

**ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING
SPECIAL & REGULAR SESSIONS - APRIL 22, 2002**

SPECIAL SESSION

The Board of Island County Commissioners met in Special Session April 22, 2002 at 9:30 a.m., in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa., to conduct a budget workshop prior to the regularly scheduled meeting beginning at 1:30 p.m. Mike Shelton, Chairman, Wm. L. McDowell, Member and William F. Thorn, Member, were present. The Budget Director, and a number of Elected Officials, Appointed Department Heads and staff were in attendance. The Budget Workshop was held to review and discuss how the budget shortfall for 2003 can be addressed within individual the WSU Extension/Grants/Noxious Weed Control, and County Coroner budgets. The workshops are preliminary only and no decisions made.

WSU Extension/Grants/Noxious Weed Control

Presentation by: Don Meehan

Hand-out: Overhead Presentation on the Budget
WSU Brochure – Volunteer Programs

Cooperative Extension is a unit of WSU, the United States Department of Agriculture and a department of Island County government. With the WSU Learning Center people can now partner with SVC and WSU for 4-year degree. Three web sites are operated: www.island.wsu.edu; www.beachwatchers.wsu.edu; and www.icmrc.org.

The Current Expense portion of the budget this year is \$178,000 and represents 89% staff, 11% M&O. A budget reduction of 11% for WSU is \$20,000 and would take away M&O, therefore obvious any reductions would impact people. In-kind contributions the WSU brings to Island County includes:

WSU-County based faculty	\$84,000
WSU – State based faculty	50,000
LightHouse Environmental Project [LEP]	25,000
Facilities Lighthouse/Utilities	<u>11,400</u>
Total	\$170,400

For every \$1.00 of Current Expense invested, the county receives \$1.62 cash in grants: Grants 62%; Current Expense 38%. All of the WSU Island County Programs were reviewed with a brief summary of what is covered under each program. The programs have some 679 volunteers who contribute 44,170 hours contributed, which if valued at a rate of \$10/hr. equals \$441,700. Current Expense funded programs Master Gardeners, 4H, Weather Network, Food Safety, Ideas for Living, Weed control, Small Farms, totals 298 volunteers for 26,490 hours and totals \$264,900. Important to note that once training has been invested, these volunteers are expected to give back hours to the community.

The lighthouse at Fort Casey State Park had some 35,000 to 40,000 visitors last year, and 7,000 of those benefited from tours. The lighthouse is one of the most photographed in the Pacific Northwest and used widely in marketing Island County tourism. WSU has the ability to provide services to the community and help educate the public, for example, this Spring held a real estate workshop on coastal/geological processes. WSU also has a long term relationship with the Town of Coupeville, City of Oak Harbor, Island County Fair, State Parks, DOE, Puget Sound Action Team, DNR, Dairy Foundation, NW Straits Commission, Puget Sound Refinery, EDC, etc.

The 4-H Program has been around for 100 years and is a self growth-self worth program, a very strong and stabilizing youth/family program, and is one of the most important programs. There are some 30 to 40 clubs and 400 to 500 kids enrolled in Island County's program. The 4H ROPES program had about 1500 kids go through last year, and in the past there has been as many as 1900. Two graphs "The Bite of Crime" provided statistics from the U. S. Department of Justice [Washington statistics are similar] on violent crime rates per 1,000 persons age 12 and over; and Property crime rates per 1,000 household. Comparing the cost of justice to the cost of WSU preventative programs Mr. Meehan believed that the 4H program saves society and the County hundreds and thousands of dollars keeping youth in safe and happy homes and engaged in activities.

Budget Reductions. Proposed to meet 11% reduction:

- Eliminate a faculty position .5 FTE - \$7,500 [loss of support to 4-H, food safety & low income]
- More burden on Grant funded programs to support main office functions - \$12,500

Discussion/Suggestions.

