

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
FEBRUARY 13, 2006**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on February 13, 2006 beginning at 9:30 a.m. in the Island County Courthouse Annex, Hearing Room, 1 N. E. 6th Street, Coupeville, Wa. Wm. L. McDowell, Chairman; William J. Byrd, Member, and Mike Shelton, Member, were present. The meeting began with the Pledge of Allegiance.

By unanimous motion, the Board approved the minutes from Special Session held on January 23, 2006, related to AG BMPs.

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

The Board by unanimous motion approved the Combined Excise Tax Return for the period ending January 31, 2006 in the amount of \$15,610.23, and approved for payment the following vouchers /warrants: Voucher (War.) #231877-232176\$ 371,079.28.

EMPLOYEE AWARDS

Employee Service Awards

<u>Department</u>	<u>Employee</u>	<u>No. Years</u>
Clerk	Michelle McKee	5
Health	Doug Kelly	10
Planning	Matt Kukuk	5
Planning	Jeff Tate	10
Pros Attorney	Susie Walkwitz	10
Sheriff	Scott Davis	15
Public Works	Ryan Neighbors	15
WSU	Judy Feldman	5

Employee of the Month – January, 2006

Jeanne Smart - Employee of the Month for January 2006. Jeanne has worked for the County as a Corrections Officer in the Jail for 16 years. She has established a reputation as not only a trusted staff member but also one who exhibits professionalism and compassion in her position. She is a superb representative of the County and is the personification of what a professional public servant should be.

Special Recognition

Ryan Neighbors and Hap Fakkema, Coupeville Road Shop, distinguished themselves during the big storm on February 4-5, 2006. Ryan and Hap had been up all night clearing downed trees and dealing with coastal flooding when they came upon an elderly woman laying face down on the ground outside of the Freeland Hall. They both hurried to the downed woman and upon seeing contusions on her face and a broken leg immediately called for an ambulance. They remained with the woman rendering aid and keeping her warm until the ambulance arrived.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
FEBRUARY 13, 2006**

HIRING REQUESTS & PERSONNEL ACTIONS

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

Dept.	PAA #	Description/Position #	Action	Eff. Date
Public Works	011/06	Civil Engr I – Traffic #2221.02	Replacement	2/13/06

DIKING DISTRICT NO. 1 COMMISSIONER APPOINTED

Having received a recommendation from current Diking District No. 1 Commissioners Arnold and Gabelein, pursuant to RCW 85.38.070 (5), the Board by unanimous motion appointed Robert Kohlwes, Sunlight Beach Road, Clinton, to serve as Diking District No. 1 Commissioner in Position #2, previously held by Sally Berry.

**RESOLUTION #C-12-06 CANCELLATION OF UNCOLLECTIBLE PERSONAL PROPERTY
TAXES AS OF FEBRUARY 2006**

As forwarded to the Board from Linda Riffe, Island County Treasurer, along with her Affidavit, the Board by unanimous motion approved Resolution #C-12-06 Cancellation of Uncollectible Personal Property Taxes As of February 2006. [*Resolution #C-12-06 on file with the Clerk of the Board*]

CERTIFICATION OF 2006 TAX ROLL

Tom Baenen, Island County Assessor, submitted to the Board the Island County Assessor's Certification of the Levies for Collection of Taxes in the year 2006. He called attention to the a few of the tax percentages for 2006:

	By Percentage 2006
Emergency medical services and hospital	6.41
Cities and town	4.9
Conservation Futures	0.70
County Current Expense	8.01
County Roads	8.02
Fire Districts	8.78
State Schools	28.54
Local Schools	27.62.

Composite rate. Average rate per \$1,000 for 2006 will be 8.89. Total collected for 2006 \$81,453,347, a 1% increase in composite rate. The tax roll will be delivered today to the Treasurer and Auditor [*copy on file with the Clerk of the Board*]

REAL ESTATE LISTING AGREEMENTS

Having been previously discussed at Staff Session, now transmitted from General Services Administration for Board approval, the Board by unanimous motion, approved the following real estate listing agreements:

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
FEBRUARY 13, 2006**

Sale and Listing Agreement with Churchill & Associates, Inc. – surplus property located at 4185 Hollydale Lane, Oak Harbor, Parcel #13311-253-0550 (RM-GSA-06-0009)

Sale and Listing Agreement with Churchill & Associates, Inc. - surplus property located at 31 W. Henni Road, Oak Harbor, Parcel #13312-235-4800 (RM-GSA-06-0010)

HEALTH CONTRACT APPROVED

As transmitted to the Board from Tim McDonald, Health Services Director, the Board by unanimous motion approved Contract #NSMHA-ISLAND-ADMIN-06 (RM-HLTH-99-0053) with North Sound Mental Health Administration for mental health administrative services for Island County in the amount of \$60,288.

