

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
DECEMBER 19, 2005 - REGULAR SESSION**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on December 19, 2005 at 9:30 a.m. in the Island County Courthouse Annex, Hearing Room, 1 N. E. 6th Street, Coupeville, Wa. Mike Shelton, Chairman, Wm. L. McDowell, Member, and William J. Byrd, Member, were present. The meeting began with the Pledge of Allegiance. By unanimous motion, the Board approved the minutes from the December 12, 2005 regular session.

**VOUCHERS AND PAYMENT OF BILLS; COMBINED EXCISE TAX RETURN AND
PAYROLL APPROVED**

By unanimous motion, the Board approved the Combined Excise Tax return for November 2005, the payroll dated December 15, 2005, and the following vouchers/warrants:

Voucher (War.) #228177-228538\$1,663,049.15

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
District Ct.	116/05	Prob. Sec .5 fte	1103.02	New Position	1-3-06
District Ct.	117/05	Ct. Clk. Mun & Dist.	1002.01	Replacement	1-9-06
District Ct.	118/05	Prob. Officer .75 fte	1103.01	Increase Hours	1-1-06
Treasurer	121/05	Adm. Asst.	2111.00	Increase Hours	1-1-06
Pub. Works	122/05	Solid Waste Tech I	2256.03	Replacement	1-9-06.

REVIEW MONTHLY FINANCIAL REPORTS FROM AUDITOR & TREASURER

Lois Rusher, Treasurer’s Office, and Ellen Carlin, Auditor’s Office, submitted the written monthly financial reports for the period ending November, 2005, on behalf of Suzanne Sinclair, Island County Auditor and Linda Riffe, Island County Treasurer. There reports were self-explanatory and the Commissioners had no questions. *[copies on file with the Clerk of the Board]*

APPOINTMENTS

By unanimous motion, the Board made the following appointments:

Joan Haddle, Camano Island, appointed to the Camano Island Board of Trustees, Camano Mosquito Abatement District refilling the position vacated by Dave Hardwick, for a term until January 1, 2008

Mike Yonkers, Camano Island, appointed to the Board of Trustees, Camano Mosquito Abatement District refilling the position vacated by Jay Lawrence, for a term until January 1, 2008

Ron Apgar, Oak Harbor, appointed to the Joint Administration Board (Tourism).

ISLAND COUNTY COMMISSIONERS COMMITTEE ASSIGNMENTS FOR 2006

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
DECEMBER 19, 2005 - REGULAR SESSION**

As annually occurs, the Board by unanimous motion approved the Island County Commissioners Committee assignments for the year 2006, those that are Board appointed and those appointed by resolution, mandate or other [copy on file with the Clerk of the Board].

STAFF SESSION SCHEDULE FOR JANUARY, 2006

Staff Session Schedule for January, 2006 was approved by unanimous motion of the Board, both sessions are regular sessions. January 4 and 18, beginning at 9:00 a.m.

HEARING HELD: ORDINANCE #C-138-05 REVISIONS TO CHAPTER 1.28 ICC TO COMPLY WITH INITIATIVE 901 EXPANDING SMOKING PROHIBITIONS

A Public Hearing was held at 9:55 a.m. as scheduled and advertised for the purpose of considering Ordinance #C-138-05 Revisions to Chapter 1.28 ICC to Comply with Initiative 901 Expanding Smoking Prohibitions. When the Chairman offered an opportunity for comments, no one in the audience spoke for or against Ordinance #C-138-05.

By unanimous motion the Board adopted Ordinance #C-138-05, Revisions to Chapter 1.28 ICC to Comply with Initiative 901 Expanding Smoking Prohibitions. (Ordinance #C-138-05 on file with the Clerk of the Board]

RESOLUTION #C-144-05 ADOPTION OF ISLAND COUNTY 10-YEAR HOMELESS HOUSING PLAN

Steve Gulliford, Executive Director, Housing Authority of Island County, appeared before the Board in support of adopting Resolution #C-144-05 in the matter of Adoption of Island County 10-year Homeless Housing Plan. The Island County Homeless Task Force was created in accordance with House Bill 2163, the Homelessness Housing and Assistance Act that requires each county to develop a 10 year plan to reduce homelessness by 50%, the plan to be approved by December 31, 2005. The Task Force developed a plan now before the Board for approval. Adoption of the plan by the Board is the first step in the 10-year effort and intent is to expand the task force next year to work on actions identified in the plan and make any revisions based on input from the additional members.

