

**BOARD OF ISLAND COUNTY COMMISSIONERS
MINUTES OF MEETING – JUNE 3, 2002**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on June 3, 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 following minutes: Regular Session May 20 and Special Session May 22, 2002.

VOUCHERS AND PAYMENT OF BILLS

The following vouchers/warrants were approved for payment by unanimous motion of the Board: Voucher (War.) # 125257-125554\$439,500.76.

HIRING REQUESTS & PERSONNEL ACTIONS

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

Dept.	PAA #	Description	Position #	Action	Eff. Date
Juvenile	028/02	Prob. Off/Drug Ct.	1402.07	Reduce Hours	6/3/02
GSA	029/02	Adm. Asst.	1509.00	Reclassification	6/3/02

RESOLUTION #C-43-02 CONTINUING THE WELLNESS INCENTIVE PROGRAM/PLAN FOR ISLAND COUNTY EMPLOYEES

With brief outline provided from Mr. Toft regarding proposal to adopt Part A only of the Plan, allowing conversion of sick days at a two for one ratio into annual leave, the Board, by unanimous motion, adopted Resolution #C-43-02 continuing the wellness incentive Program /Plan, Part A, for Island County Employees.

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

**IN THE MATTER OF CONTINUING THE)
WELLNESS INCENTIVE PROGRAM/PLAN) RESOLUTION C-43-02
FOR ISLAND COUNTY EMPLOYEES)**

WHEREAS, the Board of Island County Commissioners adopted Resolution C-57-01 on April 23, 2001 which continued the Wellness Incentive Program; and

WHEREAS, the above Resolution requires an analysis of potential costs to be reviewed no later than April 1, 2002, after which the program may be renewed based on the previous year’s accrued sick leave for program year 2002, and

WHEREAS, by participation in the program, Island County employees demonstrated that a percentage of employees favored incentives for maintaining healthy life styles and incentives for unused sick leave; and

WHEREAS, absenteeism is expensive to the County, both in paid time off and lost productivity to the organization; **NOW, THEREFORE**,

BE IT RESOLVED, that after review it has been determined that the Wellness Incentive Plan for 2002 is renewed and will contain only Plan 1a and Plan 2a as described on Attachment A; and

BE IT FURTHER RESOLVED, that an analysis of potential costs will be reviewed prior to April 1, 2003 at which time the program may be renewed for program year 2003.

ADOPTED this 3rd day of June 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

ATTACHMENT A

WELLNESS INCENTIVE PLAN

Plan One

To be eligible for, and participate in the Wellness Incentive Plan #1, an employee must first have established a minimum base (balance) of 160 HOURS of accrued sick leave. Once this has been established, the employee may elect, on an annual basis to:

- a. Convert up to a maximum of ninety-six (96) hours of unused sick leave accrued within the calendar year to annual leave. The ratio of conversion shall be sixteen (16) hours of sick leave for each eight (8) hours of annual leave. (If the addition of annual leave brings the employee over the established limits of allowed annual leave, the employee will be required to use the excess hours within that calendar year.)
- b. Convert up to a maximum of ninety-six (96) hours of unused sick leave accrued within the calendar year to cash. The ratio of conversion shall be twenty-four (24) hours of sick leave for each eight (8) hours of pay.
- c. Employees may choose a combination of "a" and "b" above.

Plan Two

To be eligible for, and participate in the Wellness Incentive Plan #2, an employee with a minimum balance of 48 HOURS of accrued sick leave, may elect on an annual basis to:

- a. Convert up to one half the number of unused sick leave hours accrued within the calendar year to annual leave. The rate of conversion will be as explained in Plan #1a above.
- b. Convert up to one half the number of hours of unused sick leave accrued within the calendar year to cash. The rate of conversion will be as outlined in Plan #1b above.
- c. Employees may choose a combination of "a" and "b" above.

HEALTH CONTRACTS APPROVED

By unanimous motion, the Board approved two health contracts, both having been approved by the Board of Health on May 20, 2002:

- #HD-05-02, HIV/AIDS Case Management – Evergreen AIDS Foundation - \$18,771

- #20872(4) [RM-HLTH-01-0064 Foster Care Passport – DSHS \$58,365 [\$450 per completed passport] to reduce backlog of health passports for children in out-of-home care.

