

**ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING
REGULAR SESSION - OCTOBER 15, 2001**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session at 9:30 a.m. on October 15, 2001, in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa., with William F. Thorn, Chairman; Mike Shelton, Member; and Wm. L. McDowell, Member, present.

VOUCHERS AND PAYMENT OF BILLS

The following vouchers/warrants were approved for payment by unanimous motion of the Board: Voucher (War.) #108604-108942.....\$1,053,570.14.

Veterans Assistance Fund: Claim V1-21 approved by unanimous motion of the Board in the amount of \$932.37 as recommended by the Veterans Assistance Review Committee.

COURTHOUSE SECURITY ISSUES – MAIL HANDLING

With the advent of another biological incident on October 12th in New York, Chairman Thorn believed it was timely to take precautionary action with regard to mail handling within the various County offices and departments, and felt there should be some protocol developed on dealing with those letters and parcels received in the mail room and individual offices.

Mike Hawley, Island County Sheriff, and Betty Kemp, GSA/Risk Management Director, were present to brief the Board on measures developed to properly handle receipt of mail in light of recent anthrax fears. The Sheriff's recommendation was that all incoming mail received from the Post Office for the Courthouse campus be screened by Central Services, and any letters or parcels that appear suspicious be segregated out and the Sheriff's Office will have one of several detectives trained in this field investigate. Basic safety steps include: do not handle further and don't let anybody else near; wash hands immediately; and call the Sheriff's Office. Things to look for would include: no return address; return address and post mark do not match. Risk Management has provided County employees with training opportunities in safe mail handling techniques and is available to provide additional training where needed.

The Board agreed that the Sheriff institute a policy and advise County employees that all incoming mail received from the Post Office for the Courthouse campus will first be screened by Central Services personnel. Any letters or parcels that appear to be suspicious will be segregated, and the Sheriff's Office will immediately investigate, noting this action is being taken as a prudent public safety measure, and not intended to increase fears.

APPOINTMENTS NAMED TO 2% LODGING TAX ADVISORY COMMITTEE

The Board, by unanimous motion, appointed Randy Bradford, Coachman Inn, Oak Harbor, and Marsha Chatman, Best Western Harbor Plaza, Oak Harbor, to serve as members on the 2% Lodging Tax Advisory Committee representing businesses who collect the 2% tax.

HIRING REQUESTS & PERSONNEL ACTIONS

One Personnel Action Authorization, summarized by Dick Toft, Human Resource Director, was approved by unanimous motion of the Board as follows:

| <u>Dept.</u> | <u>PAA #</u> | <u>Description</u> | <u>Action</u> | <u>Eff. Date</u> |
|--------------|--------------|------------------------------|---------------|------------------|
| Auditor | 107/01 | Deputy Auditor-Auditing #211 | Replacement | 10/31/01 |

Also presented by Mr. Toft was a Release and Settlement Agreement signed by Bill Freeman and Island County Sheriff, Mike Hawley. This comes about as a result of negotiations with the Guild with regard to reduction in force because of contracting out the food service operation for the jail.

By unanimous motion, the Board approved and authorized Chairman Thorn's signature on the Release and Settlement by and between Island County, Washington and Bill Freeman, to pay the full amount of his medial/dental insurance premiums for the months of October, November and December, 2001 as payment in full.

**CZM 310 GRANT BETWEEN DOE AND ISLAND COUNTY/ MRC - ADMINISTRATIVE GRANT
G0200077 [RM-EXT-01-0085]**

Don Meehan, WSU Extension Agent, explained that this grant actually had been approved previously by the Board [9/17/01] but when sent back for Department of Ecology approval the State made some changes requiring re-approval and processing by the County.

The Board by unanimous motion approved CZM 310 Grant between the State Department of Ecology and Island County for the Northwest Straits Project, MRC Administration [RM-EXT-01-0085] in the amount of \$10,000 for the period 7/1/01 - 6/30/02.

