

ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING
REGULAR SESSION - MARCH 3, 2003

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on March 3, 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 the following minutes: February 22, 2003 Special Session; February 24, 2003 Regular Session.

VOUCHERS AND PAYMENT OF BILLS

The following vouchers/warrants were approved for payment by unanimous motion of the Board, as well as the Payroll for the period February 1 through 15, 2003: Voucher (War.) #160193-160511 = \$283,293.24.

Veterans Assistance Fund: [*emergency financial assistance to certain eligible veterans; the names and specific circumstances are maintained confidential*]. Based on recommendation of the Veterans Assistance Review Committee, the Board by unanimous motion denied Claim V3-2 in its entirety.

APPOINTMENTS/ REAPPOINTMENTS TO VARIOUS BOARDS & COMMITTEES

By unanimous motion, the Board made the following reappointment and appointment:

Island County Water Conservancy Board: reappointed Larry Bach, Camano Island, to a six year term expiring July 2, 2009.

Island County Planning Commission : appointed Bill Massey, Oak Harbor, filling the unexpired term to January 2, 2005 due to the resignation of George Crampton.

RESOLUTION #C-19-03 CERTIFICATION OF THE ISLAND COUNTY PERSONAL PROPERTY INVENTORY FOR 2002

In accordance with R.C.W. 36.32.210, the Board by unanimous motion approved Resolution #C-19-03 Certification of the Island County Personal Property Inventory for 2002.

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

**IN THE MATTER OF CERTIFICATION)
OF THE ISLAND COUNTY PERSONAL) RESOLUTION NO. C- 19 -03
PROPERTY INVENTORY FOR 2002)**

WHEREAS, pursuant to R.C.W. 36.32.210, the Board of County Commissioners of Island County, Washington, hereby certifies that the inventory of all personal property of Island County, Washington, consisting of the returns from the various county departments for the year 2002 shall be filed with the Island County Auditor on March 3, 2003; and

WHEREAS, the members of the Board of Island County Commissioners hereby certify that they have reviewed said inventory of personal property for the year 2002, and believe the same to be complete, accurate and true to the best of their knowledge and belief, based upon the information submitted and certified by the individual elected officials and county department heads.

ADOPTED this 3rd day of March, 2003.

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

ATTEST:
Elaine Marlow
Clerk of the Board

RESOLUTION #C-20-03 APPROVING SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR TITLE REPORTS FOR THE 2003 TAX FORECLOSURE

As forwarded by the Island County Treasurer, the Board by unanimous motion approved Resolution #C-20-03 Approving

Specifications and Authorizing Call for Bids for Title Reports for the 2003 Tax Foreclosure.

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

IN THE MATTER OF APPROVING }	
SPECIFICATIONS AND AUTHORIZING }	RESOLUTION NO. <u>C-20-03</u>
CALL FOR BIDS FOR: TITLE REPORTS }	
FOR THE 2003 TAX FORECLOSURE }	

WHEREAS, the purchase of title reports is required for tax foreclosure.

BE IT HEREBY RESOLVED that **Exhibit A**, attached hereto, Invitation for Bids for Title Reports, together with bid form and specifications are approved as written. The Island County Treasurer, Linda E. Riffe, is hereby authorized and directed to call for bids for furnishing Island County with these services. The bids are to be received by the Island County Treasurer not later than 3:00 p.m. on March 31, 2003, with bid opening to occur at that time in the office of the Island County Treasurer and bid award to occur at 9:45 a.m. on April 7, 2003 in the Island County Law & Justice Facility located at 101 N.E. 6th Street, Department III (Courtroom 3) Coupeville, Washington.

ADOPTED this 3rd day of March, 2003.

**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

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

WSAC RETRO POOL - APPLICATION FOR GROUP MEMBERSHIP

Betty Kemp, Director GSA/Risk Management, presented for the Board's approval the annual renewal for WSAC Retro Pool Application for Group Membership. This confirms Island County's change of coverage to Plan A2, and reduction of maximum premium ratio to 1.05. By unanimous motion, the Board approved WSAC Retro Pool Application for Group Membership as presented.

