

BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
REGULAR SESSION - MARCH 12, 2007

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on March 12, 2007 at 9:30 a.m. in the Island County Courthouse Annex, Hearing Room, 1 N. E. 6th Street, Coupeville, Wa. Mike Shelton, Chairman, Wm. L. McDowell, Member, and John Dean, Member, were present. The meeting began with the Pledge of Allegiance.

By unanimous motion, the Board approved the minutes from previous meetings as follows: February 26, 2007 special session; February 27, 2007 special session; and February 28, 2007 special session.

VOUCHERS AND PAYMENT OF BILLS

The following vouchers/warrants were approved for payment by unanimous motion of the Board:
Voucher (War.) #257585-257888..... \$543,082.87.

HIRING REQUESTS & PERSONNEL ACTIONS

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

Department	PAA #	Description	Position #	Action	Eff. Date
Commissioners	022/07	Cmrs. Adm. Asst.	601.00	Replacement	5/1/07
Commissioners	023/07	Exec. Secy.	602.00	Replacement	5/7/07
Commissioners	024/07	Adm. Secy.	610.00	Replacement	6/11/07
Health	020/07	WIC Certifer	2424.00	Temp Hr. Increase	3/12/07
Health	021/07	WIC Coord.	2413.00	Authorize OT hours	3/12/07
Planning	016/07	Senior Planner - Critical Areas [GMA # 9198]	1709.03	New Position	3/12/07
Planning	017/07	Assoc. Planner GIS	1708.09	Upgrade to New pos.	3/12/07
Public Works	024/07	Road Shop Foreman	2204.02	Replacement	3/12/07
Sheriff	018/07	Acting Lieutenant	4010.04	Temp Position	3/1/07
Sheriff	019/07	Acting Sergeant	4012.08	Temp Position	3/1/07

LEAVE OF ABSENCE WITHOUT PAY APPROVED

As presented and recommended for approval by Mr. Larson, the Board by unanimous motion approved Leave of Absence without pay in accordance with current policies and procedures for Anna Williams from March 9, 2007 through and including September 9, 2007.

EMPLOYEE AWARD PRESENTATION

Employee Service Awards

DEPARTMENT	EMPLOYEE	NO YEARS
Public Works	Mark Hall	5
Public Works	David Baxley	5

Employee of the Month – February, 2007

John Meyer and Dustin Amundson, Public Works Department/Solid Waste Division, received numerous compliments about the Moderate Risk Facility at the County Solid Waste Complex. Many compliments come from members of public regarding the paint exchange program at the Coupeville site where a special facility has been designed and built to make useable paint, stains, spray paint, lubricant and other non-poisonous materials available to the public free of charge. John and Dustin both take very active roles in developing time and monthly saving methods and improving ergonomic practices in the shop.

Special Recognition – Winter Storm 2006-2007

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On behalf of the Public Works Department and Island County Road crews, Bill Oakes, Public Works Director, accepted a framed picture presented by Chairman Shelton, depicting difficult conditions under which road crews were required to work during the winter storm 2006-2007. On behalf of the Board, Chairman Shelton congratulated Mr. Oakes and the Island County road crews for a job well done. Mr. Oakes will hang the picture in the Hearing Room for all to see.

APPOINTMENTS AND/OR RE-APPOINTMENTS TO VARIOUS BOARDS AND COMMITTEES

The following appointments were made by unanimous motion of the Board:

Island County Water Resource Advisory Committee (WRAC)

Grant Heiken, Freeland, completing the term left vacant upon the resignation of Mike Belangie, with a subsequent new 3-year term to expire May 17, 2010

Conservation Futures Technical Advisory Group (TAG)

Mark Preiss, Coupeville, representing Ebey's Landing National Historic Reserve.

REVISED COMMERCIAL REAL ESTATE PURCHASE AND SALE AGREEMENT

The Board, by unanimous motion, approved Revised Commercial Real Estate Purchase and Sale Agreement - Don Boyer Limited Partnership & Donald Boyer Trustee, The Trust Estate of Norine E. Boyer (RM-BOCC-07-0033).

