

**ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING  
REGULAR SESSION - SEPTEMBER 8, 2003**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on September 8, 2003 at 9:30 a.m. in the Law & Justice Facility, Department III (Courtroom 3), 101 N.E. 6<sup>th</sup> 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 meeting of August 25, 2003.

**VOUCHERS AND PAYMENT OF BILLS**

The following vouchers/warrants were approved for payment by unanimous motion of the Board, along with the August 31, 2003 payroll:

Voucher (War.) #172243-172583. . . . . \$325,802.49

Veterans Assistance Fund: *[emergency financial assistance to certain eligible veterans; the names and specific circumstances are maintained confidential]*. Veterans Assistance claims were approved by unanimous motion of the Board based upon the recommendation of the Veterans Assistance Review Committee:

V3 – 11 in the amount of \$1,760.47  
V3 – 12 in the amount of \$ 597.39  
V3 - 13 in the amount of \$3,340.00.

**RESOLUTION #C-85-03 - CANCELLATION OF WARRANTS**

By unanimous motion, as prepared and presented by the Island County Auditor’s Office, the Board adopted Resolution #C-85-03 in the matter of cancellation of warrants in accordance with RCW 39.56.040.

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

**IN THE MATTER OF** )  
**CANCELLATION OF WARRANTS** ) **RESOLUTION C-85-03**  
\_\_\_\_\_ )

**WHEREAS**, RCW 39.56.040, provides for the cancellation of warrants not presented within one year of the issue date, and

**WHEREAS**, the warrants listed in Exhibit “A” / Claims Fund have not been presented for payment and have been outstanding for more than one year, or the issuing fund or department has requested the cancellation, and

**WHEREAS**, effort to contact the recipients have not resulted in presentation of the warrants, or an affidavit to request issuance of replacement warrants, and, **NOW THEREFORE**

**BE IT RESOLVED**, that the warrants listed in Exhibit “A” are canceled. The County Auditor and County Treasurer, by copy of this resolution, are directed to take action to transfer all records of such warrants so as to leave the funds as if such warrants had never been drawn.

**ADOPTED** this 8th Day of September, 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

*[Exhibit “A” on file with the Clerk of the Board]*

**RESOLUTION #C-86-03 PROCLAIMING THE MONTH OF SEPTEMBER, 2003, AS ALCOHOL AND DRUG ADDICTION RECOVERY MONTH IN ISLAND COUNTY**

Resolution #C-86-03 Proclaiming the month of September, 2003, as Alcohol and Drug Addiction Recovery month in Island County was adopted by unanimous motion of the Board.

Holly Adams, Seeds of Change: Partners for a Drug-Free community, and Coalition Coordinator, Island County Meth Action Team, was present and spoke in support of the proclamation. A number of others in the audience attended for the same purpose and applauded the Board's action.

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

**P R O C L A M A T I O N**

**IN THE MATTER OF PROCLAIMING THE )  
MONTH OF SEPTEMBER, 2003, AS ) RESOLUTION NO. C-86-03  
ALCOHOL AND DRUG ADDICTION )  
RECOVERY MONTH IN ISLAND COUNTY )**

WHEREAS, every day in Island County, men, women and youth enter treatment for substance abuse and begin the road to recovery, while families seek hope and recovery in support programs and counseling; and

WHEREAS, treatment helps our young people succeed in school, provides children with capable and caring parents and helps thousands of individuals get their lives back through restored health and productivity; and

WHEREAS, although addiction is a chronic illness that involves significant physical changes in brain function, research shows addiction treatment is as effective as treatment for other chronic medical conditions such as diabetes and high blood pressure; and

WHEREAS, recognizing addiction as an illness is key to eroding social stigmas about addiction and is key to creating a society that treats people who are struggling with addiction, in recovery or at risk for alcohol and other drug problems with respect; and

WHEREAS, substance abuse and dependence is also an economic issue; the last study done in 1996 showed the cost of alcohol and other drug abuse in Washington State to be \$2.45 billion; and

WHEREAS, this year's theme of "Join the Voices for Recovery: Celebrating Health", invites each of us to join the recovery community in supporting more quality treatment programs and reducing the stigma that discourages many people from seeking treatment;

NOW, THEREFORE, the Board of County Commissioners hereby proclaims the month of September, 2003 as:

**Alcohol and Drug Addiction Recovery Month**

in Island County, Washington, and encourages all residents to promote the benefits of drug and alcohol addiction treatment and recovery.