HIRING REQUESTS & PERSONNEL ACTIONS

As presented by Dick Toft, Human Resource Director, the Board by unanimous motion, approved the following personnel action authorizations for the Health Department effective 2/3/03, having come about as a result of restructuring that took place within that department for the first 6 months of the year:

PAA #	Description		Position #	Action
025/03	Public Health Nurse III	.9 fte	2404.02	Increase Hours
026/03	Public Health Nurse	.75 fte	2406.04	Increase Hours
027/03	Public Health Nurse III	.85 fte	2404.01	Increase Hours .

EXECUTIVE SESSION

The Board met in Executive Session at 9:45 a.m. as allowed under RCW 42.30.110 (1) (b) to consider the selection of a site or the acquisition of real estate. The session lasted approximately 10 minutes and the Board returned to open public session for action.

**RESOLUTION #C-21-03 AUTHORIZE SUBMISSION OF A GRANT APPLICATION FOR CONSERVATION
FUTURES FUNDS-UTSALADY ACQUISITION**

Commissioner Shelton moved approval of Resolution #C-21-03 Authorizing Submission of a Grant Application For Conservation Futures Funds for Utsalady acquisition. Motion was seconded by Commissioner Byrd.

Under discussion, Chairman McDowell indicated he could not support the resolution inasmuch as the purchase price was considerably greater than the value.

Commissioner Shelton acknowledged the Chairman was correct; the purchase price for this piece of property is more than the appraisal. He supports the purchase because 50% of the purchase price of the property will be provided by the State of Washington, which brings the County's participation below the appraised value.

Motion carried by majority vote; Chairman McDowell voted in opposition for the reason stated.

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

**IN THE MATTER OF THE BOARD OF ISLAND
COUNTY COMMISSIONERS AUTHORIZING)
APPLICATION FOR FUNDING ASSISTANCE) RESOLUTION NO. C-21-03
FROM THE CONSERVATION FUTURES FUND)
FOR PURCHASE OF UTSALADY PROPERTY)
ON CAMANO ISLAND)**

WHEREAS, Island County considers it in the best public interest to acquire waterfront property and associated tidelands generally located on Camano Island at Utsalady Bay in Saratoga Passage, and

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners, Island County, Washington:

1. That Island County be authorized to make formal application to the Conservation Futures Fund for 50% of the purchase price of subject property,
2. that any funding assistance so received be used in the acquisition of a 323 front foot waterfront property and associated tidelands on Camano Island at Utsalady Bay in Saratoga Passage,
3. that any property acquired with financial aid through the Conservation Futures Fund be maintained for the purpose of habitat protection and/or public access,
4. that Conservation Futures Funds not exceed 50% of purchase price of subject property,
5. that 50% of purchase price will be provided by grant funds from the Aquatics Lands Enhancement Account (ALEA) of the Department of Natural Resources,
6. that this resolution become part of a formal application to the Conservation Futures Fund,
7. that adequate notification has been given and opportunity provided for public input.

ADOPTED this 3 day of March, 2003.

**BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON**
[Voted No: Wm. L. McDowell, Chairman]
William J. Byrd, Member
Mike Shelton, Member

ATTEST:
Elaine Marlow, Clerk of the Board

**CZM310 GRANT AGREEMENT: DEPARTMENT OF ECOLOGY & ISLAND COUNTY FOR
NORTHWEST STRAITS PROJECT - CAMA BEACH STATE PARK & PENN COVE RESTORATION**

As transmitted under cover memorandum from Don Meehan dated February 21, 2003, the Board approved by unanimous motion CZM310 Grant Agreement #G0300119 [RM-EXT-03-0009] between the Department of Ecology and Island County for the Northwest Straits Project - Cama Beach State Park & Penn Cove Restoration, in the amount of \$70,000.

**RESOLUTION #C-13-03 - ISLAND COUNTY HEALTH DEPARTMENT EMPLOYEES WHO PARTICIPATE IN
THE STAGE 1 SMALLPOX VACCINATION PLAN - APPROVAL OF EFFECTIVE DATE**

The Board on February 24, 2003 approved unanimously Resolution #C-13-03 In the Matter of Island County Health Department Employees Who Participate in the Stage 1 Smallpox Vaccination Plan. The Resolution required an effective date which was not addressed at that time and the Board today, by unanimous motion, approved February 24, 2003 as the effective date of Resolution #C-13-03.

