

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
JANUARY 23, 2006      REGULAR SESSION**

The Board of Island County Commissioners convened in Regular Session at 11:00 a.m. on January 23, 2006 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. Wm L. McDowell, Chairman; William J. Byrd, Member; and Mike Shelton, Member, were present.

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

Elected Officials and Appointed Department Heads Attending:

Tom Baenen	Greg Banks	Bill Byrd	Sharon Franzen	Mike Hawley	Dan Sherk
Elaine Marlow	Tim McDonald	Bill Oakes	Linda Riffe	Mike Shelton	Dick Toft

**Presentation: “Learning Partners Program, Coupeville School District.** On behalf of Maggie Parker, Coupeville School District “Learning Partners” program, Vivian Rogers invited Elected Officials and Appointed Department Heads to volunteer in the program. The program encourages more adults from the working community to come in and work with students one hour a week. This is one on one time with the student, giving the student academic support as well as mentoring. For those volunteering, a commitment is needed for the duration of the school year. Suzanne Sinclair and Michael Merringer are currently learning partners. Brochures were distributed containing further information on the program, along with contact information.

**Chairman – 2006 – Elected Officials and Appointed Department Heads.** Don Meehan was selected unanimously to serve as the Chairman of the group for 2006.

**Assessor.** Office in the midst of re-valuations and at this point, about 60% complete with field work; estimate field and input work will be completed by 1 March.

**County Clerk.** New .5 FTE position filled effective January 5.

**Human Resources.** Four bargaining contracts currently in review process.

**Sheriff.** In the hiring process for 2 new corrections officers and 3 new deputies; 4 open deputy slots remain.

**Prosecuting Attorney.** Short-handed a deputy; currently receiving applications to fill that slot.

**Treasurer.** Cash flow projects for 2006 (capital) need to be submitted to the Treasurer from the appropriate departments to allow careful planning of investing and cash flow projections.

**Public Works.** JDF contractor to deliver building on 27 February; furniture move-in starts the 20<sup>th</sup>.

Follow-up: Next Meeting: Auditor follow-up from 12/5/05 Board Meeting to bring the policy regarding issuance and use of credit cards for discussion, and ideas on how departments believe they will use the cards (Resolution #C-140-05).

Next Roundtable: February 27, 2006 @ 11:00 a.m.

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The Board of Island County Commissioners (including Diking Improvement District #4) met at 1:30 p.m. considering regular agenda items. The meeting began with the Pledge of Allegiance. By unanimous motion, the Board approved the minutes from the January 9, 2006 regular meeting.

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

The following vouchers/warrants were approved for payment by unanimous motion of the Board:  
Voucher (War.) #

2005	Warrants #230530-230800 .....	\$1,780,924.40
2006	Warrants #230281-230529 .....	\$ 224,747.08.

By unanimous motion, the Board also approved the payroll dated January 13, 2006, and the Combined Excise Tax return for last month.

**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>
Public Works	006/07	Sol. Wst Att I .60 FTE	2249.02	Replacement	1/23/06
Facilities	006/08	Night Custod.	901.03	Personnel	2/13/06

**REVIEW MONTHLY FINANCIAL REPORTS FROM AUDITOR AND TREASURER**

**Treasurer's Report**

Linda Riffe, Treasurer, submitted the Treasurer's financial report dated 1/20/06 for the month ending December 31, 2005. Percentage shows "on-target" or exceeding revenue projections, with just a few minor exceptions; by and large fairly healthy the end of the year, better than the year before.

**Auditor's Report**

Anne LaCour, Chief Deputy Auditor, on behalf of Suzanne Sinclair, submitted the Auditor's financial report dated 1/23/06 for the month ending December 31, 2005. No items of note were identified, and the Commissioners had no questions.

*[Reports on file with the Clerk of the Board]*

**CIVIL SERVICE COMMISSION RE-APPOINTMENT NAMED**

Bill Vincent, Camano Island, was reappointed by unanimous motion of the Board for another term on the Island county Civil Service Commission for six years, the term expiring February 1, 2012.

**STAFF SESSION SCHEDULE – FEBRUARY, 2006**

The Staff Session schedule for February, 2006, was approved for distribution. The schedule outlines two regular staff sessions to be held on February 1<sup>st</sup> and 15<sup>th</sup>, beginning at 9:00 a.m.