LIQUOR LICENSE APPLICATIONS APPROVED

Having received recommendations of approval from the appropriate reviewing County departments, the Board by unanimous motion approved for recommendation to the Liquor Control Board the following Liquor License Applications:

Special Occasion Liquor License #092672 by Whidbey Island Waldorf School, special occasion on March 17, 2006 from 4:00 p.m. to 12:00 a.m., Thomas Berry Hall, Whidbey Institute, 6449 Old Pietila Road, Clinton

Special Occasion Liquor License #091224 by Camano Island Yacht Club, special occasion March 18, 2006 from 5:30 p.m. to 9:00 p.m. at the Camano Island Yacht Club, 129 N. Sunset Drive, Camano Island

Assumption of Liquor License #076854-6E from Elizabeth C. and Gregory A. Osenbach, dba Whidbey Island Vineyard & Winery to Elizabeth Carlin Osenbach and Gregory Alan Osenbach, dba Whidbey Island Vineyard & Winery Ltd., located at 5237 S. Langley Road, Langley.

**CAMANO HILL ROAD IMPROVEMENTS - TEMPORARY CONSTRUCTION
EASEMENT AND QUIT CLAIM DEED**

As presented and recommended by Bill Oakes, Public Works Director, the Board by unanimous motion approved the following Temporary Construction Easement and Quit Claim Deed, related to Camano Hill Road Improvements, CRP 02-04, Work Order 176:

Temporary Construction Easement #PW-0520-114 - Onamac Maintenance Association; Parcel 050-2020; Sec. 11, Twp 31N, R 2E

Quit Claim Deed - Onamac Maintenance Association in the amount of \$3,750.00 (\$1,230.00/land, \$2,500.00/fencing, \$20.00/administrative settlement); Parcel 050-2020; Sec. 11, Twp 31N, R 2E.

MONROE LANDING ROAD PROJECT

The following Temporary Construction Easements and Quit Claim Deed associated with Monroe Landing Road project under CRP 02-03, Work Order 356 were approved by unanimous motion of the Board as presented and recommended by Mr. Oakes:

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
FEBRUARY 13, 2006**

Temporary Construction Easement #PW-0520-174 – Sylvia Kuhuski; Parcel 152-5230; Sec. 21, Twp 32N, R 1E

Temporary Construction Easement #PW-0520-174 - Sylvia Kuhuski; Parcel 169-5200; Sec. 21, Twp 32N, R 1E.

Temporary Construction Easement #PW-0520-227; Island County and Daniel J. & Dona M. Rientjes; Parcel 215-0660; Sec. 22, Twp 32N, R 1E.

Temporary Construction Easement #PW-0520-281 - Barbara E. Strother; Lot 96, Division No. 2, Plat of Penn Cove Park; Sec. 22, Twp 32N, R 1E.

Temporary Construction Easement #PW-0520-287 - Raymond L. & Colleen J. Krum; Lot 85, Division No. 2, Plat of Penn Cove Park, Sec. 22, Twp. 32N, R 1E.

Temporary Construction Easement #PW-0520-288 - Island County Joseph B. & Lisa M. Thibodeaux; Lot 89, Division No. 2; Plat of Penn Cove Park; Sec. 22, Twp 32N, R 1E.

Quit Claim Deed – Joseph B. & Lisa M. Thibodeaux; \$2,200.00 (\$2,100.00/land, \$100.00/grass lawn); Lot 89, Division No. 2, Plat of Penn Cove Park; Sec. 22, Twp 32N, R 1E.

On recommendation of the Board, Quit Claim Deeds [items i, k, m and o on Public Works agenda] were held for further review by Mr. Oakes to verify whether or not negotiation included administrative settlement with the property owners on the issue of rounding-off dollar amount.

