

BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
AUGUST 12, 2002

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on August 12, 2002 beginning at 9:30 a.m. in the Law & Justice Facility, Department III, 101 N.E. 6th Street, Coupeville, Wa. Mike Shelton, Chairman; Wm. L. McDowell, Member, and William F. Thorn, Member, attended. By unanimous motion, the Board approved and signed the minutes from regular meeting held on August 5, 2002.

VOUCHERS AND PAYMENT OF BILLS

The following vouchers/warrants were approved for payment by unanimous motion of the Board, along with the July payroll: Voucher (War.) #129329-129555\$563,097.67.

HIRING REQUEST/PERSONNEL ACTION AUTHORIZATION

After presentation and brief summary by Dick Toft, Human Resources Director, the Board by unanimous motion, approved the following PAA:

Dept.	PAA #	Description/Position #	Action	Eff. Date
Public Works	073/02	Adm. Asst. #2213.00	Replacement	8/12/02

EMPLOYEE AWARDS

Employee Service Awards

Employee	Service Date	Department	#Years
Chris Murray	07 1972	Juvenile Court Services	30
Greg Sibon	08 1977	Public Works/Road	25
Bonnie Bryant-Greene	08 1992	Public Works/Road	10
Marla Bellmer	08 1997	Public Works/Solid Waste	5
Susan Higman	08 1992	Planning/Community Development	10
Carolyn Taylor	08 1992	Sheriff	10
T. J. Harmon	07 1997	GSA	5
Markell Egelston	08 1997	GSA	5
Mindy Paredes	08 1997	Human Resources	5

EMPLOYEE OF THE MONTH: JUNE AND JULY, 2002

JUNE, 2002 - Karen Torbergson, Assistant Court Administrator, Superior Court

JULY, 2002 - Pete Seybert, Project Engineer, Public Works/Road

SPECIAL RECOGNITION

Public Works Department

Pete Seybert and Joe Araucto: recently passed all testing and legal requirements to become licensed professional engineers.

Mike Morton: Technical Advisory Committee Certificate of Recognition for lasting contribution on SR20, Sharpe's Corner to SR6-536 NEPA Pilot Project

Central Services and Maintenance

Recognition and commendation to Cathy Caryl, Central Services Director and Paul Messner, Facilities Maintenance Superintendent

Health Department

Doug Kelly - earned licenses as both a Geologist and Hydrogeologist

Sally Waters - earned title of "Certified Food Safety Professional" awarded by the National Environmental Health Association

RE-APPOINTMENTS TO FERRY ADVISORY COMMITTEES

By unanimous motion, the Board reappointed Julia Hodson, Coupeville, to the Keystone Ferry Advisory Committee, and Jack Leengran, Langley, to the Clinton Ferry Advisory Committee, both for 4-year terms expiring August 31, 2006.

ISLAND MENTAL HEALTH/CMHS CONTRACT #HD-08-01(1)

As forwarded by the Health Services Director under Memo dated 8/7/02, the Board by unanimous motion, approved Amendment #1 to Island Mental Health/CMHS Contract #HD-08-01, [RM-HLTH-99-0044] with amendment amount \$15,000 for new contract total of \$23,750, approved by the Board of Health on 5/20/02.

JUVENILE COURT SERVICES – CONTRACTS APPROVED

As recommended by Michael Merringer, Juvenile Court Services Administrator, the Board by unanimous motion approved the two contracts listed below:

Amendment #1 to Interlocal Agreement between Snohomish County and Island County for Juvenile Detention Services [RM-JUV-00-0020-6-1] amending Section 6.3, Funding Limitation

Amendment #1 to DSHS County Program Agreement #0163-04582, for Consolidated Services [RM-JUV-02-0013-1] representing a decrease in funding in the amount of \$24,179, for a total new contract amount \$294,260.

ESCROW AGREEMENT WITH WHIDBEY ISLAND BANK FOR KRIEG CONSTRUCTION -- ASPHALT CONCRETE OVERLAY PROJECT

The Board, on recommendation of Bill Oakes, Public Works Director, approved for the Chairman’s signature, Escrow Agreement with Whidbey Island Bank for Krieg Construction, Inc., for escrow account associated with Asphalt Concrete Overlay Project under CRP #02-06, Work order #358, with the insertion under Item #3, page 2, the completion date on the contract underlying this Escrow Agreement is 12/31/02.

SUPPLEMENTAL AGREEMENT # 5 TO #PW-992039: TRANSPORTATION PLANNING & ENGINEERING RE EAST CAMANO DRIVE/CROSS ISLAND RD./ARROWHEAD RD.

As recommended by Mr. Oakes, the Board approved and authorized by unanimous motion, the Chairman’s signature on Supplemental Agreement #5 to Agreement #PW-992039 with Transportation Planning & Engineering for East Camano Drive/Cross Island Road/Arrowhead Road under CRP 99-07 extending completion date to October 31, 2002, with the change in the “In witness thereof” sentence changing Supplement No. 4 to correctly reflect Supplement No. 5.