- (1) Regarding the Ideas for Living program, Commissioner Thorn suggested Mr. Meehan contact the Work Force Development Council Director -- there is a need for that kind of support and there may be some dollars to help with that. One thing about getting people back to work and keeping them back to work is having a stable family life.
- (2) Plan to bring the WSU presentation to show at a future Camano Town Hall meeting.

CORONER

Presentation by: Robert W. Bishop

Hand-out: Copy of Overhead Presentation: Budget Presentation for 2003

Overhead presentation given along with video clips. The Coroner's office is comprised of the Coroner and a Deputy Coroner. Autopsies are handled by a forensic pathologist. The Coroner's Office is located in the Maintenance Building in Coupeville and shares a fax machine, copier and storage space. Biohazard room is located in the "Dutton Building". Autopsy and body storage provided at Burley's in Oak Harbor and is paid on a per case basis. Vehicles include one 1996 van and one car.

Budget presentation detailed the Coroner's core responsibilities, additional responsibilities and requirements in a death investigation/death scene processing [detailed in the hand-out] .Since 1995 the office has come a long ways and earned respect from collateral agencies that work with the Coroner. The Office has done a good solid job. The Coroner uses one forensic pathologist who provides a very good rate, works well with people. The Coroner participates in autopsies. Any case done needs to stand up in a court and the result here is a complete comprehensive report. The Coroner's Office is responsible 24 hours a day, 7 days a week and 365 days a year and must be ready and able to physically respond to the scene, and respond telephonically to pages.

He provided an outline of the Coroner's 2002 budget, an expanded view of the 2002 budget and what he called an exploded view of the 2002 budget. Cuts implemented in 2001 and planned cuts for 2002 were reviewed and explained. Since taking Office in 1995, Mr. Bishop noted that the Coroner's budget for M&O increased only from \$55,525 to \$61,225.

An 11% reduction to the Coroner's budget of \$171,179 equals \$18,830. Of the total budget, 88% goes towards salaries and professional fees for autopsies. With a budget reduction of 11% the Coroner would be forced to cut M&O in half and reduce salaries by \$8,000. His suggestion was to cut the Coroner's wages before the salary of the deputy is cut because that wage is very low already for someone who is a trained and boarded death investigator. Important to recognize this is a 1-1/2 person office, and that autopsies have to be performed and paid for regardless of budget decisions. Repercussions of cuts proposed would be that the office would not be able to investigate all deaths warranting an investigation; extreme delays in response times; little or no service to families following investigations; and decreased documentation and abbreviated reports.

[copies of budget hand-outs are on file]

REGULAR SESSION

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on April 22, 2002, at 1:30 p.m. in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa. The regularly-scheduled Elected Officials Roundtable at 11:30 a.m. was canceled due to lack of agenda items. Mike Shelton, Chairman, Wm. L. McDowell, Member, and William F. Thorn, Member, were present. By unanimous motion, the Board approved and signed the following minutes: April 8 and 15, 2002.

VOUCHERS AND PAYMENT OF BILLS

The following vouchers/warrants were approved for payment by unanimous motion of the Board:

- Voucher (War.) #123102 – 123334 \$554,680.66
- Veterans Assistance Fund – Meeting Place Rent #V2-8 \$390.00

HIRING REQUESTS & PERSONNEL ACTIONS

The Board by unanimous motion approved the following personnel action authorization:

Dept.	PAA #	Description	Position #	Action
Health	027/02	Env. Health Spec	2403.08	Personnel Action *
		* to correct position from 1.0 to .75 FTE effective March 4, 2002		

INTERLOCAL AGREEMENT BETWEEN ISLAND COUNTY AND SAN JUAN COUNTY

FOR PUBLIC DEFENSE ADMINISTRATIVE SERVICES

By unanimous motion the Board approved Interlocal Agreement Between Island County and San Juan County for Public Defense Administrative Services #02SJ03 (#RM-GSA-02-0031) for the period 1/1/02 – 12/31/03 in the amount of \$3,200.

