

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING AUGUST 28, 2006**

The Board of Island County Commissioners convened in Regular Session at 11:00 a.m. on August 28, 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 [absent for the 11:00 Roundtable due to a previously-scheduled meeting], and Mike Shelton, Member, were present.

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

**Elected Officials and Appointed Department Heads Attending:**

Tom Baenen	Greg Banks	Mike Hawley	Betty Kemp	Larry Larson
Elaine Marlow	Tim McDonald	Mac McDowell	Mike Shelton	Dan Sherk
Suzanne Sinclair				

**Others:**

Roger Case, M.D.  
Diane Kendy

**ASSESSOR.** Appraisers are continuing their work picking up new construction and are about 90% complete with field work - probably will exceed last year in new construction dollar amount, although the total number of permits are lower than last year. Anticipate mailing reval notices between September 15-30, 2006.

**AUDITOR.** The new election system being used this year alerts election workers when a wrong ballot is placed in an envelope which will hopefully reduce or eliminate errors on ballots going out.

**HEALTH.**

- Bats - still a big issue - stay away from bats!
- Rats - remove areas that harbor rats as well as any food source for rats.
- Shellfish closure - The Island County Health Department has issued a News Release that due to marine biotoxins that cause paralytic shellfish poisoning (PSP) the entire west side of Whidbey Island are closed to the recreational harvest of shellfish. Closure area boundaries are from Deception Pass south to Possession Point. For further information visit DOH website at <http://www.doh.wa.gov/ehp/sf/biotoxin.htm> or call the DOH Biotoxin Hotline at 1-800-562-5632. Locally, contact Kathleen Parvin, Island County Health Department at #360-678-7914. [Press release dated August 23, 2006].
- Sea Mar Community Dental Clinic is opening for low and moderate income families, with open house planned for late September.

**HUMAN RESOURCES.** Instituted Health Retirement Savings Plan for Non-represented Employees and Elected Officials. H.R. will be providing further information soon about this new program.

**PROSECUTOR.** Josh Choate has submitted his resignation, leaving the County to work in the Attorney General's office, a bigger office with more opportunities. It is a loss for the Prosecutor's Office as Josh has been outstanding in everything he does.

**SHERIFF.** JBRS [jail booking reporting system] up and running, a live-to-population accounting program, tracking state wide, and dove-tails with Federal program that allows for victim notification. Will be coming on line with LINKS through NCIS, coordination of all criminal data bases throughout the State and a great investigating tool (free).

**Special Presentation - Roger Case, M.D. - Emergency and Pandemic Situations**

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Will be issuing a press release today regarding "Health Care and CERT Volunteers needed". Being unprepared is unacceptable. As far as a workforce issue, Elected Officials and Department Heads need to be aware that in a pandemic situation those in isolation or quarantine will not be at work, estimating that probably between 30 - 40% of the workforce may not show up for work. Planning ahead should include employee cross-training, determination of what services will still be provided, and those that cannot be provided; and plan for as long as up to 18 months. Reviewed effectiveness of masks and mask types - surgical and N95. How folks get necessities needed is a neighborhood issue. People should stock food ahead at least for a minimum of 30 days; avoid crowded situations, keep gatherings to a minimum. The press release gives information on how to obtain an application to become enrolled in the Island County Community Volunteer Program at the Island County Public Health website: [www.islandcounty.net/health/index.htm](http://www.islandcounty.net/health/index.htm). More information on America's Freedom Corps is available at the following website: [http://www.usafreedomcorps.gov/about\\_usafc/programs/index.asp](http://www.usafreedomcorps.gov/about_usafc/programs/index.asp); Medical Reserve Corps (MRC): <http://www.medicalreservecorps.gov/HomePage>; and Community Emergency Response Team: <https://www.citizencorps.gov/cert/>.

*Roundtable adjourned 11:23 a.m.; next Roundtable: September 25, 2006 at 11:00 a.m.*

The Board of Island County Commissioners (including Diking Improvement District #4) met at 1:30 p.m., considering items contained on the agenda; the meeting began with the Pledge of Allegiance. By unanimous motion, the Board approved the minutes of previous meeting August 21, 2006.

**VOUCHERS AND PAYMENT OF BILLS**

By unanimous motion, the Board approved the following vouchers/warrants for payment:

Vouchers/warrants: War. #245327-245510..... \$526,695.26.

