

**ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING
REGULAR SESSION - APRIL 7, 2003**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on April 7, 2003 beginning 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, and William J. Byrd, Member, were present; Mike Shelton, Member, absent. The meeting opened with the Pledge of Allegiance. By unanimous motion, the Board approved the following minutes: March 24, 2003 Regular Meeting; and March 26, 2003 Special Session.

VOUCHERS AND PAYMENT OF BILLS

The following vouchers/warrants were approved for payment, along with the payroll for pay period March 1-15, 2003, by unanimous motion of the Board:

Voucher (War.) #162473-162898\$512,088.46.

Veteran's Assistance Fund: [emergency financial assistance to certain eligible veterans; the names and specific circumstances are maintained confidential]. By unanimous motion, the Board approved Claim V3-4 in the amount of \$1167.20 as recommended by the Veterans Assistance Review Committee.

HIRING REQUESTS & PERSONNEL ACTIONS

As presented by Terry Chevront, Assistant Human Resources Director, the Board by unanimous motion, approved the following personnel action authorization (s):

Dept.	PAA #	Description/Position #	Action	Eff. Date
Sup. Court	040/03	Bailiff 2005.01	Replacement	4/7/03
WSU Ext.	041/03	Advent Challenge Prg. Coord. 1213.00	Replacement	6/2/03

VARIOUS BOARDS AND COMMITTEES – REAPPOINTMENTS

Karen Lewis and Chris Murray, both of Coupeville, were reappointed by unanimous motion of the Board to the Substance Abuse advisory Board for a three year term with an expiration date of April 1, 2006.

Janice Pickard and Kathy Harada, both of Coupeville, were reappointed by unanimous motion of the Board to the Mental Health Advisory Board for three year terms to expire April 1, 2006 .

AWARD OF BID FOR OFFICIAL COUNTY LEGAL NEWSPAPER

Pursuant to RCW 36.72.075, the Board at its first meeting in April is to let a contract to a legal newspaper qualified to serve as the official county newspaper for the term of one year beginning on the first day of July. Suzanne Sinclair, Island County Auditor, confirmed and presented the one bid received:

Whidbey Newspaper Group, a division of Sound Publishing
Whidbey News-Times and South Whidbey Record
In-county circulation: 20,791 Wednesday 15,510 Saturday
Rates per Inch: \$ 9.30 per inch per insertion [1.6% increase over last year's rate].

It was Ms. Sinclair's recommendation the bid be awarded to Whidbey News Times.

The Board by unanimous motion accepted the bid from Whidbey News Group with Whidbey News Times designated as the official County newspaper for the term of one year beginning July 1st , and to continue past practice when there is an issue that affects South Whidbey, Camano Island or Coupeville, there will also be an advertisement in the appropriate paper in addition to publication in the Whidbey News Times as the legal paper of record.

AWARD OF BID FOR TITLE REPORTS, 2003 FORECLOSURES

Linda Riffe, Island County Treasurer, submitted bid award recommendation dated today reviewing two bids received for 2003 Tax Foreclosure Title Reports, First American Title and Island Title Company. The low bid is recommended, First American Title.

By unanimous motion the Board awarded bid to First American Title Company, the low bidder, for providing the 2003 Tax Foreclosure Title Reports.

CLAIM FOR DAMAGES R03-007-CD CLAUDIA RIGGINS

Claim for Damages R03-007-CD by Claudia Riggins was presented by Betty Kemp, GSA/Risk Management Director, reporting in favor to approve the Claim in the amount of \$965.45 for repair to Claimant's vehicle. The recommendation was made after investigation by the Public Works Department and Risk Management concurred, on determination that county vehicle struck claimant's parked vehicle in the area of the Clinton ferry dock.

By unanimous motion, the Board approved Claim for Damages R03-007-CD by Claudia Riggins in the amount of \$965.45.

PURCHASE ORDER FOR PLAYGROUND EQUIPMENT – DAN PORTER MEMORIAL PARK

Lee McFarland, Assistant Director, GSA/Parks, requested approval of Purchase Order for Playground Equipment at Dan Porter Memorial Park, Clinton, in the amount of \$31,127.24, as discussed with the Board at a recent staff session. The purchase is from Oregon State Contract through a reciprocal agreement for state contracts.

By unanimous motion, the Board approved Purchase Order 04829 in the amount of \$31,127.24 for playground equipment as submitted.