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

**IN THE MATTER OF ISLAND COUNTY) Resolution No. C -13- 03
HEALTH DEPARTMENT EMPLOYEES)
WHO PARTICIPATE IN THE STAGE 1)
SMALLPOX VACCINATION PLAN)
_____)**

Whereas, Island County desires to encourage Health Department employees to volunteer to serve on the Stage 1 Smallpox Team pursuant to the Homeland Security Act for the protection of the public's health; and

Whereas, Island County desires to remove potential obstacles and mitigate potential financial risk for employees who volunteer,

NOW THEREFORE BE IT ORDAINED, that the following benefits are provided to Island County employees who are qualified and named by the Island County Health Officer in the Stage 1 Smallpox Vaccination Plan and who volunteer to receive a smallpox vaccination and participate in the Smallpox Response Plan:

- 1.) Reimbursement/restoration of all uncompensated portions of pay and sick leave not reimbursed by the Department of Labor and Industries as a result of illness due to smallpox vaccination, assuring that volunteer employees will receive their net normal compensation after taxes for the duration of a smallpox vaccination-related illness.
- 2.) Reimbursement for all out-of-pocket medical expenses of the employee volunteering for Stage 1 smallpox vaccination that are not covered by insurance.
- 3.) Said reimbursements will continue until such time as a Labor & Industries evaluation determines that maximum benefits of medical care have been received and Labor and Industry compensation is terminated (in accordance with the rules and regulations of WAC 296 and RCW Title 51).

Section 1.) above supersedes and substitutes for section 2.01.041 of the Island County Personnel Policies and Procedures Manual which states that any employee injured on the job and using sick leave shall buy back sick leave from payments made by the Department of Labor and Industries. To the extent that any of the defined expenses are covered by a future Federal compensation plan or any other collateral source, Island County will be the payer of last resort.

Finally, the Board will confer these benefits to Stage 1 volunteer employees only after the employee has obtained a certification from the Island County Health Officer, Roger Case, MD, that the illness in question is attributable to a smallpox vaccination.

ADOPTED this 24 day of February, 2003, to be effective February 24, 2003

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

**CITY OF OAK HARBOR ANNEXATION OF UNINCORPORATED
AREA KNOWN AS LOLBI BUSINESS PARK AREA**

The Board of Island County Commissioners received on February 13, 2003, a certified copy of City of Oak Harbor Resolution #03-01 dated February 4, 2003, regarding City of Oak Harbor Annexation of a certain unincorporated area of the County contiguous to the City known as the "Lolbi Business Park Area". In accordance with R.C.W. 35A.14.050, the Board by unanimous motion, set the special election to be held on the third Tuesday in May (May 20, 2003), one of the special election dates provided under R.C.W. 29.13.020, and as requested by the City of Oak Harbor in Resolution #03-01 Section Five.

PUBLIC INPUT/COMMENTS

Paul Messner, Central Whidbey Resident, former 30-year Island County Employee who recently retired this year as Facility Superintendent, publicly thanked the current Board of County Commissioners, as well as past boards, for having made his job at Island County pleasurable. He was also very appreciative to the employees in the Maintenance Department and the many County employees in general.

ADOPT-A-ROAD LITTER CONTROL PROGRAM

The Board by unanimous motion approved Adopt a Road Litter Control Program Agreement with Oak Harbor High School Ecology Club for the area of Monroe Landing Road from Highway 20 to Arnold Road.

**SUPPLEMENTAL AGREEMENT # 3 – PW-0320-30; ISLAND COUNTY
& ISLAND COUNTY TRAILS COUNCIL**

By unanimous motion, the Board approved Supplemental Agreement #3 to PW-0320-30 between Island County and Island County Trails Council extending the term of agreement to March 9, 2005.

PUBLIC WORKS ORGANIZATIONAL CHART

The Public Works Organizational Chart was approved by unanimous motion of the Board, and will now be sent to the Washington State Department of Transportation and County Road Administration Board.