STATE AND LOCAL ASSISTANCE #CONTRACT EM03-0127 FOR ISLAND COUNTY EMERGENCY SERVICES

State and Local Assistance Contract #EM03-0127 for Island County Emergency Services was approved by unanimous motion of the Board for the period of 10/1/01 – 9/30/02 in the amount of \$13,262 (RM-GSA-02-030). Funds are provided by the Federal Emergency Management Agency solely for the purpose of supporting local emergency management programs as provided through State and Local Assistance grants.

HEALTH DEPARTMENT CONTRACTS APPROVED

By unanimous motion, the Board approved the following contracts:

- #HS-02-02 [RM-HLTH-99-0105] Personal Services Contract with Sharon M. Robinson for Contract Monitoring Services – Substance Abuse, in the amount of \$2,040.00 for the period 1/1/02 - 12/31/02
- Interagency Agreement between State of Washington Department of Health, Contract #N10792 [RM-HLTH-02-0027] DOH/Drinking Water Sanitary Survey-Class A Systems in the amount of \$10,250 approved by the Board of Health on 4/15/02
- Interlocal Agreement-Family Planning-DSHS Contract #0261-07975 [RM-HLTH-02-0028] in the amount of \$22,035 extending Family Planning Services in Oak Harbor CSO, approved by the Board of Health on 4/15/02
- Region 3 AIDS Service Network –Snohomish Health District HIV/AIDS AIDSNET Contract # HD-04-02 [RM-HLTH-99-0014] in the amount of \$66,038 approved by the Board of Health on 4/15/02

RESOLUTION #C-33-02 PROCLAIMING MAY, 2002 “COMMUNITY ACTION MONTH”

The Board, by unanimous motion, approved Resolution #C-33-02 In the Matter of Proclaiming the Month of May, 2002 as “Community Action Month” in Island County, as provided by the Island County Health Services Director, Tim McDonald. National Community Action Month celebrates the work, the people, and the programs of Community Action Agencies. In Island County The Opportunity Council is the community action agency.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ISLAND COUNTY, WASHINGTON

PROCLAMATION

In the Matter of Proclaiming the }
Month of May 2002 }
COMMUNITY ACTION MONTH }
in Island County }

RESOLUTION # C-33-02

WHEREAS: The Opportunity Council is the Community Action Agency in Island County working to help low-income community members to help themselves; and

WHEREAS: The Opportunity Council as the designated Community Action Agency provides numerous programs to help low-income citizens of Island County through Child Care Resource and Referral, Homeless Housing, Community Resource Center, home rehabilitation and weatherization, emergency financial assistance with winter heating bills and rent, and many others; and

WHEREAS: The Opportunity Council, in partnership with elected officials, the private sector and low-income citizens, continues to identify challenges for those with fixed and low-income and seek ways to strengthen the community;

BE IT HEREBY PROCLAIMED by the Board of Island County Commissioners the month of **May 2002** as

COMMUNITY ACTION MONTH

in Island County, and urge all citizens to join us in this observance.

SIGNED this 22nd day of April, 2002.

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

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

ATTEST: Elaine Marlow, Clerk of the Board

STAFF SESSION AGENDA – MAY, 2002

The Board approved the Staff Session schedule for May for distribution outlining regular staff sessions to be held on May 3 and 17, beginning at 9:00 a.m. May Staff Sessions will be held in the Courthouse Annex Basement Hearing Room.

QUIT CLAIM DEEDS APPROVED – TROXELL ROAD DRAINAGE

By unanimous motion, the Board approved three Quit Claim Deeds associated with the Troxell Road Drainage Project under Work Order #355, as presented by Bill Oakes, Public Works Director, and Dick Snyder, County Engineer, as follows:

Quitclaim Deed – Marvin S. and Guillerma Kofoed,, Parcel 297-5120, Sec. 2, Twp. 33N., Rge. 1E., in the total amount of \$4,285.00;

Quitclaim Deed – Marvin S. and Guillerma Kofoed, Parcel 332-4770, Sec. 2, Twp. 33N., Rge. 1E. in the total amount of \$5,280.00;

Quitclaim Deed – David W. Eden, Parcel 331-4130, Sec. 2, Twp. 33N., Rge. 1E. in the total amount of \$2,000.00.

