

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
JULY 16, 2007 – REGULAR SESSION**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on July 16, 2007 beginning at 9:30 a.m., in the Island County Courthouse Annex, Hearing Room, 1 N. E. 6th Street, Coupeville, Washington. 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 the June 25, 2007 and July 2, 2007 Regular Sessions and the June 27, 2007 Special Session.

ELECTRONIC FUND TRANSFERS, VOUCHERS, PAYMENT OF BILLS, PAYROLL

By unanimous motion, the Board approved the Electronic Fund Transfers, payroll dated July 13, 2007 and the following vouchers/warrants:

Vouchers (War.) #'s 266723-267019..... \$315,857.24
 Electronic Fund Transfers: \$295,846.27

HIRING REQUESTS & PERSONNEL ACTIONS

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

<u>Dept.</u>	<u>PAA #</u>	<u>Description</u>	<u>Position #</u>	<u>Action</u>	<u>Eff. Date</u>
Planning	088/07	Admin Assist, Land Use Review	1713.00	Replacement	07/16/07
Planning	089/07	Planning Tech I, Temp	1602.07	New Position	08/01/07
Public Works	090/07	Equip. Operator I, Coupeville	2239.01	Replacement	08/01/07

MONTHLY FINANCIAL REPORTS

Auditor

Suzanne Sinclair reported that revenues are little ahead, current expenditures are right on 50%, revenues/special funds are a little behind, and expenditures are at 33%. The transferred expenditures include total annual transfers to the Shellfish Protection District and to Extension Services. To a question from Chairman Shelton, she clarified that line 21 on the current expense expenditures sheet is the number for the Boyer property purchase.

Treasurer

Linda Riffe reported that the County has received County Assistance funds in error since 2005. The total amount received through April 2007 is \$470,590.42. No indication yet from the State as to how or when repayment will occur. Island County does not qualify for receipt of the funds and will not be receiving such funds in the future. She continued by saying the “service fees” revenue increase continues to result from photocopy, NSF, Stop Payments, and LID fees. And lastly, property tax collections increased thereby reducing the number of delinquent property tax accounts. The result being a reduction in the interest and penalties collected.

[Reports on file with the Clerk of the Board]

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SUBAWARD AMENDMENT NO. 3 WITH WASHINGTON STATE UNIVERSITY

The Board by unanimous motion approved Subaward Amendment No. 3 with the Washington State University. Amendment No. 3 will extend the date of use of U.S. Environmental Protection Agency funds held at Washington State University for the Island County Beach Watchers program to December 31, 2008. The total amount funded remains at \$64,308.52. *[RM-EXT-07-0130]*

HEALTH DEPARTMENT CONTRACTS

The following Health Department contract was approved by unanimous motion of the Board, as transmitted under cover memorandum dated July 11, 2007 from Tim L. McDonald, Health Services Director:

Exemption from competitive solicitation procurement procedure for mental health services in each of four school districts pursuant to ICC 2.29.030(B)(12) for Compass Health beginning September 1, 2007 and ending June 30, 2008.

**PUBLIC HEARING SCHEDULED: ORDINANCE C-78-07 ESTABLISHING SALES AND USE
TAX TO FINANCE CHEMICAL DEPENDENCY OR MENTAL HEALTH TREATMENT
SERVICES AND THERAPEUTIC COURTS**

By unanimous motion the Board scheduled a Public Hearing for August 6, 2007 at 11:00 a.m. to consider Ordinance C-78-07 Establishing Sales and Use Tax to Finance Chemical Dependency or Mental Health Treatment Services and Therapeutic Courts in Island County. *[Ordinance on file with the Clerk of the Board]*

**RESOLUTION C-79-07 IN THE MATTER OF THE SEPARATION OF THE JOINT JUDICIAL
DISTRICT OF ISLAND AND SAN JUAN COUNTIES**

The Board by unanimous motion adopted Resolution C-79-07 in the Matter of the Separation of the Joint Judicial District of Island and San Juan Counties. *[Resolution on file with the Clerk of the Board]*

