

BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING FEBRUARY 9, 2004

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on February 9, 2004, convening at 9:30 a.m. in the Island County Courthouse Annex, Hearing Room, 1 N. E. 6th Street, Coupeville, Wa. and beginning with the Pledge of Allegiance. William J. Byrd, Chairman, Mike Shelton, Member, and Wm. L. McDowell, Member, were present. By unanimous motion, the Board approved the minutes from the February 2, 2004 Board meeting.

VOUCHERS AND PAYMENT OF BILLS

The following vouchers/warrants were approved for payment by unanimous motion of the Board: Voucher (War.) #183114 - 183387.....\$247,635.45.

EMPLOYEE AWARDS**Employee Service Awards**

Department	Employee	No. of Years
Assessor	Anita Foster	10
Health	Caroline Lokkins	5
Health	Anathalie Dawkins	5
Road	Randy Diefert	20
Road	Sheldon Stremmer	15
Sheriff	Duwayne Evans	10
Solid Waste	Jo Hansen	5

Employee of the Month – January, 2004

Greg Cooper, Camano Road Shop, was selected as **Employee of the Month for January**. Greg joined the County in 1984 and is the mechanic at the Camano Shop.

HIRING REQUESTS & PERSONNEL ACTIONS

As presented by Dick Toft, Human Resources Director, the Board by unanimous motion, approved the following personnel action authorizations:

Dept.	PAA #	Description/Position #	Action	Eff. Date
Health	004/04	Public Health Nurse #2406.16	Decrease Hours	2/9/04
Health	005/04	Dept. Assistant #2403.08	Revise Start Date	2/9/04

ON-SITE REPAIR FINANCIAL ASSISTANCE PROGRAM

As submitted under cover memorandum dated February 3, 2004 from the Health Services Director, the Board by unanimous motion approved On-Site Repair Financial Assistance

Program for homeowner Karen Ekberg in the amount of \$16,935.61, authorization for Whidbey Island Bank to accept payments tendered under Promissory Note and Deed of Trust to the Island County Water Quality Assistance Fund.

GRANT AWARD FROM ISLAND COUNTY LOW-INCOME HOUSING SURCHARGE FUND TO THE HOUSING AUTHORITY OF ISLAND COUNTY

The Board by way of letter dated January 13, 2004, received from the Island County Affordable Housing Advisory Board (ICAHAB) a recommendation for award of grant, under terms spelled out in Interlocal Cooperation Agreement between the Cities of Langley and Oak Harbor, Island County, the Town of Coupeville and the Housing Authority of

Island County for the purpose of administering recording surcharge funds generated as allowed under RCW 36.22.178, signed on June 16, 2003.

Steve Gulliford, Executive Director, Housing Authority of Island County, was present to respond to questions or provide further details on the recommendation from the ICAHAB to award the grant from Island County Low-Income Housing Surcharge Fund to the Housing Authority of Island County for "Marjie's House" for a grant amount of \$40,000 and a loan of \$100,000 for a total award of \$140,000. Marjie's House, two 8-unit emergency and transitional housing complex for women and children, is to be constructed in Oak Harbor on property located just behind the Oak Harbor Police Station. Confirmed that the Mayors of Oak Harbor, Langley and Coupeville, members of the ICAHAB, signed "yes" in favor of the recommendation.

By unanimous motion, the Board awarded a \$40,000 grant and a \$100,000 loan from the Island County Low-Income Housing Surcharge Fund to the Housing Authority of Island County for Marjie's House, the loan term to be for 40 years at zero interest.

In accordance with the Interlocal Agreement, Mr. Gulliford confirmed that he would work with the ICAHAB to develop the appropriate contract and loan paperwork for the Board's submittal to the County for contract review process and approval.

