Ordinance #C-92-01/PLG-011-01 [BICC 01-437] In the Matter of Interim Amendment of ICC 17.02.110 to Comply with the Invalidity Order of the Western Washington Growth Management Hearings Board regarding Type 5 Stream Buffers.

Presentation was made by Phillip Bakke, Planning and Community Development Director, who confirmed the purpose was to continue the interim ordinance for a period of six months.

No members of the public indicated a desire to speak either for or against Ordinance #C-92-01/PLG-011-0.

By unanimous motion, the Board adopted Ordinance #C-92-01/PLG-011-01 In the Matter of Interim Amendment of ICC 17.02.110 to Comply with the Invalidity Order of the Western Washington Growth Management Hearings Board regarding Type 5 Stream Buffers. [GMA #6641].

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

| | | |
|-------------------------------------|---|--------------------|
| IN THE MATTER OF INTERIM AMENDMENT |) | ORDINANCE C- 92-01 |
| OF ICC 17.02.110 TO COMPLY WITH THE |) | PLG-011-01 |
| INVALIDITY ORDER OF THE WESTERN |) | |
| WASHINGTON GROWTH MANAGEMENT |) | |
| HEARINGS BOARD REGARDING TYPE 5 |) | |
| STREAM BUFFERS |) | |

WHEREAS, various parties filed petitions with the Western Washington Growth Management Hearings Board (“Board”) to review Island County’s adopted GMA Comprehensive Plan (“Comp Plan”) and Development Regulations; and

WHEREAS, the Board entered its Final Decision and Order on June 2, 1999; and

WHEREAS, the Board found the Type 5 Stream Buffer provisions of Island County’s Critical Areas Regulations (Chapter 17.02 ICC) invalid and therefore replacement regulations are needed to govern land use in the County; and

WHEREAS, on April 10, 2000 the Board of Island County Commissioners adopted Ordinance C-03-00 which increased the stream buffer from 25 to 50 feet for all Type 5 streams that are tributary to a salmon bearing stream and for all Type 5 streams in the Rural zone, but retained the buffer at 25 feet for all other Type 5 streams; and

WHEREAS, on November 17, 2000 the Board ordered that in order to remove its previous finding of invalidity the County must make its 50-foot buffer requirement applicable to all Type 5 streams throughout unincorporated Island County within 90 days of the Order or the Board would recommend that the Governor impose sanctions on Island County; and

WHEREAS, Island County filed a court appeal of the Board's decision disapproving the Type 5 Stream buffers established in Ordinance C-03-00 in Island County v. Western Washington Growth Management Hearings Board, Island County Superior Court No. 00-2-00757-9, but it was necessary that an interim ordinance be adopted to lift the finding of invalidity during the pendency of the lawsuit and to avoid a recommendation of sanctions to the Governor; and

WHEREAS, pursuant to WAC 197-11-600, the County SEPA official determined that the proposed changes to Chapter 17.02 ICC relating to Type 5 Stream Buffers, needed on an interim basis to comply with the Order of the Growth Board, were not likely to have significant adverse environmental impacts that were not considered in the environmental documents prepared for the Comprehensive Plan and Development Regulations; and

WHEREAS, interim amendments to the Type 5 Stream Buffers were adopted and put into effect by Ordinance C-21-01 on February 12, 2001, and findings of fact were adopted on March 19, 2001; and

WHEREAS, the Board previously declared its intention to renew this interim amendment to remain in full force during the pendency of the lawsuit or until a determination is made whether any other permanent regulations are necessary; and

WHEREAS, since as of today's date no decision of the Court has been issued, the Board intends to renew the interim ordinance to be effective on August 12, 2001; **NOW, THEREFORE**,

IT IS HEREBY ORDAINED in order to comply with the June 2, 1999 Final Decision and Order of the Western Washington Growth Management Hearings Board and the subsequent November 17, 2000 Compliance Hearing Order, the Board of Island County Commissioners hereby makes the findings of fact, attached hereto as Exhibit A, and renews the amendments to Chapter 17.02, attached hereto as Exhibit B, relating to Type 5 Stream Buffers. Material stricken through is deleted and material underlined is added.

BE IT FURTHER ORDAINED that the amendments to the Type 5 Stream Buffers shall go into effect on August 12, 2001, and shall remain in effect until Court approval of the Type 5 stream buffer provisions of Ordinance C-03-00. Should the Court not issue a decision approving the Type 5 stream buffer provisions of Ordinance C-03-00 within six (6) months from August 12, 2001, the effective date of renewal of this interim amendment, then the Board hereby declares its intent to renew this interim amendment so that it remains in full force during the pendency of the lawsuit or until a determination is made whether any other permanent regulations are necessary.

