

ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING
REGULAR SESSION - MARCH 18, 2002

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on March 18, 2002, beginning at 9:30 a.m. in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa., with Mike Shelton, Chairman, Wm. L. McDowell, Member, and William F. Thorn, Member, present. By unanimous motion, the Board approved and signed the minutes from the meeting of March 11, 2002.

VOUCHERS AND PAYMENT OF BILLS

The following vouchers/warrants were approved for payment by unanimous motion of the Board: Voucher (War.): # 119959-120199 \$353,797.52.

HIRING REQUESTS & PERSONNEL ACTIONS

As presented by Dick Toft, Human Resource Director, the Board by unanimous motion, approved the following PAA from the Health Department:

PAA #	Description	Position #	Action	Eff. Date
017/02	Env. Health Spec	2403.03	Replacement	*

*3/25/02 date sufficient to initiate recruitment process, but the hire date yet to be determined based on determination of leave payout.

STATE OF WASHINGTON – COUNTY ROAD ADMINISTRATION BOARD - RURAL ARTERIAL
PROGRAM CERTIFICATION OF ROAD FUND
EXPENDITURES FOR TRAFFIC LAW ENFORCEMENT FOR 2001

By unanimous motion, the Board authorized the Chairman's signature on the State of Washington County Road Administration Board Rural Arterial Program Certification of Road Fund Expenditures for Traffic Law Enforcement for the budget year 2001. [copy placed on file]

QUIT CLAIM DEED FOR WATERMAN ROCK PROPERTY

Lee McFarland, Assistant Director, GSA, recalled that the Board last week signed the conveyance agreement for the Waterman Rock property and the Quit Claim Deed should have gone along with that, and presented for the Board's approval at this time the Quit Claim Deed for the Waterman Rock Property. Boundary Line Adjustment was recorded March 12th. The Board, by unanimous motion, approved and signed the quit Claim Deed for the Waterman Rock Property as presented.

RESOLUTION #C-23-02 - ENTERING INTO AN INTERLOCAL AGREEMENT WITH THE PORT
DISTRICT OF SOUTH WHIDBEY ISLAND

A Resolution in the matter of entering into an Interlocal Agreement with the Port District of South Whidbey Island was presented by Lee McFarland with the explanation that the Resolution was a timing issue. The Interlocal Agreement in fact had been approved by the Board at a prior meeting (January 28, 2002) which contained a requirement that the Board actually adopt a resolution to authorize entering into such an agreement. The Board, by unanimous motion, approved and signed Resolution #C-23-02 in the matter of entering into an Interlocal Agreement with the Port District of South Whidbey Island.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON

In the Matter of the Entering Into an)

Interlocal Agreement with the Port) Resolution No. C-23-02
District of South Whidbey Island)

WHEREAS, Island County is authorized under RCW Chapter 36.68 and RCW 82.46.035 to build, construct, care for, control, supervise, improve, operate parks and recreational facilities, and to enter into interlocal agreements with other public agencies for said purposes; and

WHEREAS, Island County has previously entered into interlocal agreements with the Board of Commissioners of the Port District of South Whidbey Island, also referred to herein as the “Port” regarding the improvement, maintenance and operation of Dave Mackie Memorial Park (also sometimes known as Maxwelton Park) pursuant to the Interlocal Cooperation Act (RCW Chapter 39.34); and

WHEREAS, pursuant to said prior agreements the Port and the County have over the years made significant improvements at the Dave Mackie Memorial Park Site, and now recognize the need for further improvements to said park site and facilities to enhance the public’s use and enjoyment of the area and the Site; and

WHEREAS, the Port, as one owner of said Dave Mackie Memorial Park wishes to provide funding for said improvements; and

WHEREAS, the Port and Island County have agreed that an updated version of their Interlocal Agreement is necessary and timely in order to further pursue their mutual goals for additional improvements at the Dave Mackie Memorial Park properties, NOW, THEREFORE;

BE IT HEREBY RESOLVED by the Board of County Commissioners of Island County, Washington, that the InterLocal Agreement with the Port District of South Whidbey Island is hereby entered into.

