

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
NOVEMBER 21, 2005**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on November 21, 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 November 14, 2005 regular meeting.

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

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

Voucher (War.) #26244-226524\$660,743.18

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	109/05	Pub. Hlth Nurse II .8 fte #2406.18	Replacement	11/16/05
Planning	110/05	Plan. Tech I #1601.07	Replacement	12/16/05
Planning	111/05	Plan. Intern Temp #1600.02	Extend not to Exceed 6/13/06	11/21/05
Clerk	112/05	Dep. Clerk I .5 fte #503.07	New Position	1/3/06
Auditor	113/05	Index Dep-Records .5 fte #208.02	New Position	1/3/06

**RESOLUTION #C-130-05 ESTABLISHING SALARIES FOR NON-BARGAINING UNIT
EMPLOYEES (EXCLUDING ELECTED OFFICIALS) FOR 2006**

Resolution #C-130-05 Establishing Salaries For Non-Bargaining Unit Employees (Excluding Elected Officials) For 2006 was adopted by unanimous motion of the Board, as presented by Mr. Toft.

[Resolution #C-130-05 on file with the Clerk of the Board].

PREPARATION OF AMICUS BRIEF AUTHORIZED

The Board, by unanimous motion, requested that the Prosecutor prepare an Amicus Brief in support of Clallam County and asked that Keith Dearborn assist in that preparation. (re petition for review of Clallam County's court of appeals decision regarding GMA Mandate to regulate pre-existing agriculture).

**RESOLUTION #C-129-05 – CDBG RESOLUTION WITH CERTIFICATIONS OF
COMPLIANCE WITH REGARD TO APPLICATION FOR FUNDING FOR WHIDBEY
ISLAND SHARE A HOME PROGRAM AND LAND ACQUISITION FOR NEW
CONSTRUCTION OF AFFORDABLE SENIOR HOUSING IN FREELAND**

For purposes of the record, Chairman Shelton mentioned that the Board on Staff Session November 16, 2005, approved by unanimous motion Resolution #C-129-05 – CDBG Resolution with Certifications of Compliance with Regard to Application for funding for Whidbey Island Share a Home Program and

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Land Acquisition costs for new construction of affordable senior housing in Freeland. [*a copy of the Resolution has been placed on file with the Clerk of the Board*]

**REVIEW MONTHLY FINANCIAL REPORTS FROM AUDITOR & TREASURER
FOR PERIOD ENDING OCTOBER 31, 2005**

Auditor's Report

Suzanne Sinclair, Auditor, submitted the Auditor's financial report dated November 18, 2005 for the period ending October 31, 2005. Percent to budget this period should be 83%. Current Expense revenues are 89%, partially attributed to recently collected last half taxes. Current Expenditures are at 83%. Timber Excise Tax (shown on line #49) reflects a correction of coding. Special revenue funds show revenue at 70% compared to a 5-year average of 75%; with expenditures at 58%. Not yet filed for HAVA Grant revenue for the voter registration system but soon will. At Commissioners' request, she reviewed various line items under Current Expense expenditures that appeared in the higher percent category.

Treasurer's Report

Linda Riffe, Treasurer, submitted the Treasurer's financial report dated November 17, 2005 for the period ending October 31, 2005. Although she did not have anything much to add to what the Auditor reported, she did note percentage wise the County by and large is in a healthy position. The Treasurer's investment interest is at 168%; investment service fees are up as are REET administrative fees, much having to do with the housing market on the Island. Line item #16 showing Juvenile Court at just 27% collected revenue has to do with grant money not yet received. [*Reports on file with the Clerk of the Board*]

**2006 TOURISM PROGRAM YEAR AWARDS FOR PROJECTS & ACTIVITIES FUNDED BY
2% HOTEL MOTEL TAX REVENUES**

2006 Tourism Program Year Awards for Projects & Activities funded by 2% Hotel Motel Tax Revenues (Public Facilities Fund) were approved by unanimous motion of the Board as follows:

**2006 Program Year - PROJECTS & ACTIVITIES FUNDED BY 2% TAX
REVENUES**

<u>ORGANIZATION</u>	<u>AMOUNT</u>
1. CAMANO ISLAND CHAMBER OF COMMERCE <i>Tourism Marketing & Fulfillment Program, - VIC operations</i>	14,610
2. CENTRAL WHIDBEY CHAMBER OF COMMERCE <i>Tourism Fulfillment Program & VIC operations</i>	21,100
3. COUPEVILLE ARTS CENTER <i>Native Art Project</i>	1,000
4. FREELAND CHAMBER OF COMMERCE <i>Freeland Visitor Information Center (VIC)</i>	10,500
5. GREATER OAK HARBOR CHAMBER OF COMMERCE <i>Tourism Marketing & Development for Island County</i>	16,600

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6.	LANGLEY, SOUTH WHIDBEY CHAMBER OF COMMERCE	22,120
	<i>Tourism Marketing Fulfillment Program, VIC and referral service</i>	
7.	PENN COVE WATER FESTIVAL ASSOCIATION	2,000
	<i>Penn Cove Water Festival – 2005</i>	_____
TOTAL		\$ 87,930

**HEARING SCHEDULED: RESOLUTION #C-131-05 REVISING ICC 2.02.050 INCREASING
THE SALARIES OF THE PROSECUTING ATTORNEY AND SHERIFF**

By unanimous motion, the Board scheduled a Public Hearing on Resolution #C-131-05 Revising ICC 2.02.050 Increasing the Salaries of the Prosecuting Attorney and Sheriff, for December 12, 2005 at 9:55 a.m.

