

**BOARD OF COUNTY COMMISSIONERS - MINUTES OF MEETING  
REGULAR SESSION - FEBRUARY 25, 2002**

The Regular Meeting of the Board of Island County Commissioners was held on February 25, 2002, beginning at 11:30 a.m. with a Roundtable for 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 Mike Shelton, Chairman; Wm. L. McDowell, Member, and William F. Thorn, Member, present.

**ROUNDTABLE MEETING WITH ISLAND COUNTY ELECTED OFFICIALS**

Attendance:

Elected Officials: Tom Baenen; Greg Banks, Jane Koetje; Maxine Sauter  
Others: Elaine Marlow; Dick Toft

There were no specific agenda items brought forward for this session. Everyone acknowledged that the budget situation was utmost on everybody's minds at this point. The discussion generally focused on budget issues and concerns pertaining to legislative action; local taxing authorization; utility tax status; and the need to start deciding what programs and issues may be appropriate to put before the voters to fund with a levy.

Cutting county work hours has to be considered but that will not be answered until Fall. Shifting open hours to the public is another consideration. Although the Board will make every effort to be as uniform as possible in applying budget cuts, they cautioned that some departments may be hit harder than others for a variety of reasons.

*Meeting adjourned at 11:40 a.m. next roundtable - 3/25/02 @ 11:30 a.m.*

**VOUCHERS AND PAYMENT OF BILLS**

The following vouchers/warrants were approved for payment by unanimous motion of the Board: Voucher (War.) #s 119201-119597 ..... \$836,091.86.

**Veterans Assistance Fund:** [emergency financial assistance to certain eligible veterans; the names and specific circumstances are maintained confidential]. The Board, by unanimous motion, approved the recommendation of the Veterans Assistance Review Committee and denied Claim #V2-3 in the amount of \$2,726.08.

**JUVENILE AND FAMILY COURT SERVICES CONTRACTS APPROVED**

As presented and summarized by Michael Merringer, Juvenile and Family Court Director, the Board by unanimous motion, approved the following contracts:

- Interlocal Agreement Between Island County & Snohomish County for Detention Services #RM-JUV-00-0020-6 \$80,000 1/1/02 - 12/31/02
- Juvenile Rehabilitation Administration (JRA) 3900 Funds Total \$63,551 (FY 2002 \$31,339; FY 2003 \$32,212) DSHS Agreement #0163- 02515 7/1/01 thru 6/30/03 RM-JUV-02-0015
- Consolidated Contract DSHS Agreement #0163-04582 (consolidated juvenile service projects) \$318,439 7/1/01 thru 6/30/03 RM-JUV-02-0013

**HEALTH DEPARTMENT CONTRACTS APPROVED**

The Board, by unanimous motion, approved Health Department contracts as follows, having been previously reviewed and discussed at staff session:

- Childcare Consultation-Opportunity Council Contract #HD-01-02 \$11,700 [RM-HLTH-00-0015] for the period October 1-June 30, 2002, approved by the Board of Health 2/4/02.
- Department of Ecology, Amendment #2 to Contract #G9900038, amendment in the amount of \$37,064, through June 30, 2002, for watershed planning – develop watershed plan for WRIA 6. [RM-HLTH-02-018] approved by the Board of Health 2/4/02.
- North Sound Regional Support Network Interagency Agreement with Island County # NSRSN-Island-02 for the period 1/1/02 to 12/31/03, in the amount of \$112,085, to provide Board-designated mental health projects in the County [RM-HLTH-99-0053].
- Whidbey General Hospital Memorandum of Understanding, Contract #HD-03-02, in the amount of \$17,924 for providing grantwriting/fundraising services to WGH [RM-HLTH-01-0025].

### **HIRING REQUESTS & PERSONNEL ACTIONS**

As presented and summarized by Dick Toft, Human Resource Director, the Board by unanimous motion, approved the following personnel action authorizations:

<b>Dept.</b>	<b>PAA #</b>	<b>Description</b>	<b>Position #</b>	<b>Action</b>	<b>Eff. Date</b>
Public Works	008/02	Mt. Worker 1A	2289.03	Replacement	2/25/02
Planning	009/02	Asst/Assoc Plan	DOQ 1708.04	Replacement	2/25/02
GSA	010/02	Parks/GSA Tech-CI	1511.00	*Personnel	2/25/02.

Commissioners Contingency approved \$4,085 funding.

### **STAFF SESSION AGENDA – MARCH, 2002**

The Board by unanimous motion, approved the March Staff Session schedule for distribution outlining regular staff sessions to be held on March 6 and 20, beginning at 9:00 a.m.

