

**ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING
REGULAR AND SPECIAL SESSIONS - SEPTEMBER 24, 2001**

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SPECIAL SESSION

The Board met in special session beginning at 9:30 a.m. on September 24, 2001, 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. The purpose of the special session was to conduct a Budget Workshop related to the following budgets: Miscellaneous; Assessor; Public Works/Road/ER&R/Paths & Trails/Storm & Surface Water/Solid Waste/DID #4. Notes taken during Budget Workshop will be placed on file in the Office of the Board of County Commissioners and the Budget Director.

REGULAR SESSION

The Regular Meeting of the Board of Island County Commissioners was held on September 24, 2001, 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: Greg Banks; Tom Baenen; Maxine Sauter; Mike Hawley
Others: Elaine Marlow; Rick Levin, Whidbey News Times

Elected Officials – Chairmanship Role

Greg Banks agreed to take on the “Chairman/Coordinator” role for the Elected Officials in light of Marilee Black’s resignation effective September 30, 2001. He will provide reminders to Elected Officials and coordinate as far as topics for the monthly meetings.

Employee Time Sheet Procedure

Some Departments have been made aware of an apparent new time sheet procedure on the part of the Auditor’s Office effective October 1st regarding new form requiring every employee of Island County fill out and sign an individual time sheet. Chairman Thorn thought this could be one topic the Auditor would review at this Wednesday’s Department Head Meeting.

Financial Reports – Status Revenue

Monthly financial reports from the Auditor and Treasurer are available showing the revenue status of the County. Investment interest rate is dropping. Budget status for 2002 shows the County faces a 1 to 1-1/4 million dollar shortfall between “business as usual” and forecasted revenues [does not include any increases requested for 2002 budgets]. Time will tell as far as to what extent the tragic events of September 11th may have on the economy in terms of consumer confidence.

Roundtable adjourned 11:50 a.m. Next roundtable: 10/22/01 at 11:30 a.m.

MINUTES APPROVED

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By unanimous motion, the Board approved and signed minutes from Regular Sessions held on September 10, 2001 and September 17, 2001.

VOUCHERS AND PAYMENT OF BILLS

The following vouchers/warrants were approved for payment by unanimous motion of the Board, except Voucher #180992 in the amount of \$6,281.40:

Voucher (War.): #107457 - 107746\$ 853,700.82.

Voucher #180992 in the amount of \$6,281.40 was approved by unanimous motion of the Board later during the meeting on further review and based on clarification from the County Engineer.

STAFF SESSION SCHEDULE - OCTOBER, 2001

The Board by unanimous motion approved the October Staff Session Schedule for distribution, outlining regular sessions for October 3 and 17, beginning at 9:00 a.m.

APPOINTMENTS AND/OR REAPPOINTMENTS TO BOARDS & COMMITTEES

The Board by passing a motion unanimously, made the following appointments and reappointments to various boards and committees:

Substance Abuse Advisory Board

Patti Cole Camano Island 3-year term expiring April 1, 2004

2% Lodging Tax Advisory Committee

Barbara Bailey, President Representing the Navy League, an organization
Oak Harbor Navy League eligible to receive 2% funds

Conservation Futures Advisory Board - Reappointments for a term to 9/30/04

Frances Skinner Coupeville
Don J. Hanna Camano Island
Gloria Carothers Oak Harbor.

APPLICATION FOR LIQUOR LICENSE #083488-3G BY GAYLYNN BEUTHIEN AND ROLF LAITENBERGER, D/B/A BLUE MOON BEACH HOUSE B&B,

The Board of Island County Commissioners considered the Application for Liquor License #083488-3G by Gaylynn Beuthien and Rolf Laitenberger, d/b/a Blue Moon Beach House B&B, located at 3267 Shoreline Drive, Camano Island. While the Sheriff recommended in the affirmative as far as the applicant, based on the recommendations of the Island County Health Department and Island County Planning & Community Development, the Board determined that the application for liquor license was premature based on the following:

Health Department Recommendation: Prior to approval applicant must address outstanding building permit requirements described in Health Department correspondence 4/16/01 and 8/7/01

Planning & Community Development Department Recommendation: Cannot make a recommendation of approval for liquor license application until compliance with county standards is verified for application, but agreed that the application be returned without action.

By unanimous motion, the Board voted to return the application to the State Liquor Control Board without action based on staff recommendations, with copy to applicant.

HEALTH CONTRACTS APPROVED

The following Health Department contracts were approved, each by unanimous motion of the Board:

State Department of Health - Consolidated Contract Amendment 3 #C08645(3) - effective 7/1/01 to 12/31/01, amendment amount \$29,824.00, bringing total contract to \$396,053 [RM-HLTH-00-0220]

Skagit/Islands Head Start-Health Consultation for Head Start #HD-11- 01 in the amount of \$1550, contract period 9/1/01 through 8/31/02

NW Educational District #189 – Coupeville School Nurse Services Contract #HD-10-01 in the amount of \$11,470 for contract period 8/1/01 to 6/30/02

Department of Ecology Contract #G0200037, Site Hazard Assessment, in the amount of \$80,000 [contract approved by the Board of Health 9/17/01] – a 2-year contract.

