

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING - August 22, 2005**

The Board of Island County Commissioners convened in Regular Session at 11:00 a.m. on August 22, 2005 for a roundtable with Elected Officials and Appointed Department Heads, held in the Board of County Commissioners Hearing Room (Room #102B), Annex Building, 1 NE 6<sup>th</sup> Street, Coupeville, Wa. Other topics for the regular session followed at 1:30 p.m. as outlined on the agenda. Mike Shelton, Chairman, Wm. L. McDowell, Member, and William J. Byrd, Member, attended.

**ROUNDTABLE MEETING WITH ISLAND COUNTY ELECTED OFFICIALS AND APPOINTED DEPARTMENT HEADS**

Elected Officials and Appointed Department Heads Attending:

Tom Baenen	Bill Byrd	Mike Hawley	Betty Kemp
Elaine Marlow	Tim McDonald	Mac McDowell	Don Meehan
Mike Merringer	Mike Shelton	Dan Sherk	Suzanne Sinclair
Dick Toft			

Assessor. Approximately 80% completed with new construction field work and about 98% completed with re-valuation field work. About \$173 million has been inputted; based on that, estimated there should be around \$250 million when completed.

Auditor. Installed new voter registration system; preparing a contract for voter tabulation system. Also, served on King County Elections Task Force with report issued July 27; invited to speak at the Association of County Clerks.

Commissioners. Commissioner Byrd's final two Town Hall meetings for the year will be held on September 15 and October 20. Give Commissioner Byrd a call if you have an item you wish to address at one of those meetings.

2004 County Audit. Of three audit findings, Chairman Shelton believed none to be onerous, and the appropriate corrective actions already being taken. Commissioner McDowell observed that the County departments need to work better as a whole rather than on an individual department basis; no finger-pointing; accept the audit finding, and move forward to correct it. Suggest that responses to State audit findings be coordinated through the Board of County Commissioners Office. The Auditor's Office would appreciate being included in the loop.

Extension, WSU. Reminded everyone that the specialized Lighthouse vehicle license plates are now available. Reported "a great Island County Fair".

GSA. Memorandum dated this date handed out regarding Labor & Industry Workers Compensation Premium information, noting there will be additional costs next year, based on experience. Third party administrator will come within the next several months and visit with the Safety Committee; will review practices, work to establish goals, and review cases not closed. The manual needs to be updated. The group discussed:

- Possibility of segregating by department that claim experience
- Demographics of the working population is aging
- Cooperation from Department heads needed in order to transition employees back in the work force at some kind of light duty; mindful of ADA accommodation
- Request from Commissioner McDowell to add under management representatives a representative from Public Works.

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Health. All 18 species of bats in Washington State carry rabies. Some bats have such small teeth the person may not know he/she has been bitten. The best advice is to stay away from bats; keep sleeping quarters well screened and screens tight, and be careful when unfurling outdoor umbrellas.

*Roundtable adjourned at 11:50 a.m. Next Roundtable September 26, 2005 @ 11:00 a.m.*

Other topics for the Regular Board session followed at 1:30 p.m. as outlined on the agenda, along with Diking Improvement District #4. This portion of the meeting opened with the Pledge of Allegiance. By unanimous motion, the Board approved the minutes from the meeting of August 15, 2005.

**VOUCHERS AND PAYMENT OF BILLS**

The following vouchers/warrants were approved for payment by unanimous motion of the Board:  
 Voucher (War.) #220012-220308 .....\$1,510,400.44.

**HIRING REQUESTS & PERSONNEL ACTIONS**

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

<b>Dept.</b>	<b>PAA #</b>	<b>Description</b>	<b>Position #</b>	<b>Action</b>	<b>Eff. Date</b>
Sheriff	069/05	Deputized Officer	4014.29	Replacement	11-7-05
Health	070/05	Env. Health Asst. 1	607.00	Increase Hours	9-19-05

**HEARING HELD: ORDINANCE #C-87-05 INCREASING SURCHARGE ON DOMESTIC RELATIONS FILING FEES FOR COURTHOUSE FACILITATOR PROGRAM**

Chairman Shelton opened a public hearing at 1:55 p.m. as scheduled and advertised for the purpose of considering Ordinance #C-87-05 Increasing Surcharge on Domestic Relations filing fees for the Courthouse Facilitator Program. The ordinance would increase ICC 3.48.010 surcharge on filing a domestic relations or other case under Title 26 RCW in Island County Superior Court from ten dollars to twenty dollars. Surcharge funds can only be used by the Island County Superior Court to operate a Courthouse facilitator Program to assist parties who are not represented by attorneys in domestic relations cases and other cases filed under Title 26 RCW.

At the time of hearing, no one in the audience spoke either for or against the proposed ordinance. Sherry Cameron, Island County Superior Court Administrator, was present in support of the proposed ordinance.