### **APPLICATION FOR SPECIAL OCCASION LIQUOR LICENSE # 071076 BY SOUTH WHIDBEY SHRINE CLUB**

On receipt of recommendations of approval from the Island County Sheriff and County Health Department, the Board by unanimous motion approved Application for Special Occasion Liquor License #071076 by South Whidbey Shrine Club for July 20, 2002 at South Whidbey Masonic Center, Langley.

### **CLAIMS FOR DAMAGES**

Betty Kemp, Director, General Services Administration/Risk Management, appeared before the Board to present recommendations on four claims for damages.

#### **Claim for Damages R01-035CD by Chris Demopolis**

Claim filed 12/14/01 for \$50,000 alleging commercial radio/telephone transmittal tower was permitted to be built on the view side of his property in violation of plat development restrictions, and action diminished the value of his property. On review with the Planning Director, Ms. Kemp submitted a recommendation of denial, noting no land use permit was needed to establish a ham radio tower on subject parcel; building permit was required and processed and no appeals brought forward. On recommendation of the Risk Manager and Planning Director, the Board by unanimous motion, denied Claim for damages R01-035CD by Chris Demopolis.

#### **Claim for damages R02-001CD by Ron & Joy Edwards**

Claim filed 1/9/02 in the amount of \$1,000,000.00 alleging violation of civil rights by illegal search and seizure,

unlawful arrest, false imprisonment, violation of freedom of speech and association and denial of equal protection. The Risk Manager and Sheriff recommended denial of the claim. The Board, by unanimous motion, denied Claim for damages R02-001CD by Ron & Joy Edwards, as recommended.

Claim for damages R02-002CD by Ron & Joy Edwards on behalf of minor

Claim filed 1/9/02 in the amount of \$1,000,000.00 alleging violation of civil rights by illegal search and seizure, unlawful arrest, false imprisonment, violation of freedom of speech and association and denial of equal protection, infliction of severe emotional distress and personal injuries. The Risk Manager and Sheriff recommended denial of the claim. The Board, by unanimous motion, denied Claim for damages R02-002CD by Ron, Joy, & Jaqueline Edwards as recommended.

Claim for Damages R02-003CD Michael Meloni

Claim filed 1/11/02 in the amount of \$100,000 alleging that although charges against him were dismissed, the County failed to quash the warrant which resulted in his arrest, being jailed, etc. In this case, Ms. Kemp recommended that the claim be closed at the County level and forwarded to the Risk Pool for review and recommendation. The Board concurred.

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**RESOLUTION #C-14-02/R-04-02 INITIATING CRP 02-03, MONROE  
LANDING ROAD WIDENING, SECTION 1A, 1B & 2**

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Based on presentation and recommendation of Bill Oakes, Public Works Director, the Board approved initiation of County Road Project under Resolution #C-14-02/R-04-02, Work Order #356, Monroe Landing Road Widening, Section 1A, 1B & 2; Sections 15/16/21/22, Twp 32N., Rge. 1E. for a total appropriation of \$1,925,000.

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**RESOLUTION #C-15-02/R-05-02 INITIATING CRP 02-04,  
CAMANO HILL ROAD WIDENING**

Again, as presented and explained and recommended for approval by Mr. Oakes, the Board by unanimous motion approved Resolution #C-15-02/R-05-02 Initiating CRP 02-04, Camano Hill Road Widening, Section 1 & 2; Secs. 11 & 12, Twp 31N., Rge. 2E. for a total appropriation of \$3,760,000.00.

**MADRONA WAY – DISCUSSION**

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In response to Commissioner McDowell's question about the status of the Madrona Way project, Dick Snyder, County Engineer, reported that was financed, with construction to be completed by 2004. It is under design now and right of way process will begin soon. The project does not include work on the bank because the work necessary to stabilize the bank would involve rock or root wads, etc., for which the Department of Fish and Wildlife is not in favor of.

**RESOLUTION #C-16-02/R-06-02 – CALL FOR BIDS-CULVERT SUPPLIES FOR 2002**

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The Board, by unanimous motion, approved Resolution #C-16-02/R-06-02 In the Matter of Authorizing Call for Bids for Culvert Supplies for 2002.

