

BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING-JUNE 14, 2004

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on June 14, 2004 9:30 a.m. in the Island County Courthouse Annex, Hearing Room, 1 N. E. 6th Street, Coupeville, Wa. William J. Byrd, Chairman, Mike Shelton, Member, and Wm. L. McDowell, Member, were present. The meeting began with the Pledge of Allegiance. By unanimous motion, the Board approved the minutes from the June 7, 2004 meeting.

VOUCHERS AND PAYMENT OF BILLS

-The following vouchers/warrants were approved for payment by unanimous motion of the Board: Voucher (War.) #191500 to 191831\$391,043.33.

Veterans Assistance Fund: *[emergency financial assistance to certain eligible veterans; the names and specific circumstances are maintained confidential]*. As recommended by the Veterans Assistance Review Committee the Board by unanimous motion approved Claim #V4-6 in the amount of \$773.88.

EMPLOYEE SERVICE AWARDS

Department	Employee	Year's Service
Assessor	Norm Banta	20
Assessor	Kari Burns	5
Commissioners	Donna Benson	15
Prosecuting Atty	Shellie Algeo	5
Public Works	Jimmy Brandhorst	5
Sheriff	Pam McCarty	15
Sheriff	Stan Reed	20

EMPLOYEE OF THE MONTH - MAY, 2004

Gill Tankard, Public Works, Solid Waste Division, was selected as Employee of the Month for May 2004. She joined the County in May of 2000 and works at the Oak Harbor transfer site.

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	057/04	Dept. Asst. Temp	2423.04	New Position/grant	6-14-04
GSA	056/04	Adm. Asst.	1509.00	Replacement	7-1-04

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BOARD/COMMITTEE APPOINTMENTS AND/OR RE-APPOINTMENTS

By unanimous motion, the Board reappointed Lois Fisher, Oak Harbor, to the Island County Parks Board for a 6-year term expiring June 30, 2010, and appointed Linda Moore, Langley, to the Island County Affordable Housing Advisory Board for a 3-year term expiring June 16, 2007.

RESOLUTION #C- 65-04 - CALLING FOR A SPECIAL ELECTION RELATING TO ESTABLISHMENT OF A LIBRARY CAPITAL FACILITY AREA TO BE KNOWN AS THE "STANWOOD CAMANO LIBRARY CAPITAL FACILITY AREA", TO ISSUE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$9,000,000, AND TO IMPOSE AN EXCESS LEVY TO RETIRE SAID BONDS

The Board, by unanimous motion, approved Resolution #C-65-04 In the Matter of Calling for a Special Election Relating to Establishment of a Library Capital Facility Area to be known as the "Stanwood Camano Library Capital Facility Area", to issue general obligation bonds in the amount of \$9,000,000, and to impose an excess levy to retire said bonds

The adopted Resolution will be immediately forwarded to the Auditor who will then request the Snohomish County Prosecuting Attorney's Office prepare the official ballot title for the proposed Stanwood-Camano Capital Facilities Area. [Resolution #C-65-04 on file with the Clerk of the Board]

RESOLUTION #C-66-04 - CALLING FOR A SPECIAL ELECTION RELATING TO ESTABLISHMENT OF A LIBRARY CAPITAL FACILITY AREA TO BE KNOWN AS THE "OAK HARBOR LIBRARY CAPITAL FACILITY AREA", TO ISSUE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$12,000,000, AND TO IMPOSE AN EXCESS LEVY TO RETIRE SAID BONDS

By unanimous motion, the Board approved Resolution #C-66-04 In the Matter of Calling for a Special Election Relating to Establishment of a Library Capital Facility Area to be known as the "Oak Harbor Library Capital Facility Area", to issue general obligation bonds in the amount of \$12,000,000, and to impose an excess levy to retire said bonds

The adopted Resolution will be immediately forwarded to the Auditor who will then request the Island County Prosecuting Attorney's Office prepare the official ballot title for the proposed Oak Harbor Library Capital Facilities Area. [Resolution #C-66-04 on file with the Clerk of the Board]

CLAIM FOR DAMAGES R04-013 ERIC ANDERSON D/B/A BEST FRIENDS VETERINARY CLINIC

Claim for Damages #R04-013 by Eric Anderson d/b/a Best Friends Veterinary Clinic, was approved by unanimous motion of the Board in the amount of \$2,832.42, based upon the recommendation of Betty Kemp, Director, GSA/Risk Management, as outlined in her memorandum of June 8, 2004.

HEARING SCHEDULED: RESOLUTION #C-67-04 AMENDING ISLAND COUNTY CODE CHAPTER 2.20A ISLAND COUNTY FAIR

The Board considered proposed revisions requested by the Board of Directors of the Fair Association to bring county code provisions up to date with the current operational management structure of the Fair Association and its amended bylaws. Additional changes are proposed as necessary to resolve questions about the authority of the Board of County Commissioners to arbitrate disputes over the operation and management the Fair and for the Board of County Commissioners to have prior notice of proposed Fair Association bylaw changes and an opportunity to comment. Although a hearing is not required, on recommendation of Commissioner Shelton that a public hearing be held on the proposed changes, the Board by unanimous motion scheduled Resolution #C-67-04 Amending Island County Code Chapter 2.20A Island County Fair for public hearing on July 12, 2004 at 10:45 a.m.