**GRANT PROPOSAL - SALMON RECOVERY FUNDING BOARD - ISLAND COUNTY WRIA 6 LEAD ENTITY
FROM ISLAND COUNTY MARINE RESOURCES COMMITTEE**

As presented by Don Meehan and Gary Wood, the Board by unanimous motion approved the application for Grant Proposal for Salmon Recovery Funding Board through Island County WRIA 6 Lead Entity for a two year project 00-1673 N (& 01-1086 N merged) Island County Nearshore Habitat Assessments/Nearshore Project Coordinator, for a total project cost of \$327,000.

COMMUNITY LITTER CLEANUP PROGRAM

Contract with Lighthouse Environmental Program and request for waiver of standard provisions for bidding for the Community Litter Cleanup Program [RM-EXT-01-0074], was presented to the Board by Mr. Meehan detailed in his memorandum of August 14, 2001. Contract amount is \$62,225 for the period July 1, 2001 through June 30, 2003.

By unanimous motion, the Board authorized a waiver of the standard provisions for bidding based on the reasons outlined by Mr. Meehan in his memorandum, and approved the Community Litter Cleanup Program Fund Agreement between Island County and Lighthouse Environmental Programs [RM-EXT-01-0074].

**CONTRACT/PERFORMANCE & PAYMENT BOND – STRIPE RITE, INC.
FOR 2001 RAISED PAVEMENT MARKERS**

As presented by Bill Oakes, Public Works Director, with a recommendation of approval, the Board by unanimous motion approved the Contract/Performance and Payment Bond from Stripe Rite, Inc., for 2001 Raised Pavement Markers on Whidbey Island and Camano Island, in the amount of \$16,650.00.

AWARD OF BID FOR SEAWARD WAY/DRIFTWOOD WAY ROAD REPAIRS/IMPROVEMENTS

The recommendation from Mr. Oakes was that the Board award bid to the low bidder, Island Construction S&U, Inc., for the Seaward Way/Driftwood Way Road Repairs/Improvement project under CRP 01-04, Work Order 129, in the amount of \$299,984.30 representing the base bid and additive alternatives A & B. Dick Snyder, County Engineer, advised that bids were tight and he was comfortable with the bids received and recommending Island Construction as the low bidder.

By unanimous motion, the Board awarded bid for Seaward Way/Driftwood Way Road repairs and improvements to the low bidder, Island Construction, in the amount of \$299,984.30.

**CONTRACT/PERFORMANCE & PAYMENT BOND – POTTLE & SONS CONSTRUCTION, INC. FOR CAMANO
ROAD MAINTENANCE FACILITY**

As presented and recommended for acceptance and approval by Mr. Oakes, the Board by unanimous motion approved the Contract/Performance and Payment Bond from Pottle & Sons Construction, Inc., Ferndale, for the Camano Road

Maintenance Facility project under #PWP 01-03, Work Order #10, in the amount of \$1,567,750.80.

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE LEAD ENTITY OPERATIONAL GRANT AGREEMENT – CREATE HABITAT PROJECT LIST FOR SALMON RECOVERY FUNDING BOARD AND WORK SCHEDULE

Mr. Oakes provided a recommendation of approval, and further details were given by Janet Kearsley. Time of performance is July 1, 2001 through June 30, 2002. The Board by unanimous motion approved Salmon Lead Entity Grant Agreement #PW012095 between Island County and the Department of Fish & Wildlife [Grant No. 38020210] for creation of habitat project list and work schedule, in the total amount of \$50,000.

HEARING HELD: FRANCHISE #66(R), GREENBANK ESTATES DIVISION #1 AND #2 COMMUNITY ASSOCIATION RENEWAL OF EXISTING WATER DISTRIBUTION SYSTEM, PLAT OF GREENBANK ESTATES

At 10:20 a.m. as advertised, the Chairman opened a public hearing to consider Franchise #66(R) submitted by Greenbank Estates Divisions 1 and 2 Community Association, for renewal of an existing water distribution system in Plat of Greenbank Estates, Divisions 1 and 2, located in Sec. 16, Twp 30N, R 2E. The Board learned from the Public Works Director, as further outlined in memorandum dated 9/18/01 from Dick Snyder, this system has no plans for expansion of current system; departments requesting to comment responded with no objection to the proposal; the Prosecuting Attorney's office reviewed and approved the documents as to form; and document has been reviewed and approved by the Risk Manager.