**RESOLUTION #C-08-06 PROCLAIMING WEEK OF FEBRUARY 13-19, 2006 RANDOM  
ACTS OF KINDNESS WEEK IN ISLAND COUNTY**

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As has been the past practice for a number of years, the Board by unanimous motion approved a proclamation, under Resolution #C-08-06, to proclaim the week of February 13-19, 2006 Random Acts of Kindness Week in Island County. [*Resolution #C-08-06 on file with the Clerk of the Board*]

**AMENDMENT #GA 1 TO HAVA GRANT AGREEMENT #G-2840 WITH OFFICE OF  
SECRETARY OF STATE ESTABLISHING BEGINNING DATES OF PERFORMANCE FOR  
ELIGIBLE REIMBURSABLE COSTS**

The Board by unanimous motion, as forwarded by Suzanne Sinclair, Island County Auditor, approved Amendment #GA 1 to HAVA Grant Agreement #G-2840 with Office of Secretary of State establishing beginning dates of performance for eligible reimbursable costs (RM- AUD-05-0157).

**HEALTH CONTRACTS APPROVED**

By unanimous motion, the Board approved the following Health Department contracts as forwarded by Tim McDonald, Health Services Director:

Contract # HD-05-06 with Compass Health for shared part-time receptionist position at the Camano Health Care facility, in the amount of \$6,000 (RM-HLTH-02-0093)

Contract #HS-19-05 with United General Hospital, Skagit County to conduct the required SYNAR tobacco retailer compliance checks in Island County, in the amount of \$1,980 (RM-HLTH-04-0059)

Contract #C13034, Amendment No. 6 with Wa. St. Department of Health – Consolidated Contract. Continues funding for Group B System monitoring, HCCW Infant/Toddler program, and Local Capacity Development, total new contract amount \$948,659 (Amendment Amount \$139,588) (RM-HLTH-02-0094)

Contract #05-64005-065 - Department of Community, Trade & Economic Development - Community Development Block Grant (CDBG)/Imminent Threat; Grant to purchase and provide bottled water for students & faculty in the South Whidbey School District, in the amount of \$24,000 (RM-HLTH-06-0002).

**LIQUOR LICENSE APPLICATIONS APPROVED**

By unanimous motion, based on favorable recommendations received from the appropriate county departments, the Board approved a recommendation of approval to the Washington State Liquor Control Board for the following applications:

Application for Special Occasion Liquor License #091224 by Camano Island Yacht Club for a special occasion to be held February 18, 2005 from 5:00 p.m. to 9:00 p.m. at the Camano Island Yacht Club located at 129 N. Sunset Drive, Camano Island, WA

Assumption of Liquor License #072309-3F from Freeland Lanes, Inc. to Roger L. Simmons, located at Freeland Lanes, 5575 Harbor Ave, Freeland.

**CONSIDERATION OF 2005 CONSERVATION FUTURES PROPOSED ACQUISITION OF  
KRISTOFERSON CREEK PROPERTY**

Chairman McDowell opened the matter of considering the 2005 Conservation Futures Fund proposed acquisition of the Kristopheron Creek property. Video conferencing between the Courthouse in Coupeville and the Camano Annex was provided [audio only functioning]; 9 folks on Camano were

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present interested in the topic, and a number of interested citizens in the audience at Coupeville.

Pat Powell, Whidbey-Camano Land Trust (WCLT) Greenbank, the sponsor of the application, explained the proposal was to acquire a 2-1/2 acre parcel on lower Kristopherson Creek for permanent access to high quality riparian and wetland system for educational and public viewing. This is a Camano Island conservation project to provide public access to an important resource, one that happens to have as an extra bonus, salmon. WCLT reduced the request to no more than \$150,000. The appraisal a year ago was \$165,000 based on the fact that a light manufacturing building could be placed on the 2-1/2 acres off Sapphire Drive. The purchase agreement would be made subject to the land owner legally sub-dividing the property and meeting all County regulations, having clear title and no environmental hazards. It meets all Conservation Futures criteria; all public testimony as far as she is aware has been in support of the project. Friends of Camano Island Parks (FOCIP) pledged to help manage and steward the project, their priority to construct a trail to the creek. Utsalady School and other local schools have a need for permanent access for their science programs; the project stands by itself. If purchased, WCLT will work with adjacent landowners on conservation easements. She provided a couple of pictures from a power point slide presentation made to the Conservation Futures Board (CAB) of photos of the Creek that might not be seen walking in from Sapphire Road.