GRANT CONTRACT DSHS AGREEMENT #0363-42964 - WASHINGTON STATE DSHS - AGGRESSION REPLACEMENT TRAINING FOR YOUTH ON PAROLE

Grant Contract between Washington State DSHS, Agreement #0363-42964 (RM-JUV-04-0026) and Island County Juvenile & Family Court Services to fund Aggression Replacement Training for Youth on Parole was approved by unanimous motion of the Board, having been reviewed at prior staff session.

PUBLIC INPUT OR COMMENTS

Lori Hilleary, Langley, brought to the Board's attention three topics of concern, which Commissioner Shelton agreed to look into:

- 1) Saratoga Beach Property, on the northern side of the bulkhead and in front of the bulkhead, Interest in giving the property to the County, including second class tidelands, along with a non-exclusive easement for ingress or egress or any other use. Contact point Gordon Morrison.
- 2) Property purchase on Saratoga Beach, waterfront lot, over ½ acre, and combined two lots in order to provide for an off-site drainfield. The design has been completed for transport going directly to the lots. However, the work has been stopped by the Health Department on complaint from Saratoga Beach Homeowners Association Board of Directors. Contact points: Gordon Morrison and Steve George.
- 3) Property purchased off Aqua View, south of Greenbank, came with a 5 acre piece. A lot combination has been done. Wants to access the back piece and be able to build a house. Public Works opposing and property owner unable to get anywhere. Contact point: Gail Glasen.

**EASEMENTS, QUITCLAIM DEEDS AND REAL PROPERTY VOUCHERS APPROVED
RELATED TO MADRONA WAY PROJECT, CRP 02-11, WORK ORDER #35**

As presented, with brief overview by Bill Oakes, Public Works Director, for each Easement, Quitclaim Deed and voucher, related to Madrona Way Project CRP 02-11, Work Order #35, the following were approved by the Board on unanimous motion:

- Easement PW-0320-123 between Island County and Alvin J., Phyllis B., Roger M., Iva Darlene, and James L. Sherman, Parcel 119-320, Sec. 32, Twp 32N, R 1E, related to toe/bluff stabilization, with compensation in the amount of \$1,600.00
- Easement PW-0320-123 between Island County and Alvin J., Phyllis B., Roger M., Iva Darlene, and James L. Sherman; Madrona Way, Parcel 119-320, Sec. 32, Twp 32N, R 1E related to soil stabilization with compensation in the amount of \$1,100.00
- Easement PW-0329-126 between Island County and Alvin J., Phyllis B., Roger M., Iva Darlene, and James L. Sherman, Parcel 120-302; Sec. 32, Twp 32N., R 1E, related to toe stabilization, with compensation in the amount of \$600.00.
- Easement PW-0329-126 between Island County and Alvin J., Phyllis B., Roger M., Iva Darlene, and James L. Sherman, Parcel 120-302; Sec. 32, Twp 32N., R 1E, related to soil stabilization, with compensation in the amount of \$300.00.
- Quit Claim Deed from Alvin J., Phyllis B., Roger J., Iva Darlene, and James L. Sherman, Parcel 119-320, Sec. 32, Twp 32N, R 1E, compensation in the amount of \$16,100.00 for land.
- Quit Claim Deed from Alvin J., Phyllis B., Roger J. Iva Darlene, and James L. Sherman, Parcel 120-302, Sec 32, Twp 32N, R 1E, and compensation in the amount of \$18,600.00 for land.
- Real Property Voucher – Authorization for voucher settlement for property acquisition per Real Property Acquisition & Right-of-Way Procedures (C-46-03/R-16-03) in the amount of \$18,800.00 for Quit Claim Deed and Easement for Parcel 119-320.
- Real Property Voucher – Authorization for voucher settlement for property acquisition per Real Property Acquisition & Right-of-Way Procedures (C-46-03/R-16-03) in the amount of \$19,500.00 for Quit Claim Deed and Easement for Parcel 120-302.

AWARD OF BID FOR 2004 HMA OVERLAYS, CAMANO ISLAND

On recommendation of Mr. Oakes, the Board awarded bid for 2004 hot mix asphalt overlays on Camano Island, under CRP 04-01, Work Order #357, to Lakeside Industries, the low bidder, for Alternate A-1 using conventional G and B asphalt mix, in the amount of \$263,804.00.