By unanimous motion, the Board approved Ordinance #C-87-05 Increasing Surcharge on Domestic Relations filing fees for the Courthouse Facilitator Program. [*Ordinance #C-87-05 on file with the Clerk of the Board*]

**STAFF SESSION SCHEDULE – SEPTEMBER, 2005**

The Board by unanimous motion approved the Staff Session Schedule for September, listing two sessions, both beginning at 9:00 a.m. and held in the County Annex Building Hearing Room B102, 1 NE 6<sup>th</sup> Street, Coupeville: September 7 Regular Staff Session; and September 14 Special Session – Staff Session. The regularly-scheduled third Wednesday Staff Session has been canceled.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING - August 22, 2005****RESOLUTION #C-94-05 CHANGING NAME OF FIRE PROTECTION DISTRICT NO. 5 TO CENTRAL WHIDBEY ISLAND FIRE AND RESCUE**

Fire Protection District No. 5 adopted Resolution #05-04 on August 11, 2005 pursuant to RCW 52.30.06 petitioning and proposing that the Island County Board of Commissioners adopt a resolution approving a name change of the District from Island County Fire Protection District No. 5 to Central Whidbey Island Fire and Rescue.

Joe Biller, Chief, and Paul Messner, Commissioner, were present from Fire Protection District No. 5 in support of the proposed Resolution. Chief Biller explained that the District some years' ago established the informal name of Central Whidbey Island Fire and Rescue, and that name is now generally recognized by the public at large as the Fire Department serving Central Whidbey Island.

By unanimous motion, the Board approved Resolution #C-94-05 Changing the Name of Fire Protection District No. 5 to Central Whidbey Island Fire and Rescue. *[Resolution #C-94 -05 on file with the Clerk of the Board]*

**AMENDMENT NO. 1 TO SUBAWARD AGREEMENT G001785 - WASHINGTON STATE UNIVERSITY FOR BEACH WATCHERS PROGRAM IN ISLAND COUNTY**

Amendment No. 1 to Subaward Agreement G001785 (RM-EXT-05-0087) in the amount of \$16,396 with Washington State University for Beach Watchers program in Island County and providing regional support for the WSU Beach Watcher program expansion into six additional counties, and revising the end date to June 30, 2006, was approved by unanimous motion of the Board.

**HEALTH CONTRACTS APPROVED**

The Board by unanimous motion approved the following Health Department contracts:

Contract #HS-06-03, Amendment 5 (RM-HLTH-98-0004) with Total Living Concept for Developmental Disabilities/Person to Person Services, continuing service for up to 120 days from July 1, 2005; Amendment amount not to exceed \$2,073.67 per month for a maximum of 120 days; Contract amount not to exceed \$54,482.68

Contract No. HS-05-03, Amendment 2 (RM-HLTH-99-056) with Toddler Learning Center for Developmental Disabilities/Child Development Services, continuing service for up to 120 days from July 1, 2005; Amendment amount not to exceed \$6,520.75 per month for a maximum of 120 days; Contract Amount not to exceed \$182,581.

**LIQUOR LICENSE APPLICATIONS APPROVED**

With a recommendation of approval from the appropriate County departments, the Board by unanimous motion approved the following liquor license applications:

Special Occasion Liquor License #092151 by Camano Island Yacht Club, September 4, 2005 from 2:00 p.m. until 7:00 p.m., Camano Island Yacht Club, 129 N. Sunset, Camano Island;

Liquor License #088391-3F by Goosefoot Community Fund, 5603 Bayview Road, Upper Level, Langley [privileges applied for: non-profit arts organization] ;

Washington State University Foundation Special Occasion Liquor License #091765 for two occasions:

1. Greenbank Farm, October 22, 2005 from 6:00 p.m. to 10:30 p.m.
2. Island Adventures cruise ship, September 17, 2005 from 5:30 p.m. to 8:30 p.m.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING - August 22, 2005****RESOLUTION #C-95-05/R-39-05 - ADOPTION OF ISLAND COUNTY'S SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM (TIP) FOR THE YEARS 2006 – 2011**

Resolution #C-95-05/R-39-05 In the Matter of Adoption of Island County's Six-Year Transportation Improvement Program (TIP) for the Years 2006 – 2011, was presented by Bill Oakes, Public Works Director. The Island County Planning Commission held a public hearing to consider the program, and found the program to be in compliance with the Island County Comprehensive Plan. The Planning Commission recommended approval of the Program, with a recommendation to accelerate the Trails and Trail Head projects. Mr. Oakes pointed out that since those projects are grant funded the projects are moving forward as appropriate and are reflected in the existing plan.