Judy Chapman, Member, Island County Conservation Futures Citizens Advisory Board, Camano Island, submitted a letter under today's date supporting the revised WCLT Conservation Futures application to purchase approximately 2.5 acres on Kristoferson Creek. The letter in summary expressed:

- CAB review of the Kristoferson Creek application and development of recommendations always recognized the project had two parts – purchase of a portion of one property for direct creek access for educational purposes and purchasing conservation easements to better conserve other areas around the creek.
- Revised application to reduce the project fits within CAB's recommendations.
- Excerpts from CAB minutes from May 25 support the recommendation for Kristoferson Creek purchase of the access property, and then easements, with funding level supported by an appraisal.

Lawrence Baum, owner of the property in question, a 5 acre parcel on Camano Island, with legal address on East Camano of 51 South, and on Sapphire Drive, 42 South, confirmed current zoning as light manufacturing, and he is in the process of applying for a 40 by 60 secure storage building; have invested in and obtained a County-approved water and septic; have two legal access driveways and traffic concurrency for the property as well as a biological site assessment associated with application for the building. The site is flat, contains no trees where the construction would take place. Everything is in place to go forward with short platting into two 2-1/2 acre parcels. One of which is being considered today, the parcel that would be accessed from Sapphire Drive. With regard to WCLT purchasing the resulting 2-1/2 acre lot fronting on Sapphire, he is willing to come to an agreement for less than the appraised valuation of the commercial property. A year ago he was willing to accept \$100,000; since then assessment on the property went up, and it is more expensive to do a short plat than anticipated; his offer now is \$125,000 with the short plat in place.

Barbara Brock, Camano Island, member of WCLT and FOCIP, submitted information relative to the watershed; important in considering this project. It has varied habitat; the second largest watershed on Camano Island and the Island's only salmon-bearing stream. It is centrally located and the community has the interest and now need the access; without the access it is very difficult to continue the educational efforts.

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Bill Applegate from Oak Harbor, who over years represented #3 Commissioner District on CAB, went to the property with the land owner and walked it to see what facilities might be available. About ten years' ago the County did same thing for the salmon school at Maxwelton Creek who prepared a very nice educational classroom and trails. The same type of thing can happen on this property if the County spends Conservation Futures funds to do so, and he urged the Board.

Tom Isenberg, Co-Chair, FOCIP, supported the project, noting that such property does not come along often. This is a very short run of water and there may never be an opportunity to obtain access for the public to the creek again.

John Edison, a board member of WCLT and member of FOCIP, observed that the project has a willing seller, offering it at a bargain price below appraised value, a truly unique resource for residents of Camano Island. It is a very environmentally significant piece of property and he urged that the Board approve the purchase and accept the project.

Pam Pritzel, Camano Island, urged a yes vote on the project to permanently protect 2-1/2 acres of land near the lower reaches of Kristopherson Creek. Purchasing this property is an excellent opportunity to provide educational outdoor activities for both school children and adults to observe the return of cut throat, coho and chum salmon.

Alice Turner, Camano Island, FOSEP, urged the Board's acceptance of the proposal, an irreplaceable educational resource, the only salmon bearing stream on Camano Island. Once the property is in private ownership the ability to go back and purchase it for the public will be lost.

Carol Triplett, President and Co-chair FOCIP, reiterated the letter sent a few days' ago about the supportive role of FOCIP. FOCIP pledges to help with any stewardship activities on the land, supportive of educational projects, and see this as a great opportunity to continue with that kind of role. Part of their mission is to provide education for adults and children by trying to get kiosk type materials and written materials available for the public. Their mission as well is to promote appropriate lands for acquisition that protect wildlife and are appropriate for parks and/or preserves; this property fits that. On behalf of FOCIP she urged the County sponsor the conservation futures project.

In Commissioner Byrd's opinion any project should stand on its own merits. When the project was initially proposed it did not come with a plan with regard to how to provide the educational facilities or get to the water's edge to provide that to the public. There is limited use for the property due to the wetland boundaries and setbacks. It is a dry creek for 6 to 8 months of the year; considering that dry creeks have some education value, he was willing to support the project with some conditions. He understood that FOSEP agreed to cut the trail in to the property and clear the trail from Sapphire in to the stream edge for public use and install interpretative signs for the project. With regard to the purchase price now stated at \$125,000, he recommended paying only that price, and that funds for the project be approved but held until plans for salmon watershed interface and educational elements are developed. He reminded there had been a promise to establish a kiosk for the heron rookery with interpretive signs and video camera viewing of the rookery and he was not sure that had been done.