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

**IN THE MATTER OF APPROVING            }**  
**SPECIFICATIONS & AUTHORIZING        }**       **RESOLUTION #C-16-02**  
**CALL FOR BIDS FOR:                        }**       **RESOLUTION #R-06-02**

**2002 CULVERT SUPPLIES }**

**WHEREAS**, sufficient funds are available in the ROAD/E.R.& R. FUND for the purchase of:

**CULVERT SUPPLIES for all Road shops (corrugated aluminum alloy and corrugated, double-walled, smooth bore, non-perforated, polyethylene plastic drain pipe).**

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that Attachment A, Specifications, is approved as written, and the County Engineer is authorized and directed to call for bids for furnishing Island County with said supplies; **BID OPENING** to be the 26th day of March, 2002 at 10:00 a.m., in Meeting Room #131, Law & Justice Building, located at 101 N.E. 6<sup>th</sup> Street, Coupeville, Washington.

**ADOPTED** this 25 day of February, 2002.

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

**ATTEST:**

Elaine Marlow, Clerk of the Board

**RESOLUTION #C-17-02/R-07-02 - CALL FOR BIDS FOR SIDE DISCHARGE CONVEYOR FOR OAK HARBOR SHOP**

The Board, by unanimous motion, approved Resolution #C-17-02/R-07-02 In the Matter of Authorizing Call for Bids for Side Discharge Conveyor for Oak Harbor Shop.

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

**IN THE MATTER OF APPROVING }  
SPECIFICATIONS & AUTHORIZING } RESOLUTION #C-17-02  
CALL FOR BIDS FOR: } RESOLUTION #R-07-02  
ONE (1) 2002 SIDE DISCHARGE CONVEYOR}**

**WHEREAS**, sufficient funds are available in the ROAD/E.R.& R. FUND for the purchase of:

**ONE (1) or More 2002 SIDE DISCHARGE CONVEYOR**

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that Attachment A, Specifications, is approved as written, and the County Engineer is authorized and directed to call for bids for furnishing Island County with said equipment; **BID OPENING** to be the 26th day of March, 2002 at 10:15 a.m., in Meeting Room #131, 101 N.E. 6<sup>th</sup> Street, Coupeville, Washington.

**ADOPTED** this 25 day of February, 2002.

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

**ATTEST:**

Elaine Marlow, Clerk of the Board

**DRAINAGE AGREEMENT #PW0120-37 - ISLAND COUNTY, CITY OF OAK HARBOR, WHIDBEY GOLF & COUNTRY CLUB; WATERLOO-SWANTOWN DRAINAGE BASIN**

A Drainage Agreement between Island County, City of Oak Harbor, and Whidbey Golf & Country Club, RM PW0120-37, was presented and described by Mr. Oakes, with a recommendation that the agreement be approved and signed. The agreement relates to Waterloo and Swantown Drainage Basin located in Sec. 4, Twp 32N., R 2E. Although the Agreement was approved by the Oak Harbor City Council, the Mayor has not yet signed the Agreement.

By unanimous motion, the Board approved the Drainage Agreement between Island County, City of Oak Harbor, and Whidbey Golf & Country Club #RM-PW0120-37, for the full Board's signature, not to be released until the signature has been obtained from the city of Oak Harbor.

**AMENDMENT #1-AGREEMENT FOR COORDINATED PREVENTION GRANT #G0000162**

Dave Bonvoulior, Solid Waste Manager, presented for signature Amendment #1 to Ecology Grant G0000162 between State of Washington Department of Ecology and Island County effective July 1, 2001 increase grant funding by \$29,183 as a result of unused funding returned by the City of Oak Harbor. The grant involves household hazardous waste collection and disposal, a topic of discussion at the November 7<sup>th</sup> and December 5<sup>th</sup> Staff Sessions. Inadvertently, on December 12<sup>th</sup> the agreement was signed by an accounting assistant instead of having been brought to the Board for formal approval and signature.

By unanimous motion, the Board approved and authorized the Chairman's signature on Amendment #1 to Ecology Grant G0000162 between State of Washington Department of Ecology and Island County.

**MONTHLY FINANCIAL REPORTS FROM AUDITOR & TREASURER**

**Treasurer's Report.** Maxine Sauter, Island County Treasurer, summarized from her financial report for the period ending January 2002 in written format under memorandum dated 2/7/02. At this point, she predicted interest income for the year would be more than budgeted, by perhaps as high as \$200,000. As of today, interest rates at financial institutions are quite low, 2.0 – 2.4%.

**Auditor's Report.** Anne LaCour, Chief Deputy Auditor, presented the Auditor's written report dated today for the same period. She thought the report to be fairly normal for January, noting that the department had not yet gone through year end to make sure all revenues were captured in the right year.

Both reports are on file.