**INTERAGENCY AGREEMENT WITH WASHINGTON STATE ADMINISTRATIVE OFFICE
OF THE COURTS FOR BECCA PROGRAMS**

By unanimous motion the Board approved the Interagency Agreement with Washington State Administrative Office of the Courts to process Becca Bill programs and services within its jurisdiction from July 1, 2007 through June 30, 2009 in the amount of \$228,121.00. *[Agreement No. IAA08017]*

**AGREEMENT WITH NORTHWEST EDUCATIONAL SERVICE DISTRICT 189 FOR
EDUCATIONAL INSTRUCTION TO JUVENILES**

The Board by unanimous motion approved the Agreement with Northwest Educational Service District 189 for the purpose of providing educational instruction to juveniles confined within the Island County Detention Center.

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PUBLIC INPUT OR COMMENTS

Lori McMaster, 2974 Saratoga Road, Langley, Washington, Baby Island Heights, Division I approached the Board because she is confused how the road at Baby Island Heights went physically from 20 feet wide to 40 feet wide. She has done extensive research to determine how the road widened to no avail and does not know how to gain the information she is looking for.

Chairman Shelton asked Ms. McMaster if the road includes the entire 40 feet or most of the 40 feet of right-of-way and Ms. McMaster replied saying that she was told it does.

Chairman Shelton said that if the County needs right-of-way the County must buy it. He believes the public may have a prescriptive right-of-way on the road so suggested she speak with the Public Works Department as that department may be able to shed some light on the situation.

Ms. McMaster said she has visited not only the Public Works Department but also the Assessor's office for information without luck. She then said she had the west line of her property surveyed and the surveyor said in the report that the road is 40 feet.

Commissioner McDowell suggested that she speak with the surveyor and ask to see the documents he relied upon for the survey. He said the surveyor would be the best resource for the information she is seeking.

PUBLIC WORKS

By unanimous motion the Board approved the following as recommended by Bill Oakes, Public Works Director:

Roads

Bid Award to Kreig Construction, Inc. for 2007 HMA Overlays, Whidbey Island. CRP 07-04; Work Order # 413; Amount: \$680,571.00

Bid Award to Norstar Industries, Inc. for a 2007 Side Discharge Conveyor. Amount: \$31,530.91, including trade-in and sales tax

Purchase Order No. 8265 with Norstar Industries, Inc. for a 2007 Side Discharge Conveyor. Amount: \$31,530.91, including trade-in and sales tax [PW-0720-62]

Bid Award to NC Machinery Company for a 2007 Backhoe Loader. Amount: \$67,014.00, including trade-in and sales tax

Purchase Order No. 8266 with NC Machinery Company for a 2007 Backhoe Loader. Amount: \$67,014.00, including trade-in and sales tax [PW-0720-63]

[Contract/Contract Bond with Rinker Materials West, LLC pulled from today's agenda. Will present for approval/signature at the next meeting on July 23, 2007]

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**HEARING HELD: CONSIDERATION OF AN OPEN SPACE TIMBER LAND CURRENT
USE PROGRAM APPLICATION – OPS 488/06**

At 10:30 a.m. as scheduled and advertised, Chairman Shelton opened a Public Hearing for the purpose of considering an Open Space Timber Land Current Use Program Application submitted by Alvin and Phyllis Sherman, Parcel Nos. R13232-044-2810, R13102-165-0400, and R13102-165-1050. Mr. Tate, Assistant Director of Planning and Community Development, said that Mr. and Mrs. Sherman are requesting that three properties totaling 34.64 acres be reclassified from Designated Forest to Open Timber. Planning staff reviewed the application and determined that it meets the requirements for open timber designation and recommends conditional approval.

Alvin Sherman, 302 S. Engle, Coupeville said the properties have all been designated in the Open Space category before, have been in the family a long time, and the family has no intention of any development. They are merely moving the property from one entity to another to keep it all in the family.