SECOND AMENDMENT-AGREEMENT BETWEEN OFFICE FOR THE ADMINISTRATOR FOR THE COURTS & ISLAND COUNTY SUPERIOR COURT ICA 2002-133

Island County Superior Court Clerk, Mirka Nakovski, submitted under cover memorandum dated April 2, 2003, Second Amendment to Agreement Between Office for the Administrator for the Courts and Island County Superior Court ICA 2002-133 [RM-SUP-03-0002] Extending Agreement to 6-30-03 and increasing amount from \$30,000 to \$39,000. The original Agreement was entered into on 3/29/02 in the amount of \$30,000, providing for the AOC granting federal funds provided through the Department of Community, Trade and Economic Development under the federal STOP Violence Against Women Act to the Court, for the purpose of establishing supervised visitation centers and to provide services to victims of domestic violence.

By unanimous motion, the Board approved the Second Amendment to Agreement Between Office for the Administrator for the Courts and Island County Superior Court ICA 2002-133 [RM-SUP-03-0002] extending Agreement to 6-30-03 and increasing amount from \$30,000 to \$39,000.

CONTRACT BETWEEN ISLAND COUNTY JUVENILE AND FAMILY COURT SERVICES AND JRA REGION 3 FUNCTIONAL FAMILY THERAPY

As presented and recommended for approval by Michael Merringer, Juvenile Court Services Director, the Board by unanimous motion approved Contract RM-JUV-02-0074 Between Island County Juvenile and Family Court Services and JRA Region 3 Functional Family Therapy in the amount of \$4,650.00.

PUBLIC INPUT OR COMMENTS

Suzanne Sinclair, Island County Auditor, did not want today to pass without noting that the first meeting of the Board of Island County Commissioners was held on April 4, 1853. She gave the Board a copy of the minutes from that day "Record of the acts and proceedings of the Board of Commissioners of Island County in the Territory of Oregon".

Lew Legat, Coupeville resident, was publicly thanked by Chairman McDowell on behalf of the Board for tying all the yellow ribbons on trees around Coupeville last week. Mr. Legat served in Viet Nam and the issue of supporting the troops close to his heart. As the Chairman noted these troops are putting their lives on the line and appreciate all the support from home. The Commissioners also thanked Mr. Legat for his suggestion about commencing Board meetings with a Flag Salute, noting that was instituted effective this meeting.

PUBLIC WORKS – BID AWARDS

In each case, as recommended by Bill Oakes, Public Works Director, the Board by unanimous motion approved the following bid awards:

- Award of bid for two 2003 Mid-mount Rotary Boom Mower to Coastline Tractor, the lowest responsible bidder, in the total amount of \$66,063.00, and approved Findings of Fact regarding award of bid to other than the lowest bidder in that low bidder did not meet specifications.
- Award of bid for one 2003 Overcenter Articulating Aerial Device w/Cab & Chassis to Pacific Utility Equipment Co. in the total amount of \$125,860.93.
- Award of bid for culvert supplies for Road Shops to Washington Culvert, in the total amount of \$11,324.15.

RESOLUTION #C-31 -03/R-08-03 - SPECIFICATIONS & AUTHORIZING CALL FOR BIDS FOR LIQUID ASPHALT MATERIALS - MAY 1, 2003 TO MAY 1, 2004

The Board approved by unanimous motion Resolution #C-31-03/R-08-03 Approving Specifications and Authorizing Call for Bids for Liquid Asphalt Materials for the period of May 1, 2003 to May 1, 2004.

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

IN THE MATTER OF APPROVING }
SPECIFICATIONS & AUTHORIZING } RESOLUTION #C-31-03

CALL FOR BIDS FOR: }
LIQUID ASPHALT MATERIALS } RESOLUTION #R- 08 -03

WHEREAS, sufficient funds are available in the ROAD/E.R.& R. FUND for the purchase of:

Liquid Asphalt Materials for the period
May 1, 2003 to May 1, 2004
CRS-2P, CMS-2P, CSS-1, CRS-2 & CMS-2

NOW, THEREFORE, BE IT HEREBY RESOLVED that Attachment A, Specifications, is approved as written, and the County Engineer is authorized and directed to call for bids for furnishing Island County with said products; **BID OPENING** to be the 29th day of April, 2003 at 10:00 a.m., in Meeting Room #131, 101 N.E. 6th Street, Coupeville, Washington.