No one in the audience at the time of hearing spoke either for or against the approval of Franchise #66R.

By unanimous motion, the Board approved Franchise #66(R) by Greenbank Estates Divisions 1 and 2 Community Association, for renewal of an existing water distribution system in Plat of Greenbank Estates, Divisions 1 and 2, in Sec. 16, Twp 30N, R 2E.

HEARING HELD: FRANCHISE #20(1)R, RHODENA BEACH WATER DISTRICT RENEWAL OF EXISTING WATER DISTRIBUTION SYSTEM

A Public Hearing was held at 10:25 a.m. as advertised to consider Franchise #20(1)R, Rhodena Beach Water District, renewal of existing water distribution system, Plat of Rhodena Beach located in Sec. 36, Twp 32N., R 1E, Central Whidbey.

Mr. Oakes recommended approval of the franchise renewal, as outlined in a 9/18/01 Memo from Dick Snyder, confirming there are no plans for expansion of the current system; departments requested to comment responded with no objection to the proposal; the Prosecuting Attorney's office reviewed and approved the documents as to form; and the document was reviewed and approved by the Risk Manager.

At the time of hearing, Ham Byng spoke in favor of approval of Franchise #66R.

The Board, by unanimous motion, approved Franchise 20(1)R, Rhodena Beach Water District renewal of existing water distribution system in the Plat of Rhodena Beach, in Sec. 36, Twp 32N., R 1E.

HEARING HELD: ORDINANCE #C-120-01 (PLG-017-01) - TECHNICAL AMENDMENTS TO THE ISLAND COUNTY COMPREHENSIVE PLAN FUTURE LAND USE PLAN MAP AND THE ISLAND COUNTY ZONING ATLAS

As scheduled and advertised, a Public Hearing was held at 10:45 a.m. for the purpose of considering 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. The ordinance was introduced and set for this date and time on September 24, 2001 [GMA #7062] [BICC 01-631].

At the time of hearing, Tom Fisher and one other audience member were in attendance. Staff presentation was made by Phil Bakke, Planning and Community Development Director, and Jeff Tate, Comprehensive Plan Manager.

Mr. Tate reviewed the specific changes as outlined in his memorandum to the Board dated September 20, 2001, attached to the Ordinance along with the ordinance exhibits, the actual maps.

Map 172 did not accurately depict the town boundary of Coupeville. Correction adds town boundary and applies the Rural designation to the properties located outside the town.

Map 314 has several parcels that have been adjusted in this quarter section. There is no zoning change proposed on this map.

Map 90 – The Northwest quarter of the Southwest quarter improperly designated the zoning as Oak Harbor when the proper zoning should be Oak Harbor Residential.

Map 24 – Two parcels were improperly designated Rural. The parcels are owned and operated by Island Transit and should have been designated as Light Manufacturing.

Map 466 – Parcels listed should be included within the RAID of Mariner’s Beach. The density of the Mariner’s Beach RAID is 1 dwelling unit per acre. None of the parcels are greater than 2 acres; therefore, none of the parcels are subdividable. The addition of these parcels to the RAID would allow for boundary line adjustment between adjacent parcels. These parcels are all included in the same water system. The request came about because the property owner of 153097 also owns the next parcel to the south along the shoreline 147136, and want to do a lot combination, but were prohibited from doing so because the two properties are zoned differently. This will actually be a reduction of one development potential.

- Further, Mr. Bakke pointed out this meets the designation criteria applied at the time the RAID was established. At the time, and prior to, when the Board reviewed the RAID, all of these parcels were serviced by the same water district, but the County did not have that information at the time and had that information been known at the time those parcels would have been included then as part of the RAID. This is on the ground information.