**ADOPTED** this 8 day of September 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

**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):

<b>Dept.</b>	<b>PAA #</b>	<b>Description</b>	<b>Position #</b>	<b>Action</b>	<b>Eff. Date</b>
Public Works	065/03	Road Shop Sup/OH	2204.03	Replacement	10-01-03
WSU	066/03	Vol. Prgm Coord.	1207.01	Replacement	12-29-03
Juvenile	067-03	Juv Prob Officer	1402.02	Reduction in Hr to .9 for 30 days	09-08-03

**EMPLOYEE AWARDS*****Employee Service Awards***

<b>Department</b>	<b>Employee</b>	<b>Anniv. Date</b>	<b># Years</b>
Central Services	Stan Bradshaw	9/01/98	5
Public Works	Dennis Houston	9/13/93	10
Public Works	Larry Frostad	9/01/88	15
Pub. Wks Solid W	Laurie Whitcher	9/28/98	5
Prosecuting Atty.	Steven Selby	9/30/98	5
Sheriff	Laurie Fallert	9/01/98	5
Sheriff	Dan Todd	9/04/98	5
Sheriff	Bill Vaughn	10/01/97	5
Sheriff	Joe Uhrich	07/01/97	5

***Employee of the Month – August, 2003***

**Channing Gredvig**, Juvenile Probation Officer, was selected as the **Employee of the Month for August**. He has worked for the County since January of 2001. Most notably Channing was a key participant in the County successfully applying for a federal grant which provided the funds to establish the County's Drug Court Team.

**REAPPOINTMENT TO CONSERVATION FUTURES CITIZENS ADVISORY BOARD**

By unanimous motion, the Board reappointed Bruce Bryson, Coupeville, to the Conservation Futures Citizens Advisory Board (CAB) for a three year term expiring September 30, 2006.

**INTERLOCAL AGREEMENTS WITH ISLAND COUNTY EMERGENCY SERVICES COMMUNICATION CENTER APPROVED**

By unanimous motion, the Board approved two Interlocal Agreements [FY2004 Contracts] Between Island County and Island County Emergency Services Communication Center (I-COM) as follows:

- Interlocal Agreement between Island County and I-COM for E-911 FY2004 Operation Contract for E-911 Funds [State contract #E03 395] \$139,201 (RM-BOC-03-0044)
- Interlocal Agreement between island County and I-COM for E-911 FY2004 Operations Contract Wireless Phase I & II [State contract #E03 336] \$45,080 (RM-BOC-03-0045)

**HEALTH CONTRACTS APPROVED**

The Board, upon unanimous motion, approved two Health Department Contracts, as follows:

- Contract #HS-04-03 [RM-HLTH-99-0057] with Service Alternatives for Washington, Inc. for Developmental Disabilities Program, in the contract amount of \$34,250.

- Contract #HS-06-03; [RM-HLTH-98-0004] with Total Living Concept, for Developmental Disabilities, in the contract amount of \$8,717.

**WSU EXTENSION AGREEMENTS APPROVED**

As forwarded by Don Meehan, WSU Extension Agent, under cover memo briefly describing each agreement, the Board by unanimous motion approved the following three Agreements:

- Services Agreement Renewal No. 2 Between Island County, through its Marine Resource Committee, and Gary Wood d/b/a Intertidal Consulting [RM-EXT-03-0056]
- Interagency Agreement Contract #IA 04-06-05 between Washington State Department of Agriculture and Island County and its Agent the Island County Noxious Weed Control Board Funding for Control and Eradication of Spartina [RM-EXT-03-0052]
- Agreement between Island County and Steve Wirth, Wildlands Management Treatment of Spartina [RM-EXT-03-0053]

**PETITION TO VACATE SHORELINE DRIVE R/W - TYEE BEACH, CAMANO ISLAND**

A revised Petition for Vacation of a portion of County road right of way, Shoreline Drive – Plat of Tyee Beach, Division #2, Camano Island, submitted by Dean and Diane Pachosa, was by unanimous motion of the Board, referred to the County Engineer for review and recommendation back to the Board.

**CONSULTANT AGREEMENT #PW98-2061 SUPPLEMENT NO. 3 WITH PERTEET ENGINEERING - BAYVIEW ROAD IMPROVEMENTS**

Consultant Agreement #PW98-2061, Supplement No. 3, with Perteet Engineering for Bayview Road Improvements under CRP 98-17, Work Order 229, and Constructability Review, Extending Completion for Work, Surveying, Plans, Specifications, and Estimate, an increase by \$200,000 for a total of \$476,877 was approved by unanimous motion of the Board, as presented and recommended for approval by Bill Oakes, Public Works Director.

