

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING - MAY 8, 2006**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on May 8, 2006 at 9:30 a.m. in the Island County Courthouse Annex, Hearing Room, 1 N. E. 6<sup>th</sup> 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 previous meetings, April 24, 2006 Regular Session, and May 1, 2006 Regular and Special Sessions.

**VOUCHERS AND PAYMENT OF BILLS**

The following vouchers/warrants were approved for payment by unanimous motion of the Board:  
 Voucher (War.) #237830 - 238007..... \$325,623.24

**EMPLOYEE AWARDS PRESENTATION MAY 8, 2006**

**Employee Service Awards**

<b>Department</b>	<b>Employee</b>	<b>No. Years</b>
Health	Susan Wagner	15
Planning	Ron Slechta	5
Prosecutor	Dave Jamieson, Jr.	30
Public Works	Henry Fakkema	5
Sheriff	Chris Ellis	20
Treasurer	Chris Root	5
WSU Extension	Gloria Wahlin	15

**Employee of the Month - April, 2006**

Anne Nysether, Planning & Community Development, selected as Employee of the Month for April 2006, was recognized for the professional manner in which she performs her job, the warm and friendly manner in which she interacts with customers, and for the team effort she shows in dealing with other departments.

**Certificate of Good Practice from County Road Administration Board**

Certificate of Good Practice presented to Bill Oaks, Public Works Director/County Engineer, approved by Resolution of the County Road Administration Board at its meeting on April 27, 2006, transmitted to the State Treasurer on behalf of Island County.

**HIRING REQUESTS & PERSONNEL ACTIONS**

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

<b>Dept.</b>	<b>PAA #</b>	<b>Description/Position #</b>	<b>Action</b>	<b>Eff. Date</b>
Public Works	061/06	Eq. Opr I, Camano 2239.08	Replacement	7/1/06
Public Works	063/06	Sol. Waste Tech I, Temp 2256.05	New Position	5/8/06
Planning	062/06	Assistant Planner 1707.05 (Critical Areas Planner)	New Position	5/8/06

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING - MAY 8, 2006****APPOINTMENTS AND REAPPOINTMENTS TO COMMITTEES**

The Board, by unanimous motion, made the following appointment and reappointment:

Reappointed Brian Malcomb Peters, Oak Harbor, as a member of the Water Resource Advisory Committee (WRAC) for a four-year term expiring May 17, 2010

Appointed John Palka, Freeland, to the Marine Resources Committee (MRC) for Island County Representing "Science" filling an existing term expiring on December 31, 2006

**RESOLUTION #C-45-06 - PROCLAIMING MAY 15, 2006 PEACE OFFICERS' MEMORIAL DAY AND MAY 14 THROUGH MAY 20, 2006 AS PEACE OFFICERS' WEEK**

Jan Smith, spokesperson for the Sheriff's Department, expressed appreciation on behalf of all the men and women in law enforcement for the Board's consideration of adopting a Resolution to proclaim May 15 Island County Peace Officers' Memorial Day in honor of the Federal, State, County and municipal Peace Officers who have been killed or disabled in the line of duty, with a special tribute to Island County Deputy Sheriffs Bill Heffernan and John Saxerud, who were killed in the line of duty in 1987. May 14 through 20 is to be proclaimed Island County Peace Officers' Week. Flags displayed at County facilities are to be flown at half-staff on May 15 in recognition of Island County Peace Officers' Memorial Day, in keeping with Public Law 103-322 which salutes National Peace Officers' Memorial Day.

Resolution #C-45-06 In the Matter of Proclaiming May 15, 2006 Peace Officers' Memorial Day and May 14 through May 20, 2006 as Peace Officers' Week was adopted by unanimous motion of the Board. [*Resolution #C-45-06 on file with the Clerk of the Board*]

**CLOSING DATE EXTENSION - SALE OF 31 W. HENNI ROAD PROPERTY**

Extension of the closing date for the sale of County property located at 31 W. Henni Road (RM-GSA-06-0022 extension addendum) was approved by unanimous motion of the Board, extending to approximately May 20, 2006.