ADOPTED this 7 day of April, 2003.

**BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON**
William L. McDowell, Chairman
William J. Byrd, Member
[Mike Shelton, Member-absent]

ATTEST:
Elaine Marlow, Clerk of the Board
[Attachment A on file with the Clerk of the Board]

RESOLUTION #C-32-03/R-09-03 – APPROVING SPECIFICATIONS & AUTHORIZING CALL FOR BIDS FOR ASPHALT CONCRETE MATERIALS MAY 1, 2003 TO MAY 1, 2004

By unanimous motion, the Board approved Resolution #C-32-03/R-09-03 Approving Specifications & Authorizing Call for Bids for Asphalt Concrete Materials for the period of May 1, 2003 to May 1, 2004. As noted by the Public Works Director, Attachment A, General Provisions, Specifications and Bid Proposal, added in paragraph b under item 3) Award of Bid contains clarifying language noting that the bid will be awarded based on the lowest cost including haul costs.

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

IN THE MATTER OF APPROVING }
SPECIFICATIONS & AUTHORIZING } RESOLUTION #C-32-03
CALL FOR BIDS FOR: }
ASPHALT CONCRETE MATERIALS } RESOLUTION #R- 09-03

WHEREAS, sufficient funds are available in the ROAD/E.R.& R. FUND for the purchase of:

Asphalt Concrete Materials for the period of
May 1, 2003 (or date of bid award) to May 1, 2004
Modified G, Class B, ATB & Tack Coat Oil

NOW, THEREFORE, BE IT HEREBY RESOLVED that Attachment A, Specifications, is approved as written, and the County Engineer is authorized and directed to call for bids for furnishing Island County with said supplies; **BID OPENING** to be the 29th day of April, 2003 at 10:15 a.m., in Meeting Room #131, 101 N.E. 6th Street, Coupeville, Washington.

ADOPTED this 7 day of April, 2003.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

William L. McDowell, Chairman

William J. Byrd, Member

[Mike Shelton, Member-absent]

ATTEST:

Elaine Marlow, Clerk of the Board

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

RESOLUTION #C-33-03/R-10-03 – APPROVING PLANS & SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR MAPLE GROVE ROAD EAST

By unanimous motion the Board approved Resolution #C-33-03/R-10-03 in the matter of approving Plans & Specifications and Authorizing Call for Bids for Maple Grove Road East on Camano Island, CRP 00-02, Work Order #296

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

**IN THE MATTER OF APPROVING PLANS)
& SPECIFICATIONS AND AUTHORIZING) RESOLUTION C-33-03
CALL FOR BIDS FOR MAPLE GROVE) R- 10-03
ROAD EAST; CRP 00-02, WO 296)**

WHEREAS, sufficient funds are available in the Island County Road Fund for Maple Grove Road East construction and stabilization;
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 24th day of April, 2003 at 10:00 a.m., Meeting Room 116, located in the County Administration Building, 1 NE 7th St., Coupeville, Washington.

ADOPTED this 7th day of April, 2003.

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

William L. McDowell, Chairman

William J. Byrd, Member

[Mike Shelton, Member – absent]

ATTEST Elaine Marlow, Clerk of the Board

**RESOLUTION #C-34-03/R-11-03 –TEMPORARY ROAD CLOSURE
OF A PORTION OF MAPLE GROVE ROAD**

The Board approved by unanimous motion Resolution #C-34-03/R-11-03 in the matter of a Temporary Road Closure of a Portion of Maple Grove Road on Camano Island located in Section 23, Township 32 North, Range 2E.

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

**IN THE MATTER OF TEMPORARY)
ROAD CLOSURE OF A PORTION OF) RESOLUTION NO. C-34-03
MAPLE GROVE ROAD ON CAMANO) R-11-03
ISLAND LOCATED IN SEC. 23)
TWP. 32N., RGE. 2E., W.M.)**

WHEREAS, RCW 47.48.010 authorizes local governments to restrict vehicular traffic whenever the condition of such road is dangerous to the traveling public; and

WHEREAS, CRP 00-02(A) has been approved and an advertisement is being published for a contract to construct improvements including segments of road reconstruction along Maple Grove Road and Boat Ramp Road; and

WHEREAS, RCW 47.48.020 authorizes local governments to close or restrict vehicular traffic on such roads through publication and notice thereof, including the effective date, in one issue of a newspaper of general circulation; and