CONTRACTS FOR TOURISM PROMOTION FUNDED BY ISLAND COUNTY 2% HOTEL-MOTEL FUND

Contracts for Island County 2% Hotel-Motel Tax Tourism Promotion, Public Facilities Fund for the 2004 program year for the following projects and activities approved 12/8/03 were approved and signed on unanimous motion of the Board:

- Camano Island Chamber of Commerce for Tourism Marketing & Fulfillment Program
\$13,300
- Cascade Loop Association for The Cascade Loop Travel Guide \$635
- Central Whidbey Chamber of Commerce - Tourism Marketing & Fulfillment Program
\$20,700
- Island County Historical Society Museum for web site development \$1,500

(completes contracts for all projects and activities approved 12/8/03)

JUVENILE & FAMILY COURT SERVICES AGREEMENTS APPROVED

By unanimous motion, the Board approved the following Juvenile & Family Court Services agreements, having been previously reviewed at the last Staff Session with the Board:

- DSHS County Program Agreement 0363-40698 [RM-JUV-03-0076]
ESSB 5903 Disposition Alternatives
- DSHS County Program Agreement 0363-41372 [RM-JUV-07-79]
3ESHB3900 & SSB5214 \$59,486
- DSHS County Program Agreement 0363-41758 [RM-JUV-03-0080]
Consolidated Contract \$268,56

STATE AND LOCAL ASSISTANCE (SLA) FFY 2004 – WASHINGTON STATE MILITARY DEPARTMENT CONTRACT E04-129 [RM-GSA-04-0019]

The Board approved by unanimous motion, the State and Local Assistance (SLA) FFY 2004 – Washington State Military Department Contract # E04-129 [RM-GSA-04-0019] in the amount of \$24,451 FEMA Emergency Management Performance Grant funds for emergency management programs.

LEASE FOUR COPIERS - ISLAND COUNTY HEALTH DEPARTMENT

With regard to a Health Department proposal discussed recently at Staff Session and pre-authorization given pursuant to ICC 2.30A.010, the Board at this time by unanimous motion, approved and signed the lease for four Cannon copiers from IKON Office Solutions (State Contract).

PUBLIC INPUT OR COMMENTS

- Charles Brabant, Oak Harbor, addressed his remarks to Commissioners Byrd and McDowell who sit as members on the Public Transportation Board Authority (PTBA), recalling he had some two weeks' ago requested PTBA membership public documents, which had not yet been made available to him for whatever reason. He asked that as a matter of public policy Commissioners Byrd and McDowell help to clear up the question of ADA Paratransit inter-jurisdictional cooperation and agreements.

- Rufus Rose, South Whidbey, provided follow-on comments from the last meeting when he addressed the Board about a meeting he attended on Scenic Byways and Corridor Management Plans in accordance with Federal Highway Administration guidelines for Scenic Byways. Since that time, the "Old Goats-Fully Informed Voters" met for lunch on February 6th where the guest speaker was Mandi Roberts, Principal and Senior Project Manager, Otak, Inc., working with the Whidbey Island Steering Committee and facilitating public involvement for the corridor management plan for State Routes 525 and 20 across the length of the island. Some questions remain and he asked that the Board provide answers now or at a later date when available:

- Who, when and why and by what authority is a scenic corridor designated?
- Did the Board of Island County Commissioners agree?
- What, if any, obligations does that designation impose on Island County?
- Who decides if 525 and 20 on Whidbey Island becomes scenic byways?
- Who appointed members of the steering committee; what qualifications do they have and what authority?
- If 525 and 20 become scenic byways where will operation and maintenance dollars come from and who maintains facilities created?

Commissioner Shelton observed that even though 525 and 20 become scenic byways they remain State highways and the responsibility for State highways clearly is with the State Department of Transportation. It is his understanding the highways are already designated. The issue as presented to the Regional Transportation Planning Organization (RTPO) was that if there was any possibility for regulatory responsibilities under the program the County would not have been a part of it, and the Commissioners clearly voiced that at the time and indicated that having gone through the GMA process they were interested in adversely affecting any property ownership simply because it butts up against a state scenic highway or byway. When the whole concept of the scenic highway corridor was adopted by the RTPO,

which in Island County includes the County Commissioners, Mayors, Port Districts, Island Transit, the idea was is that as these areas were designated as scenic corridors that information would be published, with the presumption it would be a good thing for tourism for other things in the County. A status report is usually given at each RTPO meeting.