**RESOLUTION #C-87-03/R-34-03 INTERFUND LOAN FROM ISLAND COUNTY SOLID WASTE FUND TO ISLAND COUNTY REET 1 FUND**

The Board, by unanimous motion, approved Resolution #C-87-03/R-34-03 in the matter of approving an interfund loan from the Island County Solid Waste Fund to the Island County REET 1 Fund, to be paid back in five years or less.

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

IN THE MATTER OF APPROVING AN  
 )  
 INTERFUND LOAN FROM THE ISLAND COUNTY )  
 SOLID WASTE FUND TO THE ISLAND COUNTY ) RESOLUTION C- 87-03  
 CAPITAL IMPROVEMENT FUND  
 )

WHEREAS, the Board of County Commissioners, has determined that in order to obtain cost savings, an interfund loan is beneficial to the County instead of external funding such as bonds, for funding for the Annex Remodel; and

WHEREAS, it is the desire of the Board to provide cash flow in the Capital Improvement fund for taxes not yet collected; and

WHEREAS, there are funds available in the Solid Waste Fund; and

WHEREAS, regulations governing interfund loans require that they bear interest at a rate equal to the externally earned rate available to the County and that the term of the loan shall be for no more than five (5) years; and

WHEREAS, the Island County Treasurer oversees the status and disposition of interfund loans with the Island County Auditor recording the balance due at the end of each calendar year as a liability of the borrowing fund and a receivable of the source fund;

NOW, THEREFORE, BE IT HEREBY RESOLVED that an interfund loan not to exceed \$650,000 is authorized from Fund 401 (Island County Solid Waste Fund) to Fund 134 (Island County Capital Improvement fund) with interest charged at the rate earned by county funds in the State Investment Pool, said loan to be paid in full, in annual payments, within 5 years of the date of withdrawal of funds from the Solid Waste Fund. Direction for transfer of funds from the Solid Waste Fund to the Capital Improvement fund for the interfund loan will be given to the Treasurer's Office by the Public Works Director.

APPROVED AND ADOPTED this 8 day of Sept., 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

**RESOLUTION #C-88-03 /R-33-03 ADOPTING THE CENTRAL/SOUTH WHIDBEY WATERSHEDS NON-POINT POLLUTION PREVENTION ACTION PLAN**

The Board by unanimous motion adopted Resolution #C-88-03/R-33-03 in the matter of Adopting the Central/South Whidbey Watersheds Non-Point Pollution Prevention Action Plan, with the addition (Page 12 A-9) of identification of the capital cost, and the annual maintenance cost to implement a county wide sewerage district. As noted by Gwenn Maxfield, Assistant Public Works Director, the \$60,000 figure on that page only represents staff cost and not a new cost to private property owners.

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

**IN THE MATTER OF ADOPTING THE )  
CENTRAL/SOUTH WHIDBEY ) RESOLUTION C-88-03  
WATERSHEDS NONPOINT POLLUTION ) R-33-03  
PREVENTION ACTION PLAN )**

**WHEREAS,** the Central/South Whidbey Watersheds Nonpoint Pollution Prevention Action Plan is a mandatory element required by WAC 400-12, Local Planning and Management of Nonpoint Source Pollution, and

**WHEREAS,** the Central/South Whidbey Watersheds Nonpoint Pollution Prevention Action Plan has been reviewed for SEPA compliance in accordance with RCW 43.21.C, and

**WHEREAS,** the Island County Planning Department issued a SEPA DETERMINATION OF NON-SIGNIFICANCE for the Central/South Whidbey Watersheds Nonpoint Pollution Prevention Action Plan on May 3, 2001, and

**WHEREAS,** four public forums were held to obtain public input in Coupeville, Freeland, Bayview and Clinton as part of the public participation requirements of WAC 400-12, and

**WHEREAS**, the implementing agencies identified in the Central/South Whidbey Watersheds Nonpoint Pollution Prevention Action Plan had an opportunity to review and comment on the plan and submit letters of concurrence, and

**WHEREAS**, the Central/South Whidbey Watershed Management Advisory Committee and the Public Works Department recommended to the Board of County Commissioners that the Central/South Whidbey Watersheds Nonpoint Pollution Prevention Action Plan be adopted consistent with the process established under WAC 400-12; NOW THEREFORE

**BE IT HEREBY RESOLVED** by the Board of Island County Commissioners that the Central/South Whidbey Watersheds Nonpoint Pollution Prevention Action Plan is adopted.

