

BOARD OF COUNTY COMMISSIONERS - JANUARY 6, 2003

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session January 6, 2003, at 9:30 a.m. in the Law & Justice Facility, Department III (Courtroom 3), 101 N.E. 6th Street, Coupeville, Wa. Wm. L. McDowell, Chairman, William J. Byrd, Member, and Mike Shelton, Member, were present. By unanimous motion, the Board approved and signed the minutes of meeting from December 16, 2002 and December 23, 2002.

VOUCHERS AND PAYMENT OF BILLS

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

2003	Voucher (War.) #156617-156644	\$171,560.90
2002	Voucher (War.) #156645-156922. . . .	\$210,910.64

REAPPOINTMENTS TO VETERANS ASSISTANCE REVIEW COMMITTEE

The Board, on unanimous motion, reappointed three existing members of the Veterans Assistance Review Committee to another two year term as follows:

Ed VanPatten, Greenbank	2-year term to 1/14/05	South Whidbey
Robert Westphal, Camano Island	2-year term to 1/14/05	Camano Island
Larry Moses, Coupeville	2-year term to 1/14/05	Central Whidbey

LIQUOR LICENSE APPLICATIONS APPROVED

Having received favorable recommendations from appropriate County departments, the Board by unanimous motion approved the following Liquor License Applications:

Assumption of Liquor License #357256-3C from Whidbey Market Inc., d/b/a Whidbey Market to Donald Regas, Randall & Jennifer Nelson d/b/a Whidbey Market & Deli, Inc., 40928 SR 20 #1, Oak Harbor

New application for Liquor License #084868-6B by Kenneth Michael & Virginia Bloom d/b/a Blooms, 5302 S East Harbor Road, Freeland.

CONTRACTS FOR 2% HOTEL MOTEL TAX FOR 2003 PROGRAM YEAR

As a follow-on action to having approved the projects and activities funded by 2% tax revenues November 18, 2002, the Board by unanimous motion approved the following contracts:

- Freeland Chamber of Commerce \$7,200 (Freeland Information Brochure and Freeland Visitor Information Center)
- Langley South Whidbey Chamber of Commerce \$15,000 (Re-locate Clinton Visitor Information Kiosk, Tourism Marketing Fulfillment Program, and Visitor Information Center & Referral Service)
- Meerkerk Rhododendron Gardens \$1,500 (Tourism Brochure for Gardens)

HEALTH CONTRACTS APPROVED

The Board by unanimous motion approved the following Health Department contracts:

- Contract #HD-20-02 [RM-HLTH-02-0093] with Community Mental Health to pay for a shared receptionist at the Camano Health Care Center at \$500/month not to exceed \$12,000 for 2 years, contract approved by the Board of Health on 12/16/02
- Contract #HD-15-02 [RM-HLTH-00-0015] with The Opportunity Council to continue the Childcare Consultation program, contract in the amount of \$8,000 for 10 months, approved by the Board of Health on 10/21/02.

MARINE RESOURCE CONSULTANTS CONTRACT- EELGRASS SURVEY

Pulled from today's agenda at the Chair's request to be scheduled for the next meeting with opportunity to review and discuss the contract with Don Meehan, WSU Extension Agent.

HEARING HELD: ORDINANCE #C-102-02 AMENDING ICC SECTIONS 6.08.090 AND 9.40.280 TO ADD AUTHORIZED DOG OFF LEASH AREAS ON NORTH WHIDBEY ISLAND

Chairman McDowell opened a public hearing at 9:55 a.m. as scheduled and advertised for the purpose of considering Ordinance #C-102-02 Amending ICC Sections 6.08.090 and 9.40.280 to Add Authorized Dog Off Leash Areas on North Whidbey Island.

The Ordinance was presented and outlined by Lee McFarland, Assistant Director, GSA. Dog Off Leash areas on North Whidbey to be added to Island County Code 9.40.280 are:

- Oak Harbor Off Leash Area – Designated area at East end of Technical Road In Oak Harbor
- Clover Valley Off Leash Area – Designated area adjacent to North Whidbey Parks and Recreation Ballfield complex.

When the Chair called for comments from the public, no one spoke either for or against the proposed ordinance.

By unanimous motion, the Board approved Ordinance #C-102-02 Amending ICC Sections 6.08.090 and 9.40.280 to Add Authorized Dog Off Leash Areas on North Whidbey Island.

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

IN THE MATTER OF AMENDING)
ISLAND COUNTY CODE SECTIONS) ORDINANCE NO. C-102-02
6.08.090 AND 9.40.280 TO ADD)
AUTHORIZED DOG OFF LEASH)
AREAS ON NORTH WHIDBEY ISLAND)

WHEREAS, the Board of Commissioners of Island County, Washington on April 5, 1999 adopted Ordinance C-28-99 establishing Off Leash Areas in Island County; and

WHEREAS, the citizens of North Whidbey Island and the City of Oak Harbor have expressed a desire for Off Leash Areas on North Whidbey Island; NOW, THEREFORE,

IT IS HEREBY ORDAINED, that Island County Code sections 6.08.090 and 9.40.280 are amended as shown on Exhibit A and Exhibit B attached hereto. Lined through material is deleted and underlined material is added.

Reviewed this 25 day of November, 2002 and set for public hearing on the 6 day of January, 2003 at 9:55 a.m. in Courtroom 3 in the County Law and Justice Building, Coupeville, Washington.