WHEREAS, a like notice of such closure shall be posted on or prior to the date of publication of such notice in a conspicuous place at each end of the portion of Maple Grove Road to be temporarily closed; and

WHEREAS, the road reconstruction requires the closure of Maple Grove Road reconstruction project area from May 19, 2003, through

By unanimous motion, the Board approved the following, as recommended by the Public Works Director:

- Adopt-a-Road Litter Control Program Agreement with Friends of Freeland for Scott Road and Main Street from intersection of Main Street and 525 to Scott Road at intersection of Scott Road and Highway 525.
- Adopt-a-Road Litter Control Program Renewal Agreement with Veterans of Foreign Wars Post 7392 for Ault Field Road from Highway 20 to Goldie Road.

LOCAL AGENCY SUPPLEMENTAL AGREEMENTS – WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

Local Agency Agreement Supplement #1 to PW-0320-35 between Washington State Department of Transportation and Island County for Madrona Way Reconstruction, under CRP 02-11, Work Order #35 increasing funding to cover phase two of the project was approved by unanimous motion of the Board, for a total of \$805,000 (Local Funds - \$393,990/Federal Funds - \$411,010).

Local Agency Supplemental Agreement #1 to PW0320-45 between Washington State Department of Transportation & Island County for North Camano Drive/Arrowhead Road Intersection Improvement under CRP 02-02, Work Order #72 was approved by unanimous motion of the Board, for authorization for construction funds.

SUPPLEMENTAL AGREEMENTS APPROVED

The following Supplemental Agreements as submitted by the Public Works Director, were approved by unanimous motion of the Board:

Supplemental Agreement #1, PW0320-24 between Island County and Abeyta (original agreement reviewed under PW-00-2028A), a consultant agreement for negotiations for various county projects.

Supplemental Agreement #3, PW0120-20, between Island County and Fakkema & Kingma for revisions to the completion date, maximum amount payable and scope of work [authorization and Chairman's signature subject to revisions as recommended by the Deputy Prosecuting Attorney and County Risk Manager].

Supplemental Agreement #1, PW0320-28, between Island County and Fakkema & Kingma (original review under PW9920-23) for Madrona Way Reconstruction, CRP 94-03, Work Order #35.

Supplemental Agreement #1, PW0320-29 between Island County & Zipper Zeman (original review under PW0220-11) Maple Grove Road East Improvements, CRP 00-02, Work Order #296.

AWARD OF BID FOR CAMANO SCALE HOUSE

By unanimous motion the Board awarded bid for Camano Scale House, and approved the bid contract, with R & S Construction in the amount of \$10,390 plus sales tax for a total of \$11,252.37.

ITEMS PULLED FROM AGENDA ON REQUEST OF PUBLIC WORKS DIRECTOR

Resolution R-12-03 – Initiating County Road Project designated as CRP 03-01, Work Order 357; 2003 Camano Island Miscellaneous ACP Overlays. Needs further review.

Resolution R-14-03 – Approving Plans & Specifications and Authorizing Call for Bids for 2003 Camano Island Miscellaneous ACP Overlays, CRP 03-01, Work Order 357. Needs further review.

Freeland Development Agreement & Covenants Island County & Freeland Commercial, LLC; Compass Investment, Inc.; South Whidbey Retirement, LLC. Signatures needed.

HEARING HELD: ORDINANCE #C-28-03 (PLG-006-03) CONCERNING TECHNICAL AMENDMENTS TO ISLAND COUNTY COMPREHENSIVE PLAN FUTURE LAND USE PLAN MAP AND ISLAND COUNTY ZONING ATLAS

A Public Hearing was held as scheduled and advertised on Ordinance #C-28-03 (PLG-006-03) introduced on March 17, 2003 [GMA #7391] concerning technical amendments to the Island County Comprehensive Plan Future Land Use Plan Map and the Island County Zoning Atlas, Map #399 and 314, properties located on South Whidbey.

Phil Bakke, Planning and Community Development Director, and Jeff Tate, Assistant Director, Planning and Community Development, presented the proposed Ordinance. Map 399 and Map 314 were submitted as technical corrections to the Zoning Atlas. The proposal was outlined in Mr. Tate's memorandum dated March 14, 2003, summarized by Mr. Tate:

Map 399. Rezone of parcel R23020-402-3500 from Rural to Rural Forest. The parcel is a small strip approximately .7 acres adjacent to another Rural Forest 23 acre parcel owned by the same property owner. Owner requests the same zoning designation for both properties. This action would correct an error on the part of the County when the zoning maps were done. The rezone would be a down zone of the .7 acre parcel.