**HIRING REQUESTS & PERSONNEL ACTIONS**

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

<b>Department</b>	<b>PAA #</b>	<b>Description</b>	<b>Position #</b>	<b>Action</b>	<b>Eff. Date</b>
Health	071/06	EHS III	2403.05	Replacement	8/28/06
Health	115/06	Dept. Asst. .75 FTE	2420.00	Replacement	8/26/06
Planning	116/06	Asst. Planner	1708.04	Replacement	8/28/06
Planning	117/06	Asst. Plnr-Critical Areas	1707.05	New Position	8/28/06 [GMA # 8886]
Pros. Atty.	118/06	Dep. Pros. Atty	1816.00	Replacement	*

\*Authorized moving forward, an effective date to determined depending upon how soon an appropriate candidate can be hired, not contingent upon leave payout.

**PROPERTY PURCHASE**

By unanimous motion, the Board approved the Purchase and Sale Agreement for the Boyer Property in the amount of \$2,400,000, subject to conditions, authorizing either the Chairman or the other two Commissioners to sign the Agreement.

**PURCHASE ORDERS APPROVED - FURNISHINGS FOR CAMANO ISLAND ANNEX OFFICES**

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By unanimous motion, the Board approved the following purchase orders to furnish the Camano Island Annex Office from Bank & Office Interiors, Project #200178:

- Planning Department: Purchase Order No. 8104 \$21,295.16 incl. WSST
- Health Department: Purchase Order No. 7239 \$ 8,472.28 incl. WSST.

**HEARING HELD: RESOLUTION #C-79-06 INCREASING THE ISLAND COUNTY  
CURRENT EXPENSE FUND RESERVE ACCOUNT**

As advertised and scheduled, the Board opened a public hearing at 9:55 a.m. to consider Resolution #C-79-06 Increasing the Island County Current Expense Fund Reserve Account.

Elaine Marlow, Budget Director, provided further details and the need for adoption of the resolution. In 1995 the Board established a reserve account within the Island County Current Expense fund to set aside a minimum 10% of the annual current expense fund revenues to be used for extraordinary disasters that require money immediately available. Eleven years later it has been determined necessary to increase the amount of reserve to a total of 2.2 million dollars, for 10% of the 2006 Current Expense Revenue. Given some of the unfortunate occurrences in the past few years, Ms. Marlow thought this a very wise action, one that would provide money to pay first responders, vendors, etc. in the event of a major earthquake or disaster.

At the time of hearing when the Chairman called for comments from members of the public, no comments were made either for or against said Resolution.

By unanimous motion the Board adopted Resolution #C-79-06 Increasing the Island County Current Expense Fund Reserve Account. *[Resolution #C-79-06 on file with the Clerk of the Board]*

**COMMITTEE APPOINTMENTS/ REAPPOINTMENTS**

By unanimous motion, the Board made the following reappointment and appointment to the Island County Historical Review Committee:

Reappointed Carol Olson, Freeland, representing the Island County Historical Society, for a four year term expiring August 13, 2010

Appointed Lisa Tichy, Coupeville, appointed under "Special Membership" representing the Ebey's Landing National Historical Reserve Trust Board.

**STAFF SESSION SCHEDULE FOR SEPTEMBER, 2006**

The September, 2006 Staff Session Schedule was approved by unanimous motion for Staff Sessions to be held on September 6 and 20, beginning at 9:00 a.m.

**CONTRACT WITH CXT INCORPORATED - GOSS LAKE VAULT TOILET**

The Board by unanimous motion approved the Contract with CXT Incorporated for Goss Lake vault toilet purchase and installation, per bid previously awarded by the Board, in the amount of \$13,652.06 including Washington State Sales Tax (RM-PARKS-06-0092).

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**HEALTH DEPARTMENT CONTRACTS APPROVED**

By unanimous motion, the Board approved the following Health contracts as recommended by Tim L. McDonald, Health Services Director:

Contract #HD-20-06 (RM-HLTH-02-0047) with Skagit/Island Head Start for public health nurse consultation to the Skagit/Island Head Start staff on health issues, not to exceed \$1,500.00.

Contract #0663-99673 (RM-HLTH-01-0064) with Washington State DSHS, to continue Foster Care Passport program at current levels, in the amount of \$20,416.00.

Contract #HD-22-06 (RM-HLTH-06-0096) with San Juan County for Public Health Nurse consultation to help with the establishment of an ABCD program in San Juan County, in the amount of \$3,500.00.