CONSULTANT AGREEMENT – PW-0220-19 - TRANSYSTEMS CONSULTANT CORPORATION – NORTH CAMANO DRIVE/ARROWHEAD ROAD INTERSECTION IMPROVEMENT PROJECT

Consultant Agreement #PW-022019 [STPH-P151(001) with TranSystems corporation consultants, Seattle, was approved by unanimous motion of the Board, as recommended by Mr. Oakes and Mr. Snyder, for the North Camano Drive/Arrowhead Road Intersection Improvement Project under Work Order #172, the agreement not to exceed \$232,568.00.

Mr. Snyder acknowledged there had been a sight distance problem at that intersection, especially now with the school and senior center traffic. This project was included on the Transportation Improvement Program two or three years' out until the grant was received. As far as running up against grant expiration date, Mr. Snyder did not foresee any problem because the County can demonstrate good progress is being made, and this agreement will save some time and coordination.

Commissioner McDowell asked again that Banta Road be kept in mind.

**AMENDMENT #1-LOAN AGREEMENT #L000023–
GLENDALE CREEK RESTORATION PROJECT**

Amendment No. 1 to Loan Agreement #L000023(PW022027) between the State of Washington Department of Ecology and Island County for the Glendale Creek Restoration Project was approved by unanimous motion of the Board for the purpose of amending the repayment schedule. Amendment is in favor of the County as Mr. Snyder advised, because of the work that was on-going and not completed until this year.

**HEARING HELD: FRANCHISE #46R RENEWAL FOR
LAKE O'THE WOODS COMMUNITY CLUB, INC.**

A Public Hearing was held as advertised at 2:20 p.m. to consider Franchise #46R, Lake O'The Woods Community Club, Inc. renewal of existing water distribution system, Plat of Lake O'The Woods, Sec. 23, Twp. 29N, Rge. 3E.

Mr. Oakes confirmed there were no plans for expansion of the current system and as noted in the County Engineer's memo of 3/29/02 all departments requested to comment responded with no objections to the proposal; the Prosecuting Attorney's Office reviewed and approved the documents as to form and had been approved by Risk Management.

When the Chairman called for public comments, no one in the audience spoke for or against the franchise renewal. By unanimous motion, the Board approved Franchise #46R, Lake O'The Woods Community Club, Inc. renewal of existing water distribution system, Plat of Lake O'The Woods.

PUBLIC HEARING: ORDINANCE #C-25-02 (PLG-004-02)
CANCELED AND RESCHEDULED

Inasmuch as legal notice did not get published as required, the Public Hearing on Ordinance #C-25-02/PLG-004-02 Amending ICC 17.03.210 to consolidate recently adopted site coverage variance provisions and height variance provisions into a single ordinance, was not held today. The Board by unanimous motion, rescheduled the Ordinance to be heard at public hearing on May 13, 2002 at 10:35 a.m.

**BOARD'S WRITTEN DECISION APP. 083/02 BY CAMERON-
WOODARD HOMEOWNER'S ASSOCIATION**

On April 1, 2002, the Board heard Appeal #APP 083/02 by Gerald Steel for Cameron-Woodard Homeowners Association, appealing the Hearing Examiner decision regarding PLP 183/00, seeking to reverse the Hearing Examiner's decision and deny application PLP 183/00. The Board's decision was announced at public meeting April 15, 2002, based on the record of the Hearing Examiner's hearing and applicable laws and included the vote of individual Commissioners and a brief statement as to the basis for the decision.

As outlined in the Board's Procedure to Hear Closed Record Appeals, the Planning Director, Phil Bakke, and Debra Little, Development Coordinator, presented a written decision for the Board's signature at today's meeting.

By unanimous motion, the Board approved and signed Appeal Decision File No. APP 083/02 in the matter of an appeal of the Island County Hearing Examiner's Decision in PLP 183/00, Swan Enterprises. Following this meeting, a copy of the decision will be provided by mail to the Appellant and Project Applicant by the Planning Department.

