

**ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING
REGULAR SESSION - MAY 19, 2003**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on May 19, 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. The meeting began with the Pledge of Allegiance. By unanimous motion, the Board approved the minutes from regular meeting May 12, 2003, and special session May 14, 2003.

VOUCHERS AND PAYMENT OF BILLS

The following vouchers/warrants were approved for payment by unanimous motion of the Board: Voucher (War.) #165472 - 165717\$668,574.58

The Board's motion included approval of the May 15, 2003 payroll for the period April 16-30, 2003.

Veterans Assistance Fund: *[emergency financial assistance to certain eligible veterans; the names and specific circumstances are maintained confidential]*. By unanimous motion, on recommendation of the Veterans Assistance Review Committee, the Board approved Claim V3-6 in the amount of \$1,000.

RE-APPOINTMENTS TO BOARD OF EQUALIZATION

By unanimous motion, the Board reappointed the following individuals to the Island County Board of Equalization for three year terms to May 31, 2006: Peggy Whitford, Oak Harbor, and Edward R. Oetken, Coupeville.

LETTER OF SUPPORT FOR NORTHWEST STRAITS FOUNDATION PROGRAMMATIC REQUEST FOR FUNDS FOR THE DERELICT FISHING NET REMOVAL PROJECT

The Board by unanimous motion approved and signed a letter to be sent to the Salmon Recovery Funding Board (SRFB) supporting the Northwest Straits Foundation Programmatic Request for Funds for the Derelict Fishing Net Removal Project. *[copy of letter placed on file with the Clerk of the Board]*

STAFF SESSION FOR JUNE, 2003

The Board by unanimous motion approved the Staff Session schedule for June, 2003 for distribution. June Staff Sessions are those regularly-scheduled for the first and third Wednesday, June 4 and June 18, beginning at 9:00 a.m., in Conference Room #116, Courthouse Administration Building located at 1 N. E. 7th Street, Coupeville, Wa.

GRANT APPLICATION: GOVERNOR'S JUVENILE JUSTICE ADVISORY COMMITTEE

At the 14 May special session, in the Chairman's absence due to the short time frame, the Commissioners approved and signed a regional grant application for submittal to GJJAC directed at reducing the disproportional representation of minority groups in juvenile criminal justice/detention, with the proviso that said action would be presented at today's regular meeting for approval by the full Board. At this time, the Board by unanimous motion ratified the action taken at the May 14, 2003 special session approving the regional grant application.

DSHS/DIVISION OF DEVELOPMENTAL DISABILITIES DEVELOPMENTAL DISABILITIES CONTRACT #0163-24190

By unanimous motion, as submitted by Tim McDonald, Health Services Director, under cover memo dated May 14, 2003, the Board approved DSHS/Division of Developmental Disabilities County Program Agreement Contract #0163-24190 (RM-HLTH-99-0054) in the amount of \$851,233.

CLAIM FOR DAMAGES R03-009CD KARI PRICE

Betty Kemp, Director, GSA/Risk Management, presented Claim for damages R03-009CD by Kari Price. Investigation, review of incident reports and review by Road personnel confirmed that County sanding operation was in the vicinity on the day incident occurred. The Public Works Department recommended approval of the claim in the amount of \$887.80, and Ms. Kemp concurred.

By unanimous motion, the Board approved Claim for Damages R03-009CD by Kari Price in the amount of \$887.80.

Note: at 9:45 a.m. Chairman McDowell excused himself from the meeting in order to attend a previously-arranged meeting in Everett.

REVIEW MONTHLY FINANCIAL REPORTS FROM AUDITOR & TREASURER

Treasurer's Report

Linda Riffe, Island County Treasurer, provided the Statement of Cash Operations, Revenue/Current Expense, for the period ending April 30, 2004. The report reflects figures from the final 2003 County budget which gives a comparison of the percentage of budget received by month's end. Interest rates continue to drop which impacts the county significantly in the investment arena. In other revenue areas, i.e. liquor profits increased over previous year as did income from property tax.

Auditor's Report

Suzanne Sinclair, Island County Auditor, likewise provided copies of her financial report for the same period ending April 2003, reflecting a quick snapshot at one-third of the year. Of note: Current Expense revenues show 36% and expenditures 32%. Other funds: revenue 34% and expenditures 21%. Local sales tax [line 42] is at 31% but the five year average is 30%. Delinquent tax shows 177% and what that reflects is not a windfall but collection of more than anticipated delinquent taxes back to 1999 –2002 and not posted until March 2003, and that would not have been a budgeted number. Line 14, Extension grants, reflects receipt of \$117,944.57 in grant reimbursement from 2002.

[Both reports have been placed on file with the Clerk of the Board]

PUBLIC INPUT OR COMMENTS

Zeke Zardeskas, Larson Drive, Oak Harbor, addressed the situation at Dugualla Pond, located off Dike Road, having worked the last few years to get Diking District #3 to reopen it to the public for fishing. Access to the pond is controlled by the Diking District although the access is a short dirt road to an untaxed lot. Letters of support have been sent to the Diking District Commissioners from Representative Barry Sehlin, Representative Barbara Bailey, County Commissioner Bill Byrd, the Regional Director of Washington State Department of Fish & Wildlife and various fishing clubs. The District apparently leases duck blinds on the lake and are using it as their own private reserve which in his opinion is malfeasance of office. Mr. Zardeskas asked that the Island County Commissioners look into disbanding Diking District #3.