**LIQUOR LICENSE APPLICATIONS APPROVED**

Having been reviewed by the appropriate County departments and received recommendations of approval, the Board by unanimous motion recommended approval of the following liquor license applications to the Washington State Liquor Control Board:

Assumption of Liquor License #351445-3F from LAKA Enterprises, Inc., d/b/a The Cozy's Roadhouse, to Troy Weldon Cook, d/b/a Cook's Corp. Too, for business located at 8872 E. Hwy. 525, Clinton, WA

Special Occasion Liquor License #090936 by Camano Island Chamber of Commerce for November 11, 2006 from 3:00 p.m. to 7:00 p.m. at the Camano Island Senior & Community Center, 606 Arrowhead Rd., Camano Island, WA, subject to conditions of the Island County Sheriff.

**RESOLUTION #C-98-06/R-34-06 – ADOPTION OF ISLAND COUNTY'S SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM FOR THE YEARS 2007-2012**

Resolution #C-98-06/R-34-06 In the Matter of Adoption of Island County's Six-Year Transportation Improvement Program for the Years 2007-2012, having been reviewed by the Island County Planning Commission and found in compliance with the Island County Comprehensive Plan, was presented to the Board with a recommendation of approval by Randy Brackett, Assistant County Engineer.

The Board by unanimous motion, approved Resolution #C-98-06/R-34-06 In the Matter of Adoption of Island County's Six-Year Transportation Improvement Program for the Years 2007-2012 as presented.

*[Resolution #C-98 -06 on file with the Clerk of the Board] (GMA #8887)*

**RESOLUTION #C-99-06/R-35-06 – ADOPTION OF ISLAND COUNTY'S SIX-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE YEARS 2007 – 2012**

Resolution #C-99-06/R-35-06 – In the Matter of Adoption of Island County's Six-Year Capital Improvement Program for the Years 2007-2012 was submitted to the Board by Mr. Brackett with a recommendation of approval, the CIP having been reviewed by the Island County Planning Commission and found in compliance with the Island County Comprehensive Plan.

By unanimous motion, the Board approved Resolution #C-99-06/R-35-06 – In the Matter of Adoption of Island County's Six-Year Capital Improvement Program for the Years 2007-2012 as presented.

*[Resolution #C-99-06 on file with the Clerk of the Board] (GMA #888)*

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**HEARING HELD: ORDINANCE #C-90-06 (PLG-024-06) - ORDINANCE CONCERNING TECHNICAL AMENDMENTS TO THE ISLAND COUNTY COMPREHENSIVE PLAN FUTURE LAND USE PLAN MAP AND THE ISLAND COUNTY ZONING ATLAS**

As advertised and scheduled for 2:30 p.m. a public hearing was held for the purpose of considering proposed Ordinance #C-90-06 (PLG-024-06) In the matter of an ordinance concerning Technical Amendments to the Island County Comprehensive Plan Future Land Use Plan Map and the Island County Zoning Atlas, Parcel R13222-197-1650 (Map #153 North Whidbey Island, WA). The landowners, the Fircvhaus, were present in the audience at the time of hearing.

Jeff Tate, Assistant Planning Director, referred to three exhibits attached to the proposed Ordinance:

Exhibit A - the existing zoning map

Exhibit B - excerpts from the Island County Comp Plan regarding residential areas of more intensive rural development, the one most applicable in this case - designation criteria B regarding presence of established water and sewer district boundaries and sewer systems

Exhibit C - proposed revised zoning atlas map. Parcel R13222-197-1650 would be added into the Penn Cove Rural Area of Intensive Development.

Mr. Tate noted that the applicants supplied data to show that in 1998 some information probably was not before staff at that time when making initial recommendations to the Planning Commission. A sewer district boundary had been previously established which includes this parcel, has been in the sewer district boundary and capable of being served by the sewer district - a serviceable property. There were other areas in the County, for example Holmes Harbor, where the County did very much consider the presence of sewer district boundaries and the ability of those sewer districts to provide parcels with service.

At the time of hearing, no one in the audience spoke either for or against Ordinance #C-90-06.