**APPROVED AND ADOPTED** this 8 day of Sept., 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

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

**AMENDMENT NO. 1 TO PW02-2048(B) - DEPARTMENT OF ECOLOGY -  
FREELAND WATER QUALITY IMPROVEMENT PROJECT**

Amendment No. 1 to Contract PW02-2048(B) between Island County and the State Department of Ecology Grant Agreement No. G0200361, for the Freeland Water Quality Improvement Project, Work Order 164 to revise scope of work and reduce dollar amount by \$5,000 was approved by unanimous motion of the Board. Bill Oakes had provided a recommendation of approval, and advised the Board that the project scope of work was being modified to delete performance of a stream survey and biological assessment to assess existing fish habitat in the stream and potential impacts on the pipeline, resulting in a reduction of \$5,000.

**SALMON LEAD ENTITY GRANT RENEWAL - PW03-1012, RM-PW-032099 - WASHINGTON STATE  
DEPARTMENT OF FISH AND WILDLIFE LEAD ENTITY GRANT AGREEMENT**

Salmon Lead Entity Grant Renewal #PW03-1012 [RM-PW-032099] of Washington State Department of Fish and Wildlife Lead Entity Grant Agreement (July 2003 – June 2004) under Work Order 288 was approved by unanimous motion of the Board as recommended by Mr. Oakes, for a total contract amount of \$50,000 [State: \$50,000/County: \$35,000].

**RESOLUTION #C-89-03/SW-04-03 - AUTHORIZING PURCHASE OF CONSTRUCTION MATERIALS FOR  
COUPEVILLE TIPPING WALL WITHOUT COMPETITIVE  
BIDDING AND APPROVING PURCHASE ORDER**

Resolution #C-89-03/SW-04-03 in the matter of authorizing purchase of construction materials for Coupeville Tipping Wall without competitive bidding was approved by unanimous motion of the Board, along with authorizing the Chairman's signature on Purchase Order #6960. As explained by Mr. Oakes, the Sole Source waiver was due to design of Hilfiker Wire-faced tipping wall with timber armoring, as well as the fact that the Department has on stock at the road shop the repair materials for a Hilfiker wall.

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

IN THE MATTER OF AUTHORIZING )  
PROCUREMENT OF SPECIFIED )  
MATERIALS FOR CONSTRUCTION OF )  
150' OF WIRE FACED, TIMBER ARMORED )  
TIPPING WALL FOR 3 TRAILERS AT THE )

RESOLUTION NO. C - 89 -03  
RESOLUTION NO. SW -04 -03

COUPEVILLE SOLID WASTE FACILITY )  
WITHOUT COMPETITIVE BIDDING )

**WHEREAS**, funds are available in the solid waste budget for purchase of construction materials for a 3-slot, offset, 150', Hilfiker wire-faced tipping wall with timber armoring; and

**WHEREAS**, the specified wall design is at least half the cost of lock-block MSE walls previously constructed at the Coupeville facility; and

**WHEREAS**, the County road shop maintains spare parts and materials for the specified wall and the Solid Waste Department wishes to maintain common maintenance and parts pool for the Hilfiker structure;

**WHEREAS**, the Washington State Department of Transportation recognizes the Hilfiker system as the only pre-approved wire wall system in the state of Washington; and

**WHEREAS**, ICC 2.30A.010 (A)(9) and RCW 39.04.280 permit a waiver from competitive bidding for materials that can only be obtained from a single source of supply;

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**NOW THEREFORE, BE IT HEREBY RESOLVED** that competitive bidding is waived and the Chairman of the Board of Commissioners, acting on behalf of the Board of County Commissioners, is authorized to sign a DPW/SW purchase order to procure wall construction materials from Hilfiker Retaining Walls at lump-sum cost of \$17,486.96 plus freight and sales tax.