LIQUOR LICENSE APPLICATIONS APPROVED

Based on receipt of recommendations of approval from various County Departments reviewing liquor license applications, the Board by unanimous motion agreed to forward a recommendation of approval to the Washington State Liquor Control Board for the following applications:

- Special Occasion Liquor License #363790 by Greenbank Farm Management Group, May 26 & 27, 2007, from 10:00 a.m. to 5:00 p.m. at the Main Barn, Greenbank Farms, 765 Wonn Road, Greenbank
- Special Occasion Liquor License #092547 by Stanwood-Camano Food Bank Services. March 25, 2007 at the Camano Island Senior Center, 606 Arrowhead Road, Camano Island
- Special Occasion Liquor License #091765 by Washington State University Foundation April 15, 2007 from Noon to 4:00 p.m. - Grey Whale Cruise, Puget Sound
- Special Occasion Liquor License #091224 by Camano Island Yacht Club April 21, 2007 from 5:30 p.m. to 9:00 p.m. at the Yacht Club located at 129 N. Sunset Drive, Camano Island

RESOLUTION #C-28-07 ESTABLISHING THE SOUTH HOLMES HARBOR SHELLFISH PROTECTION DISTRICT FUND

The Board on March 5, 2007 having adopted Ordinance #C-14-07 establishing the South Holmes Harbor Shellfish Protection District to resolved bacteria contamination problems within South Holmes Harbor, by unanimous motion this date adopted Resolution #C-28-07 Establishing the South Holmes Harbor Shellfish Protection District Fund. *[Resolution #C-28-07 on file with the Clerk of the Board] [GMA #9199]*

RESOLUTION #C-29-07 AUTHORIZING AND INCREASING CERTAIN PETTY CASH, CHANGE, AND REVOLVING FUNDS WITHIN ISLAND COUNTY

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The Board by unanimous motion approved Resolution #C-29-07 Authorizing And Increasing Certain Petty Cash, Change, And Revolving Funds Within Island County as prepared by the Island County Auditor. *[Resolution #C-29-07 on file with the Clerk of the Board]*

PUBLIC MEETING SCHEDULED: FREELAND INCORPORATION

Chairman Shelton confirmed receipt by the County Legislative Authority on March 9, 2007 of Notice of Proposed Freeland Incorporation [GMA #9200]. The required \$100 filing fee accompanied the Notice was provided to the Island County Auditor. The matter is now before the Board of Island County Commissioners for purposes of scheduling a public meeting on the proposed incorporation in accordance with RCW 35.02.015, intended to provide a forum where persons favoring and opposing the proposed incorporation can state their views. The meeting is to be held "near" the proposed city, with at least one notice published in a newspaper of general circulation in the area proposed to be incorporated 10 days prior to the public meeting.

By unanimous motion, the Board scheduled the public meeting for Monday, April 2, 2007 at 7:00 p.m. Trinity Lutheran Church Gym (new building), 18341 Hwy. 525, Freeland, WA. *[legal ad GMA #9201]*

HEARING HELD: RESOLUTION #C-30-07/SW-02-07 ADOPTION OF SOLID WASTE AND SEPTAGE FEES FOR 2007 -2009

As scheduled and advertised, a public hearing was held beginning at 10:15 a.m. for the purpose of adoption of Solid Waste and Septage Fees for 2007 -2009. At the time of hearing when Chairman Shelton called for public comments, no one in the audience commented for or against adoption of the proposed Solid Waste and Septage Fees for 2007-2009

Commissioner McDowell commented that a news article recently talked about some huge increases the City of Oak Harbor was involved with as a result of this action, but he pointed out that for the past 15 years and until this takes effect, the dollar amount really comes out to be about 1% a year. The increases come about as a result of several things: reserves are down to a minimum; fuel increases are significant; and some major construction related to solid waste just finishing up.

Commissioner Dean indicated that low income discount cards are available 50% discount, as part of the energy assistance program and The Opportunity Council. Cards are available at senior centers on Whidbey and Camano.

By unanimous motion the Board adopted Resolution #C-30-07/SW-02-07 adopting Solid Waste and Septage Fees for 2007 -2009.*[Resolution #C-30-07 on file with the Clerk of the Board]*

HEARING SCHEDULED: ORDINANCE #C-31--07/R-06-07 – ORDINANCE REGULATING SPEED LIMIT ON WAGNER ROAD LOCATED CAMANO ISLAND

By unanimous motion, the Board scheduled a public hearing to consider Ordinance #C-31-07/R-06-07 Regulating Speed Limit on Wagner Road, located in Section 31, Township 31N., Range 3 East, W.M, Camano Island, to be held on March 26, 2007 at 6:00 p.m. at Four Springs Meadow Room, 585 Lewis Lane, Camano Island, WA.