Tom Fisher, Clinton, was interested to know why this was not included in the original RAID Boundary.

Mr. Tate said that it was only because at that time the County did not have the benefit of the for water system service boundary information. Many water systems date back many decades and County files only date back to 1990. All water purveyors were asked to provide maps for systems that existed prior to 1990 but not all responded. Mr. Fisher was satisfied with this explanation.

By unanimous motion, the Board approved Ordinance #C-120-01/PLG-017-01 in the matter of an Ordinance concerning technical amendments to the Island County Comprehensive Future Land Use Plan Map and Island County Zoning Atlas.

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

| | | |
|--------------------------------------|---|--------------------|
| IN THE MATTER OF AN ORDINANCE |) | |
| CONCERNING TECHNICAL AMENDMENTS TO |) | ORDINANCE C-120-01 |
| THE ISLAND COUNTY COMPREHENSIVE PLAN |) | PLG-017-01 |
| 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 24th day of September, 2001 and set for public hearing at 10:45 a.m. on the 15th day of October, 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

BICC 01-631

APPROVED AND ADOPTED this 15th day of October, 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 placed on file with the Clerk of the Board] [GMA record #7071]

BOND APPROVAL FOR WINN FINAL SHORT PLAT SHP 329/99

The next item presented by Planning staff was a bond in the amount of \$1,500.00 [Declaration of Trust] for the purpose ensuring successful restoration of a wetland buffer as required by ICC 17.02.150.M2.b(v) for Winn Final Short Plat SHP 329/99 [Don and Judy Winn] Parcel #R23028-516-2140. Details and approval recommendation was provided under cover memorandum from Scott K. Johns, Associate Planner, dated October 5, 2001.

By unanimous motion, the Board approved the \$5,100.00 bond in the form of a Declaration of Trust to ensure successful restoration of a wetland buffer as required by ICC 17.02.150.M2.b(v) for Winn Final Short Plat SHP 329/99, Parcel #R23028-516-2140.

REVIEW MONTHLY FINANCIAL REPORTS FROM AUDITOR & TREASURER

Auditor's Report. Suzanne Sinclair, Island County Auditor, submitted the Auditor's Financial Report dated 10/12/01 for the period ending September, 2001. Comments and Notes: Planning grant ended June 2001, awarded \$20,000 of which \$15,000 received in 2000, but total amount has been billed and reimbursed. Public Defender shows about a 4% state reimbursement for sex offender program; State pool interest rate at the end of September was 3.5767. Treasurer spent \$12,000 M&O in advertisement and communications in September for foreclosure sales – 51 more parcels than last year; \$28,000 spent for title reports.

Commissioner McDowell inquired about the possibility of including on this report the addition a new row year to date with 4-yr average without the property tax added in [total % minus property tax].

Commissioner Shelton noted that one of the things that might be worthy to consider was a recommendation from the Board to departments concerning the importance of avoiding department spending year end unless it is something critical and operations would suffer.

Treasurer's Report Maxine Sauter, Island County Treasurer, summarized from her Current Expense Cash Report for the period ending September 30, 2001, provided earlier to the Board under cover memorandum dated 10/8/01. She reported revenues at 68.3% of budget, and property tax at 54.3%. Interest income is above at this point because interest rates were higher up until a few months ago. Highest bank rate now is 2.7 up to 60 days; 2.5 to 120 days and 2.6 for a year. Buildings and homes are not being purchased as anticipated.

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BUDGET WORKSHOP

The Board met at 1:30 p.m. in Budget Workshop for a review of Revenue Projections and Expenditures and a general overall review. Minutes from the Budget Workshop have been transcribed and placed on file in the Office of the Board of County Commissioners and the Budget Director. The next budget workshop will be held from 9:30 a.m. to 11:30 a.m. on Monday, October 22, 2001, prior to the regular meeting of the Board beginning at 11:30 a.m.

There being no further business to come before the Board at this time, the meeting adjourned at a.m. 11:10 a.m., to meet at 1:30 p.m. in Budget Workshop Session.

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