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

IN THE MATTER OF AN APPEAL OF) FILE NO. APP 083/02
THE ISLAND COUNTY HEARING)
EXAMINER'S DECISION IN) APPEAL DECISION
PLP 183/00, SWAN ENTERPRISES)
)

On June 5, 2000, the Board of Island County Commissioners adopted Ordinance C-50-00. This ordinance changed the zoning in the Freeland area from a density of three dwelling units per acre to one dwelling unit per five acres. Ordinance C-50-00 became effective on June 30, 2000.

On June 27, 2000, before the effective date of the zoning change, Swan Enterprises and John Schwager submitted an application (PLP 183/00) for a long subdivision of land located in the Freeland area, an area that was subject to the zoning changes in Ordinance C-50-00. The application proposed a subdivision of four existing parcels totaling 9.65 acres into 24 single family residential lots for a project density of 2.4 dwelling units per acre. A staff member of the Island County Planning and Community Development Department met with the applicant on June 27, 2000, and determined that the application was complete. On July 10, 2000, Island County Planning and Community Development mailed Swan Enterprises a Notice of Complete Application that confirmed it had submitted a complete application on June 27, 2000.

Cameron-Woodard Home Owners Association objected to the approval of Swan Enterprises' application before the Island County Hearing Examiner. On February 15, 2002, after considering the record before him, evidence presented at a public hearing on October 18, 2001 and a personal inspection of the areas of the proposed development, the Hearing Examiner granted Swan Enterprises' application with conditions. Cameron-Woodard Home Owners Association appealed the Hearing Examiner's decision to the Board of Island County Commissioners.

The parties to the appeal are: (1) the landowners and applicants for the long subdivision application, Swan Enterprises, Inc. P. O. Box 1011., Freeland, WA 98249 and John Schwager, 5001 NE Sunrise Vista, Seattle, WA 98115, and (2) Cameron-Woodard Home Owners Association, c/o Gerald Steel, 2545 NE 95th Street, Seattle, WA 98115.

As the appellant, Cameron-Woodard Home Owners Association has the burden of establishing that the Hearing Examiner's decision was not supported by substantial evidence or that he made an error of law.

The Board of Island County Commissioners conducted a closed record review of the Hearing Examiner's record and, on April 1, 2002, heard argument from the representatives of the parties. The record of this appeal includes the entire

record that was before the Hearing Examiner including the materials and information in the application file, the Island County staff report, the Hearing Examiner's decision, applicable state and local law, the appellants' notice, and the parties' statements of the appeal.

Having reviewed the record and independently reviewed applicable laws and ordinances and having heard argument from the parties, the Board of Island County Commissioners finds that Cameron-Woodard Home Owners Association did not establish grounds for relief. Under RCW 58.17.033, applications for long divisions of land vest under the law in effect on the date a complete application is submitted. Here, the law in effect on June 27, 2000, the date Swan Enterprises' application was submitted, allowed densities of up to three dwelling units per acre. The adoption of Ordinance C-159-01 on January 7, 2001, merely recognized that RCW 58.17.033 governs the vesting of subdivision applications and conformed the Island County Code to state law.

The decision of the Island County Hearing Examiner to grant conditional approval of Swan Enterprises' application for a subdivision of land is affirmed.

ADOPTED this 22nd day of April, 2002.

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

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

ATTEST: Elaine Marlow,
Clerk of the Board

NOTICE REGARDING APPEAL – Per ICC 16.19.200(B), “A Person with standing seeking further review of a final County land use decision, within twenty-one (21) days of the issuance of the decision, must both file a petition for review in the Island County Superior Court and serve the petition on all necessary parties in conformity with the requirements of the State Land Use Petition Act, Chapter 36.70C RCW.”

There being no further business to come before the Board at this time, the meeting adjourned at 2:40 p.m.. The next regular meeting of the Board will be on May 6, 2002 at 9:30 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