**WAIVER AND APPROVAL OF PROFESSIONAL SERVICE AGREEMENT WITH
COMPASS HEALTH FOR CHEMICAL DEPENDENCY DISPOSITION ALTERNATIVE
SERVICES FOR CLIENTS OF ISLAND COUNTY JUVENILE & FAMILY COURT
SERVICES**

As previously discussed at Staff Session the Board by unanimous motion approved a waiver from competitive solicitation procurement procedure under ICC 2.29.030 (B) (12) for Island County Juvenile & Family Court Services and Compass Health Professional Services Agreement. The Board followed by adopting a unanimous motion approving a Professional Service Agreement with Compass Health for Chemical Dependency Disposition Alternative services for clients of Island County Juvenile & Family Court Services in an amount not to exceed \$20,000 (RM-JUV-05-0118).

**AMENDMENT NO. 3 TO HAVA GRANT AGREEMENT WITH WA. ST. SECRETARY OF
STATE FOR REPLACEMENT OF PUNCH CARD VOTING SYSTEM**

As discussed and agreed at a recent staff session, the Board by unanimous motion approved Amendment No. 3 to HAVA Grant Agreement #G-2840-3 with the Washington State Secretary of State for replacement of punch card voting system, not to exceed \$371,000.

**CLAIM FOR DAMAGES R05-020-CD SUNRISE HILLS COMMUNITY WATER
ASSOCIATION**

Commissioner Bill Byrd recused himself from participating inasmuch as he is the President of the Sunrise Hills Community Water Association and left the room during consideration of Claim for Damages R05-020-CD Sunrise Hills Community Water Association. Betty Kemp, Director, GSA/Risk Management, presented the Claim with a recommendation of approval in the amount of \$885.89. During a County Road operation, working in the vicinity of Larson Drive and Sunrise Boulevard, heavy equipment severely damaged a 4" waterline.

On motion of Commissioner McDowell, seconded by the Chairman, the Board approved Claim for Damages R05-020-CD Sunrise Hills Community Water Association as presented and recommended. Commissioner Byrd returned to the meeting following action taken on the Claim for Damages.

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**AMENDMENT A TO GRANT CONTRACT WITH WA. ST. MILITARY DEPT. EMERGENCY
MANAGEMENT DIVISION FOR FFY2005 EMERGENCY MANAGEMENT PERFORMANCE
GRANT**

The Board by unanimous motion approved Amendment A to grant contract E05-255 (RM-DES-05-0063) with the Washington State Military Dept. Emergency Management Division for FFY2005 Emergency Management Performance Grant, the Amendment in the amount of \$625 for a total new contract amount of \$11,232.

**APPLICATION FOR LIQUOR LICENSE #088729-3F BY JOHN WILLIAM AUBURN, D/B/A
J.W. DESSERTS, CLINTON, WA**

Having received recommendations of approval from the appropriate County departments, the Board by unanimous motion approved application for liquor license #088729-3F by John William Auburn, d/b/a J.W. Desserts, located at 11042 SR 525 Suite 122, Clinton, WA.

**RESOLUTION #C-132-05/R-50-05 – A RESOLUTION GOVERNING EMERGENCY LOAD
LIMITATIONS ON COUNTY ROADS**

As presented and recommended for approval by Bill Oakes, Public Works Director, the Board by unanimous motion approved Resolution #C-132-05/R-50-05, Governing Emergency Load Limitations on County Roads due to/as a result of inclement weather. [*Resolution #C-132-05/R-50-05 on file with the Clerk of the Board*]

**HEARING SCHEDULED: RESOLUTION #C-133--05/R-51-05 – PETITION TO VACATE A
PORTION OF COUNTY ROAD RIGHT-OF-WAY KNOWN AS IVERSON ROAD LOCATED
IN SECTION 5, TOWNSHIP 31, RANGE 3E. - CAMANO ISLAND**

By unanimous motion, the Board scheduled a Public Hearing on Resolution #C-133-05/R-51-05, Petition to vacate a portion of County Road right-of-way known as Iverson Road located in Section 5, Township 31, Range 3E., Camano Island, by Petitioners Eugene and Laura Black, at Special Session on December 15, 2005 at 2:10 p.m., Camano Multipurpose Center, 141 N.E. Camano Blvd., Camano Island, Wa.