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HEARING SCHEDULED: ORDINANCE #C-32-07/R-07-07 – SETTING A TEN TON LOAD LIMIT ON A PORTION OF SARATOGA ROAD, WHIDBEY ISLAND

By unanimous motion, the Board scheduled a Public Hearing on Ordinance #C-32-07/R-07-07 In the Matter of Setting a Ten Ton Load Limit on a Portion of Saratoga Road located in Section 32, Township 30 North, Range 3 E., W.M. on March 26, 2007 at 2:15 p.m., Hearing Room, County Annex Building, Coupeville, WA.

RESOLUTION #C-33-07/R-08-07 – SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR LIQUID ASPHALT MATERIALS FOR PERIOD OF MAY 1, 2007 TO MAY 1, 2008

Resolution #C-33-07/R-08-07 In the Matter of Approving Specifications and Authorizing Call for Bids for Liquid Asphalt Materials for period of May 1, 2007 to May 1, 2008 was approved by unanimous motion of the Board. Bids to be received April 3, 2007 at 10:00 a.m., County Administration Building, Room #101, 1 N.E. 7th Street, Coupeville, WA. *[Resolution #C-33-0 on file with the Clerk of the Board]*

RESOLUTION #C-34-07/R-09-07 SPECIFICATIONS & AUTHORIZING CALL FOR BIDS FOR ASPHALT CONCRETE MATERIALS FOR PERIOD OF MAY 1, 2007 TO MAY 1, 2008

Resolution #C-34-07/R-09-07 In the Matter of Approving Specifications & Authorizing Call for Bids for Asphalt Concrete Materials for period of May 1, 2007 to May 1, 2008 was approved by unanimous motion of the Board. Bids to be received April 3, 2007 at 10:15 a.m., County Administration Building, Room #101, 1 N.E. 7th Street, Coupeville, WA. *[Resolution #C-34-07 on file with the Clerk of the Board]*

CERTIFICATION OF ROAD FUND EXPENDITURES FOR FISH PASSAGE BARRIER REMOVAL – 2006 – CERTIFICATION FOR COUNTY ROAD ADMINISTRATION BOARD

As presented and recommended for approval by Bill Oakes, Public Works Director, the Board by unanimous motion approved Certification of Road Fund Expenditures for Fish Passage Barrier Removal – 2006 – Certification for County Road Administration Board.

ANNUAL CERTIFICATION FOR CALENDAR YEAR 2006 – ANNUAL REPORT TO COUNTY ROAD ADMINISTRATION BOARD

As presented and recommended for approval by Mr. Oakes, the Board by unanimous motion approved the Annual Certification for Calendar Year 2006 – Annual Report to County Road Administration Board.

PURCHASE ORDER #8255 – ISLAND COUNTY AND BRIM TRACTOR COMPANY

Purchase Order #8255 between Island County and Brim Tractor Company for four New Holland Tractor/Mowers to be purchased from State Contract #08506 in the amount of \$278,549.28 (incl. SST) was approved by unanimous motion of the Board.

ADOPT-A-ROAD LITTER CONTROL PROGRAM RENEWAL AGREEMENTS

Two Adopt-A-Road Litter Control Program renewal agreements were approved by unanimous motion:

- Boon Road Residents (Leonard Kennedy), Boon Road from Ft. Nugent Road to SR 20
- Stanwood/Camano Rotary Club, East Camano Drive from Short Road to Patricia Ann/Lehman

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Road.

**APPLYING FOR CONSERVATION FUTURES FUNDS FOR ENVIRONMENTAL REVIEW
AND PERMIT APPLICATIONS**

Proposed Resolution #R-10-07 pulled from today's agenda. The Public Works Director will check the law with respect to validity of the use of Conservation Futures Funds for this project.

**RESOLUTION #C-35-07/R-11-07 – WAIVING COMPETITIVE SOLICITATION TO EMPLOY
ATTORNEYS TO SERVE AS SPECIAL COUNSEL FOR TIDAL ENERGY GENERATION
ISSUES**

As recommended by Mr. Oakes, the Board by unanimous motion approved Resolution #C-35-07/R-11-07 In the Matter of Waiving Competitive Solicitation to Employ Attorneys to Serve as Special Counsel for Tidal Energy Generation Issues. *[Resolution #C-35-07 on file with the Clerk of the Board]*

**APPROVAL OF AMENDED 2007 PUGET SOUND WATERSHED PROTECTION &
RESTORATION GRANT APPLICATION**

Phil Bakke, Planning & Community Development Director, presented for the Board's approval, an Amended 2007 Puget Sound Watershed Protection & Restoration Grant Application (amended from 12/20/06). This was an item discussed last week during Staff Session, represents no change in funding, and update requested by DOE extending the time frame and re-frames some of the work product in the scope of work.

