

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
March 19, 2007 Regular Session**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on March 19, 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 minutes from regular sessions held on March 5, 2007 and March 12, 2007.

VOUCHERS AND PAYMENT OF BILLS

By unanimous motion, the Board approved the payroll dated March 15, 2007, Combined Excise Tax Return for February, 2007, as well as the following vouchers/warrants:

Voucher (War.) #258198 - #258483..... \$533,961.03.

HIRING REQUESTS & PERSONNEL ACTIONS

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

Dept.	PAA #	Description/Position No.	Action	Eff. Date
Assessor	032/07	Dept. Support Asst./113.00	Increase hrs. to 1.0 <i>Position expires 12/31/07</i>	3/19/07
Central Ser.	031/07	Micro Cptr Supp Tech/712.00	Replacement	3/19/07
GSA	027/07	GSA Parks Tech/1505.02	Replacement	3/19/07
Prosecutor	028/07	Para Legal/Leg. Asst II/1808.00	Replacement	4/16/07
Prosecutor	029/07	Asst. Office Manager Para Leg/Leg Asst II/1807.00	Replacement	4/9/07
Pub. Works	026/07	Adm. Assis./2212.00	Replacement	4/19/07
WSU Ext.	030/07	Acct. Supervisor/1220.00	New Position	3/19/07

**MEMORANDUM OF AGREEMENT - WASHINGTON STATE UNIVERSITY
COOPERATIVE EXTENSION - EXTENSION EDUCATION PROGRAM**

Memorandum of Agreement between Washington State University Cooperative Extension and Island County to provide an Extension Education Program for the period January 1 – December 31, 2007 in the amount of \$66,335 was approved by unanimous motion of the Board (RM-WSU-07-0030).

**MEMORANDUM OF UNDERSTANDING BETWEEN HEALTH DEPARTMENT AND
JUVENILE COURT SERVICES - NURSING SERVICES - JUVENILE DETENTION
CENTER**

As transmitted to the Board under cover memorandum dated March 14, 2007, the Board by unanimous motion approved Memorandum of Understanding, Contract #HD-05-07 (RM-JUV-05-0105) between the Island County Health Department and the Island County Juvenile Court Services Department to provide nursing services in the Island County Juvenile Detention Center in the amount of \$22,000.

CLAIM FOR DAMAGES #R06-040 CD – MARK HICHEN

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Claim for Damages #R06-040 CD by Mark Hichen in the amount of \$787.53 was denied by unanimous motion of the Board based upon the recommendation of Betty Kemp, Director GSA/Risk Management in a memorandum dated March 19, 2007

CLAIM FOR DAMAGES #R07-002 CD BY CLARKE L. GEORGE

Claim for Damages #R07-002 CD submitted by Clarke L. George in the amount of \$1,622.096 was denied by unanimous motion of the Board based upon the recommendation outlined by Mr. Kemp in her March 19, 2007 memo to the Board.

LOCAL GOVERNMENT CERTIFICATION - EMERGENCY SHELTER GRANT

By unanimous motion, as requested by the Executive Director, Housing Authority of Island County, by letter dated March 16, 2007, the Board by unanimous motion approved Local Government Certification to accompany the Emergency Shelter Grant Application to the State of Washington, to provide case management and operating and maintenance funds for three single-family homes used for emergency shelter and for six emergency shelter units at Marjie's House May 1, 2007 – April 30, 2008, in the amount of \$69,413.

LIQUOR LICENSE APPLICATIONS APPROVED

Upon receipt of recommendations of approval from the County Departments/Offices reviewing liquor license applications, the Board by unanimous motion approved forwarding a recommendation of approval to the Washington State Liquor Control Board on the following applications:

Special Occasion Liquor License #091765 by WSU Foundation, for a special occasion to be held on July 21, 2007 from 5:00 p.m. to 11:00 p.m., at Smith Farm, 399 S. Ebey Road, Coupeville, WA.

Special Occasion Liquor License #093024 by South Whidbey Rotary Club, for a special occasion to be held on April 28, 2007 from 4:00 p.m. to 10:00 p.m. at 6290 Bayview Road, Clinton, WA

Special Occasion Liquor License #092547 by Stanwood Camano Food Bank Services for special occasion to be held on March 24, 2007 from 5:00 p.m. to 10:00 p.m. at Camano Island Senior Center, 606 Arrowhead Road, Camano Island County

HEARING HELD - 2006 AND 21007 BUDGET AMENDMENTS

At 9:45 a.m. as scheduled and advertised, a public hearing was held for the purpose of considering Resolution #C- 18 -07 Amending the 2006 Island County Budget and Resolution #C- 19 -07 Amending the 2007 Island County Budget.