By unanimous motion, the Board approved Ordinance #C-90-06 (PLG-024-06) In the matter of an ordinance concerning Technical Amendments to the Island County Comprehensive Plan Future Land Use Plan Map and the Island County Zoning Atlas, Parcel R13222-197-1650 (Map #153 North Whidbey Island, WA) as presented. *[Ordinance #C-90-06 (PLG-024-06) on file with the Clerk of the Board] (GMA #8889)*

**APPROVAL/SIGNATURE: BOARD'S WRITTEN DECISION - CLOSED RECORD APPEAL HEARING - APPEAL #308/06 BY GERALD WOOD**

On August 21, 2006 the Board held a Closed Record Appeal Hearing on Appeal #308/06 by Gerald Wood, appellant, appealing the Hearing Examiner's Decision dated July 13, 2006 granting Preliminary Long Plat (PLP) #386/05, Chipshot Heights, with conditions, located in the Holmes Harbor Residential Area of More Intensive Development (RAID) north of Freeland, WA. The Board's decision was scheduled for announcement at public meeting this date.

The Board's written decision was prepared based on the record and the individual statements from each Commissioner provided previously to the Planning Director.

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By unanimous motion, the Board approved and signed the Appeal Decision, File No. APP 308/06 In the Matter of an Appeal of the Island County Hearing Examiner's Decision in PLP 386/05, SWDC, Inc., affirming the decision of the Island County Hearing Examiner to grant conditional approval of the Chipshot Heights Preliminary Long Plat Application PLP 386/05.

A copy of the Board's decision will be provided to the appellant and project applicant by the Planning Department. [*decision and individual Commissioner statements on file with the Clerk of the Board*]

**HEARING HELD: ORDINANCE #C-84-06 AMENDING CHAPTER 3.22A ICC  
CONSERVATION FUTURES FUND ANNUAL ALLOCATION DISTRIBUTION FORMULA**

A Public Hearing was held at 2:45 p.m. as advertised and scheduled for the purpose of considering proposed Ordinance #C-84-06 Amending Chapter 3.22A ICC Conservation Futures Fund Annual Allocation Distribution Formula, a different method by which to allocate Conservation Futures funds.

Based on comments sent via e-mails it was brought to Chairman McDowell's attention that one problem with the proposed change in Ordinance #C-84-06 was that over time it pushes the allocation into a one-third, one-third, one-third division of funds, but the three districts as defined are not one-third, one-third, one-third by assessed value. It was his belief there had been no intent to force the distribution of one-third, one-third, one-third across the board. He handed out to members of the public and Commissioners a suggested slightly-changed revision to proposed Ordinance #C-84-06 for consideration:

Exhibit A page 4 of 4 [underline in normal print reflects the proposal before the Board today in C-84-06; the portion bolded and underlined reflects Chairman McDowell's proposed revision]:

purchased in 2007, when one or more distribution areas total purchases, including interest obligations, exceed its percent ratio of assessed valuation of that distribution area compared to the assessed valuation of the entire county by two times the current year's Conservation Futures Fund revenues, future purchases from that distribution area or areas will be frozen until the distribution area that has received the least amount of funds has received purchases at least equivalent to the average amount of purchases made in the distribution areas receiving the most funds. **percentage ratio of assessed valuation of property in that distribution area compared to the assessed valuation of the entire county of all the accumulated purchases since 2007.**

**3.22A.090 Application Process**

- A. Island County Government, incorporated governments within Island County, citizen groups, special purpose districts and citizens may make application for Conservation Futures Funds.
- B. Entities making applications for Conservation Futures Funds shall comply with the provisions of this chapter. All applications for a share of the Conservation Futures Funds shall be subject to the allocations made available for the respective distribution areas pursuant to ICC 3.22A.080(D), and at a minimum, set forth how the proposal satisfies the fund allocation and selection criteria.

**3.22A.140 Board of County Commissioners Authorize Expenditures of Funds**

- A. Following receipt of the C.A.B. recommendations and Planning's written report, the Commissioners shall determine if the allocation of funding for acquisition of Conservation Futures is within the prescribed limits of the respective distribution areas pursuant to ICC 3.22A.080(D), and adopt an appropriations ordinance.

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The Chair's suggestion was that the Board take public testimony today on the Ordinance as advertised, make no decision today, and once his suggested change has been properly advertised, have both proposals at a future public hearing.

Diane Kendy, Langley, expressed her problems in deciphering the proposal by the Chair, and thought simpler language needed. She was appreciative to Commissioner Shelton for opposing both proposals. The proposals made no sense and would hamper the Commissioners in making a selection for whatever property comes on the market, and was an example of a divisive politics of the worst kind. The language proposed by CAB (Conservation Futures Citizens Advisory Board) is simpler:

The legislative authority will entertain applications for funding from the Conservation Futures Fund from all areas of the county in order to be able to choose from projects with the highest conservation values. In making the final funding decisions from among these projects the legislative authority will ensure that, over time, the Conservation Futures tax levy will be distributed to projects from throughout the county.