**LOCAL AGENCY AGREEMENT - ISLAND COUNTY & WASHINGTON STATE DEPARTMENT OF
TRANSPORTATION - TERRY'S CORNER
SIGNALIZATION, INTERSECTION OF EAST CAMANO DR**

Dick Snyder, County Engineer, presented for the Board's approval, Local Agency Agreement between Island County and Washington State Department of Transportation (WSDOT) for Terry's Corner Signalization at the Intersection of East Camano Drive, under CRP 01-03, Work Order #289, for a funding total of \$91,500.00 (Federal Funds \$82,350.00/Agency Funds [county] \$9,150.00) The project is included in the Road Department Work Program. Though it is somewhat related to Terry's Corner

Park & Ride project, the Road Department has seen the need for a signal for the past several years at this location. The Agreement is just for the intersection work and Sunrise Road; all part of the overall Terry's Corner, not the park & ride itself. This is the first phase where the County is purchasing mast arms for the signal; mast arms are expensive and take about four to six months to manufacture. If there were no park & ride proposed at Terry's Corner the signal would still be recommended. The park & ride may have accelerated the schedule, but Sunrise Road intersection right now presents difficulty getting on the highway particularly going towards Stanwood east bound. It is a dangerous intersection particularly at commute hours. WSDOT is paying a portion of the signal cost, about \$10,000 [WSDOT funds not shown in these figures as yet until SEPA determination has been completed]. He estimated about \$50,000 total contribution from WSDOT for the County's road improvements.

Commissioner Shelton recalled the concept was having a clear understanding with the WSDOT that it is their park & ride lot and the State ultimately would pay for that.

Mr. Snyder confirmed it was pretty much working out that way. He noted that the County had been able to tap the park & ride funds which would have not been available had there been no park & ride proposed. The contribution is not major but does help with the intersection and Sunrise Road.

At the time the County agreed with the park & ride proposal, Commissioner McDowell recalled that Board had stipulated some specific threshold not to exceed.

Mr. Snyder recalled that the approved CRP for the overall area [May 7, 2001] was a total of about \$2.4 million; \$1.6 million WSDOT for the park & ride; about \$420,000 Federal Funds; a certain amount for the signal and a certain amount for Sunrise Boulevard, North Camano Drive and East Camano Drive. The County's portion was about \$400,000. The original amount has not been exceeded. He agreed to come to the next Staff Session with the Board for a complete review and discussion of the project, and provide a copy of the approved CRP and original Agreement.

By unanimous motion, the Board approved Local Agency Agreement between Island County and Washington State Department of Transportation for Terry's Corner Signalization at the Intersection of East Camano Drive, under CRP 01-03, Work Order #289, for a funding total of \$91,500.00, representing \$82,350.00 in federal funds and \$9,150.00 County funds.

**LOCAL AGENCY FEDERAL AID PROJECT PROSPECTUS - ISLAND COUNTY & WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION - TERRY'S
CORNER, SR 532/EAST CAMANO DR/SUNRISE BLVD. INTERSECTION**

By unanimous motion the Board approved Local Agency Federal Aid Project Prospectus between Island County and Washington State Department of Transportation for Terry's Corner, SR 532/East Camano Drive/Sunrise Boulevard Intersection under CRP 01-03, WO #289, for total funding in the amount of \$333,330 (Federal Funds \$300,000/Agency Funds \$33,330). This project prospectus is for the channelization and signal work on Sunrise Road at the intersection of East Camano Drive and Highway 532. There will be a turn lane, and eventually a center turn lane on Sunrise Lane, and some widening at the intersection.

EXECUTIVE SESSION

The Board met in Executive Session at 1:30 p.m. as allowed under RCW 42.30.110 (1) (i) to discuss with legal counsel potential litigation. The session was expected to last approximately one hour and the Chairman indicated there would be no announcement afterwards in open public session. The meeting adjourned on completion of the Executive Session.

With no further business to come before the Board, the meeting adjourned at 2:45 p.m. The next regular meeting of the Board will be March 10, 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