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

Attest: Elaine Marlow
Clerk of the Board

ORDINANCE C-102-02 is adopted the 6 day of January, 2003 following public hearing.

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

Attest: Elaine Marlow
Clerk of the Board

APPROVED AS TO FORM
David L. Jamieson, Jr.
Deputy Prosecuting Attorney and Code Reviser

[Exhibit A and Exhibit B placed on file with the Clerk of the Board]

**CONTRACT/CONTRACT BOND-COUPEVILLE COMMUNITY
MENTAL HEALTH FACILITY**

In conjunction with award of bid on 12/16/02 for the Coupeville Community Mental Health Facility project, the Board approved by unanimous motion, as presented by Bill Oakes, Public Works Director, the contract and contract bond from J. L. Builders under Work Order # 204, in the amount of \$634,745.22.

All necessary agreements are in place, and to the best of Mr. Oakes' knowledge, Community Mental Health would cover a portion of the estimated costs of the project, and will proceed with a \$125,000 fund raising campaign. Community Mental Health and Compass Health have now merged. The County's agreement is with both agencies; however, the CEO who signed the agreement is the same for both Community Mental Health and Compass Health.

ADOPT-A-ROAD LITTER AGREEMENTS

As submitted and presented by Mr. Oakes, the Board by unanimous motion approved the following Adopt-A-Road Litter Agreements:

Adopt-a-Road Litter Agreement with Maxwelton Salmon Adventure, Maxwelton Road from Craw Road to 2 miles south to Campbell Road

Renewal of Adopt-a-Road Litter Agreement with Friends of Camano Island Parks, Mountain View Road from Elger Bay Road to Dry Lake Road; Elger Bay Road From Mountain View Road to West Camano Drive; West Camano Drive from Mountain View north to Monticello Drive; Mountain View Road/Lowell Point Road south to Camano Island State Park.

**HEARING HELD: ORDINANCE #C-110-02 PLG-025-02 AMENDMENTS TO THE NOISE LEVEL REDUCTION
ORDINANCE- CHAPTER 14.01B ICC**

A Public Hearing was held at 10:30 a.m., as introduced and scheduled at the meeting of December 9, 2002, and as advertised, for the purpose of considering Ordinance #C-110-02/ PLG-025-02, Amendments to the Noise Level Reduction Ordinance-Chapter 14.01B ICC.

Phil Bakke, Planning & Community Development Director, made a brief presentation and outlined the proposed ordinance as technical amendments to the Noise Level Reduction Ordinance Chapter 14.01B ICC adopted 8/12/02 under Ordinance #C-59-02. The effective date contingent on approval of the Washington State Building Code Council. Mr. Bakke referred to the letter received by the Board dated 12/3/02 from the State Building Code Council indicating that the ordinance had been reviewed at its November 26, 2002 meeting and that the Council approved the ordinance as it applies to one-to-four unit residential buildings [GMA _____].

The technical amendments in Exhibit A include:

Page 6. 14.01B.0870 A.3.d) The County used the figure of R 19 insulation material when R 13 isadequate as it relates to noise protection and that has now been corrected to R 13

Page 8. 14.01B.090 Opening Paragraph - incorrect reference to 14.01B.080 corrected to .090.

Page 9. 14.01B.090 D.3 The word "or" corrected to "of".

Rich Melass, Community Liaison, Whidbey Naval Air Station, reported that the proposed ordinance had been reviewed and approval was recommended. As far as other locations having codes of this particular nature, he thought if there were, it would be very few. California does not have a building code of this nature because residential construction is prohibited in areas having a Ldn 65. He was not aware of any other places with building codes of this nature, especially as forward-leaning.

By unanimous motion, the Board adopted Ordinance #C-110-02/ PLG-025-02, Amendments to the Noise Level Reduction Ordinance- Chapter 14.01B ICC. [GMA #_____].

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

IN THE MATTER OF TECHNICAL AMENDMENTS)
TO THE NOISE LEVEL REDUCTION ORDINANCE –) ORDINANCE C-110-02
CHAPTER 14.01B ICC) PLG-025-02

WHEREAS, the Noise Level Reduction Ordinance Chapter 14.01B ICC was adopted in a public hearing by the Board of Island County Commissioners on August 12, 2002 by Ordinance C-59-02; and

WHEREAS, the effective date of the ordinance was contingent upon the approval of the Washington State Building Code Council; and

WHEREAS, the Washington State Building Code Council reviewed the amended ordinance in a public hearing at the WestCoast SeaTac Hotel, SeaTac, Washington on November 26, 2002; and

WHEREAS, several technical amendments were discussed and with the several technical amendments made, the amended ordinance was approved by the Building Code Council; **NOW, THEREFORE**,

IT IS HEREBY ORDAINED by the Board of Island County Commissioners that Chapter 14.01B ICC, Noise Level Reduction Ordinance, attached hereto as Exhibit "A" is adopted as amended and is effective as of November 26, 2002.

REVIEWED this 9 day of December, 2002, and set for public hearing on the 6 day of January, 2003 at 10:30 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

Adopted this 6 day of January, 2003 following public hearing.

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

ATTEST: Elaine Marlow, Clerk of the Board

APPROVED AS TO FORM:

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

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

With no further business to come before the Board at this time, the meeting adjourned at 10:35 a.m. The next regular meeting will be held on January 13, 2003, at 9:30 a.m.

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

Wm. L. McDowell, Chairman

William J. Byrd, Member

Mike Shelton, Member

ATTEST: _____
Elaine Marlow, Clerk of the Board