PUBLIC INPUT OR COMMENTS

Mike Hawley, Island County Sheriff, read for the record a memorandum written to the County Commissioners this date:

Last Friday, May 31, I was in receipt of yet another Deputy sheriff's resignation, seeking opportunity and better working conditions elsewhere. This brings to six the number of vacancies in our Patrol/Investigations Division. Dep. Rob Hardcastle has served this County for nearly ten years. He is an exceptional Deputy; as you may recall, we awarded him the life saving medal just last year for his efforts on Deception Pass Bride, preventing a distraught woman from jumping. His decision to leave is a serious blow, draining our ranks of quality and professional talent. To make matters worse, later the same day, another of our experienced Deputies suffered a heart attack, and underwent surgery on Sunday. His prognosis for returning to work is uncertain at this time. Thus, we now actually have seven vacancies, as we enter the busiest time of the year.

As you are well aware, I have not filled any of these open positions, because you have not provided funds – because of the current budget crisis – to pay for contracted cash-outs of departing Deputies and our other operating needs. It makes no sense, fiscally or ethically, to hire a new employee, only to lay him/her off at the end of the year. Further, Deputies are not simply plucked off the street, given a gun and a badge, and put out on patrol. Even new-hires with prior law enforcement service ("lateral" entry), require a minimum of six months field training before they can begin to contribute. For entry level deputies, it's twice as long. Hence, even if I were to hire someone today, s/he would not begin to work solo until next January.

Unfortunately, with over twenty percent of my front line positions unfilled, I am now no longer able to provide basic law enforcement services to the citizens of Island County. This means that we are in a state of emergency. While I appreciate that you have undertaken a methodical, on-going review of departmental budgets, and are pondering various means to cover the looming deficit, it is imperative that you expedite the process, based upon the highest priority of local government – to keep safe the lives and property of the citizens whom we all serve. I need your definitive assurance of future funding of the Island County Sheriff's Office, so I can begin hiring

essential personnel immediately. Without your quick action, 24-hour law enforcement services, including drug investigations, traffic safety, child abuse and domestic violence prevention, search and rescue, and the Fire Marshal's Office, will cease to exist for all intents and purposes. Further, without some sign from the Board that they support their local law enforcement, the brain drain from the Sheriff's Office will continue unabated, leaving me and my successors with a third-rate force, causing continual internal problems for the foreseeable future, gravely impacting the safety of all and costing millions in wasted tax dollars.

Chairman Shelton affirmed that as people leave they could not allow budget cuts to happen through attrition in the Sheriff's Department. The Board understood the situation in terms of the Sheriff's concern in not knowing what next year's budget is. The Board set out with the goal of having a preliminary budget done by July but even that would not work for the Sheriff's Department, and he assured the Sheriff the Board would try to do something to alleviate that. He assured the Sheriff that the Commissioners do care deeply and would try to provide some resolution as soon as possible.

**RESOLUTION #C-44-02/R-19-02 – INITIATING COUNTY ROAD PROJECT CRP 02-06 - CAMANO
MISC. ASPHALT CONCRETE PAVEMENT OVERLAYS 2002**

County Road resolution R-19-02 Initiating County Road Project CRP 02-06, Work Order #358 for Camano Island Miscellaneous Asphalt Concrete Pavement Overlays 2002 was approved by unanimous motion of the Board, as presented and recommended by Bill Oakes, Public Works Director, for a total appropriation of \$478,500.

RESOLUTION #C-45-02/R-20-02 APPROVING PLANS & SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR 2002 ASPHALT CONCRETE PAVEMENT OVERLAYS WHIDBEY ISLAND

By unanimous motion, the Board approved Resolution #C-45-02/R-20-02 Approving Plans & Specifications and Authorizing Call for Bids for 2002 Asphalt Concrete Pavement Overlays Whidbey Island under CRP 02-06, Work Order 358, with bid opening June 20, 2002 at 11:30 a.m.

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

**IN THE MATTER OF APPROVING PLANS)
& SPECIFICATIONS AND AUTHORIZING)
CALL FOR BIDS FOR 2002 ASPHALT) RESOLUTION NO. C-45-02
CONCRETE PAVEMENT OVERLAYS) R-20-02
WHIDBEY ISLAND, CRP 02-06, WORK)
ORDER NO. 358**

WHEREAS, sufficient funds are available in the Island County Road Fund for 2002 Misc. Asphalt Concrete Pavement Overlays, Whidbey Island; NOW THEREFORE,

BE IT HEREBY RESOLVED that the Plans and Specifications are approved and that the County Engineer is authorized and directed to call for bids for furnishing said construction. Bid Opening is to be the 20th day of June 2002, at 11:30 A.M. in the Lunch Room, Courthouse Annex, Coupeville.