Map 314. Parcel R22911-103-3620 zoned Rural would expand to more accurately reflect the boundary of a large wetland. Parcels R22911-108-3210 and R22911-108-3080 zoned Rural Center would be reduced so that the wetland and buffer would not be located on commercially zoned properties. This would allow the outer Rural Center RAID boundary to achieve greater compliance with the adopted zoning designation criteria. The property is owned by a preservation group that desires to make ownership follow more closely the area they are interested in protecting.

At the time the Chairman called for public comments on this matter, no one was present in the audience who indicated a desire to speak for or against the proposed ordinance.

The Board by unanimous motion approved Ordinance #C-28-03 (PLG-006-03) concerning technical amendments to the Island County Comprehensive Plan Future Land Use Plan Map and the Island County Zoning Atlas Map #399 and #314, South Whidbey. [GMA #7391]

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

IN THE MATTER OF AN ORDINANCE CONCERNING
TECHNICAL AMENDMENTS TO THE ISLAND COUNTY)
COMPREHENSIVE PLAN FUTURE LAND USE PLAN)
MAP AND THE ISLAND COUNTY ZONING ATLAS.)
_____)

WHEREAS, on September 28 and 29, 1998, the Board adopted the County's GMA Comprehensive Plan and Development Regulations; and

WHEREAS, by Ordinance C-123-98, the Board also adopted Chapter 17.03 ICC as Island County's official Zoning Code to implement its GMA Comprehensive Plan with the Zoning Atlas as the Official Zoning Map of Island County; and

WHEREAS, certain technical amendments to the Future Land Use Plan Map and the Zoning Atlas have been identified to ensure that the zoning designations are consistent with the County Wide Planning Policies.

NOW, THEREFORE, IT IS HEREBY ORDAINED that the Board of Island County Commissioners hereby adopts certain technical amendments attached hereto as Exhibit A to the Island County Zoning Atlas (Exhibit C to Ordinance C-123-98).

Reviewed this 17 day of March, 2003 and set for public hearing at 10:30 a.m. on the 7 day of April, 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

APPROVED AND ADOPTED this 7 day of April, 2003.

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

Wm. L. McDowell, Chairman
William J. Byrd, Member
[Mike Shelton, Member – absent]

ATTEST: Elaine Marlow
Clerk of the Board

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

HEARING HELD: OPEN SPACE APPLICATIONS OPS 015/03 AND OPS 016/03 BY

THOMAS & LINDA CRABTREE – SOUTH WHIDBEY

As scheduled and advertised, a public hearing was held for the purpose of considering OPS 015/03 and OPS 016/03 by Thomas & Linda Crabtree, Application for Open Space Timber on Parcels R32801-435-3560, R32801-435-2950, R32801-500-3560, R32801-490-2950, R32801-518-2950, R32801-501-1970, R32801-435-2260 and R32801-436-1630 all located on South Whidbey Island.

Applicant requests that 70 acres be transferred from Designated Forest current use classification to Timber Land current use classification, and 10 acres transferred from full value tax status into the Timber Land current use classification. Island County Planning & Community Development Department Proposal, Findings, Analysis, Conclusions and Recommendation prepared by Jeff Tate dated March 5, 2003 for the two applications, recommends approval subject to conditions outlined in that staff report.

Applicant was not present at the time of hearing. No one in the audience indicated a desire to speak either for or against OPS 015/03 and OPS 016/03.

The Board, on unanimous motion, approved OPS 015/03 and OPS 016/03 by Thomas & Linda Crabtree, Application for Open Space Timber on Parcels R32801-435-3560, R32801-435-2950, R32801-500-3560, R32801-490-2950, R32801-518-2950, R32801-501-1970, R32801-435-2260 and R32801-436-1630 all located on South Whidbey.

There being no further business to come before the Board at this time, the meeting adjourned at 10:50 a.m. The next regular meeting of the Board will be on April 14, 2003 at 9:30 a.m.

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

Wm. L. McDowell, Chairman

William J. Byrd, Member

[Mike Shelton, Member – absent]

ATTEST:

Elaine Marlow, Clerk of the Board