Adopted this 18 day of March, 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

HEALTH CONTRACTS APPROVED

The Board, by unanimous motion, approved two health contracts related to Developmental Disabilities, both including the Board’s authorization by motion to waive competitive bid requirements, as follows:

Contract HS-14-01 Amendment 1, Village Community Services, Amendment Amount \$6,153 for a new total of \$9,379.00 [RM-HLTH-01-0105]. Increase is to continue services for an individual on Camano Island. Period: 7/1/01 – 6/30/03

Contract HS-08-01 Amendment 2, Island Employment Services, Amendment Amount \$9,261 for a new total of \$333,854.00 for the period of October 29, 2001- June 30, 2003, to include additional transition dollars received for the 2001-2003 biennium.
(RM-HLTH-00-0058)

PUBLIC INPUT

Theresa Ghandi, Coupeville, representing The Green Party, addressed the Board with respect to herbicide use, asking what it

would take besides the petitions already submitted or legal action for the County to decide not to use herbicides or pesticides for roadside vegetation control. Her group has \$5,000 in a legal defense fund to bring legal action. She confirmed that The Green Party was a separate group and not a part of WINS or WEAN.

Chairman Shelton confirmed the Board heard and listened to those people who had petitioned regarding use of herbicides, and in fact, decided to begin a program of reductions in terms of the amount of herbicides applied to the roadside. Whether that will result in near term elimination or not he was not prepared to say at this point. There are two significant issues related to safety on a roadway:

1. Good shoulders on a road become an integral part of the driving surface that citizens use if allowed to vegetate, vegetation holds moisture; moisture causes shoulders to become soft so that if someone inadvertently strays onto the shoulder the opportunity for a more serious accident is far greater with vegetated shoulders.
2. Roads are used a lot for walking purposes and one of the concerns about vegetated shoulders is that people tend not to walk in the vegetation especially if it has not been recently mowed and tend to migrate to the driving surface of the road to walk.

In a time of reducing revenues in order to accomplish a different way to maintain roadsides there is a significant increase in cost; over time that cost, as you take the capital expenditure required to do the roadsides and as those resources are allocated over a ten year period, is lessened but there is an initial cost which is \$260,000 based on an estimate from the Public Works Department just to purchase the

mowers, added to that will be on-going costs. To say the Commissioners are not concerned about spraying is a misreading of what the Board has said.

Commissioner Thorn endorsed the Chairman's comments 100%. The Commissioners commented about the need for the Board to look at the reality of the situation: money is not available to put out over a quarter of a million dollars for mowers and to sustain an \$80,000-\$100,000 a year additional cost. The County is set on a course to reduce and hopefully eventually eliminate it's percent of herbicides used.

MONTHLY FINANCIAL REPORTS FROM AUDITOR & TREASURER

Treasurer's Report. Maxine Sauter, Island County Treasurer, summarized from her financial report for the period ending February 2002 provided in written format.

Auditor's Report. The Auditor's written report for the same period was submitted by Suzanne Sinclair.

Neither had issues or concerns to report at this point in the year. There was a little more optimistic report from the Treasurer as far as investment interest; rates went up a little: for 170 days – 1.95%; for 181 days to a year – 2.35%. Both reports are on file.

HEARING SCHEDULED: ORDINANCE #C-24-02 (PLG-005-02) CONCERNING TECHNICAL AMENDMENTS TO THE ISLAND COUNTY COMPREHENSIVE PLAN FUTURE LAND USE PLAN MAP AND THE ISLAND COUNTY ZONING ATLAS

Phil Bakke, Planning and Community Development Director, introduced for purposes of scheduling a public hearing, Ordinance C-24-02 (PLG-005-02) An Ordinance concerning technical amendments to the Island County Comprehensive Plan Future Land Use Plan Map and the Island County Zoning Atlas [GMA #_____].