Resolution #C- 18 -07 Amending the 2006 Island County Budget

Elaine Marlow, Budget Director, advised this was the final amendment to the 2006 budget, and confirmed that all expenditures included on Exhibit A had been previously approved by the Board at a prior public meeting.

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At the time of hearing, no one in the audience expressed a desire to comment either for or against Resolution #C-18-07.

By unanimous motion, the Board adopted Resolution #C- 18 -07 Amending the 2006 Island County Budget as presented. *[Resolution #C- 18 -07 on file with the Clerk of the Board]*

Resolution #C- 19 -07 Amending the 2007 Island County Budget

Ms. Marlow explained that the amendment to the 2007 budget is the first 2007 budget amendment, and came about as a result of various items approved by the Board at previous public meetings, and includes items such as: program support for the Island County Historical Society Museum; Ebey's Landing National Historic Reserve; Navy Gateway Project; Children's Commission; and Shellfish Protection District (*GMA Record #9216*).

At the time of hearing, no one in the audience expressed a desire to comment either for or against Resolution #C-19-07.

By unanimous motion, the Board adopted Resolution #C- 19 -07 Amending the 2007 Island County Budget as presented. *[Resolution #C- 19 -07 on file with the Clerk of the Board]*

MONTHLY FINANCIAL REPORTS FROM AUDITOR & TREASURER

Auditor

Suzanne Sinclair, Island County Auditor, submitted a copy of the Island County Auditor's written Revenue and Expenditure report for the period ending February, 2007. There were no comments of note, but she did point out on the fourth page, line 36, that a line item had been added for the Shellfish Protection District.

Treasurer

Annamaria Nunez, on behalf of the Island County Treasurer, Linda Riffe, provided the written report of the Treasurer for Cash Revenue/Budget - Current Expense, for the period ending February, 2007, and was available to answer any questions the Commissioners might have. Explanation under line item #19, GSA, showing a deficit was due to funds having been incorrectly posted to that account that actually should have been posted to Emergency Management. *[reports on file with the Clerk of the Board]*

PUBLIC INPUT OR COMMENTS

Jo Van Patten, Greenbank, read the following Letter to the Editor into the record: *[summarized]* written on behalf of Jo Van Patten; Herb and Katy Riedlinger; Clarence Noyer; Bob and Marianne Marcus; Marta Jensen; Gail and George Buehler and Steve Jones:

- In a timber harvest under a state forest practices application class III, state regulations trump county regulations. Timber harvesting under state guidelines is allowed from property line to road edge. No buffers are left, no animal habitat and almost no protection for wetlands; all trees may be taken in the wetland areas.
- Slash leftover from a logging operation must be pulled back at least 200 feet from property lines theoretically to protect homes from burns.

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- State controls the burn permit and does not have to follow the county no-burn policies.
- Recent power outages in the Central Whidbey area were a result of trees hitting power lines on Classic Road where the logging is occurring. The wind took out unprotected trees on neighboring property as well as DHB Enterprises' (logger) trees.
- Tax dollars will pick up the tab for the road clean-up, any road repairs needed due to the heavy equipment as well as the use of our emergency services.
- State regulations may be appropriate in large remote timber properties but are totally out of context in a county where five acre home sites are the norm. to permit a clear-cut of the type happening on Classic Road is beyond understanding.
- If property is to be logged under a state forest practices class III permit, there is no prior notification from anyone.
- To see an example of a state-permitted timber harvest, check out the forty acres on Classic Road (turn east off the main highway at the phone booth) and Honeymoon Bay Road.

(GMA Record #9217)

Although it may be nice to have forty acres of trees next door, and hopefully DNR will ensure the required replanting, one of the things from Chairman Shelton's perspective to consider is "is it better to have the class III with the required planting than a class IV conversion and subdivided into five acre parcels?". A tremendous issue for Island County is if the County is going to encourage open space use by timber growers then how much regulation should be put on those timber growers when it comes time to harvest their crop without pushing them into a class IV conversion.

ZONING AMENDMENT ZAA 475/05 HELEN SIMMONS

Zoning Amendment ZAA 475/05 by Helen Simmons proposing to change the zoning classification of a 9.82 acre parcel R33014-369-2330 from the Rural Service Zone to the Rural Village Zone, south end of Camano Island, was pulled from today's consideration by the Planning Director.