By unanimous motion the Board adopted Resolution #C-144-05 Adoption of Island County 10-Year Homeless Housing Plan. [Resolution #C-144-05 and Plan on file with the Clerk of the Board]

INTERAGENCY GRANT AGREEMENT WITH SNOHOMISH COUNTY DEPARTMENT OF EMERGENCY MANAGEMENT FOR CITIZEN CORP PROGRAM

By unanimous motion, the Board approved the Citizen Corp Program-CCP Interagency Grant Agreement #WCNCS 9140-04 (RM-DES-05-0146) with Snohomish County Department of Emergency Management in the amount of \$6,022 as discussed at the December 14th Staff Session, forwarded under cover memo dated December 6, 2005 from Dave Hollett, Deputy Director, Island County Department of Emergency Services.

2% HOTEL MOTEL LODGING TAX REVENUES 2006 PROGRAM YEAR CONTRACTS

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
DECEMBER 19, 2005 - REGULAR SESSION**

The Board having previously awarded 2% Hotel-Motel Lodging Tax Revenues funds for 2006, now by unanimous motion, approved the following contracts for those funds:

Camano Island Chamber of Commerce, Inc. (RM-BOCC-05-0145) for Visitor Information Center staffing and in the amount of \$14,610

Central Whidbey Island Chamber of Commerce (RM-BOCC-05-0141) for Tourism Fulfillment Program and Visitor Information Center in the amount of \$21,100

Coupeville Arts Center (RM-BOCC-05-0142) for Increasing Spring 2006 Tourism to Whidbey Island: a Native Art Project in concert with the Penn Cove Water Festival, in the amount of \$1,000

Freeland Chamber of Commerce (RM-BOCC-05-0144) for Freeland Visitor Information Center in the amount of \$10,500

Langley Chamber of Commerce (RM-BOCC-05-0140) for Tourism Marketing Fulfillment Program, including a year-round Visitor Information Center and year-round Accommodation Referral Service, in the amount of \$22,120

Penn Cove Water Festival Assoc. (RM-BOCC-05-0139) for Penn Cove Water Festival Marketing in the amount of \$2,000.

JUVENILE & FAMILY COURT SERVICES CONTRACTS

Juvenile & Family Court Services contracts were approved by unanimous motion of the Board as follows:

Waiver from competitive solicitation procurement procedure under ICC 2.29.030(B)(12) for medical services for juveniles in detention at Island County Juvenile Detention Center

Contract (RM-JUV-05-0133) for Medical Services Island County Juvenile Detention Center with David W. Young PA-C and Wylie N. Vracin, MD, in the amount of \$6,000

Program Agreement Contract DSHS 0563-85143 (RM-JUV-05-0130) with Washington State Department of Social & Health Services for Disposition Alternatives Program 2005-2007 (Contract Amount \$0)

Program Agreement Contract DSHS 0563-85158 (RM-JUV-05-0132) with Washington State Department of Social & Health Services for E3SHB 3900 Funds 2005-2007 in the amount of \$63,794

Program Agreement Contract DSHS 0563-85116 (RM-JUV-05-0131) with Washington State Department of Social & Health Services for Consolidated Contract 2005-2007 in the amount of \$276,906

Addendum & Amendment #5 (RM-JUV-05-136) to Interlocal Agreement between Snohomish County and Island County regarding Juvenile Detention Services for time extension January 1, 2006 through March 31, 2006

HEALTH DEPARTMENT CONTRACTS APPROVED

Health Department contracts, forwarded by Tim McDonald, Health Services Director, were approved by unanimous motion of the Board as follows:

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
DECEMBER 19, 2005 - REGULAR SESSION**

Request for Exception from the competitive solicitation procurement procedure under ICC 2.29.030(B)(12) for consultation services for the 2006 Nursing/Oral Health Program

Request for Exception from the competitive solicitation procurement procedure for consultation services for the Parent Education Program

Contract with Total Living Concept – Developmental Disabilities Contract No. HS-16-05 (RM-HLTH-98-0004) - funds the Person to Person Program, in the amount of \$48,007