ADOPTED this 3rd day of June, 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

EXECUTIVE SESSION

The Board met in Executive Session at 10:30 a.m. for the purpose of discussing with legal counsel potential litigation as allowed under RCW 42.30.110(1)(i) and estimated to last approximately 15 minutes. On conclusion of the Executive Session the Board returned to open public session at 10:45 a.m. to take action.

RESOLUTION #C-46-02 AUTHORIZING LEGAL ACTION TO COLLECT REIMBURSEMENT FOR RETIREMENT OVERPAYMENTS TO JOHN W. ZIMMERMAN

By unanimous motion, the Board approved Resolution #C-46-02 authorizing legal action to collect reimbursement for retirement overpayments to John W. Zimmerman.

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

**RESOLUTION AUTHORIZING LEGAL)
ACTION TO COLLECT)
REIMBURSEMENT FOR RETIREMENT) RESOLUTION NO. C-46-02**

OVERPAYMENTS TO JOHN W.)
ZIMMERMAN)

WHEREAS, the Island County Auditor advised this Board that the Washington State Department of Retirement Systems (DRS) audited the Island County employment records and learned that John W. Zimmerman, former Chief Jail Administrator in the Island County Sheriff's Office, was paid retirement benefits for seven months in 1999 and seven months in 2000 for which he was ineligible because he was employed by Island County at the time; and

WHEREAS, DRS required Island County to reimburse the state retirement system \$30,745.82, the retirement pay that John W. Zimmerman received in 1999 and 2000 for which he was not entitled; and

WHEREAS, this Board authorized payment of \$30,745.82 to DRS and that payment was transmitted to DRS on May 24, 2002; and

WHEREAS, Island County's payment of \$30,745.82, from general taxpayer funds held by the County, to DRS for the overpayment of the Zimmerman retirement benefits will result in an unjust enrichment and windfall to the Zimmermans and an inequitable financial burden upon Island County taxpayers unless the Zimmermans are required to pay that amount back, with any applicable interest, to Island County; NOW, THEREFORE,

IT IS HEREBY RESOLVED that the Island County Prosecuting Attorney, with the aid and assistance of the Island County Auditor and any other county departments, is authorized and directed to commence legal action to collect the \$30,745.82 paid to DRS for the Zimmerman retirement benefits which should not have been paid to John W. Zimmerman in 1999 and 2000.

DATED this 3 day of June, 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

FINAL APPROVAL: SOUNDVIEW ESTATES PLANNED RESIDENTIAL DEVELOPMENT &
SITE PLAN FILE PRD 174/96 & SPR 173/96

Debra Little, Planning Manager, presented for final approval, Soundview Estates Planned Residential Development and Site Plan File PRD 174/96 & SPR 173/96, property located on Assessor Parcel #R32814-205-1880, between Cultus Bay Road and Cultus Bay on South Whidbey. This is a 12-lot Planned Residential Development with a Site Plan Review for a water storage tank and an area for off-site drainfields on an approximate 13 acre parcel. The 12 lots and a community beach area are located on the west part of the parcel. The common open space, about 65% of the site, includes a regulated wetland and its buffers, the community beach, and the off-site drainfield area. The water tank and the drainfield area that provides space for 10 drainfields are located on the east side of the site. The project gains access from Bayshore Drive and Coho Way, off of Possession Shores Road. The Island County staff reviewed the applications for final approval, and found that the conditions of preliminary approval have been met and recommends that the Board grant conditional final PRD approval.

By unanimous motion, the Board gave final approval for Soundview Estates Planned Residential Development and Site Plan, File PRD 174/96 & SPR 173/96, property located on Assessor Parcel #R32814-205-1880, South Whidbey.

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

Applications: Final Planned Residential Development, PRD 174/96
Site Plan Review, SPR 173/96

Name and Address of Agent, Applicant, and Owner:

Agent:	Applicant	Owner:
Bob Jones	Wally Mattson	WBF Mattson Enterprises, L.L.C.
Lovell-Sauer	P. O. Box 1172	P. O. Box 1172
19400 – 33 rd Ave. W, Suite 200	Clinton, WA 98236	Clinton, WA 98236
Lynnwood, WA 98036		

Requesting The Following: Final Approval of a 12-lot Planned Residential Development with a Site Plan Review for a water storage tank and an area for off-site drainfields on an approximate 13 acre parcel. The 12 lots and a community beach area are located on the west part of the parcel. The common open space, about 65% of the site, includes a regulated wetland and its buffers, the community beach, and the off-site drainfield area. The water tank and the drainfield area that provides space for 10 drainfields are located on the east side of the site. The project gains access from Bayshore Drive and Coho Way, off of Possession Shores Road. The site plan information is included within the PRD survey maps.