CRP 05-04 – “NEW” ROAD PROJECT

The following Purchase and Sale Agreements for “New Road” under CRP 05-04, Work Order 148 were approved by unanimous motion of the Board as recommended by Mr. Oakes:

Purchase and Sale Agreement #PW-0620-07 - Island County Properties, L.L.C.; Parcel 361-4400; Sec. 19, Twp 31N, R 2E; \$142,000.00

Purchase and Sale Agreement #PW-0620-07 - Island County Properties, L.L.C.; Parcel 427-3720; Sec. 19, Twp 31N, R 2E.; \$142,000.00

STORMWATER MITIGATION AGREEMENT AND COVENANTS

Stormwater Mitigation Agreement and Covenants #PW-0620-01 between Island County and Jerry L. & Emma J. Swanson, Lot 10, Block 1, Division No. 1, Plat of Holmes Harbor Golf & Yacht Club; Sec. 3, Twp 29N, R 2E.

AGREEMENTS RELATED TO JOHNSON BUILDING CONDOMINIUMS: PURCHASE AND SALE AGREEMENT AND NON-MONETARY CONSIDERATION AGREEMENT

Commercial Real Estate Purchase and Sale Agreement #PW-0420-165 between Island County and the Town of Coupeville, for Lots A & B, Division #1, Johnson Building Condominiums, located in Sec. 33, Twp 32N, R 1E., in the amount of \$51,000.00, and Non-Monetary Consideration Agreement #PW-0520-318 between Island County and the Town of Coupeville for Lots A & B, Division No. 1, Johnson

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
FEBRUARY 13, 2006**

Building Condominiums, located in Sec. 33, Twp 32N, R 1E. were approved by unanimous motion of the Board as presented and recommended by Mr. Oakes.

PROPOSED ORDINANCE #C-13-06/PLG-00306 PRESENTED FOR SCHEDULING

Phil Bakke, Island County Planning & Community Development Director, presented for purposes of scheduling a future public hearing, proposed Ordinance PLG-003-06 in the matter of establishing a surface water quality monitoring program for non-tidal waters. He recalled that the Board held a workshop on WQMP February 6, 2006, another workshop scheduled for February 27th at 9:00 a.m.

Commissioner Shelton moved approval of scheduling Ordinance #C-13-06/PLG-003/06 in the matter of establishing a surface water quality monitoring program for non-tidal waters, for public hearing on March 6, 2006 at 10:30 a.m. Motion was seconded by Commissioner Byrd.

Mr. Bakke apprised the Board of an issue related to the proposed ordinance. The Planning Commission with their transmittal letter of recommendations left several issues up for consideration by the Board. These issues were addressed at a public hearing of the Planning Commission. One issue was the water quality monitoring program because the work product had not been moved along far enough and the Planning Commission needed some implementation strategies associated with their recommendations on AG. The second issue was the actual implementation strategies. Planning staff has worked directly with the Board of County Commissioners dealing with specific associated time lines for compliance. While PLG-003-06 was being reviewed by the Prosecutor's Office, questions were raised about whether or not the ordinance itself ought to go through the Planning Commission despite the fact that the Planning Commission deferred this to the Board. Mr. Bakke has correspondence from Keith Dearborn who is suggesting it could be a Planning Commission and Board joint-type meeting on March 6th.

Josh Choate, Deputy Prosecuting Attorney, explained, noting this new section of Code when viewed in isolation creates a new type of decision-making process by Planning, some enforcement procedures and some appeal procedures, an amendment to critical areas ordinance. Because of those things, it appears like what GMA defines as a development regulation triggering the need to go through the Planning Commission. He was not sure how the Board could act on a Planning Commission recommendation if the hearing is all on the same day. His recommendation was that because of what is in the proposed code it is a development regulation and development regulations need to go through the Planning Enabling Act prior to adoption.

Motion and second withdrawn. Board concurred with the recommendation of Mr. Choate that the proposed ordinance go through the Planning Commission process.

There being no further business to come before the Board at this time, the meeting adjourned at 10:50 a.m. The Board will meet in Special Session on February 27, 2006 beginning at 9:00 a.m. prior to the Regular Session, for a workshop on Water Quality Management Program – Adaptive Management. The next regular meeting will begin at 11:00 a.m. on February 27, 2006, for a roundtable with Elected Officials and Appointed Department Heads, followed by other topics for the regular session as outlined on the agenda.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
FEBRUARY 13, 2006**

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Wm. L. McDowell, Chairman

William J. Byrd, Member

Mike Shelton, Member

ATTEST:

Elaine Marlow
Clerk of the Board