On -Site Repair Financial Assistance Program – Washington State Water Pollution Control Revolving Fund Loan 2002. Contract Collection Agreement with Whidbey Island Bank for Promissory Note and Deed of Trust between Island County Water Quality (Sellers) and Brad and Joann Andersen(Buyers). Principal amount loaned: \$6,145.00

On-Site Repair Financial Assistance Program – Washington State Water Pollution Control Revolving Fund Loan 2002. Contract Collection Agreement with Whidbey Island Bank for Promissory Note and Deed of Trust between Island County Water Quality (Sellers) and Bruce and Lora Lantz (Buyers). Principal amount loaned: \$6,015.04

**SPECIAL OCCASION LIQUOR LICENSE APPLICATIONS RECOMMENDED FOR
APPROVAL**

The following special occasion applications for liquor license were, by unanimous motion of the Board recommended for approval:

Special Occasion Application #092151 by Camano Senior Center for an event to be held on December 31, 2005 from 8:00 p.m. to 11:00 p.m. at the Camano Island Yacht Club, 129 N. Sunset Drive, Camano Island

Special Occasion Application #091224 by Camano Island Yacht Club for an event to be held on January 21, 2006 from 5:00 p.m. to 9:00 p.m. at the Camano Island Yacht Club, 129 N. Sunset Drive, Camano Island

**PUBLIC HEARING SCHEDULED - RESOLUTION #C-145-05/R-54-05 - CLOSURE OF A
PORTION OF MARK STREET**

As presented and recommended by Bill Oakes, Public Works Director, the Board by unanimous motion scheduled a public hearing for January 9, 2006 at 10:15 a.m. to consider Resolution #C-145-05/R-54-05 In the Matter of Closure of a Portion of Mark Street located in Section 20, Township 32 North, Range 1 East, W.M.

**RESOLUTION #C-146-05/R-55-05 AUTHORIZING THE PROSECUTING ATTORNEY TO
COMMENCE CONDEMNATION PROCEEDINGS, CAMANO HILL ROAD
IMPROVEMENTS**

By unanimous motion the Board approved Resolution #C-146-05/R-55-05 In the Matter of Authorizing the Prosecuting Attorney to Commence Condemnation Proceedings, Camano Hill Road Improvements, CRP 02-04, Work Order #176 [*Resolution #C-146-05 on file with the Clerk of the Board*].

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
DECEMBER 19, 2005 - REGULAR SESSION**

**RESOLUTION #C-147-05/R-56-05 INITIATING COUNTY ROAD PROJECT - UTSALADY
/GOOD ROAD RETAINING WALL**

The Board by unanimous motion approved Resolution #C-147-05/R-56-05 In the Matter of Initiating County Road Project CRP 05-05, Work Order #162, Utsalady /Good Road Retaining Wall, located in Section 21, Twp 32N. R 3E., Camano Island, a \$213,000 appropriation. [*Resolution #C-147-05 on file with the Clerk of the Board*].

**CAMANO HILL ROAD TEMPORARY CONSTRUCTION EASEMENTS AND QUIT CLAIM
DEEDS APPROVED**

By unanimous motion as presented by Mr. Oakes, the Board approved the following Temporary Construction Easements and Quit Claim Deeds for Camano Hill Road, CRP 02-04, Work Order #176:

Temporary Construction Easement #PW-0520-82 - James E. & Barbara L. Cowan, Parcel 097-500A; Sec. 1, Twp 31N R 2E.

Temporary Construction Easement #PW-0520-83 - James E. & Barbara L. Cowan, Parcel 097-5000; Sec. 1, Twp 31N, R. 2E.

Quit Claim Deed – James E. & Barbara L. Cowan, with compensation in the amount of \$6,752.00/land; Parcel 097-500A; Sec. 1, Twp 31N, R 2E.

Quit Claim Deed – James E. & Barbara L. Cowan, with compensation in the amount of \$11,900.00/land; Parcel 097-5000; Sec. 1, Twp 31N., R 2E.