OPS 359/06 OWNER KYLA KROGSENG

As presented, summarized and recommended for approval by Phil Bakke, Planning & Community Development Director, the Board by unanimous motion approved the request of Kyla Krogseng for an additional set of documents to replace documents originally approved and signed November 13, 2006 for OPS 359/06, 15.85 acres of 18.85 acre parcel on South Whidbey Island transferred from the Open Agriculture current use program to the Open Timber current use program, Parcel R32935-228-4610.

**PUBLIC HEARING SCHEDULED: RESOLUTION #C-36-07 (PLG-013-07) DESIGNATING
BASINS THAT HAVE ANADROMOUS FISH POPULATIONS AND RESIDENT SALMONID
SPECIES**

On presentation by Jeff Tate, Assistant Director, Planning & Community Development Department, the Board by unanimous motion scheduled a public hearing on Resolution #C-36-07 (PLG-013-07) In the matter of designating Basins that have Anadromous Fish Populations and Resident Salmonid Species, for April 9, 2007 at 10:30 a.m. *(GMA #9218)*

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**HEARING HELD: RESOLUTION #C-15-07 AUTHORIZATION TO CONDUCT COUNTY
ELECTIONS ENTIRELY BY MAIL BALLOT**

At 10:45 a.m. as scheduled and advertised, Chairman Shelton opened a Public Hearing for the purpose of considering proposed Resolution #C-15-07 Authorization to Conduct County Elections Entirely by Mail Ballot. At the time of hearing, approximately 16 were in the audience, representing interested citizens, press and staff.

Suzanne Sinclair, Island County Auditor, advised that if approved, the resolution would allow all county elections and elections held within the county by mail. Island County is one of five counties in the State that do not conduct elections by mail, including: Kittitas, Klickitat, Pierce and King. King County will implement all mail elections by the Fall of 2008. As of the last general election in Island County, about 75% of registered voters voted by mail, compared to about 30% when she first took office in 1997. It is a changed situation and changed attitudes in Island County.

Previously, Ms. Sinclair responded to the decreasing number of poll voters by reducing the number of polling places. Washington law allowed her to declare precincts where fewer than 200 active registered voters were not on-going absentee voters to be vote by mail precincts [after one polling place open all day and had only one voter]. Five precincts on South Whidbey and five precincts on North Whidbey were declared vote by mail and other precincts were combined into the same physical location and poll workers served multiple precincts. The small number of poll site voters creates a disproportionately high expense for polling places. A minimum number of poll workers must be hired and ballots specific to poll sites must be printed regardless of the number of voters that will use them. The cost to open polling places for a county wide election is about \$15,000, primarily for workers to staff. In the 2006 general election 6,506 of 44,065 registered voters went to the polls. In the 2006 primary election that number was 3,199. A major benefit for voting by mail is more informed voter population, as well as generating a higher voter turnout. In the November 2006 election 75% of the absentee ballots issued were voted and returned whereas only 54% of active poll voters voted; 79% of all votes cast were absentee. In the September, 2006 primary election, 53% of the absentee ballots issued were voted and returned whereas only 25% of active poll voters voted; 84% of all votes cast were absentee ballots. In the last Presidential election in 2004, 95% of the absentee ballots issued were voted and returned whereas only 78% of active poll voters voted.

If vote by mail is approved, Ms. Sinclair will then:

- notify each registered by mail that all future primaries and elections will be conducted by mail
- mail each active registered voter a ballot at least 18 days prior to the election
- mail a ballot application to each inactive voter.
- set up on election day regional voting centers, likely in Freeland, Oak Harbor, Coupeville, Camano Annex, where disabled access units and secured ballot boxes will be available. Only the Coupeville office or the Camano Annex would issue replacement ballots. Sites would be staffed with two workers from 7:00 a.m. to 8:00 p.m.

As Auditor, one of her primary responsibilities is the conduct of honest, fair and accurate elections and to safeguard the process. Continuing to conduct two separate elections stretches the people and resources available. Given a choice between frugality and accurate elections she chooses accurate elections. She urged the Board's adoption of Resolution #C-15-07.

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Rolland Gray, North Whidbey, expressed his preference to vote by poll places in the old-fashioned way, but acknowledged in recent years he too voted by absentee ballot. From the figures the Auditor gave apparently voter turnout is much heavier by mail ballot. He inquired further information on: the overall percentage of voter turnout combined for registered voters in Island County; security of counting procedure and how the present system of scanning works.