**AWARD OF BID FOR CLERK'S OFFICE DOCUMENT MANAGEMENT SYSTEM**

Cathy Caryl, Central Services Director, recommended bid be awarded to VP Consulting, Inc. (VPCI) for the LaserFiche document imaging system, a pilot project for the Clerk's Office she hopes will become county-wide document imaging system.

By unanimous motion, the Board awarded the bid to VP Consulting, Inc. for the LaserFiche Document Imaging System as recommended.

**AGREEMENT - EARTHCORPS FOR FREELAND HALL PARK PROJECT**

Agreement between Island County and Earthcorps, Seattle, for the Freeland Hall Park project in the amount of \$12,617.78 (RM-PARKS-06-0003) was approved by unanimous motion of the Board as forwarded from GSA and discussed at the May 3<sup>rd</sup> Staff Session.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING - MAY 8, 2006****RESOLUTION #C-46-06 PROCLAIMING MAY 7 THROUGH MAY 13, 2006 AS WILDFIRE AWARENESS WEEK IN ISLAND COUNTY**

As proposed and recommended by Betty Kemp, Director, GSA, the Board by unanimous motion approved Resolution #C-4606 Proclaiming May 7 through May 13, 2006 as Wildfire Awareness Week in Island County, reminding residents that wildfire season is right around the corner. [*Resolution #C-46-06 on file with the Clerk of the Board*]

**CONTRACT AMENDMENT B WITH SNOHOMISH COUNTY FOR DEPARTMENT OF HOMELAND SECURITY (DHS) FFY 2004 GRANT**

By unanimous motion as forwarded from GSA for approval, the Board approved Amendment B to Contract #E05-071 (RM-DES-05-0097) with Snohomish County for Department of Homeland Security (DHS) FFY 2004 Grant, reducing total funding from \$342,169 to \$242,204, reallocating budget and changing contract expiration to May 30, 2006.

**HEARING SCHEDULED: RESOLUTION #C-47-06/R-15-06 DECLARING INTENT TO VACATE A PORTION OF COUNTY ROAD RIGHT-OF-WAY - HEADLANDS WAY**

As recommended by Bill Oakes, Public Works Director, the Board by unanimous motion scheduled a Public Hearing to consider Resolution #C-47-06/R-15-06 In the Matter of Declaring Intent to Vacate a Portion of County Road right-of-way known as Headlands Way located in Sections 9/16, Twp 28N, R 3E, for June 5, 2006 at 10:15 a.m. [*Resolution #C-47-06 on file with the Clerk of the Board*]

**RESOLUTION #C-48-06/R-16-06 – INITIATING COUNTY ROAD PROJECT DESIGNATED CRP 06-01, WORK ORDER 247 - 2006 CONTRACT OVERLAY – CAMANO ISLAND**

By unanimous motion, the Board approved Resolution #C-48-06/R-16-06 In the Matter of Initiating County Road Project designated as CRP 06-01, Work Order 247 for 2006 Contract Overlay on Camano Island, a total appropriation of \$828,000. [*Resolution #C-48-06 on file with the Clerk of the Board*]

**RESOLUTION #C-49-06/R-17-06 – APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR 2006 CAMANO ISLAND OVERLAYS**

By unanimous motion, the Board approved Resolution #C-49-06/R-17-06 In the Matter of Approving Plans & Specifications and Authorizing Call for Bids for 2006 Camano Island Overlays under CRP 06-01, Work Order 247, with bid opening on May 25, 2006 at 11:00 a.m. in Meeting Room B101, Annex Basement, Coupeville, Wa. [*Resolution #C-49-06 on file with the Clerk of the Board*]

**RURAL ARTERIAL PROGRAM PROJECT AGREEMENT - FROSTAD ROAD**

By unanimous motion the Board approved Rural Arterial Program Project (RAP) #PW-0620-38 between Island County and the County Road Administration Board (CRAB), the Project Agreement for Construction Proposal for Frostad Road Phases 1B & 2, combining Phases 1B & 2 for a total of \$1,158,870.00.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING - MAY 8, 2006**