**SUPPLEMENTAL AGREEMENT # 5 – PW-0220-29(E) - SKILLINGS CONNOLLY, INC.
CAMANO HILL ROAD IMPROVEMENTS**

On recommendation of Mr. Oakes, the Board by unanimous motion approved Supplemental Agreement No. 5 – #PW-0220-29(E), between Island County and Skillings Connolly, Inc. for Camano Hill Road Improvements under CRP 02-04, Work Order #176 for a time extension to May 31, 2006.

**MONROE LANDING ROAD CONSTRUCTION EASEMENT, TEMPORARY
CONSTRUCTION EASEMENTS APPROVED**

The Board by unanimous motion approved the following Construction Easements, Temporary Construction Easements associated with Monroe Landing Road CRP #02-03, Work Order 356:

Construction Easement #PW-0520-173 - Larry E. & Linda L. West Cronin, Parcel 243-5250; Sec. 16, Twp 32N, R 1E.

Temporary Construction Easement #PW-0520-229 - Henry A. & Jeanette M. Sem, Parcel 187-5200; Sec. 21, Twp 32N, R 1E.

Temporary Construction Easement #PW-0520-276 - William H. & Roberta Jean Shelton, Lot 79, Division 2, Plat of Penn Cove Park, Sec. 22, Twp 32N, R 1E.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
DECEMBER 19, 2005 - REGULAR SESSION**

Temporary Construction Easement #PW-0520-313 - Millie R. Sutter, Lot 80-1, Division No. 2, Plat of Penn Cove Park, Sec. 22, Twp 32N, R 1E.

SUPPLEMENTAL AGREEMENT #2 - #PW-0120-41(B) - SHELDON & ASSOCIATES

Supplemental Agreement #2 – PW-0120-41(B) between Island County and Sheldon & Associates for On-Call environmental services, was approved by unanimous motion of the Board as presented by Mr. Oakes, representing a time extension to September 30, 2006.

RESOLUTION #C-148-05/R-57-05 – AMENDING COUNTY DRAINAGE PROJECT CDP 05-01(A), WORK ORDER NO. 168 UTSALADY ROAD STORMWATER DRAINAGE OUTFALL

Resolution #C-148-05/R-57-05 In the Matter of Amending County Drainage Project CDP 05-01(A), Work Order 168 for Utsalady Road Stormwater Drainage Outfall; Sec. 21, Twp 32N, R 3E, Camano Island, was approved by unanimous motion of the Board, for a total appropriation of \$184,000. [*Resolution #C-148-05 on file with the Clerk of the Board*]

TIME EXTENSION & FINDING - FREELAND COMPREHENSIVE SEWER PLAN & ENGINEERING REPORT FACILITY PLAN

The Board by unanimous motion approved and signed a letter to be sent to the Freeland Water District extending the 90-day time limit set by RCW 57.16.010 (6) for review and approval of the Freeland Comprehensive Sewer Plan and Engineering Report/Facility Plan for up to an additional 90 days [from December 21, 2005], finding there has been insufficient time to schedule a public hearing on the Plan to receive and consider public comments prior to action on the Comprehensive Plan, proposing February 6, 2005 at 10:15 a.m. as the hearing date [*copy of letter on file with the Clerk of the Board*]

HEARING SCHEDULED: RESOLUTION #C-149-05/R-58-05 APPROVING THE FREELAND COMPREHENSIVE SEWER PLAN & ENGINEERING REPORT/FACILITY PLAN

The Board by unanimous motion scheduled a public hearing on Resolution #C-149-05/R-58-05 In the Matter of Approving the Freeland Comprehensive Sewer Plan & Engineering Report/Facility Plan for February 6, 2006 at 10:15 a.m.

SUPPLEMENTAL AGREEMENT #4 - TETRA TECH/KCM, INC. FOR FREELAND COMPREHENSIVE SEWER PLAN

The Board by unanimous motion approved Supplemental Agreement #4 (PW-022081) between Island County and with Tetra Tech/KCM, Inc., Freeland Planning Area – Comprehensive Sewage Plan, to reflect a completion date of December 31, 2006.