RESOLUTION #C-67-02/R-30-02 ADOPTING REVISIONS TO ISLAND COUNTY REAL PROPERTY AND RIGHT-OF-WAY PROCEDURES

The Board concurred with the Public Works Director’s recommendation and by unanimous motion, approved Resolution #C-67-02/R-30-02 in the matter of Adopting Revisions to Island County Real Property and Right-of-Way Procedures to increase the maximum limits and authorization of the Public Works Director and County Engineer, Construction Engineer and Negotiators, with respect to approving administrative settlements.

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

IN THE MATTER OF ADOPTING)
REVISIONS TO ISLAND COUNTY REAL) RESOLUTION C-67-02
PROPERTY AND RIGHT-OF-WAY) R- 30-02
PROCEDURES)

WHEREAS, there is a need to modify Exhibit “C” of said Procedures to increase the maximum dollar amount that the Public Works Director, County Engineer, Assistant County Engineer, Construction Engineer and negotiators, both COUNTY’S staff and consultants may offer to property owners when the purchase price of real estate exceeds the amount offered as just compensation.

NOW THEREFORE, BE IT HEREBY RESOLVED that the Real Property Acquisition and Right of Way Procedures adopted by Resolution R-67-01 is modified as follows:

SEE EXHIBIT “C”

Note: This Resolution supersedes any conflicting conditions in the Procedures and all other conditions of the Procedures which have not been modified or superseded by this Resolution are ratified and shall remain in full force and effect.

ADOPTED this 12 day of August, 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

[Exhibit placed on file with the Clerk of the Board]

RESOLUTION #C-68-02/R-31-02 - ADOPTION OF ISLAND COUNTY'S SIX-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE YEARS 2003-2008

Mr. Oakes presented Resolution #C-68-02/R-31-02 to adopt Island County's Six-Year Capital Improvement Program for the Years 2003-2008 with his recommendation of approval, the plan very aggressively postured years one through seven both for construction and right-of-way. One note of follow-up was mentioned by Commissioner Thorn with regard to the Camano Annex design, that Mr. Oakes review what work needs to be done at the Camano Center to make it a full-fledged community facility.

By unanimous motion, the Board approved Resolution #C-68-02/R-31-02 in the matter of Adoption of Island County's Six-Year Capital Improvement Program for the Years 2003-2008.

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

**IN THE MATTER OF ADOPTION OF)
ISLAND COUNTY'S SIX-YEAR) RESOLUTION NO.
CAPITAL IMPROVEMENT PROGRAM) C-68-02
FOR THE YEARS 2003-2008) R- 31-02**

WHEREAS, the Public Works Director, in accordance with RCW 36.70A.070(3) and WAC 365-195-315, has submitted his recommended plan for capital expenditures for 2003 through 2008; and

WHEREAS, the Island County Planning Commission has reviewed this program and found it in compliance with the Island County Comprehensive Plan;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Island County Board of Commissioners that the Six-Year Capital Improvement Program for 2003 through 2008, as submitted this date, is hereby adopted.

ADOPTED this 12 of August, 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

[Plan placed on file with the Clerk of the Board]

RENEWAL OF ADOPT-A-ROAD LITTER AGREEMENT WITH THE FISHIN' CLUB

The Board by unanimous motion approved the renewal of Adopt-A-Road Litter Agreement with The Fishin' Club, Fish Road from Highway 525 to Mutiny Bay Road.

WASHINGTON STATE DEPARTMENT OF INFORMATION SERVICES SOFTWARE CONTRACT

Cathy Caryl, Central Services Director, at Staff Session on August 7th, went over with the Board a proposal to enter into a contract with Washington State Department of Information Services to take advantage of reduction in cost to purchase Microsoft software. Because of the significant cost break she recommended the standard Select Agreement with DIS, and a three-year contract. At this time, she presented for approval and signature, the Contract with State Department of Information Services for the "Select Agreement" for the period of three years.

The Board by unanimous motion approved Contract with State Department of Information Services [RM-CS-02-0054] for the "Select Agreement" for the period of three years as recommended.

HEARING HELD: ORDINANCE #C-59-02 (PLG-011-02) IN THE MATTER OF AMENDING THE ISLAND

COUNTY COMPREHENSIVE PLAN, CHAPTER 14.01B ICC, ADDING NEW CHAPTER 14.03E ICC, CHAPTER 16.19 ICC, AND CHAPTER 17.03 ICC TO BE CONSISTENT WITH THE ISLAND COUNTY/OAK HARBOR INTERLOCAL AGREEMENT.

A Public Hearing was held beginning at 10:30 a.m., as advertised and scheduled, on Ordinance #C-59-02 (PLG-011-02) in the matter of amending the Island County Comprehensive Plan, Chapter 14.01B ICC, adding new Chapter 14.03E ICC, Chapter 16.19 ICC, and Chapter 17.03 ICC to be consistent with the Island County/Oak Harbor Interlocal Agreement [introduced on July 15, 2002 entered as GMA #7272].