Reviewed this 25th day of June, 2001 and set for public hearing at 2:45 p.m. on the 23rd day of July, 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 01-437

Approved and adopted this 23 day of July, 2001.

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

William F. Thorn, Chairman

Mike Shelton, Member
Wm. L. McDowell, Member

ATTEST:

Elaine Marlow
Clerk of the Board

APPROVED AS TO FORM:

David L. Jamieson, Jr.
Deputy Prosecuting Attorney & Code Reviser

[Exhibit A and Exhibit B placed on file with the Clerk of the Board]

RESOLUTION #103-01 (PLG-013-01) DESIGNATING A SERVICE AREA FOR THE SOUNDVIEW ESTATES WATER SYSTEM INTO THE COORDINATED WATER SYSTEM PLAN

Michael Schechter, Assistant Planner/Comprehensive Planning, presented for the Board's review and approval, Resolution #C-103-01 (PLG-013-01) Designating a Service Area for the Soundview Estates Water System into the Coordinated Water System Plan. This is a small water system in an area with no previously designate water system. The system has been allocated groundwater withdrawal at a rate of 15 gallons per minute.

The Board approved, by unanimous motion, Resolution #C-103-01 (PLG-013-01) Designating a Service Area for the Soundview Estates Water System into the Coordinated Water System Plan, with correction in the fourth Whereas paragraph of the word "appropriated" to read "allocated".

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

IN THE MATTER OF DESIGNATING A)
SERVICE AREA FOR THE SOUNDVIEW) RESOLUTION C-103-01
ESTATES WATER SYSTEM INTO THE) PLG-013-01
COORDINATED WATER SYSTEM PLAN)
_____)

WHEREAS, Lots 1 thru 12 of the Soundview Estates PRD and parcels R32814-210-0860, R32814-203-0890, R32814-196-0910 and R32814-188-0930 are proposed to be served by the Soundview Estates Water System; and

WHEREAS, the Soundview Water System plan and service area have been reviewed for consistency with the Island County Comprehensive Plan, the Island County Coordinated Water System Plan, and other applicable State and local codes and regulations; and

WHEREAS, pursuant to WAC 197-11-800(4)(b) appropriations of 2,250 gallons per minute or less of ground water are exempt from SEPA review; and

WHEREAS, the Soundview Water System has been allocated ground water withdrawal at a rate of 15 gallons per minute which exempts this system from SEPA review

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Board of Island County Commissioners that the service area of the Soundview Water System, attached hereto as Exhibit A, are hereby incorporated into the Island County Coordinated Water System Plan.

APPROVED AND ADOPTED this 23 day of July, 2001.

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

William F. Thorn, Chairman

Mike Shelton, Member

Wm. L. McDowell, Member

ATTEST: Elaine Marlow

Clerk of the Board

[Exhibit A – map – is on file with the Clerk of the Board]

BICC 01-512

EMPLOYEE RECOGNITION

The Board presented to Michael Schechter a letter of congratulations on being accepted to Harvard Law School. Michael's efforts with Island County helped to achieve great strides in the GIS development, particularly opening up the system to Island County citizens. During his time with the County, he has shown outstanding progress in his work with the Clinton and Freeland Sub Area Planning efforts.

EXECUTIVE SESSION

At 3:00 p.m., the Board met in Executive Session as allowed under R.C.W. 42.30.110 (1) (i) for the purpose of discussing with legal counsel pending litigation. The Chairman announced that he expected the session to last for one-half hour, and did not anticipate an announcement made in open public session afterwards.

EXECUTIVE SESSION

At 3:30 p.m., the Board met in Executive Session pursuant to RCW 42.30.110 (1) (g) to evaluate qualifications of applicants for public employment. The Chairman anticipated that the session would last approximately until 6:30 p.m.

VOUCHER APPROVED

At 6:30 p.m., the Board re-convened in open public session. Present were Commissioners William F. Thorn and Wm. L. McDowell. By unanimous motion, the Board approved Voucher #511603 in the amount of \$5224.33, having received satisfactory explanation of the voucher by WSU Extension Service. *[warrant to be issued by the Auditor's Office on August 6, 2001]*

There being no further business to come before the Board at this time, the meeting adjourned at 6:35 p.m. July 30th is a 5th Monday of the month, and there is no regular meeting of the Board; therefore, the next regular meeting will be August 6, 2001.

**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