HIRING REQUESTS & PERSONNEL ACTIONS

As presented and outlined by Dick Toft, Human Resource Director, the Board by unanimous motion, approved the following Personnel Action Authorization:

PAA 102/01 Health Dept. Env. Hlth Spec I-Temp #2409.02 Extend position to 10/12/01 effective 9/24/01 [DOE Watershed Planning Phase II Grant #G9900038]

INTERLOCAL AGREEMENT BETWEEN ISLAND COUNTY AND SKAGIT COUNTY #RM-GSA-01-0081: BURN PERMIT PROGRAM

Lee McFarland, Assistant Director, GSA, presented for the Board's review and approval, an Interlocal Agreement between Island County and Skagit County [#RM-GSA-01-0081], having been approved through the County's Contract Review Process. The purpose of the agreement is to establish a burn permit program in Island and Skagit counties, with effective date when signed through 9/30/02. The Agreement was approved and signed by the Skagit County Commissioners on September 17, 2001.

By unanimous motion, the Board approved Interlocal Agreement between Island County and Skagit County [#RM-GSA-01-0081] relating to Burn Permit Program.

BID AWARD: LIBBEY BEACH ACCESS IMPROVEMENT

As discussed previously with the Board during Staff Session held on September 19th, Mr. McFarland submitted by memorandum dated September 20, 2001, request for bid award for Libbey Beach Park Public Access project. Of the three bids received, Mr. McFarland recommended award to the low bidder, Lyrch and Associates, in the amount of \$160,987.95.

The Board agreed, and by unanimous motion, awarded bid to Lyrch and Associates in the amount of \$160,987.95.

ACCEPT RESIGNATION OF ISLAND COUNTY CLERK, SEPTEMBER 30, 2001

Chairman Thorn brought up the matter of accepting the resignation of the Island County Clerk, Marilee Black, effective September 30, 2001, as stated in her letter of September 1, 2001. RCW 42.12 generally deals with vacancies in elective offices; RCW 42.12.010(2) provides there is a vacancy when an elective officer resigns as of the effective date of the resignation. Inasmuch as the Board of County Commissioners is the appointing power that must accept a resignation of a county elected officer before the resignation is effective, the Board by unanimous motion, formally accepted the resignation of the Island County Clerk, Marilee Black, effective September 30, 2001.

HEARING HELD: RESOLUTION #C-118-01/R-51-01 IN THE MATTER OF CLOSING OUT THE COMMUNITY DEVELOPMENT PLANNING ONLY GRANT FOR THE SOUTH WHIDBEY INTERGENERATIONAL

FACILITY

A Public Hearing, as scheduled and advertised, was held at 2:15 p.m. for the purpose of considering Resolution #C-118-01/R-51-01 in the matter of closing out the community development planning only grant for the South Whidbey Intergenerational Facility.

Bill Oakes, Public Works Director, presented the resolution, prepared in conjunction with wording of the grant requiring a public hearing to close out the planing-only grant, in the amount of \$29,410.00. The conditions set forth in the grant have all been met, as detailed in the resolution. On completion of the Planing Study for South Whidbey Intergenerational Center by SLR, Inc., it was determined that an intergenerational center, South Whidbey Commons, to meet the needs of low and moderate income youth and seniors is desired and feasible. Recommendation is for the County to proceed as lead agency in supporting a CDBG block grant application for facility development for a maximum limit of \$750,000. The total project is 3 million.

At this time, Mr. Oakes recommended the Board sign the resolution closing out the community development planning only grant for the South Whidbey Intergenerational Facility.

The Chairman opened the hearing up for public comment. No one in the audience indicated a desire to speak either for or against Resolution #C-118-01/R-51-01.

By unanimous motion, the Board approved and signed Resolution #C-118-01/R-51-01 in the matter of closing out the community development planning only grant for the South Whidbey Intergenerational Facility.

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

**IN THE MATTER OF CLOSING OUT THE)
COMMUNITY DEVELOPMENT PLANNING) RESOLUTION C- 118-01
ONLY GRANT FOR THE SOUTH WHIDBEY) R-51-01
INTERGENERATIONAL FACILITY)**

WHEREAS, Island County was awarded planning only grant funds in the amount of \$29,410 by the state Department of Community, Trade and Economic Development Office of Community Development for funding assistance; and

WHEREAS, it is necessary that certain conditions were met as part of the application requirements; and

WHEREAS, the City of Langley and Island County received a CDBG Planning Only Grant to conduct an intergenerational program study to examine the needs of low to moderate income youth and senior citizens in South and Central Whidbey Island; and

WHEREAS, the project report was submitted July 31, 2001 with a recommendation for facility development. The study, as reviewed and approved by the City of Langley is attached hereto as Exhibit A.