Answering Commissioner Byrd, Carol Triplett confirmed that was a case; FOSEP has a record of doing that, and at English Boom, Iverson Spit and Elger Bay had been putting up kiosks with information boards and would do the same in this case. In regard to the concern about the heron rookery signs, FOSEP was waiting until the project got under way, the board walk in, etc., and will be putting up the historical display. She also serves on the MRC and that group is hunting for a places to

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put pedestal type boards for heronry display. They do have a very well developed educational plan for education days done each year in May for the elementary second graders on Camano and in Stanwood.

Commissioner Shelton moved the appropriation of \$125,000 plus the normal share of closing costs that a purchaser pays, for the purchase of 2-1/2 acres on Kristopherson Creek, referred to as the Baum property, the purchase would be completed after the short plat is finalized by Island County. Motion was seconded by Commissioner Byrd.

Commissioner Shelton commented that FOSEP has done what they said they would do in the past. He remembered the last information with regard to the heron rookery was that folks could go on line and view a video clip of a heron rookery and because all rookeries pretty much operate the same way therefore not put video cameras in every rookery. In relation to a plan, whether a written plan or not, he believed those who used it would establish some sort of policy for the use of the property.

Chairman McDowell commented on two types of property the County buys:

- (1) Properties on the waterfront of Puget Sound - those have special meanings since this County is made up of islands and long term public access to the water is very much decreasing commodity.
- (2) Interior to the County, and in this case, has a large critical area on it protected by 100' buffer on either side and a small piece of property that can be developed.

The question is how to arrive at what the value is. He used the example of Swantown Lake property purchase, that had 4 or 5 parcels that could have been developed. The Swantown purchase was several years ago and the price equated to 9 cents a square ft. With the case at hand and a price of \$125,000, the per square foot cost would be \$1.17. He did not support buying it in this manner, and would rather look at it as which is the critical area and its surrounding buffer.

Motion, as made and seconded, carried by majority vote; Commissioner McDowell opposed.

**PUBLIC HEARINGS HELD – PRIVATE CONSTRUCTION OF UNOPENED COUNTY  
ROAD RIGHTS-OF-WAYS**

A Public Hearing was held beginning at 2:15 p.m. to consider two requests for private construction of unopened County Road right-of-way:

**John & Cathy Lee - Request for private construction of unopened County Right-of-Way as recorded in Volume 35, Page 349, located in the NE ¼, Sec. 21, Twp 30N, R 2E., W.M. (UPW 05-0467).**

**R.C. of Washington, Inc. - Request for private construction of unopened County Right-of-Way known as Melody Lane located in the NE ¼ NW ¼, Sec. 36, Twp 30N, R 2E, W.M. (UPW 05-0527)**

**John & Cathy Lee request for private construction of unopened County Right-of-Way as recorded in Volume 35, Page 349 located in the NE ¼, Sec. 21, Twp 30N, R 2E., W.M. (UPW 05-0467).**

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Bill Oakes, Public Works Director, presented the application, a request to build a private road in unopened county right of way, an unnamed County right of way off Resort Road. The Department recommends approval of the application, with conditions as stated in Attachment A.

Kevin O'Donnell, Tacoma, owner of parcels 365.388 and 318.388 (lots A & B) and co-owners of parcel 400.383, a well property, referenced a letter from his wife dated January 18, 2006 to the Board in care of the Public Works Department [copy on file]. The road would run up against his property and take 15' for 330' of his property, which is not a problem but wanted to make sure that the road is brought up to County specifications legally and not just put in as a private road.

Mr. Oakes confirmed that it would be a short plat standard 14 foot wide roadway with 20 feet cleared for drainage in accordance with conditions, and further in accordance with the conditions specified in a letter from Mark Green, Coupeville Road Shop Supervisor dated October 17, 2005, indicating there is to be a 20 foot flat at the intersection of Resort Road, and construction BMPs in place as they build the

roads. It will meet Island County standards for this type of plat. Also the maintenance agreement runs with the land.

With no one else indicating a desire to speak for or against approval of said application, the Chairman closed the public comment portion of the hearing on the application by John & Cathy Lee.

By unanimous motion, the Board approved the application by John and Cathy Lee requesting private construction of unopened County Right-of-Way as recorded in Volume 35, Page 349 located in the NE ¼, Sec. 21, Twp 30N, R 2E., W.M. (UPW 05-0467) incorporating the conditions specified.