By unanimous motion, the Board scheduled a public hearing on Ordinance #C-24-02 (PLG-005-02) An Ordinance concerning technical amendments to the Island County Comprehensive Plan Future Land Use Plan Map and the Island County Zoning Atlas on April 8, 2002 at 10:35 a.m.

HEARING HELD: OPS 435/01 BY ROBERT ZUVER TO TRANSFER 20 ACRES FROM THE DESIGNATED FOREST TAX PROGRAM TO THE TIMBER LAND CURRENT USE CLASSIFICATION, SOUTH WHIDBEY

A Public Hearing was held as scheduled and advertised for the purpose of considering OPS 435/01 by Robert Zuver to transfer 20 acres from the Designated Forest tax program to the Timber Land current use classification, for property located in the NE ¼ of Section 14, Township 30N, Range 2E., South Whidbey Island.

Staff Report, including Proposal, Findings, Analysis and Recommendation dated February 25, 2002, was summarized by Mr. Bakke, and came to the Board with a recommendation of approval, subject to standard conditions of approval:

1. All future forest practices activity on the subject property shall be consistent with the submitted Forest Land Management Plan and all Resource Management Recommendations contained in the report shall be followed as a condition of this approval.
2. All future forest practices activity on the subject property shall be consistent with Washington Forest Practices Regulations, RCW 76.09 and WAC 222, and all other applicable County, State and Federal regulations.
3. This approval is limited to transfer of the subject parcel as Open Timber current use. Additional permits and/or approvals will be required for other land use activities including, but not limited to, clearing and grading related to the removal of timber.

At the time of Hearing, no one was present to comment either for or against approval of the Open Space Application.

By unanimous motion, the Board approved OPS 435/01 by Robert Zuver to transfer 20 acres from Designated Forest tax program to Timber Land current use classification, located in the NE ¼ of Section 14, Township 30N, Range 2E, subject to conditions as stated.

HEARING HELD: OPS 422/01 BY DAVID GLADSTONE TO PLACE 8.54 ACRES IN TIMBER LAND CURRENT USE CLASSIFICATION, CAMANO ISLAND

A Public Hearing was held as scheduled and advertised to consider OPS 422/01 by David Gladstone to place 8.54 acres in the Timber Land current use classification for property located in the NW ¼ of Section 23, Township 30N, Range 3E, Camano Island.

Staff Report, including Proposal, Findings, Analysis and Recommendation dated February 25, 2002, was summarized by Mr. Bakke, and also came to the Board with a recommendation of approval, subject to standard conditions:

1. All future forest practices activity on the subject property shall be consistent with the submitted Forest Land Management Plan and all Resource Management Recommendations contained in the report shall be followed as a condition of this approval.
2. All future forest practices activity on the subject property shall *[be]* consistent with Washington Forest Practices Regulations, RCW 76.09 and WAC 222, and all other applicable County, State and Federal regulations.
3. This approval is limited to transfer of the subject parcel as Open Timber current use. Additional permits and/or approvals will be required for other land use activities including, but not limited to, clearing and grading related to the removal of timber.

At the time of Hearing, no one was present to comment either for or against approval of the Open Space Application.

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By unanimous motion, the Board approved OPS 422/01 by David Gladstone to place 8.54 acres in the Timber Land current use classification for property located in the NW ¼ of Section 23, Township 30N, Range 3E, Camano Island, with conditions stated.

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EXECUTIVE SESSION

At 11:00 a.m., Chairman Shelton announced that the Board would meet in Executive Session as allowed under R.C.W. 42.30.110 (1) (i) to discuss with legal counsel litigation or pending litigation for approximately one-half hour. No announcement is planned following the Executive Session.

There being no further business to come before the Board at this time, the meeting adjourned at 11:30 a.m. after the executive Session. The Board will meet next in Special Session on March 25 at 9:30 a.m. for a budget workshop, following in Regular Session beginning at 11:30 a.m.

**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