Paul Messner, Central Whidbey resident, supported Mr. Zardeskas in his efforts with regard to Dugualla Pond. As an elected official in another capacity, he felt it was a duty of those in office to try and assist citizens of the county and state; to ignore the whole matter is wrong and Diking District #3 should at least meet and address the issues.

Commissioner Shelton pointed out one thing of some concern was that should the pond be stocked with fish, potentially ditches that were installed to create farmland in the area very possibly could become fish-bearing streams and adversely impact the ability of farmers to continue to farm as they have in the past.

Mr. Zardeskas noted that the Regional Director of Fish & Wildlife was willing to enter into a memorandum of understanding addressing that issue and other issues, but has not had any response from the Diking District. Everyone he talked to on the Island expressed support.

Commissioner Byrd added to note that he talked to a neighbor on the corner of Dike and Jones Road who is in favor of it as well.

As noted at the beginning of the Public Input Session, the Board will take the information and request under advisement.

**REQUEST TO VACATE A PORTION OF COUNTY ROAD RIGHT-OF-WAY KNOWN AS SHORELINE DRIVE
BY PETITIONERS DEAN & DIANE PACHOSA, CAMANO ISLAND**

Petition to Vacate County Road Right-of-Way, a portion known as Shoreline Drive, petitioned by Dean & Diane Pachosa, located in the Plat of Tyee Beach, Sec. 11, Twp. 30N, R 3E, Camano Island. was by unanimous motion of the Board referred back to the Island County Engineer for review and report back to the Board.

**COUNTY ROAD PROJECT INITIATED: RESOLUTION #C-53-03/R-19-03 –
WHIDBEY ISLAND MISCELLANEOUS ACP OVERLAYS 2003**

As presented by the Public Works Engineer, Bill Oakes, the Board by unanimous motion approved Resolution #C-53-03/R-19-03 In the Matter of Initiating a County Road Project designated as CRP 03-02, Work Order #358, Whidbey Island Miscellaneous ACP Overlays 2003. *[copy placed on file]*

ISLAND COUNTY & TOWN OF COUPEVILLE, REIMBURSABLE WORK AGREEMENT

The Board by unanimous motion approved Request and Agreement for Reimbursable Work between Island County Public Works Department (Roads Division) and the Town of Coupeville #PW0320-69, to include under CRP 03-02, Work Order #358, the Town of Coupeville in its ACP overlays for 2003, at a cost not to exceed \$342,000, under Resolution #C-54-03//R-20-03 approving the Engineer's recommendation. *[copy placed on file]*

**BID AWARD FOR NORTH CAMANO DRIVE/ARROWHEAD ROAD
INTERSECTION IMPROVEMENTS**

As recommended by Mr. Oakes, the Board by unanimous motion awarded bid to the low bidder, GG Excavation, Inc., Anacortes, for the North Camano Drive/Arrowhead Road Intersection Improvements under CRP 02-02, Work Order #172, in the amount of \$688,021.75.

SIGNAL MAINTENANCE AGREEMENT

The Board approved by unanimous motion, Agreement for Maintenance and Inspection Service of Traffic Signals with Howell L. Owens d/b/a PerfecTimng, Agreement #PW032034.

**PUBLIC HEARING SCHEDULED: ORDINANCE #C-55 -03/R-21-03 - TEMPORARILY REDUCING SPEED
LIMIT ON PORTIONS OF NORTH CAMANO DRIVE AND ARROWHEAD ROAD DURING ROAD
IMPROVEMENTS.**

By unanimous motion, the Board scheduled a Public Hearing to consider Ordinance #C-55 -03/R-21-03, an Ordinance Temporarily Reducing the Speed Limit on Portions of North Camano Drive and Arrowhead Road during road improvements, for June 2, 2003 at 3:00 p.m. at the Camano Multi-purpose Center, 141 N. East Camano Drive, Camano Island.

**HEARING HELD: FRANCHISE #87R – RENEWAL EXISTING WATER DISTRIBUTION SYSTEM;
CAMPBELL'S GLEN HOMEOWNERS' ASSOCIATION, PLAT OF
CAMPBELL'S GLEN, DIVISION NO. 1, SECTION 23, TOWNSHIP 29N., R 3E.**

A Public hearing was held at 10:20 a.m. as advertised to consider Franchise #87R for renewal of an existing water distribution system, as submitted by Campbell's Glen Homeowners' Association, Plat of Campbell's Glen, Division No. 1, Section 23, Township 29N., R 3E. Mr. Oakes reported, as outlined in the Island County Engineer's Memo of April 25, 2003, in favor of granting said franchise renewal.

At the time of hearing, no one in the audience expressed a desire to speak either for or against the renewal.

By unanimous motion, the Board approved renewal of Franchise #87R for an existing water distribution system by Campbell's Glen Homeowners' Association, located in the Plat of Campbell's Glen, Division No. 1, Section 23, Township 29N., R 3E.

There being no further business to come before the Board at this time, the meeting adjourned at 10:35 a.m. Monday, May 26th, is a holiday in observance of Memorial Day; therefore, the next regular meeting of the Board will be held on June 2, 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