Commissioner McDowell stated that as explained and agreed-upon by the RTPO, this is non-regulatory. The purpose was the ability to obtain some grants to allow publication of many of the historical features in the County [kiosks, etc.] for the purpose of tourism but also so that local citizens are more aware of some of the historical significance within the County; it was clearly along that line that the RTPO agreed to have the program, and it had nothing to do with regulations. As far as who has the final authority, Commissioner McDowell said that if talking about land use and regulations affecting people in Island County, the Board is the final authority on land use regulation.

Mr. Rose asked for assistance in obtaining from the consultant the information he had requested from the January briefing.

HEARING HELD: FRANCHISE #199R, RENEWAL OF EXISTING WATER DISTRIBUTION SYSTEM - BRUTUS MAINTENANCE ASSOCIATION, PLAT OF BRUTUS & PLAT OF HIGHLANDS, CAMANO ISLAND

As advertised, the Board conducted a public hearing at 10:20 a.m. for the purpose of considering Franchise #199R, a renewal of an existing water distribution system by Brutus Maintenance Association, a Washington Non-profit corporation, located in the Plat of Brutus and Plat of Highlands, Camano Island, in Sections 14/15, Township 30N., R 3E.

No comments for or against were made by members of the public.

On recommendation of approval from Bill Oakes, Public Works Director, as well as a memorandum dated January 13, 2004 from the County Engineer recommending approval, the Board by unanimous motion approved Franchise #199R, renewal of an existing water distribution system by Brutus Maintenance Association, a Washington Non-profit corporation, located in the Plat of Brutus and Plat of Highlands, Camano Island, in Sections 14/15, Township 30N., R 3E.

**QUIT CLAIM DEEDS ACCEPTED AND APPROVED
WEST BEACH ROAD PROJECT, PHASES 2 AND 3**

As presented by Mr. Oakes, the Board by unanimous motion approved the following Quit Claim Deeds related to the West Beach Road Project, Phase 2, Work Order 15, and Phase 3, Work Order 207:

Four Quit Claim Deeds between Island County and Gerald Amos Bell for West Beach Road Project, Phase 2, under Work Order 15, for property located in Sec. 24, Twp 32N, R 1W.:

Parcel 047-4680 \$6,071.60 compensation
Parcel 103-4140 \$3,586.00 compensation
Parcel 115-4700 \$2,081.30 compensation
Parcel 177-4700 \$4,415.40 compensation.

Quit Claim Deed between Island County and Frank and Renee Mueller for West Beach Road, Phase 2, Work Order 15; Parcel 122-4140, Sec. 24, Twp 32N, R 1W., with \$3,886.00 compensation.

Quit Claim Deed between Island County and Jim and Suzanne Copenhaver, West Beach Road, Phase 3, Work Order 207, Parcel 203-3710, Sec. 24, Twp 32N, R 1W. with compensation at \$7,410.00.

CONSTRUCTION EASEMENT #RM-PW-0420-12 - JIM AND SUZANNE COPENHAVER - WEST BEACH ROAD, PHASE 3, WORK ORDER 207

The Board, by unanimous motion, approved Construction Easement #RM- PW-0420-12 between Island County and Jim and Suzanne Copenhaver, for West Beach Road, Phase 3, under Work Order 207, for Parcel No. 203-3710, Sec. 32N. R 1W.

CONSULTANT AGREEMENT #RM-PW-0320-139 - EDGE ANALYTICAL FOR ON-CALL WATER QUALITY ANALYTICAL SERVICES

Consultant Agreement #RM-PW-0320-139 between and Edge Analytical to provide On-call Water Quality Analytical Services, with a completion date of September 30, 2005, contract in the total amount of \$14,500 was approved by unanimous motion of the Board.

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RESOLUTION #C-12-04/R-02-04 – IN THE MATTER OF ESTABLISHMENT OF THE CAMANO ISLAND WATERSHED MANAGEMENT COMMITTEE

The Board by unanimous motion, approved Resolution #C-12-04/R-02-04 In the Matter of Establishment of the Camano Island Watershed Management Committee.