ESCROW DOCUMENTS – FIRE PROTECTION DISTRICT NO. 3

Escrow Documents (PW-0520-320) between Island County and Fire Protection District No. 3, for Lots 1 & 2, Block 1, Plat of Hawthorn Heights, were approved by unanimous motion of the Board, as presented by Bill Oakes.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
DECEMBER 19, 2005 - REGULAR SESSION**

UNCOLLECTIBLE SOLID WASTE ACCOUNTS WRITE-OFF APPROVAL FOR 2005

As presented, the Board by unanimous motion approved Uncollectible Solid Waste Accounts Write-off Approval for 2005 in the total amount of \$2,719.83 to be declared uncollectible and written off the Solid Waste books, noting the accounts will still be sent to collection agencies for hopeful collection.

CONTRACT EXTENSION - WASTE MANAGEMENT OF SKAGIT COUNTY

By unanimous motion on recommendation of Mr. Oakes, the Board approved a contract extension (SW-10-05) with Waste Management of Skagit County for Recycle Services for Camano Island, extending the agreement through December 31, 2008.

**HEARING HELD: CONTINUED DELIBERATION BY THE BOARD ON PROPOSED
ORDINANCE #C-136-05 RESTRICTING DISCHARGE AND USE OF FIREARMS IN THE
VICINITY OF DEER LAGOON AND ALLOWING HUNTING ON CAMANO RIDGE
PROPERTY, GOSS LAKE WOODS PROPERTY AND A PORTION OF KETTLES TRAIL
PROPERTY**

Chairman Shelton opened a public hearing at 10:45 a.m., having been continued from public hearings held on December 12 on Whidbey Island and December 15, 2005 on Camano Island. At the hearing on Camano the public input portion of the hearing was concluded and the purpose of the continuation of the public hearing today is for the Board to deliberate and announce the decision. At the time of hearing, approximately 20 were in attendance, including general public, press and staff.

Bill Oakes presented technical corrections to Ordinance #C-136-05 exhibits:

Exhibit B. Under definition of a non-motorized trail, the word "adjacent" county land, and the Prosecutor's Office suggested a better word to use would be "contiguous" county land.

On Attachment C and Attachment D the note that indicated hunting would not be permitted from "January 1st to December 31st" is incorrect and should read "December 1st to September 14th".

Commissioner Byrd read from a prepared statement [*copy placed on file with the Clerk of the Board*] :

It is worth mentioning that the effort to produce this resolution was well intentioned, and was prepared to provide clarity and restrictions to specific areas for hunting on public lands. However, it is apparent that this resolution has caused conflicting opinions. Hikers and Bikers are against the resolution for specific reasons, with public safety being foremost in recorded comments. Hunters believe it to be too restrictive and more unnecessary regulation. This is the third resolution on hunting that the Board has taken public comment on in this past few months, and there have been a number of other meetings on the subject over the past year or so. The wide variety of Public comment received highlights several areas that require further investigation in my opinion.

There are subtle differences of opinion between the residents of Whidbey, and the residents of Camano. On Whidbey there are at least three "Gun Clubs", but there appears to be no such organized clubs on Camano. From a population, and square mile area perspective, Camano has more trails than Whidbey, but at the same time, residents there appear less willing to share these resources with other public recreational activities. In the latest round of Public Hearings, the input was about 50 percent for hunting, and 50 percent against hunting on Whidbey, while on Camano it was about 25 percent for hunting and 75 percent against hunting. There are also differences with the proposed use of weapons.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
DECEMBER 19, 2005 - REGULAR SESSION**

There is concern with the range of handguns and shotgun slugs. Some are in favor of hunting, but would like to restrict the use of weapons to specifically Bow and Arrow. However, the suggested use of Bow and Arrow for hunting in the designated areas brought forth more questions from those opposed to any hunting at all. Considering all differences however, it does not appear appropriate to have one policy for Whidbey and a separate policy for Camano.

Most residents recognized the danger of Deer strikes by cars, and accepted the numbers of Deer killed by cars and trucks, along with personal injury and vehicle repair costs. Few however, had suggestions regarding how to control the Deer population, or the concerns for over-population, the resultant over-grazing, or sickness of the herds. Regardless, control of the Deer population should be considered in any resolution for safety and public health concerns.

Two comments were heard that suggested that the county organizational structure was confusing and -required adjustments for the proper administration of Parks and Public lands. One department in the county does manage Parks and county property. However, there are separate rules for Parks, and other county properties. The two areas are kept separate. The confusion may be that all trails are not county authorized or sanctioned trails, or trails that are maintained and designated as county trails. There is a process involved to become a county recognized trail. It should also be mentioned that county authorized trails do not preclude hunting in that area. Existing law and regulations allow both activities to co-exist together.