NOW, THEREFORE, be it resolved that Island County authorizes final close-out of this application to the state Department of Community, Trade and Economic Development, Office of Community Development, and certifies that, Island County:

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

Has provided opportunities for citizen participation comparable to the state's requirements (those described in Section 104(a)(2)(3) of the Housing and Community Development Act of 1974, as amended); has complied with all public hearing requirements and provided citizens, especially low- and 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- and moderate-income persons that request assistance in developing proposals;

Will provide opportunities for citizens to review and comment on proposed changes in the funded project and program performance;

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

Has established 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 1970, as amended;

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 enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and has adopted (or will adopt) and implement a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility of location which is the subject of such nonviolent 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, as amended.

Reviewed this 10th day of September, 2001 and set for public hearing at 2:15 PM. on the 24th day of September, 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

BICC 01-605

APPROVED AND ADOPTED this 24th day of Sept., 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

{Note: Exhibit A is on file with the Clerk of the Board}

RESOLUTION #C-121-01/R-53-01 – IN THE MATTER OF INITIATING CRP 01-05, MAPLE GROVE ROAD STORMWATER OUTFALL PROJECT

After presentation and discussion by Bill Oaks, the Board by unanimous motion, approved initiation of CRP 01-05, Maple Grove Road Stormwater Outfall Project, Work Order #135, in the amount of \$114,000.00, under Resolution #C-121-01/R-53-01 .

RESOLUTION #C-122-01/#R-54-01 REJECTING BIDS PREVIOUSLY SUBMITTED AND AUTHORIZING RE-CALLFOR BIDS - SEAWARD WAY ROAD REPAIRS/IMPROVEMENTS

Mr. Oakes advised there had been some administrative errors on the part of Public Works in the bid process, and in order to maintain the bid process fairly, recommended that the Board reject all bids and re-call for Bids for Seaward Way Road Repairs/Improvements under CRP 01-04, work order #129.

By unanimous motion, the Board approved Resolution #C-122-01/R-54-01, with the original bid opening declared null and void and all bids previously submitted rejected, and authorizing a re-call for Bids for Seaward Way Road Repairs/Improvements under CRP 01-04, work order #129.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ISLAND COUNTY, WASHINGTON

**IN THE MATTER OF AUTHORIZING)
RE-CALL FOR BIDS FOR SEAWARD WAY) RESOLUTION C-122-01
ROAD REPAIRS/IMPROVEMENTS) R- 54 –01
CRP 01-04, WO 129)**

WHEREAS, an administrative error in the original bid documents created confusion about the bid opening time and date;

WHEREAS, sufficient funds are available in the Island County Road Fund for Seaward Way Road Repairs; **NOW THEREFORE**,

BE IT HEREBY RESOLVED that the original bid opening is declared null and void and all bids previously submitted for the Seaward Way Road Repairs are rejected. Revised Plans and Specifications are approved and the County Engineer is authorized and directed to call for bids for furnishing said construction. Bid Opening is to be the 12th day of October, 2001 at 10:30 a.m., Meeting Room 2, located in the Courthouse Annex, Coupeville, Washington.

ADOPTED this 24th day of September, 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 01-630

**PUBLIC HEARING SCHEDULED: ORDINANCE #C-120-01/PLG-017-01 IN THE MATTER OF AN
ORDINANCE CONCERNING TECHNICAL AMENDMENTS TO
THE ISLAND COUNTY COMPREHENSIVE PLAN FUTURE LAND USE
PLAN MAP AND THE ISLAND COUNTY ZONING ATLAS**

As introduced by Debra Little, Planning & Community Development Coordinator, the Board by unanimous motion, scheduled a Public Hearing on Ordinance #C-120-01/PLG-017-01 In the Matter of an Ordinance concerning technical amendments to the Island County Comprehensive Plan Future Land Use Plan Map and the Island County Zoning Atlas, with hearing to be held on October 15, 2001 at 10:45 a.m. [GMA record #7062]

BUDGET WORKSHOP

Following completion of agenda items, the Board met again in Budget Workshop session with Public Works/Road/ER&R/Paths & Trails/Storm & Surface Water/Solid Waste/DID #4. Notes taken during Budget Workshop will be placed on file in the Office of the Board of County Commissioners and the Budget Director.

There being no further business to come before the Board at this time, the meeting adjourned at 3:40 p.m. The Board will meet in special session September 26 at 10:00 a.m. for an Executive Session. The next regular Board meeting will be on October 1, 2001, beginning at 9:30 a.m.

**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