**ADOPTED** this 8 day of September, 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

**RESOLUTION – PLG-020-03 INCORPORATING THE SHIRONA WATER CO.  
SERVICE AREA INTO THE COORDINATED WATER SYSTEM PLAN**

*Pulled from today's agenda*

**RESOLUTION #C-90-03/PLG-021-03 INCORPORATING THE WHIDBEY SHORES WATER SYSTEM SERVICE  
AREA INTO COORDINATED WATER SYSTEM PLAN**

As presented by Carole Croft, Land Use Review Manager, Planning & Community Development Department, the Board by unanimous motion approved Resolution #C-90-03/PLG-021-03 Incorporating the Whidbey Shores Water System Service Area into the Coordinated Water System Plan.

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

**IN THE MATTER OF INCORPORATING THE )  
SERVICE AREA FOR WHIDBEY SHORES ) RESOLUTION C-90-03  
SYSTEM INTO THE ISLAND COUNTY ) PLG-021-03  
COORDINATED WATER SYSTEM PLAN. )**

**WHEREAS**, the Whidbey Shores Water System was lawfully established prior to the adoption of the Island

County Coordinated Water System Plan; and

**WHEREAS**, the Whidbey Shores Water System is not proposing to expand their water system service area rather it is proposing to incorporate the existing service area into the Island County Coordinated Water System Plan; and

**WHEREAS**, pursuant to WAC 197-11-800(4)(b) appropriations of 2,250 gallons per minute or less of ground water are exempt from SEPA review, **NOW, THEREFORE**,

**BE IT RESOLVED** by the Board of Island County Commissioners that the Whidbey Shores Water System service area is hereby incorporated into the Island County Coordinated Water System Plan.

APPROVED AND ADOPTED this 8 day of September, 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]*

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-  
**RESOLUTION #C-91-03/PLG-022-03 RELEASE OF THE FUNDS GUARANTEEING COMPLETION OF RECREATIONAL AREA WORK AT COTTAGE GLEN PRD OWNER: RKP ENTERPRISES, INC.**

Proposed action by adoption of the resolution presented by Ms. Croft was described in a memorandum dated September 3, 2003. On inspection by Island County staff, landscaping and site improvements were completed according to the conditions of approval of application 001/94 PRD approved April 7, 1997. Therefore, approval is recommended to release declaration of trust funds in the amount of \$10,730.00 held by Insko Insurance Services, Inc., to RKP Enterprises, Inc.

By unanimous motion, the Board approved Resolution #C-91-03/PLG-022-03 releasing funds guaranteeing completion of recreational area work at Cottage Glen PRD, by owner RKP Enterprises, Inc. (Robert K. Porter) in the amount of \$10,730.00 held by Insko Insurance Services, reference 001/94 PRD.

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

IN THE MATTER OF RELEASE OF THE FUNDS )  
GUARANTEEING COMPLETION OF RECREATIONAL ) RESOLUTION C- 91 -03  
AREA WORK AT COTTAGE GLEN PRD, IN ISLAND ) PLG-022-03  
COUNTY, WASHINGTON Owner: RKP Enterprises, )  
Inc. (Robert K. Porter) )

**WHEREAS**, the completion of work in PRD #001/94 has been completed to County standards as of today's date, September 3, 2003; and

**WHEREAS**, the following described work: Proposed recreational improvements associated with the Planned Residential Development of Cottage Glenn, has been completed; and

**WHEREAS**, a letter was received August 29, 2003 requesting the lifting of the bond by Robert K. Porter or RKP Enterprises, Inc.

**WHEREAS**, to assure the completion of the recreational area described above, the applicant, **RKP Enterprises, Inc.** furnished Island County with a bond in the amount of Ten Thousand seven Hundred and Thirty Dollars (\$10,730.00) from Insko Insurance Services, Inc.; and

**WHEREAS**, said work has now been inspected and found to comply with County standards and conditions;

**NOW, THEREFORE,**

**IT IS HEREBY RESOLVED** that the said funds guaranteeing completion of said work be released to **RKP Enterprises, Inc.** this date.

APPROVED this 8 day of September, 2003.

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

Wm. L. McDowell, Chairman  
William J. Byrd, Commissioner  
Mike Shelton, Commissioner

**ATTEST:** Elaine Marlow  
Clerk of the Board

Meeting adjourned at 10:35 a.m. The Board will meet in Special Session September 10, 2003, beginning at 9:30 a.m. to conduct budget workshops, to be held in Conference Room #116, Courthouse Administration Building, 1 NE 7<sup>th</sup> Street, Coupeville, Wa.

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

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Wm. L. McDowell, Chairman

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William J. Byrd, Member

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Mike Shelton, Member

**ATTEST:**

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Elaine Marlow, Clerk of the Board