Mariane Edain, WEAN, Langley, reminded that folks previously said loud and clear this type proposal was not a good idea. The language proposed by CAB is simple, straight forward, does the job and provides the leeway necessary. To divide up a fund so as not to be able to use the entire fund when a special property comes up basically would cripple the fund. She recommended adoption of language proposed by the CAB.

Steve Erickson, WEAN, Langley, noted the only instances he was aware of where conservation acquisitions did not occur due to shortfall in funding had to do with parity provisions. He reminded that conservation needs and opportunities do not follow immediately defined political or tax boundaries. Divisions suggested are not equal in terms of population, area or funding, and these types of programs need to be driven by opportunity when a property comes on the market or a landowner expresses interest in a partial donation. He thought the proposal was neither good planning nor good politics in the long run in terms of providing opportunities for the people in the different districts.

Tom Cahill, Freeland, pointed out that the people elected the Commissioners to exercise sound judgment for the benefit of all residents of Island County; striving for perfect parity would guarantee partial paralysis. He asked the Commissioners to use wisdom, courage and foresight and not enact the ordinance in any form as proposed.

Janet Hall, Whidbey Island resident, believed that any opportunity to preserve property should occur regardless of where the property is located. She felt by enacting a parity provision would tie the Commissioners hands. The Commissioners have the ultimate say after the CAB goes through that process, and as a taxpayer, asked that all options be kept open and the right decision made for all Island County residents.

Curt Gordon, Clinton, who has served on the South Whidbey Parks and Recreation Board for almost 20 years and appointed in that capacity to the TAG (Technical Advisory Group), helped write the first drafts for scoring criteria at the time. He was against the first parity move. Scoring different projects are based on whether a project is of a regional, district or local benefit. The Heron rookery on Camano Island, for example, is a Puget Sound region benefit. He agreed while there is something to the parity issue, he felt there should be some fairness and wanted to trust the Commissioners to make that choice and not build it into an ordinance or legislation.

Larry Kwarsick, Langley, current CAB Chair, and a member of TAG, observed both parties were in attendance today, through him as well as other members of CAB, to present some recommendations to

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the Board, supporting continuation of the hearing, and see included in the next scheduled hearing the provisions recommended through the CAB's memorandum to the Board with regard to out of cycle applications. He reminded that CAB tonight was holding a hearing to consider one of those out of cycle applications and both TAG and CAB unanimously believe the Conservation Futures program should endorse and recognize and establish a procedure for those types of out of cycle applications. Language for that was provided in the memorandum. TAG and CAB agree that the Conservation Futures program code needs to be changed, and agree that the current allocation mechanism contained in code needs to be deleted. CAB does not endorse an idea to divide the Conservation Futures fund regionally by size of region, tax base or by population. There is a recognized historical precedent for being able to have the flexibility to address county wide needs as presented, and the proposal for allocation of the funds is completely unnecessary. CAB recognizes that state law in this particular case does guide the Board to some sort of equitable distribution of the funds over time throughout all regions of the community, but the Board does not need to establish that in law other than to have a goal statement as has been recommended by CAB and TAG. Looking at specific language of the proposal, it was difficult to interpret and figure out how to apply it and those involved in the program are very much opposed to that type of allocation mechanism. Both CAB and TAG realize the Board's job is difficult and that there is a desire to make sure there is reasonable and equitable distribution but believe this particular type of proposal is counter to the goals and objectives of the conservation futures program. He urged continuation of the hearing and include the language recommended by CAB both with regard to out of cycle applications and CAB's recommendation with regard to simple language inserted that gives the legislative authority all the discretion needed to make decisions. [August 15, 2006 letter to the Board from CAB placed on file with the Clerk of the Board].

Stan Stanley, North Whidbey, CAB member for four years, concluded that to do the job right there needs to be the ability to look at properties that are available and their value, which is much more important than the allocation aspect on a short term basis. He suggested the Board look at this as a way to fund those properties that have conservation value, use the funds in a judicious appropriate manner, and he supported the inclusion of the language about out of cycle applications and that the Board consider same at a future public hearing.

Harry Jester, Langley, urged that the Board not adopt the proposed change in that it would not provide preservation of properties with the highest conservation value and it is not in the interest of the people of Island County. He thought CAB had done well in reviewing and judging opportunities in the past without significant bias for location, etc. He asked that the Board not destroy a well-controlled process and to not adopt either proposed change.