RESOLUTION #C-68-04/R-22-04 - APPROVING SPECIFICATIONS & AUTHORIZING CALL FOR BIDS FOR ONE (1) 2004 SIDE DISCHARGE CONVEYOR

The Board by unanimous motion approved Resolution #C- 68-04/R-22-04 In the Matter of Approving Specifications & Authorizing Call for Bids for One (1) 2004 Side Discharge Conveyor. Bid opening to be June 28, 2004 at 10:00 a.m. in Meeting Room #116, Courthouse Administration Building. [Resolution #C-68-04 on file with the Clerk of the Board]

RESOLUTION #C-69-04/R-23-04 - INITIATING CRP 04-03, WORK ORDER 225 - DRIFTWOOD WAY PARK OUTFALL

Resolution #C-69-04/R-23-04 initiating CRP 04-03, Work Order #225, Driftwood Way Park Outfall, for an appropriation of \$30,000.00 was approved by unanimous motion of the Board as presented by Mr. Oakes. [Resolution #C-69-04 on file with the Clerk of the Board]

ADOPT-A-ROAD LITTER CONTROL PROGRAM AGREEMENT - T.E. CARSTEN

Adopt-a-Road Litter Control Program Agreement with T.E. Carsten, for Crescent Harbor Road from Hunt Road to 2/10 mile east of Taylor Road, was approved by unanimous motion of the Board on presentation by Mr. Oakes.

BID RECOMMENDATION: HARBOR HILLS DRAINAGE OUTFALL

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Pulled from today's agenda by the Public Works Director for further staff review.

FRANCHISE HEARINGS HELD

- Franchise #320 – New franchise for water distribution system; Stuart S. & Susan H. Young; Lone Lake Road; Sec. 30, Twp 30N., R 3E.
- Franchise #321 – Transfer and renewal of franchise for existing water distribution system; transfer from John Grady to Seawest Services Association; West Beach Road; Sec. 24, Twp 32N., R 1W

A Public Hearing was held at 10:20 a.m. as advertised for the purpose of consider the two above-listed Franchise applications.

Mr. Oakes reported that the on review of the application for franchise by Stuart Young for a new water distribution system in County road right of way along Lone Lake Road, as reported by Memo dated May 24, 2004, the County Engineer recommended approval.

When public comments were solicited, no one in the audience came forward to speak either for or against Franchise #320.

By unanimous motion, the Board approved new Franchise #320 for water distribution system by Stuart S. and Susan H. Young, Lone Lake Road; Sec. 30, Twp 30N., R 3E.

Mr. Oakes advised also that by memo dated May 25, 2004, the County Engineer recommended approval of Franchise #321, a transfer and renewal of a franchise for an existing water distribution system, from transfer from John Grady to Seawest Services Association, in County road right of way along West Beach Road, Sec. 24, Twp 32N., R 1W.

No one commented for or against said transfer.

The Board, by unanimous motion, approved Franchise #321 for transfer and renewal of franchise for

existing water distribution system from John Grady to Seawest Services Association, West Beach Road, Sec. 24, Twp 32N., R 1W.

FINAL APPROVAL – BRENTWOOD PRD (343/96)

Phil Bakke, Planning and Community Development Director, and Jaime White, Assistant Planner, presented a minor modification to the Brentwood PRD, from Thomas Cleverdon, Fakkema & Kingma, on behalf of Lee and Judy Harman. Bob Cray, Fakkema & Kingma, Inc., was in attendance at the time of consideration.

The PRD was granted conditional preliminary PRD approval on February 10, 1997 and the Board approved the final PRD plat for Phase 2 on December 21, 1998. Minor modifications were approved on March 3 and May 20, 2002. The modification consists of the creation of a 30' access and utility easement through Tract G (well tract) and Tract F (Open Space and perimeter buffer). The easement is being sought to provide ingress and egress to the southerly adjacent lot, currently under ownership by the Harmans, which is outside of the boundaries of the PRD.

As noted by Ms. White, in order to mitigate for the reduction of land to the referenced Tracts, the applicants have proposed to add additional land area to the Open Space Tracts, F and B. Modifications are minor in nature and the proposal would result in approximately 500 square feet net loss of land to the open space within the PRD.

Having just learned that the applicant apparently excavated a road of some size on a steep slope without necessary County permits on an adjacent piece of property not directly related to this PRD, Mr. Bakke was somewhat troubled, but indicated staff recommendation remained in favor of approving the modification to Division 2 of the Brentwood PRD.

By unanimous motion, the Board approved the minor modifications to the Brentwood PRD on behalf of Lee and Judy Harman as recommended.

EXECUTIVE SESSION

Chairman Byrd announced at 11:30 a.m. the Board would meet in Executive Session as provided for in R.C.W. 42.30.110 (1) (i) to discuss with legal counsel litigation or potential litigation, held in the Commissioners Conference room #218 located on the 2nd floor, Courthouse Administration Building, 1 N. E. 7th Street, Coupeville, Wa. The Chairman anticipated the session would last approximately 30 minutes and did not expect to return to open public session today with an announcement or to take action as a result of the session.

With no further business to come before the Board, the meeting adjourned at 11:50 a.m. on conclusion of the Executive Session. The next regular meeting is on June 21, 2004, at 9:30 a.m.

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