Attendance:

- Public:** Rich Melass, Community Liaison NAS Whidbey
Rick Levine, Whidbey News Times
- Staff:** Phil Bakke, Planning & Community Development Director
Jeff Tate, Assistant Director

As Mr. Bakke recalled, on January 14, 2002, the Board executed Interlocal Agreement between Island County and the City of Oak Harbor, signed by the City on February 4, 2002. The Interlocal Agreement provided a period of time to confirm and implement the agreement, and that action was presented at this time by Mr. Bakke under Ordinance #C-59-02/PLG-011-02. Actions spelled out in the Interlocal Agreement to be taken by the City and County have now been accomplished, and included in today's Ordinance, for example:

- Updated maps of County Noise Zones; adding County/City Joint Planning Area Map
- Code amendment to blend Oak Harbor & County Noise Attenuation ordinances
- New Chapter-blended City/County fire flow and fire access standards for North Whidbey UGA Enterprise Area
- Amends Significant Tree Retention and Landscaping
- Adopts UGA Procedures for City.

Conditions are designed specifically for consistency so that development approved under County ordinance in that area will be the same as what the City requires at the time of annexation. A SEPA Threshold Determination of Non-Significance was issued on the ordinance; comment period ended on June 5 and no public comments received.

Rich Melass, Community Liaison, Whidbey Naval Air Station, supported and recommended the Board's approval of the Comprehensive Plan changes in regard to the Noise Zone Map as well as staff recommended changes to ICC 14.01.B. Answering questions from Commissioner McDowell, Mr. Melass said he was not aware of any other cities who had adopted as extensive a noise code as this, certainly nothing of the kind locally; this is considered at the leading edge and used as a model around the country.

By unanimous motion, the Board approved Ordinance #C-59-02/PLG-011-02 in the matter of amending the Island County Comprehensive Plan, Chapter 14.01B ICC, adding new Chapter 14.03E ICC, Chapter 16.19 ICC, and Chapter 17.03 ICC to be consistent with the Island County/Oak Harbor Interlocal Agreement. [GMA #7274 as adopted]

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

IN THE MATTER OF AMENDING THE)	
ISLAND COUNTY COMPREHENSIVE)	ORDINANCE C-59-02
PLAN, CHAPTER 14.01B ICC, ADDING)	PLG-011-02
NEW CHAPTER 14.03E ICC, CHAPTER)	
16.19 ICC, AND CHAPTER 17.03 ICC TO)	
BE CONSISTENT WITH THE ISLAND)	
COUNTY/OAK HARBOR INTERLOCAL)	
AGREEMENT)	

WHEREAS, the City of Oak Harbor held a public hearing on December 18, 2001 and authorized the Mayor to sign the Interlocal Agreement and Island County held a public hearing on January 14, 2002 and approved the Island County/City of Oak Harbor Interlocal Agreement; and

WHEREAS, in order for Island County to confirm the Interlocal Agreement for implementation the County must update certain maps and land use regulations to be consistent with the Interlocal Agreement; and

WHEREAS, Exhibit "A" provides updated maps of Island County Noise Zones and adds an Island County/City of Oak Harbor Joint Planning Area Map to the Island County Comprehensive Plan; and

WHEREAS, Exhibit "B" amends Chapter 14.01B to blend Oak Harbor and Island County Noise Attenuation

Ordinances; and

WHEREAS, Exhibit "C" adds a new Chapter, Chapter 14.03E, to adopt blended Island County/City of Oak Harbor Fire Flow and Fire Access Standards for the North Whidbey UGA Enterprise Area; and

WHEREAS, Exhibit "D" amends Chapter 17.03.180.P, "Significant Tree Retention and Landscaping", to include specific standards for landscaping in the OH-I, OH-PIP and OH-HSC Zones on lands abutting Goldie Road and Oak Harbor Road; and

WHEREAS, Exhibit "E" adopts Section 16.19.040.C.2, Urban Growth Area Procedures for the City of Oak Harbor; and

WHEREAS, Island County completed environmental review under Chapter 43.21C RCW and determined there will be no adverse environmental impact as a result of the proposed amendments to the Comprehensive Plan and Island County Code; and

WHEREAS, the Island County Planning Commission held a public hearing on May 28, 2002 and recommended approval of the amendments after receiving public input; **NOW, THEREFORE**,

IT IS HEREBY ORDAINED that the Board of Island County Commissioners hereby adopts amendments to the Island County Comprehensive Plan and Island County Code attached hereto as Exhibits A, B, C, D and E to implement the Island County/City of Oak Harbor Interlocal Agreement. Material stricken through is deleted and material underlined is added.

Reviewed this 15 day of July, 2002 and set for public hearing at 10:30 a.m. on the 12 day of August, 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

APPROVED AND ADOPTED this 12 day of August, 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

APPROVED AS TO FORM:

David L. Jamieson, Jr.
Deputy Prosecuting Attorney
& Island County Code Reviser

[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 10:45 a.m. The next regular meeting of the Board will be 19 August 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