**RESOLUTION #C-50-06/R-18-06 INITIATING COUNTY DRAINAGE PROJECT  
DESIGNATED CDP 06-01, WORK ORDER 180 - SARATOGA BEACH DRAINAGE AND  
OUTFALL**

Resolution #C-50-06/R-18-06 in the matter of initiating a County Drainage Project designated as CDP 06-01, Work Order 180 for Saratoga Beach Drainage and Outfall was approved by unanimous motion of the Board, for a total appropriation of \$28,750. [*Resolution #C-50-06 on file with the Clerk of the Board*]

**CAMANO HILL ROAD PROJECT - DEEDS, EASEMENT, VOUCHER**

The Board by unanimous motion, as recommended by Mr. Oakes, approved the following Quit Claim Deeds, Property Voucher and Temporary Construction Easement associated with the Camano Hill Road Project under CRP 02-04, Work Order #176:

Quit Claim Deed - Island County and Kenneth W. Lundrigan; Parcel R33106-344-0320, \$39,100.00 (\$6,143.00/land, \$3,500.00/trees, \$29,457.00/administrative settlement).

Property Voucher – Kenneth W. Lundrigan, \$39,100.00, Authorization for Property Acquisition per Real Property Acquisition & Right-of-Way Procedures (C-46-03/R-16-03).

Temporary Construction Easement – PW-0520-130; Island County and Darryl Jones, Parcel R23111-041-3020.

Quit Claim Deed – Island County and Darryl Jones; Parcel R23111-041-3020; \$15,015.00 (\$4,099.00/land, \$2,500.00/trees and brush, \$3,000.00/relocation of columns and lights, \$1.00 (administrative settlement rounding), \$5,415.00 (administrative settlement for joint use approach).

**INTERLOCAL AGREEMENTS FOR FARM PLANNING**

- **Interlocal Cooperative Agreement with Snohomish Conservation District for the Provision of Farm Planning**

Phil Bakke, Director, Planning & Community Development, presented for the Board's approval an Interlocal Cooperative Agreement with Snohomish Conservation District for a maximum of \$43,000 to assist the County in implementation of Ordinance #C-150-05 Agricultural BMPs, through the development of farm plans for properties on Camano Island in need of specialized custom farm plans. The Agreement also provides some education outreach with Planning staff as well as coordination with WSU Extension in tandem with WSU education program that the Board reviewed during last Staff Session.

The Board by unanimous motion approved Interlocal Cooperative Agreement with Snohomish Conservation District (RM-PLAN-06-41) for the Provision of Farm Planning in the maximum amount of \$43,000. [*GMA #8760*]

- **Interlocal Cooperative Agreement with Whidbey Island Conservation District for the Provision of Farm Planning; Contract Amount: \$72,000 maximum (RM-PLAN-06-42)**

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING - MAY 8, 2006**

Interlocal Cooperative Agreement completed, scheduled to be signed at Whidbey Island Conservation District meeting today. Board will consider this agreement this afternoon once the Interlocal Cooperative Agreement has been signed by the District.

**FARM SUSTAINABILITY AND LAND STEWARDSHIP PROGRAM**

As discussed during the May 3<sup>rd</sup> Staff Session, Farm Sustainability and Land Stewardship Program is an agreement developed with WSU Extension to aid in public outreach for implementation of Ordinance #C-150-05. Mr. Bakke indicated that through a coordinated effort with WSU's partner organizations this will assist with educating the community about the farm questionnaire, how to move forward and proceed through the ordinance in order to fully comply. The County is contracting with Snohomish County Conservation District and Whidbey Island Conservation District as part of the process with WSU to provide specialized assistance for those who need custom farm management plans. One of the major guiding points from the Agricultural Review Committee was that more education needed to be done. Through this agreement with WSU, Mr. Bakke believed that a fairly extensive outreach program can be accommodated. Don Meehan, Island County WSU Extension Agent, is asking for a full time position added to WSU, and to assist with that there will also be assistance from Planning staff to help coordinate meetings, attend training seminars and aid in implementation of Ordinance C-150-05.