By unanimous motion, the Board approved the Amended 2007 Puget Sound Watershed Protection & Restoration Grant Application as presented. *[GMA #9202]*

EXECUTIVE SESSION

The Board met in Executive Session at 11:00 a.m. as allowed under RCW 42.30.110 (1) (i) to discuss with legal counsel pending litigation. The Session was held in the Board of County Commissioners Hearing Room (Room # 102B), Island County Annex Building, 1 NE 6th Street, Coupeville, WA. Chairman Shelton anticipated that the session would last approximately one hour and did not expect an announcement to be made afterwards. The Executive Session concluded at 12:10 p.m.

**CANDIDATE INTERVIEWS FOR APPOINTMENT TO FILL VACANT FIRE
COMMISSIONER POSITION NORTH WHIDBEY FIRE & RESCUE**

Beginning at 1:30 p.m., the Board publicly interviewed four candidates for appointment to fill the vacant fire commissioner position on North Whidbey Fire & Rescue. Ron Muzzall's resignation as fire commissioner became effective December 5, 2006 and the District has been unable to come to a decision on refilling the vacant position. The Board received a letter dated February 6, 2007 from Larry Morse, Chairman, North Whidbey Fire & Rescue, along with a copy of the resignation letter from Ron Muzzall, draft minutes from the NWF&R meeting February 6, as well as four applications of those interested in being considered for appointment to fill the vacant fire commissioner position.

Chairman Shelton announced that after interviews have been conducted, the Board would meet in Executive Session as allowed under RCW 42.30.110 (1) (h) to evaluate the qualifications of candidates

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for appointment to elective office. He did anticipate that the Board would return to open public session for the purpose of appointing a candidate to the position.

Interviews of candidates were conducted by the Board as follows:

- 1:30 p.m. Robert Barker
- 1:40 p.m. Jay Brand
- 1:50 p.m. Bruce Carman
- 2:00 p.m. Jerry Goen

Each candidate was interviewed individually, other candidates not in the room at the time. Time was allowed for each candidate to make a brief presentation, review qualifications and background, and response to various questions from the Commissioners, including:

- Why did you apply to fill the vacant fire commissioner position?
- How do you see the position of fire commissioner and what influence should a fire commissioner have over the general operations on a daily basis?
- How well are you acquainted with NWF&R district?
- If appointed, would you file for election?
- What do you see five years in the future?
- Do you see paid staff in the future for NWF&R?
- How would you envision the transition from volunteers to paid positions?
- In the short term what other challenges will have to be faced?
- Is the direction of the district the right direction or would you take district in another direction?
- How is morale of the volunteers?

EXECUTIVE SESSION

After the interviews were concluded, as anticipated and previously mentioned, Chairman Shelton announced that the Board would meet in Executive Session as allowed under RCW 42.30.110 (1) (h) to evaluate the qualifications of the four candidates for appointment to elective office. He estimated that the Board would return to open public session at 2:30 p.m. for the purpose of appointing a candidate to the position.

**FINAL ACTION APPOINTING A CANDIDATE TO FILL VACANT FIRE COMMISSIONER
POSITION NORTH WHIDBEY FIRE & RESCUE**

The Board reconvened in open public session at 2:30 p.m. on conclusion of the Executive Session. All Commissioners expressed difficulty in reaching a decision, especially since all four candidates had been involved in fire fighting efforts and any of the four candidates could easily fill the position.

By unanimous motion, the Board appointed Bruce Carman to fill the vacant fire commissioner position on North Whidbey Fire & Rescue.

There being no further business to come before the Board at this time, the meeting adjourned at 2:35 p.m. The next regular meeting of the Board will be March 19, 2007 beginning at 9:30 a.m.

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ISLAND COUNTY, WASHINGTON

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Mike Shelton, Chairman

Wm. L. McDowell, Member

John Dean, Member

ATTEST:

Elaine Marlow, Clerk of the Board