[Resolution #C-12-03 placed on file with the Clerk of the Board]

APPOINTMENTS NAMED TO CAMANO ISLAND WATERSHED MANAGEMENT COMMITTEE

After adoption of Resolution #C-12-04, the Board by unanimous motion authorized the Chairman of the Board to sign and send letters of appointment to the following individuals being appointed to serve on the Camano Island Watershed Management Committee, as discussed at Staff Session:

Representing:	Name
Agriculture	Mona Kristoferson
Agriculture	Roger Nelson
Building Trades	Jim McNaughton
Building Trades	Mike Hayes
Business/owner	Lawrence F.Baum
Business/Education	Mike Olson
Community/Business	Larry Bach
Community/Planning	Hi Bronson
Community/engineering	David Flygare
Community/Beach Watcher	Don Leak
Community/water,wastewater	Arnold Zirkle
Community/business	Dana Pratt
ALTERNATES	
Tech. Ad/Ret. Aero. Indust.	Tom Perry
Tech. Ad/Grad WWW Rsrch	Donald B. Poe
Community/Business	Bill Henry.

RESOLUTION #C-13-04/SW-04-04 – APPROVING SPECIFICATIONS & AUTHORIZING CALL FOR BIDS FOR ONE (1) NEW IRRIGATION REEL WITH FIELD GUN INCLUDING TRADE-IN

Resolution #C-13-04/SW-04-04 In the Matter of Approving Specifications & Authorizing Call for Bids for One (1) New Irrigation Reel with Field Gun Including Trade-in was approved by unanimous motion of the Board.

[Resolution placed on file with the Clerk of the Board]

RESOLUTION #C-14-04/R-03-04 - APPROVING COUNTY WARRANTY DEED TO WSDOT TO COMPLY WITH STATE PARTICIPATION AGREEMENT GCA 2380 REGARDING THE TERRY'S CORNER PARK AND RIDE LOT

Resolution #C-14-04/R-03-04 Approving County Warranty Deed to WSDOT (Washington State Department of Transportation) to Comply with State Participation Agreement GCA 2380 Regarding the Terry's Corner Park and Ride Lot, was approved as presented by Mr. Oakes, on unanimous motion of the Board.

[Resolution placed on file with the Clerk of the Board]

RESOLUTION #C-15-04 (PLG-005-04) IN THE MATTER OF INCORPORATING THE SERVICE AREA FOR THE WHIDBEY SHORES WATER SYSTEM INTO THE ISLAND COUNTY COORDINATED WATER SYSTEM PLAN

As presented and recommended for approval by Phil Bakke, Planning & Community Development Director, the Board

by unanimous motion approved Resolution #C-15-04 (PLG-005-04) In the matter of Incorporating the Service Area for the Whidbey Shores Water System into the Island County Coordinated Water System Plan.

[Resolution placed on file with the Clerk of the Board]

CHANGE ORDER #1-THREE KINGS ENVIRONMENTAL, INC. #RM-PLAN-04-0018

Change Order #1 to contract with Three Kings Environmental, Inc. (RM-PLAN-04-0018) in the amount of \$7,911.54 and increasing contract time by 4 working days was presented by Phil

Bakke. This was an issue brought up at Staff Session and explained that the increase came about as a result of buried tires on site and the need to cause the remaining not previously-identified asbestos to be cleaned up.

The Board by unanimous motion approved Change Order #1 to contract with Three Kings Environmental, Inc. (RM-PLAN-04-0018) in the amount of \$7,911.54 and increasing contract time by 4 working days.

CONFLICT WAIVER WITH PERKINS COIE

Conflict Waiver with Perkins Coie, presented at staff session by the Planning Director, was approved by unanimous motion of the Board, regarding representation of Island County interests in the lawsuit raised by National Wildlife Federation against Federal Emergency Management with respect to the flood insurance program and how it is implemented in Island County.

There being no further business to come before the Board at this time, the meeting adjourned at 10:38 a.m. The Board will meet in Special Session on February 10, 2004 for the Annual Joint Session of the Board of County Commissioners, Island County Planning Commission and Hearing Examiner. Island County offices are closed on Monday, February 16, 2004 in observance of the Presidents Day Holiday, and will reopen on Tuesday, February 17th. The next regular meeting of the Board of County Commissioners will be on Monday, February 23, 2004.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

William J. Byrd, Chairman

Mike Shelton, Member

Wm. L. McDowell, Member

ATTEST: _____
Elaine Marlow, Clerk of the Board