The Board by unanimous motion approved the Farm Sustainability and Land Stewardship Program with WSU Island County Extension Department. [GMA #8758]

The Board, on recommendation of Chairman McDowell, agreed and requested Mr. Bakke include an update at the 2007 Annual Joint Board of County Commissioners, Planning Commission and Hearing Examiner meeting, and a 24-month review at the 2008 Annual Joint Board of County Commissioners, Planning Commission and Hearing Examiner (discuss whether or not a full time employee is necessary at that point after the initial farm plans are completed), and that the appropriate employees as well as Don Meehan be involved in those discussions.

**HEARING SCHEDULED: RESOLUTION #C-51-06 - AMENDING THE 2006 ISLAND COUNTY BUDGET**

Mr. Bakke introduced Resolution #C-51-06, a budget amendment for the 2006 Island County Budget prepared in consultation with the Budget Director to aid implementation of Ordinance #C-150-05 related to AG BMPS and the Surface Water Quality Monitoring Program adopted two weeks' ago. Funding is also included to representing staffing requirements for the program, moving the salmon recovery efforts from Public Works to Planning & Community Development, the Interlocal Agreements with the Conservation Districts, funding for the WSU Farm Sustainability & Land Stewardship program, start up costs necessary to provide equipment for new employees, rent for the building. Without considering integrating the salmon program, Elaine Marlow indicated that the total amount is \$320,000 through the end of 2006.

By unanimous motion, the Board scheduled a public hearing on Resolution #C-51-06 in the matter of amending the 2006 Island County Budget for Planning & Community Development, on June 5, 2006 at 9:55 a.m. [Resolution #C-51-06 as set for hearing, GMA #8757]

## BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING - MAY 8, 2006

**ADOPTION OF FINDINGS OF FACT**  
**FROM APRIL 24, 2006, CONTINUED FROM MAY 1, 2006**

**Ordinance #C-22-06 Surface Water Quality Monitoring Program**  
**Ordinance #C-150-05 Existing and On-Going Agriculture**

**Attendance**

Staff/Consultant Keith Dearborn; Phil Bakke; Jeff Tate

Audience Steve Erickson, WEAN  
 Rick Wood, Whidbey News Times  
 Mike Power, Coupeville Examiner  
 Brian Kelly, South Whidbey Record

Mr. Dearborn was not aware of any written comments received prior to today from any agency or individual on the Findings of Fact for either Ordinance.

Steve Erickson, WEAN, submitted a hand-out under today's date commenting on Findings of Fact for Ordinance #C-150-05 [GMA #8756] prefacing his comments that rather than go over his testimony verbally at this time, he was presenting it in writing, most just repetition from previous submissions on previous issues that he believed would be ironed out elsewhere. The issues he did raise were:

1. Finding #9. Inclusion in the AG survey of a large area of land not rural-zoned, i.e. 14,000 acres of non-agriculturally zoned land in the AG survey. WEAN did a spread sheet using information from the AG survey with parcel numbers; included that in a relational data base, added the Assessor's data base from last Spring, linked by parcel numbers, concluding that not quite 2,000 acres showed up as being in the open AG zoning, indicating that it is either commercial or rural AG. Those numbers need to be corrected.
2. Whidbey Island Conservation District last year produced 19 farm plans covering 190 acres. In calculating what those cost, he took the mid-point of the District's budget, \$140,000, to come up with \$7,368 cost per farm plan, or not quite \$737 an acre. From the standpoint of efficient use of resources, he suggested the County look at the areas of critical areas that are being affected by the farm plans. When looking at that kind of cost, he thought it looked more attractive to use other kinds of public educational tools or to just buy easements.