Having said this, it is my opinion that there have been sufficient concerns stated in our Public Hearings that require additional investigation before this or any other resolution can be approved. Therefore I recommend that this resolution be disapproved.

Commissioner McDowell likewise read from a prepared statement for the record [*copy on file with the Clerk of the Board*]:

We have had six public hearings on the hunting issue. I am able to say one thing with confidence regarding the hearings - the two sides, one wanting hunting to stop on the county owned lands in question and the other side the hunters wanting hunting to continue, are no closer together or willing to compromise today than they were months ago when the hearings started.

I am convinced that the proposed ordinance is not acceptable to either side. That ordinance would shorten the hunting season some amount and prevent shooting the remaining 42 weeks of the year. The non-hunters do not want any season and the hunters want the full season.

I have heard and do believe that hunting is on the decline in Island County, and that the number of hunters hunting in Island County is relatively small. However, those local hunters want to continue to have the right to teach their children to hunt as they were taught, as well as hunt themselves.

The non-hunters say that allowing hunting is too dangerous. I am convinced that our hunting record in the county is a safe record. No one has been killed and no one has testified that anyone has been shot in the county by hunters. Although the lack of fatalities or accidents does not guarantee future accidents, it does demonstrate the relative safety of this form of recreation.

Currently we are being sued by someone who broke their back while biking on one of these county parcels. I am also aware of someone who just recently broke their collar bone while biking. What these accidents demonstrate is that no form of recreation is completely safe.

Deer Lagoon is a totally different issue involving duck hunting, not deer hunting. The duck hunting issue on Deer Lagoon is primarily a noise issue based on testimony given and numerous complaints. The one fact I am sure of is that state law precludes county commissioners from stopping hunting because of noise.

Since there seems to be no apparent compromise that would be acceptable to either side and based on the record of safe hunting in Island County; the declining or at least low number of hunters currently hunting in the county and the fact that state law prevents the stopping of hunting because of noise, I will not support this ordinance and the current rules will stand.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
DECEMBER 19, 2005 - REGULAR SESSION**

I do have concerns if counties begin to individually make a patchwork of various hunting seasons or have some allow hunting while others do not. The problem I see is that hunters will migrate from county to county to find an open season.

Setting hunting seasons has historically been, and should remain a State issue. Also, if duck hunting is to be discontinued because of noise, the State must be the one to take action.

Chairman Shelton supported the ordinance as written.

He pointed out that all across the United States conflicting uses are played out on public property and is not something unique to Island County, and probably would continue to see these conflicts arise. He believes that public property is for all uses and did not believe one allowed use should eliminate other uses; because people demonstrate they use it for hiking, biking and other things should not eliminate the fact that these areas have historically been hunted. DNR properties were available for the public to hunt prior to those properties being transferred to Island County and in his opinion should continue to be allowed. In considering many of the DNR transfers, that was a question posed by the Board of County Commissioners; if the uses were allowed before, those uses should continue to be allowed, and the Board had been very adamant in that fact. He agreed there are probably three different classes of property: the Kettles; Camano Ridge and Goss Lake; and Deer Lagoon. The Board received a letter from the attorney for the residents of Deer Lagoon indicating the County needed to do SEPA on the ordinance. While the County's attorney for different reasons felt that SEPA was an appropriate exercise for the County to go through in relation to the ordinance for Deer Lagoon, Chairman Shelton was perfectly willing to do that.

Chairman Shelton noted that many years ago when the County's parks were much smaller, the then Board of County Commissioners adopted an ordinance banning shooting in parks. He agreed it made sense to not allow the discharge of firearms in places like Maxwellton Park and Dan Porter Memorial Park where there are picnic tables, ball fields, etc; However, as the County has become the owner of much larger parcels those clearly have different uses intended and did not believe hunting should be eliminated. He recognized that the Sheriff had some concerns because as local ordinances are adopted the State Department of Fish & Wildlife does not enforce the ordinances this Board adopts.