By unanimous motion, the Board approved Resolution #C-95-05/R-39-05 In the Matter of Adoption of Island County's Six-Year Transportation Improvement Program (TIP) for the Years 2006 – 2011, as presented. *[Resolution #C- 95-05/R-39-05 on file with the Clerk of the Board] GMA record #8215*

**RESOLUTION #C-96-05/R-40-05 - ADOPTION OF ISLAND COUNTY'S SIX-YEAR CAPITAL IMPROVEMENT PROGRAM (CIP) FOR THE YEARS 2006 – 2011**

Mr. Oakes next presented to the Board for approval, Resolution #C-96-05/R-40-05 In the Matter of Adoption of Island County's Six-Year Capital Improvement Program (CIP) for the Years 2006 – 2011. The Planning Commission held a public hearing on this document and made no recommendations regarding changes to the CIP.

By unanimous motion, the Board approved Resolution #C-96-05/R-40-05 In the Matter of Adoption of Island County's Six-Year Capital Improvement Program (CIP) for the Years 2006 – 2011 as presented. *[Resolution #C-96 -05/R-40-05 on file with the Clerk of the Board] GMA record #8216*

**SUPPLEMENTAL AGREEMENT NO. 1 – WASHINGTON STATE DEPARTMENT OF TRANSPORTATION; SIDNEY ST. VICINITY TO MONROE LANDING ROAD; RIGHT TURN POCKET; PRELIMINARY ENGINEERING & RIGHT-OF-WAY ACQUISITION**

Supplemental Agreement No. 1 in the amount of \$10,733 #PW-0520-295 to Agreement GCA 4297 between Island County and Washington State Department of Transportation relating to the project Sidney St. vicinity to Monroe Landing Road, right turn pocket design preliminary engineering and right-of-way Acquisition was approved by unanimous motion of the Board, as presented by Mr. Oakes, bringing the total amount to \$20,733.00.

**RESOLUTION #C-97-05/R-41-05 - SALE OR DISPOSAL OF SURPLUS COUNTY PROPERTY (MODULAR UNITS)**

Resolution #C-97-05/R-41-05 In the Matter of the Sale or Disposal of Surplus County Property (Modular Units), amending Resolution #C-77-05/R-33-05 In the Matter of the Sale or Disposal of Surplus County Property (Modular Units) was approved by unanimous motion of the Board as presented by Mr. Oakes. *[Resolution #C-97 -05/R-41-05 on file with the Clerk of the Board]*

**NOXIOUS WEEDS IN COUNTY RIGHT-OF-WAY**

Over the last number of weeks, the Commissioners received complaints in reference to noxious weeds growing along County rights of-ways. Those complaints were shared with Dick Snyder and Jack Taylor, and Mr. Taylor responded and also noted other problems experienced as a result of the

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County's no spray policy, commenting that in relation to road rights-of-way areas where there is no paved shoulder that weeds are encroaching and covering up the fog line. The Board needs to consider on the part of the Road Department the ability to go out and spot spray noxious weeds, and Chairman Shelton asked that Mr. Oakes include that topic for the September 7<sup>th</sup> Staff Session.

Mr. Oakes agreed to bring to the September 7<sup>th</sup> staff session an evaluation of the cost difference between hand-pulling or spraying. Existing policy requires evaluation of other forms of control before using herbicides.

**HEARING HELD: OPS #216/05 APPLICANTS, JERRY AND PEGGY JOHNSON, PROPOSE TO TRANSFER 20 ACRES FROM DESIGNATED FOREST TO OPEN SPACE TIMBER LAND CLASSIFICATION**

As scheduled and advertised, a public hearing was held at 2:30 p.m. to consider OPS #216/05 by Jerry and Peggy Johnson to place the full 20 acres within parcel number R32907-453-3740, the West 660 feet of Government Lot 5 of Section 7, Township 29N, Range 3E, W.M. into the Timber Land current use program pursuant to RCW 84.34, located southwest of Langley, Wa.

Mr. Tate summarized from Staff Report dated July 22, 2005, recommending approval subject to standard conditions as contained in the Staff Report.

At the time of hearing, no one in the audience spoke either for or against the application.

By unanimous motion the Board approved OPS #216/05 by Jerry and Peggy Johnson as recommended by the Planning Department.

**HEARING HELD: OPS #252/05 APPLICANTS, KARL WEISS AND GLEN DRUMHELLER**

At 2:35 p.m. as scheduled and advertised, a public hearing was held to consider OPS #252/05 by Karl Weiss and Glen Drumheller to transfer approximately 16 acres of their two parcels that together equal 20 acres from Designated Forest to Open Space Timber Land classification, Parcel R23020-368-3060 and R23020-367-3700 located south of Greenbank.

Jeff Tate, Assistant Director, Planning and Community Development, summarized from Staff Report dated July 27, 2005, recommending approval subject to standard conditions as specified in that Staff Report.