Mr. Tate said that a parcel number on the original Open Space Taxation Agreement form was incorrect. He presented a corrected Open Space Taxation Agreement form reflecting the proper parcel number.

By unanimous motion the Board authorized conditional approval of OPS 488/06 by Alvin and Phyllis Sherman as presented and recommended.

**HEARING HELD: CONSIDERATION OF AN OPEN SPACE TIMBER LAND CURRENT
USE PROGRAM APPLICATION – OPS 523/06**

Immediately following the previous hearing, Chairman Shelton opened another Public Hearing for the purpose of considering an Open Space Timber Land Current Use Program Application submitted by Richard and Krista Rogers, Parcel Nos. R32814-050-3650, R32814-050-3850, R32823-517-1490. Mr. Tate, Assistant Director of Planning and Community Development, said that Mr. and Mrs. Rogers are requesting that three properties totaling 12.14 acres of 20.63 acres be classified as Open Timber. Planning staff reviewed the application and determined that it meets the requirements for open timber designation and recommends conditional approval.

Ron Young with Young and Associates, 8281 Coho Way, Clinton, Washington represents Richard and Krista Rogers. He said this is timberland that Mr. and Mrs. Rogers wish to manage for harvesting using selection harvest methods, taking the worst and most hazardous out first to give an opportunity for growth. Mr. Young said there is no desire to develop the property in the foreseeable future.

By unanimous motion the Board authorized conditional approval of OPS 523/06 by Richard and Krista Rogers as presented and recommended.

**PUBLIC HEARING SCHEDULED: ORDINANCE C-80-07 [PLG-018-07] 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**

By unanimous motion the Board scheduled a Public Hearing for August 6, 2007 at 10:30 a.m. to consider Ordinance C-80-07 [PLG-018-07] 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. *[Ordinance on file with the Clerk of the Board]*

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**RESOLUTION C-81-07 [PLG-020-07] IN THE MATTER OF CLARIFYING THE GLENCAIRN
WATER DISTRICT SERVICE AREA AND INCORPORATING THE REVISED SERVICE
AREA BOUNDARY INTO THE ISLAND COUNTY COORDINATED WATER SYSTEM PLAN**

Jeff Tate, Assistant Director of Planning and Community Development said that the Board adopted the Island County Coordinated Water System Plan in 1990 and the plan includes various maps. Adoption of this resolution does not expand or reduce the service area boundary but instead provides a more detailed map that is more legible and clear as to which parcels are within the boundary and which ones are not. It is consistent with the Coordinated Water System Plan and does not overlap to other service area boundaries

The Board by unanimous motion adopted Resolution C-81-07 [PLG-020-07] In the Matter of Clarifying the Glencairn Water District Service Area and Incorporating the Revised Service Area Boundary into the Island County Coordinated Water System Plan. *[Resolution on file with the Clerk of the Board]*

[Ordinance PLG-019-07 in the Matter of Expanding the Freeland Water District Service Area and Incorporating the Revised Service Area Boundary into the Island County Coordinated Water System Plan was pulled from today's agenda]

EXECUTIVE SESSION ANNOUNCED

Chairman Shelton announced that the Board would meet in Executive Session at 11:00 a.m. under the provision of RCW 42.30.110(1)(i) to discuss with legal counsel potential/pending litigation. He estimated the session would last approximately 30 minutes, and did not expect an announcement afterwards in open public session. The Executive Session was held in Room #218 of the County Administration Building, 1 N. E. 7th Street, Coupeville, Washington.

There being no further business to come before the Board, the meeting adjourned at 11:30 a.m. on completion of the Executive Session. The next regular meeting of the Board will be on July 23, 2007 beginning at 11:00 a.m.

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

Mike Shelton, Chairman

Wm. L. McDowell, Member

John Dean, Member

ATTEST:

Elaine Marlow, Clerk of the Board