Craig Williams, Clinton, President, Friends of Glendale, a watershed council for the Glendale Watershed on South Whidbey, addressed a lost opportunity because of the parity issue. When they first started forming in late 2002 looking to preserve Glendale headland waters as well as salmon bearing portion of Glendale stream, there was a listing in Glendale Heights area for in excess of 20 acres and included the entire salmon bearing spawning section of the lower Glendale watershed. Inquiries were made into the possibility of accessing Conservation Futures funds for the County to have ownership of this section of the stream, and were basically told not to consider it because of the parity issue. Recently two five acre properties above the salmon section on an unstable slope have been sold and are now going through the process of development. When starting to divide up the money, opportunity is lost to have comprehensive solutions to sections that would benefit not only the conservation programs but other programs the County is involved in.

Bob Hallahan, Oak Harbor, opposed both proposals, believing both unnecessary. Funds should be able to move quickly to fund the best properties for conservation value.

Judy Chapman, Camano Island, endorsed what the other members of CAB stated.

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Steve Erickson, WEAN, gave an example of another possibly foregone opportunity because of the existing parity provision: the 780 acres of Trillium forest land, mostly clear-cut in the late 1980's, an acquisition of regional significance over the long term, next to a state park and would form an important two mile wildlife corridor.

Lee McFarland, Oak Harbor, mentioned it was apparent how this segment of the population felt about the proposed ordinance, and suggested the Board entertain a motion disapproving the ordinance as proposed today and bring forth a new change to the ordinance.

Chairman McDowell explained his support for something along the lines of parity. In general most of the projects purchased with conservation futures have had a side value to the public for use as recreation [primarily trails]. As to the argument to purchase only those properties with the best conservation value, while that may be important, since the property is used for other things rather than strictly conservation, the people who pay for it with their tax dollars should have the ability to at least have reasonable access. As far as the argument that given long term it would work out, he was not convinced with just the goal of having parity that that would ever happen. He thought that the proposal brought forward to address out of cycle applications was a very reasonable request, and would like to look further at the proposal from CAB addressing that provision, and suggested the Board discuss and consider that in a staff session, and have the Deputy Prosecuting Attorney involved in assisting with the drafting of language.

Commissioner Shelton believed that as the CAB recommended, the out of cycle provision was an important component. He pointed out that the Board has the ability to approve or deny projects to ensure that projects from around the County are funded or not funded. Putting the provision into ordinance would be like "telling ourselves how we ought to spend the money before we ever have an opportunity to look at what we might spend the money for". It has been said previously that there are more activists in his District, which is probably very true; there probably will be many more conservation futures fund applications from South Whidbey and Central Whidbey than from North Whidbey; however, the Board still has the ability to create that parity without putting it in code. He encouraged his fellow Commissioners to rethink their positions and listen to the recommendation from CAB.

Commissioner Byrd agreed there were a number of points brought up worth considering; fairness to everyone is one that rings true with him. With regard to comments about long term averaging and parity, some questions that come to mind are: how to achieve that; how long a period of time and what kind of controls should be put in the system. This is the second attempt to try and come up with something reasonable, fair and equitable for all. He agreed with the suggestion of more time to look at proposals, address all issues and include language with regard to out of cycle applications.

Chairman McDowell wanted an opportunity to review at a minimum the comments from CAB with regard to out of cycle applications, and further review language he may want to propose. The earliest review that could take place would be at staff session on September 6, and possibly the following Monday have a proposal to set for public hearing on October 2<sup>nd</sup>. Between today and the Staff Session, Commissioners will individually have an opportunity to review what was said at today's hearing and come up with suggestions.

Commissioner Shelton moved denial of Ordinance #C-84-06 in the matter of amending chapter 3.22A ICC, Conservation Futures Funds Annual Allocation Distribution Formula. Motion, seconded by Commissioner Byrd, carried unanimously.

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There being no further business to come before the Board at this time, the meeting adjourned at 3:40 p.m. Island County offices will be closed Monday, September 4<sup>th</sup> in observance of Labor Day Holiday, and will reopen on Tuesday, September 5<sup>th</sup>. The next regularly scheduled meeting of the Board of County Commissioners will be Monday, September 11, 2006 at 9:30 a.m.

**BOARD OF COUNTY COMMISSIONERS  
ISLAND COUNTY, WASHINGTON**

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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