**HEARING SCHEDULED: RESOLUTION #C-134-05/R-52-05 – PETITION TO VACATE A
PORTION OF COUNTY ROAD RIGHT-OF-WAY KNOWN AS VINE STREET LOCATED IN
SECTION 34, TOWNSHIP 32N, RANGE 2E. - CAMANO ISLAND**

By unanimous motion, the Board scheduled a Public Hearing on Resolution #C-134-05/R-52-05 – Petition to vacate a portion of County Road right-of-way known as Vine Street located in Section 34, Township 32N, Range 2E., Camano Island, by Petitioner Mike Hayes, Camwood Construction, at Special Session on December 15, 2005 at 2:05 p.m., Camano Multipurpose Center, 141 N.E. Camano Blvd., Camano Island, Wa.

**RESOLUTION #C-135-05/R-53-05 – AUTHORIZING THE PROSECUTING ATTORNEY TO
COMMENCE CONDEMNATION PROCEEDINGS, MONROE LANDING ROAD
IMPROVEMENTS**

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As recommended by Mr. Oakes, the Board by unanimous motion approved Resolution #C-135-05/R-53-05 In the Matter of Authorizing the Prosecuting Attorney to Commence Condemnation Proceedings, Monroe Landing Road Improvements, CRP 03-02, Work Order 356. [*Resolution #C-135-05/R-53-05 on file with the Clerk of the Board*]

**DRAINAGE EASEMENT AND QUIT CLAIM DEED - UTSALADY
OUTFALL DRAINAGE PROJECT**

The Board, as recommended by Mr. Oakes, by unanimous motion approved the following Drainage Easement and Quit Claim Deed associated with Utsalady Outfall Project, CDP 05-01, Work Order No. 168 as follows:

Drainage Easement #PW-0520-242 between Island County and P. Scott & Ann M. Price, Parcels 508-4280 and 520-4710, Sec. 21, Twp 32N, R 3E.

Quit Claim Deed – Island County and P. Scott & Ann M. Price, Parcel 508-4380; Sec. 21, Twp 32N., R 3E.

STORMWATER MITIGATION AGREEMENT AND COVENANTS APPROVED

Stormwater Mitigation Agreement and Covenants were approved by unanimous motion of the Board as presented and recommended for approval by Mr. Oakes, as follows:

Stormwater Mitigation Agreement and Covenants #PW-0420-149 between Island County and Lawrence Kimball & Kirsten Romberg, Lot 18, Division No. 4, Plat of Holmes Harbor Golf & Yacht Club, Sec. 3, Twp 29N, R 2E.

Stormwater Mitigation Agreement and Covenants #PW-0520-293 between Island County and Mindell C. Lorenzen, Parcel 435-4480, Sec. 3, Twp 29N, R 2E.

Stormwater Mitigation Agreement and Covenants #PW-0520-200 between Island County and Mark A. & Sandra K. McKenzie, Lot 20, Block 2, Division No. 1, Plat of Holmes Harbor Golf & Yacht Club, Sec. 3, Twp 29N, R 2E.

Stormwater Mitigation Agreement and Covenants #PW-0520-305 between Island County and William S. & Charlene G. O'Donnell, Lot 18, Division No. 1, Plat of Bar Harbor, Sec. 3, Twp 29N, R 2E.

AMENDMENT NO. 1 - WASTE MANAGEMENT OF WASHINGTON

Amendment No. 1 #SW-00-0105 between Island County and Waste Management of Washington, revision Section 1-Recitals, Section 2-Contract Amendments, Section 3-All Other Terms and Conditions, was approved by unanimous motion of the Board as presented and recommended by Mr. Oakes.

**HEARINGS SCHEDULED: ORDINANCE #C-136-05 ORDINANCE RESTRICTING
DISCHARGE AND USE OF FIREARMS IN THE VICINITY OF DEER LAGOON AND
ALLOWING HUNTING ON CAMANO RIDGE PROPERTY, GOSS LAKE WOODS AND A
PORTION OF KETTLE TRAIL PROPERTY**

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By unanimous motion, the Board scheduled 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 and a Portion of Kettle Trail Property, scheduled for Public Hearings to be held as follows:

Monday, December 12 6:00 p.m. Coupeville Recreation Hall, 901 NW Alexander, Coupeville, WA

Thursday, December 15 6:00 p.m. Utsalady Elementary School, 608 Arrowhead Road, Camano Island

EXECUTIVE SESSION ANNOUNCED

R.C.W. 42.30.110 (1) (b) to consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price. The Chairman anticipated that the executive session would last under one-half hour and did not expect an announcement afterwards in open public session.

There being no further business to come before the Board at this time, the meeting adjourned at 10:45 a.m. on conclusion of the Executive Session. The next Regular Board of County Commissioners meeting will be on November 28th beginning at 11:00 a.m. for a Roundtable with Elected Officials and Appointed Department Heads, followed by regular agenda items beginning at 1:30 p.m.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

William J. Byrd, Member

(Wm. L. McDowell, member, absent when minutes signed)

ATTEST: _____
Elaine Marlow, Clerk of the Board