**R.C. of Washington, Inc. request for private construction of unopened County Right-of-Way known as Melody Lane located in the NE ¼ NW ¼, Sec. 36, Twp 30N, R 2E, W.M. (UPW 05-0527).**

Mr. Oakes presented the application to open unopened right of way from R. C. of Washington, Inc. known as Melody Lane on Whidbey Island. Again the Department is recommending approval with conditions.

Maureen McDonald, Nautilus Road, expressed a safety concern about trees that dead or half-dead located right along the edge where the road is [now an easement to get to the water shed]; wants to make sure trees will not come crashing down just from being up-rooted and jostled, especially in light of the winds and rains in the past weeks.

Commissioner Shelton noted that if located within the 20' right of way, the conditions require that all brush, stumps, debris, etc. shall be removed from county right of way at applicants time and expense.

Mr. Oakes pointed out that one of the conditions is to survey the right of way. The road will be 14' in width and a minimum of 20' cleared, although it appears it is about 30'. The concern with regard to the trees will be conveyed to the South Whidbey Road Shop Supervisor

Chairman McDowell commented that with regard to trees and blow downs, until a hazard is identified wind blowing trees down is considered an act of God. In process if Ms. McDonald observes trees on other property endangering her property, he suggested she notify the owner of the property putting them on notice there is an issue of trees.

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Randy Crosby, R. C. of Washington, Inc., believed he knew which trees Ms. McDonald referred to and thought they were in the road right of way, and stated he would take care of the trees.

Bill Rowlands, P.E., Cascade Pacific Engineering, the engineer and surveyor on the project, stated that it is a 30' right of way and would get that surveyed and follow whatever the County Engineer has requested.

With no one else indicating a desire to speak for or against approval of said application, the Chairman closed the public comment portion of the hearing on the application by R. C. of Washington, Inc.

By unanimous motion, the Board approved the application by R.C. of Washington, Inc. request for private construction of unopened County Right-of-Way known as Melody Lane located in the NE ¼ NW ¼, Sec. 36, Twp 30N, R 2E, W.M. (UPW 05-0527) subject to the conditions specified.

**CERTIFICATION OF 2006 ROAD LEVY – ANNUAL REPORT TO COUNTY ROAD  
ADMINISTRATION BOARD (CRAB)**

As prepared and recommended for approval by Mr. Oakes, the Board by unanimous motion approved Certification of 2006 Road Levy – Annual Report to County Road Administration Board (CRAB) as presented.

**RESOLUTION #C-09-06/R-04-06 – AUTHORIZING THE PROSECUTING ATTORNEY TO  
COMMENCE CONDEMNATION PROCEEDINGS, CAMANO HILL ROAD  
IMPROVEMENTS**

Resolution #C-09-06/R-04-06 In the Matter of Authorizing the Prosecuting Attorney to Commence Condemnation Proceedings, Camano Hill Road Improvements, CRP 02-04, Work Order 176, was approved by unanimous motion of the Board as presented by Mr. Oakes. [*Resolution #C-09-06 on file with the Clerk of the Board*]

**SUPPLEMENTAL AGREEMENTS APPROVED**

As presented and recommended for approval by Mr. Oakes, the Board by unanimous motion approved the following Supplemental Agreements;

Supplemental Agreement No. 1 – #PW-0620-04 between Island County and Designs Northwest Architects, Inc., Non-Motorized Trail Plan, revising the expiration date to March 30, 2006.

Supplemental Agreement No. 1 – PW-0220-95(A) between Island County and Davido Consulting Group, Inc. for on-call civil services – drainage, revising completion date to December 31, 2008, with maximum amount payable \$490,000

Supplemental Agreement No. 1 – PW-0220-96(A) between Island County and Chinook Engineering for on-call civil services – fish passage, extending date to December 10, 2006.

There being no further business to come before the Board at this time, the meeting adjourned at 2:35 p.m. The Board will meet next in Special Session at 3:00 p.m. this date at the North Whidbey Middle School, 67 N.E. Izette, Oak Harbor, on Ordinance #C-150-05 PLG-021-05 In the Matter of Updating Island County's GMA Critical Area Regulations Relating to Existing and Ongoing Agriculture, including Exhibits A, B, C and D. The next regular meeting of the Board will be on February 6, 2006 at 9:30 a.m.

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BOARD OF COUNTY COMMISSIONERS  
ISLAND COUNTY, WASHINGTON

\_\_\_\_\_  
Wm. L. McDowell,    Chairman

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William J. Byrd,    Member

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Mike Shelton,    Member

ATTEST:

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Elaine Marlow  
Clerk of the Board