Mr. Dearborn observed that Mr. Erickson made no recommendations for change in the Findings in his verbal testimony, and on quick review of the written submittal his comments for the most part were repeats of what he stated from time to time over the last year. Mr. Erickson's figures for the cost to prepare a farm plan uses the total Conservation District budget and divides that by the number of farm plans to come up with the cost per farm plan; Mr. Dearborn did not believe that was accurate and it was not what the Conservation Districts agreed to within the Interlocal Agreements. Within the Interlocal agreements those farm plans are budgeted for the Whidbey Island Conservation District at \$2,650 per plan plus potentially an additional \$550 in engineering, and the Snohomish Conservation District budgeted at \$3,500 per plan. It is not appropriate to take the total budget to calculate the cost of a farm plan because the Districts have other duties and responsibilities aside from the farm plans.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING - MAY 8, 2006**

With respect to the issue of the Assessor's data versus commercial AG and rural AG, Mr. Dearborn pointed out that Mr. Erickson's assumption was incorrect. Someone can be in the rural zone and have a tax classification in the open AG tax classification. It is something the County encourages; the County wants to see farmers in the rural zone in that tax classification if they so choose. In 1999 when the CA and RA zones were established, everyone in those tax classifications were zoned in those categories, but since 1999, new properties have been added to the open AG tax classification. However, that does not automatically rezone those to commercial AG or rural AG. There are options for those farmers in either zone if they wish to be classified in that zoning classification. The County has not received any requests; they do not automatically become zoned in that category just because they are in that tax classification.

Regarding the survey itself, Mr. Dearborn made clear that the County is not suggesting that figure of 14,023 acres is the exact number of properties in the rural zone, rural residential zone or the rural forest zone that are in agriculture; it is an approximation to give the County enough information to know that the rural farming in Island County in acreage is as large or larger than in commercial farming and rural AG zoned properties.

Chairman McDowell added a note advising Mr. Dearborn and Mr. Bakke that Human Resources Director had been contacted this morning with the authorization to move forward and process hiring the additional people Planning needs in order to implement these actions.

This week on behalf of Island County Mr. Dearborn will be file a compliance action request on Ordinance #C-150-05 and C-22-06, the companion interlocal agreements and the WSU Farm Sustainability program, with the Growth Board to find Island County in compliance with order from 2000.

By unanimous motion, the Board approved Findings of Fact from April 24, 2006, continued from May 1, 2006 on Ordinance #C-22-06 Surface Water Quality Monitoring Program and Ordinance #C-150-05 Existing and On-Going Agriculture, with two corrections to Findings (Exhibit C) to Ordinance #C-150-05: (1) correct a misspelling (C-3 #7, "head" should be "heard"); (2) C-9 #4, third line relating to the date for the windshield survey "June through September of 2006" correct the date to read 2005.

*[Findings of Fact #C-22-06 GMA #8764] [Findings of Fact #C-150-05 GMA #8759 ]*

**MEETING RECESSED**

At 10:54 a.m., Chairman McDowell announced that the Board would recess until 1:30 p.m. to consider the Interlocal Cooperative Agreement with the Whidbey Island Conservation District. The meeting at that time will be held in the Administration Building, Second Floor, Conference Room #218.

**MEETING RECONVENED**

- **Interlocal Cooperative Agreement with Whidbey Island Conservation District for the Provision of Farm Planning; Contract Amount: \$72,000 maximum (RM-PLAN-06-42)**

The meeting resumed at 1:30 p.m. as announced, in the County Administration Building, Second Floor Conference Room #218, with all Commissioners present.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING - MAY 8, 2006**

Mr. Bakke presented the Interlocal Cooperative Agreement with Whidbey Island Conservation District for the Provision of Farm Planning; Contract Amount: \$72,000 maximum (RM-PLAN-06-42) signed by the District, and recommended the Board's approval at this time.

By unanimous motion, the Board approved Interlocal Cooperative Agreement with Whidbey Island Conservation District (RM-PLAN-06-042) for the Provision of Farm Planning in the maximum amount of \$72,000. [GMA #8761].

There being no further business to come before the Board at this time, the meeting adjourned at 1:35 p.m. The next regular meeting of the Board will be held on May 15, 2006 beginning at 9:30 a.m.

**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