The Chair offered an opportunity for public comments; no one in the audience indicated a desire to speak for or against OPS #252/05.

By unanimous motion, the Board approved Timber Land current use classification Application OPS #252/05 by Karl Weiss and Glen Drumheller, as recommended by the Planning Department.

**OPEN SPACE APPLICATIONS SCHEDULED FOR PUBLIC HEARING**

As presented by Mr. Tate, the Board by unanimous motion scheduled the following Open Space applications for public hearing:

**Public Hearing September 12, 2005 at 10:40 a.m. OPS #299/05 by Charles & Janet Benbow and Don & Doris Nolan** requesting approximately 700 acres of an approximate 800-acre holding just south

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of Greenbank, on Whidbey Island, WA be shifted from the Designated Forest Tax Program to Timber Land current use classification. Staff Recommendation: Conditional Approval

**September 19, 2005 @ 10:30 a.m. OPS #262/05 by J. Timothy & Dell McGlinchy and Michael & Linda Hilley**, requesting 38.39 acres of 40.92 acres on parcels R23226-472-4650 and R23226-372-5130 be enrolled into the Timber Land current use program; 36.14 acres is in the DF program, the remaining 2.25 acres is not in the DF program. An associated BLA, ZAA and land exchange is contingent on the approval of the enrollment of the property into the Open Timber tax program. Located on Camano Island, WA. Staff Recommendation: conditional approval

**PLAT OF ELGER GLEN - #119/03 PLP FINAL APPROVAL**

The Plat of Elger Glen by Mike Hayes, et. al, #119/03 PLP was presented by Carole Croft, Planning Manager, for final approval of a 13 lot Plat, located on Parcel #R33130-094-3790, Camano Island near Elger Bay. The plat was granted conditional preliminary approval on January 2, 2004. Staff reviewed all information submitted for final approval and determined that all conditions have been fulfilled. Applicants were present in support of the approval.

By unanimous motion the Board approved the final Plat of Elger Glen by Mike Hayes, et. al. #119/03 PLP as presented.

**STATUTORY WARRANTY DEED - WILLIAM L. AND SUSAN M. GOODMAN**

Ms. Croft presented a Statutory Warranty Deed from Island County to William L. and Susan M. Goodman for described real estate a follow-on associated with Boundary Line Adjustment Application BIA 281/05 approved by the Board on August 8, 2005.

By unanimous motion the Board accepted and approved the Statutory Warranty Deed from William L. and Susan M. Goodman for described real estate, as well as signing and acknowledging approval of Statutory Warranty Deed from Island County to William L. and Susan M. Goodman for described real estate as presented by Ms. Croft [RM-PLAN-05-0096].

**ORDINANCE #C-98-05 (PLG-014-05) - AMENDING THE FLOOD DAMAGE PREVENTION ORDINANCE, CHAPTER 14.02A ICC - FREQUENTLY FLOODED AREAS**

Ordinance #C-98-05 (PLG-014-05) in the matter of Amending the Flood Damage Prevention Ordinance, Chapter 14.02A ICC in conjunction with the review and update of the Critical Area Regulations under Track 2 Critical Areas Update Process for Frequently Flooded Areas, was presented to the Board by Jeff Tate.

Exhibit A of the Ordinance contain the proposed amendments to ICC 14.02A; Exhibit B, the Planning Commission's Findings of Fact. Mr. Tate stated that adoption of the Ordinance would satisfy requirements of RCW 36.70A.130 as it pertains to frequently flooded areas and RCW 36.70A.172 which requires that critical area regulations be based on best available science. The Planning Commission held public hearings on the proposed Ordinance on June 28, 2005 on Camano Island, and in Coupeville on July 12, 2005; on July 26, 2005 in public meeting the Planning commission adopted a recommendation for amending the Flood Damage Prevention Ordinance. The suggested changes in this ordinance are in FEMA's view necessary in order to bring the County in line with the State model ordinance; Staff look at that being the highest test of BAS in the CAO update.

At the time of hearing, no one in the audience expressed a desire to speak either for or against said ordinance.

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By unanimous motion the Board approved Ordinance #C-98-05 (PLG-014-05) in the matter of Amending the Flood Damage Prevention Ordinance, Chapter 14.02A ICC in conjunction with the review and update of the Critical Area Regulations as it pertains to frequently flooded areas as presented. *[Ordinance #C-98-05 (PLG-014-05) on file with the Clerk of the Board] GMA Record #8217*

Regular Board meetings are held on the first four Mondays of each month; there is no regularly-scheduled meeting scheduled for August 29. Island County offices will be closed Monday, September 5, 2005 in observance of Labor Day holiday, and reopen on Tuesday, September 6<sup>th</sup>.

There being no further business to come before the Board at this time, the meeting adjourned at 2:51 p.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