Harry Ferrier, North Whidbey, the Island County Auditor and Election Supervisor 1981 – 1990, strongly supported the move to all mail balloting. He agreed that vote by mail provides better security and greater voter turnout.

Margarethe Cammermeyer, Langley, former Chair of the Democratic party in Island County, and for the past three major election cycles, responsible for the organization of observers, commented it was clear there have been some difficulties in having the supplies necessary to provide the privacy for individuals voting, signage for the locations, access for handicapped and disabled individuals to get into facilities, and sometimes adequate explanation about the ballots themselves. Despite best efforts on the part of the Auditor, there are difficult issues around retraining poll workers, maintaining polling places, logistical problems for poll workers and poll observers, difficulties with having observers follow the ballot box. She supported Island County as an all vote by mail county. Numbers speak for themselves in terms of cost effectiveness, and maintaining the four polling places allows for voters who desire to come in and vote personally.

Susan Benett, President, League of Women Voters of South Whidbey Island, read the position of the League of Women Voters regarding voting, supporting the present system allowing voters in this County the choice of voting by mail or going to a polling place. Her personal opinion was that the Auditor addressed the possibility of voters who want to go to a polling place within the proposed resolution, and therefore supported the proposal.

Trudy Sunberg, Oak Harbor, referred to a recent article in the Whidbey News Times noting that 34 out of 39 counties in Washington currently use vote by mail system, and she thought that a pretty good recommendation. The Auditor is an expert on the subject and she recommends as stated in the article that the straight forward approach is to ask the Island County Commissioners to pass a Resolution approving vote by mail elections.

Diane Kendy, Langley, expressed a certain nostalgia for going to the polls but recognized this is the 21st century, aware that polling by mail does work, produces a higher voter turnout and probably more accurate tabulation. She did urge some mandates on the Auditor for conducting a speedier vote since Island County has consistently trailed the rest of the country in producing election results.

Marshall Goldberg, North Whidbey, Chair, representing the Executive Board of the Island County Democratic Central Committee, supported vote by mail because it would increase citizen participation in elections, save the County much needed funds and make the electoral process more uniform. He urged the Commissioners make voting by mail a reality.

Addressing the overall percent of voter turnout, Ms. Sinclair did not have the total numbers but recalled the 2004 Presidential election was 90.1% overall. Island County consistently runs ahead of the Washington State average in every election. She briefly commented to questions about security of County procedures and gave a brief explanation of the scanning system for a ballot marked in-home

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placed in the security envelop and then into the mailing envelope, signed and dated and put in the mail, and a vote at a polling place put in the ballot box. As far as the percent of ballots coming in at the last minute, in years past the large majority about 65% come in the week prior to election day, the remainder in bunches the next three days. The time frame for results has been a factor, perhaps slow a bit but brought about by meticulous care and the seriousness staff takes.

Commissioner Dean recalled comments he heard over the last few months with regard to citizenship and the experience of voting and thought the Auditor covered that well and was therefore comfortable it is the right thing to do at the right time. He saw this as an opportunity for the press to do some public service announcements to urge people to vote and call attention to the change.

Commissioner McDowell was surprised to have received only one e-mail in support of retaining the current voting system, quoting from that e-mail:

"...casting a ballot is unique right, not enjoyed by many people in the world, showing up at the election place makes one feel proud to be an American; mail ballots will destroy that bonding..."

The Commissioner was aware that a lot of people enjoyed voting at polling places and thought it a said thing to see that change and regretted the loss of that experience for the young people. However, the proposal will save dollars and agreed that it was probably time to set aside his personal desire.

Chairman Shelton observed that since his move to Island County he had not missed going and voting in elections, and he too personally favors the old-style voting. He is supportive of vote by mail largely because 75% to 80% of people already vote by absentee ballot, most counties have already done so, with King County scheduled for 2008, and to maintain what he personally prefers is not reasonable.

By unanimous motion, the Board approved Resolution #C-15-07 authorizing County elections entirely by mail ballot. *[Resolution #C-15-07 on file with the Clerk of the Board]*

There being no further business at this time, the meeting adjourned at 11:25 a.m. The Board will meet at 6:00 p.m. this evening in Special Session at Four Springs House, Camano Island. The next regular meeting of the Board will be on March 26, 2007, beginning at 11:00 a.m.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Wm. L. McDowell, Member

ATTEST:

John Dean, Member

Elaine Marlow, Clerk of the Board