**ISLAND COUNTY PROPERTY TAX CERTIFICATION**

As required by statute, Tom Baenen, Island County Assessor, submitted a certified copy of the levy rates and tax rolls to the Treasurer and Auditor. He also provided a color-coded pie chart showing Island County Property Taxes by percentage (rounded), with a copy for the Commissioners. The levy \$1,000 for County Current Expense this year is 7.9; for County Roads 9.9. Total taxes collected in Island County for 2002 - \$64,798,652; compared to 2001 \$66,470,907. For local taxing districts in dollar amounts, Mr. Baenen pointed out that the highest rate was \$10.02; the lowest \$7.81 [average \$9.411]. Under senior citizen exemption, level 1, the lowest rate was \$6.82 and the highest \$8.49. He clarified that I-747 said that taxing districts' revenues cannot increase more than 1%; every taxing district in Island County dropped.

**HEARING SCHEDULED: OPS 435/01, ROBERT ZUVER REQUEST TO TRANSFER 20 ACRES FROM THE DESIGNATED FOREST TAX PROGRAM TO THE TIMBER LAND CURRENT USE CLASSIFICATION**

The Board, by unanimous motion, scheduled a public hearing on March 18, 2002 at 10:45 a.m. to consider Open Space Application OPS 435/01 by Robert Zuver to transfer 20 acres from the Designated Forest tax program to the Timber Land current use classification, located in the NE ¼ of Section 14, Township 30N, Range 2E., South Whidbey.

**HEARING SCHEDULED: OPS 422/01, DAVID GLADSTONE REQUEST TO PLACE 8.54 ACRES IN THE TIMBER LAND CURRENT USE CLASSIFICATION**

By unanimous motion, the Board scheduled a public hearing on March 18, 2002 at 10:45 a.m. to consider Open Space Application OPS 422/01 by David Gladstone to place 8.54 acres in the Timber Land current use classification, located in the NW ¼ of Section 23, Township 30N, Range 3E, on Camano Island.

**EXECUTIVE SESSION**

Chairman Shelton announced that the Board would meet in Executive Session at 2:45 p.m. as allowed under provisions contained in R.C.W. 42.30.110 (1) (b) to consider the acquisition of real estate when public knowledge regarding such consideration would cause a likelihood of increased price. The session was expected to last approximately 15 minutes and the Board would return to open public session to take action.

**RESOLUTION #C-18-02 AUTHORIZING THE PROSECUTING ATTORNEY TO COMMENCE CONDEMNATION PROCEEDINGS - EAST CAMANO DRIVE/CROSS ISLAND INTERSECTION**

On return to open public session, the Board by unanimous motion, adopted Resolution #C-18-02/R-08-02 in the matter of authorizing the Prosecuting Attorney to commence condemnation proceedings, East Camano Drive/Cross Island Intersection, Work Order #279, CRP #99-07.

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

<b>IN THE MATTER OF AUTHORIZING</b>	)	
<b>THE PROSECUTING ATTORNEY TO</b>	)	
<b>COMMENCE CONDEMNATION PROCEEDINGS,</b>	)	<b>RESOLUTION NO. C-18-02</b>
<b>EAST CAMANO DRIVE / CROSS ISLAND</b>	)	<b>R-08-02</b>
<b>INTERSECTION W.O. #279 -- CRP # 99-07</b>	)	

**WHEREAS**, the real property described herein is required by the County for immediate project construction of **EAST CAMANO DRIVE / CROSS ISLAND INTERSECTION, Parcel R33230-261-2300**, situated in a portion of the Southwest Quarter of Section 30, Township 32 North, Range , W.M., Island County Map # 0988; and

**WHEREAS**, any delay in the County's road construction program is contrary to the public interest; and

**WHEREAS**, the County's offer for purchase of that certain real property described in the following attachment(s) - Exhibit "A" - has been refused by the owner; **NOW, THEREFORE**,

**BE IT RESOLVED** that:

The above described real property is necessary for public use of Island County, Washington for public road purposes.

Time is of the essence and prompt action must be taken to secure the above described real property.

The Board of County Commissioners authorizes and directs the Prosecuting Attorney to instigate condemnation procedures in order to acquire and take possession of the above described real estate with assistance from the County Engineer as necessary.

**ADOPTED** this 25 day of February, 2002.

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

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

**ATTEST:** Elaine Marlow, Clerk of the Board

*[Exhibits on file with the Clerk of the Board]*

There being no further business to come before the Board at this time, the meeting adjourned at 3:05 p.m. The Board will meet next in Regular Session on March 4, 2002, beginning at 9:30 a.m.

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

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Mike Shelton, Chairman

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Wm. L. McDowell, Member

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William F. Thorn, Member

**ATTEST:**

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Elaine Marlow, Clerk of the Board