Upon The Following Property: A parcel located in Government Lot 2 between Cultus Bay Road and Cultus Bay on south Whidbey Island, in the N½ of the SW¼ of Section 14, Township 28 North, Range 3 East, W.M. (Assessor Parcel Number R32814-205-1880.).

Island County Staff Recommendation: Approval for recording.

Director's Approval

Phillip Bakke, Director
Planning and Community Development Department

Board of Island County Commissioner Decision:

APPROVED AND ADOPTED this 3 day of June, 2002.

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

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

ATTEST: Elaine Marlow, Clerk of the Board

BUDGET WORKSHOP

Budget workshop began at 1:30 p.m. to review and discuss how the budget shortfall for 2003 could be addressed within Public Works/Road/ER&R/Paths & Trails/Storm & Surface Water/Solid Waste/Diking Dist. #4 budgets. The workshop was preliminary only and no decisions made. The Budget Director, and several Elected Officials, Appointed Department Heads and staff attended. Copies of hand-outs are on file. *

**Public Works/Road/ER&R/Paths & Trails/Storm & Surface Water/Solid Waste/
Diking District #4 budgets**

Presentation by: Bill Oakes, Public Works Director

Hand-out: *Copy to be provided from overhead presentation

2003 Change to Current Expense [2002: \$28,326]. The 2003 budget proposal is to fund Public Works from the funds directly supported resulting in the Current Expense fund not making the \$28,326 contribution to the Public Works Fund. Vision and Revenue Assumptions the same as indicated May 13th presentation.

Long Term changes. Emphasis on vegetative management without herbicides and a 1% cap on property tax have the same impact = about \$500,000 each over the 6 year plan. Result is there will be one million missing from the capital plan. Do not propose shifting away from maintenance effort. Eventually will have a smaller department and eventually lose a project or two. Need to continually look at better ways to get the work done.

Road Objectives. Maintain safety and condition of the road network; maintain a reserve for expected emergency response and a reserve for the unexpected emergencies. Island County has some of the best roads in the State.

The Department is crafting a program to allow people to adopt a roadside for vegetation control, initially for noxious weeds. Vegetative management is part of the whole system and staff is looking at lower growing plants and seed mix and management of vegetation from a broader point of view. Other states have programs and there are integrated management plans; also local examples.

Capital Plan. In preparing for standard emergencies need to maintain two line items: Snow and ice control and slide response. Do not budget annually for catastrophic event such as a windstorm but it is covered in the reserve contingency. There is also a \$40,000 contingency for maintenance for unexpected major events such as fire, wind, major snow and ice; flood, earthquake tsunami, slides, storm debris, accident response. Looking at the six year plan, the goal is to have 1.5 million reserve over the six years.

Recommendation

- Maintenance. Recognize that growth will require us to improvise, adapt and overcome.
- Continue to move people and goods efficiently through the County system
- Work with the State on the Maintenance Management System
- Closely watch the Pavement Management System

Solid Waste Objective

- Continue providing outstanding services for municipal solid waste, recycling & hazardous waste.
- Provide superior septage treatment and reuse
- Plan for future
- Maintain sufficient balance to provide self insurance

Solid Waste Revenue Assumptions

- 2003 tipping fees stay constant at \$85/ton
- Septage fees stay at 0.155/gal.

Budget

- Waste and septage 2,827k
- Recycling & Hazardous Waste 880k
- Education and Information 80k

Environmental monitoring needs to continue. Self insurance is the fund balance = \$3.8 today which probably is less than a minimum. Part of the rate study in 2003 will establish what the correct number is for self insurance to protect against risk.

ER&R

- Maintain existing equipment
5-25 year expected life
Keep rental rates as low as possible
- Maintain a quality fleet of equipment
- Reserve for contingency/insurance

Part of the emergency response contingency is in the ER&R budget and looking in 2003 at a significant reduction from 2002. Need to rebuild the reserve – at the end of year it should be about \$300,000 and recommendation is that be closer to half million by the end of 2003.

Paths & Trails. Funded by STP Funds and Roads

Surface Water – 32k (\$23,000 for debt service; \$5,000 M&O; other for building a fund for a replacement pump @ \$2,000/yr.)

Chairman Shelton expressed his view, as he has in past years, about the Marshal Road Utility – charging those folks an annual maintenance fee which he thought was wrong. Those people should not be treated any differently than maintenance for any other drainage issue in Island County in terms of paying a maintenance fee on an annual basis.

Diking District No. 4 - \$1,200

There being no further business to come before the Board at this time, the meeting adjourned at 2:20 p.m. The Board will meet next in Regular Session on June 10, 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