The Chair thought, especially around the area of Deer Lagoon, if this ordinance is adopted that it would be the County's responsibility to make it clear to hunters what areas are open for hunting, and to others what areas where hunting is not allowed. He thought the ordinance clearly addressed the safety issue that many people talked about in Deer Lagoon, but believes the major issue there was noise. Noise is a State law issue that needs to be addressed with the legislature. As far as safety, the safety record for hunting in Island County is exemplary. He believed the car-deer collision rate was a much more significant safety factor in Island County than the hunting issue. It is difficult for a county commissioner or anyone else who lives in this area to know what the population of deer is doing in Island County. Management of the game resources is with the Department of Fish & Wildlife and in that regard the Department of Fish & Wildlife has instituted a Class B permit wherein a hunter can buy a license and get a hunting tag, kill a deer in Island County, and then based on a drawing system get an additional tag to kill a second deer in Island County, which tells him that the Department of Fish & Wildlife believes that the over-population of deer in this County is a significant issue. In 1988 the residents of Vashon Island petitioned the King County Council to close hunting on Vashon Island which they did; the same people have now petitioned the county to reopen hunting because they recognize that the over population of deer on Vashon Island is becoming a significant issue.

With the amount of people who are building homes, density is an issue for safety in relation to hunting. The Chairman thought that the places people should be encouraged to hunt is on public property of sufficient size to allow the safe exercise of the sport; clearly on a 5, 10 or 20 acre piece the

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
DECEMBER 19, 2005 - REGULAR SESSION**

public safety issue becomes much more volatile. At Useless Bay the ordinance addresses hunting and that safety issue; does not address the noise issue which he believed to be an ongoing issue for the residents of Useless Bay Colony.

He agreed with his fellow commissioners that this ordinance appears to have made no one happy; yet to do nothing, which is the recommendation of the other two commissioners, he believed would further perpetuate the problem. Some of the steps taken in the proposed ordinance alleviate some of the concerns. He committed, should the ordinance pass, to talk to the Department of Fish & Wildlife about the issue of handguns. He did not believe many people hunted with handguns in Island County but felt the range of a 44 magnum handgun similar to the range of a rifle which was outlawed years' ago, and he believed that handguns for hunting in Island County should not be allowed.

Based upon the comments of his fellow Commissioners, Chairman Shelton moved approval of Ordinance #C-136-05 an ordinance restricting discharge and use of firearms in the vicinity of Deer Lagoon and allow hunting on Camano Ridge property, Goss Lake Woods property and a portion of the Kettles trail property.

Commissioner McDowell ask for clarification if the ordinance did not pass; would hunting continue as has been occurring. Mr. Oakes clarified that there would be no regulation in place to prevent hunting, shooting or discharge of firearms on those County parcels, with the exception of the Kettles and Greenbank farm which have trails regulation that would still govern those two properties.

Commissioner McDowell as noted before observed no compromise, no thought for compromise and was not willing to second the motion. He agreed with the Chair on the handgun issue and thought that something that probably surprised all, and believed the Commissioners should follow up on that whether the ordinance passes or not.

Commissioner Byrd was not in favor of seconding the motion.

Motion died for lack of a second. Ordinance #C-136-05 not adopted.

SPECIAL SESSION ANNOUNCED – DECEMBER 20, 2005

As noticed, the Board will meet in Special Session tomorrow as follows:

11:00 a.m. Public Hearing: Resolution C-128-05/R-49-05 In the Matter of the Petition of Gretchen Otness, et. al. for the vacation of a portion of County road right of way known as Ocean Drive (continued from hearing held on December 15, 2005 at the Camano Multipurpose Center, 141 N. East Camano Drive, Camano Island).

1:30 p.m. Receive/discuss Planning Commission recommendations on Agricultural Best Management Practices (BMPs)

There being no further business to come before the Board at this time, the meeting adjourned at 11:08 a.m. Island County offices will be closed on Monday, December 26th in observance of Christmas Day, and closed on Monday, January 2nd in observance of New Years Day. The December 26th and January 2nd meetings of the Board of County Commissioners have been

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
DECEMBER 19, 2005 - REGULAR SESSION**

canceled. The next regularly scheduled Monday meeting will be on January 9, 2006 at 9:30 a.m.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Wm. L. McDowell, Member

William J. Byrd, Member

ATTEST:

Elaine Marlow
Clerk of the Board