

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
OCTOBER 1, 2007 – REGULAR SESSION**

The Board of Island County Commissioners met in Regular Session on October 1, 2007 beginning at 9:30 a.m. in the Board of County Commissioners Hearing Room (Room # 102B), Annex Building, 1 N.E. 6th Street, Coupeville, Washington. Wm. L. McDowell, Chairman, John Dean, Member and Phillip Bakke, Member were present. The meeting began with the Pledge of Allegiance. By unanimous motion the Board approved the minutes from the September 17, 2007 Regular Session.

**ELECTRONIC FUND TRANSFERS, PAYROLL, VOUCHERS AND PAYMENT OF
BILLS**

By unanimous motion the Board approved the monthly electronic fund transfers, the payroll dated September 28, 2007, and the following vouchers/warrants:

Vouchers (War) #s 271987 -272244.....	\$1,984,186.34
Electronic Fund Transfers	\$ 789.17

APPOINTMENTS TO VARIOUS BOARDS/COMMITTEES

The Board, by unanimous motion, made the following appointments:

LEOFF Disability Board

Chairman McDowell is appointed to the LEOFF Disability Board due to the resignation of Commissioner Shelton.

Island County Fair Board

Leandra Reuble is appointed to the Island County Fair Board to serve as one of three Commissioner-appointed members and representative of the area encompassed by the Coupeville School District. Her term will run until October 8, 2010.

Conservation Futures Citizens Advisory Board

Carl Freund is reappointed to the Conservation Futures Citizens Advisory Board (CAB). His term shall be until September 30, 2010.

Ebey's Landing National Historic Reserve Trust Board

Marilyn Clay is reappointed to the Ebey's Landing National Historic Reserve Trust Board. Her reappointment to position #5 shall run until October 1, 2011.

LIQUOR LICENSE APPLICATIONS APPROVED

Having received recommendations of approval by the appropriate departments, the Board by unanimous motion approved forwarding a recommendation of approval to the Washington State Liquor Control Board for the following liquor license applications:

New Application for Liquor License No. 402241-3F by Applicants Carlos Nelin Perez-Zavala and Silvia Garcia-Zuniga, Tradename: El Morena, 848 N. Sunrise Blvd., Ste. 105/106, Camano Island, WA

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Special Occasion Liquor License No. 090936 by the Camano Island Chamber of Commerce for a special occasion to be held on November 10, 2007 from 3:00 p.m. to 7:00 p.m. at the Sandin Room (Camano Senior Center), 606 Arrowhead Rd., Camano Island, WA

CONTRACT COLLECTION AGREEMENT

By unanimous motion the Board approved a Contract Collection Agreement with Whidbey Island Bank for Promissory Note and Deed of Trust between Island County Water Quality (Lender/Seller) and Kenneth and Lauren Berris (Borrowers/Buyers) on which the unpaid balance of principal is \$21,661.94.

CONTRACT AND MAINTENANCE AGREEMENT WITH PCI GROUP

The Board by unanimous motion approved a Contract and Maintenance Agreement with PCI Group for Meridian Systems Construction Management Software (Prolog Manager) in the amount of \$16,955.00, originally submitted and approved by the Board on September 24, 2007 under Purchase Order No. 7913.

**HEARING HELD: ORDINANCE C-87-07/PLG-017-07 IN THE MATTER OF
AMENDING CHAPTER 17.02 AND 17.03 ICC, THE ISLAND COUNTY CRITICAL
AREAS AND ZONING ORDINANCES AND THE ISLAND COUNTY
COMPREHENSIVE PLAN TO ADDRESS LAND USE COMPATIBILITY
SURROUNDING NAVAL AIR STATION WHIDBEY ISLAND**

At 10:30 a.m. as scheduled Chairman McDowell opened a Public Hearing, continued from August 27, 2007, to consider approval of Ordinance C-87-07/PLG-017-07 in the Matter of Amending Chapter 17.02 and 17.03 ICC, the Island County Critical Areas and Zoning Ordinances and the Island County Comprehensive Plan to Address Land use Compatibility Surrounding Naval Air Station Whidbey Island.

Jeff Tate, Director of Planning & Community Development said that on August 27, 2007 the Planning Department scheduled a Public Hearing during which public testimony was provided. In addition to staff presentation of the proposal that day the Board was advised that Planning still needed to work with the City of Oak Harbor to address issues within the Oak Harbor Urban Growth Area. Mr. Tate reminded the Board that the proposal establishes Accident Potential Zones in the unincorporated area of Island County and within the Oak Harbor UGA. Within the Urban Growth Area the County and the City have an Interlocal Agreement which requires both to work together when amending County code. The Urban Growth Area will eventually be annexed into the City so it is important to coordinate planning efforts so the City does not annex something that is incompatible.

Mr. Tate continued by saying that Planning has met with City of Oak Harbor planning staff to talk about potential amendments to County code for that portion in the Urban Growth Area and how to deal specifically with the commercial, industrial, or light manufacturing uses allowed. Planning's proposal focused primarily on residential uses within the Rural, Rural Agriculture, Commercial Agriculture, and Forestry zoning designations so in essence, primarily with residential land uses. There is now some common direction to move forward with the proposal but the County first needs to draft a proposal for the Urban Growth Area and transmit that to the

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City for discussion prior to the Board's adoption. The City of Oak Harbor must bring forward a draft proposal to the City Council for a concurrence of opinion as to whether it would be consistent with City rules. Once Planning receives from the City Council the document with a statement of consistency, Planning will schedule another Public Hearing before the Board for consideration of any changes.

Mr. Tate is recommending that the Board once again continue the Public Hearing to November 26, 2007 in order to allow Planning an opportunity to complete its process with the City of Oak Harbor under the Interlocal Agreement.

In a question from the Chairman as to whether concerns were addressed from the last Public Hearing, Mr. Tate responded if clarification is needed it will be incorporated into the ordinance but certainly the intent of the ordinance is to allow agriculture to continue, allow individuals the right to build a home on existing parcels, not preclude any of those rights. One result of the ordinance, however, is that those properties would not be able to subdivide further but would be able to continue to use the property in the way that the Rural and Commercial Agriculture zones allow.

The Chairman informed the audience that he would open the floor to public comment so that questions or concerns may be addressed. The Public Hearing, however, will be continued to November 26, 2007 to allow Planning's work with the City of Oak Harbor to continue under the Interlocal Agreement.

Public Comment

Rebecca Spraitzar, 37353 State Route 20, Oak Harbor has 11 "targeted" acres with two residences. She is concerned the ordinance will have an effect on her desire to short-plat her property and believes there is not enough time to complete the process before adoption. She asked if her property is in an APZ zone because she believes the restrictions in APZ zones will limit the use of her property. The Chairman suggested she speak with Mr. Tate for answers to those or any other questions she may have.

Gerald Bryant, 4157 Jones Road, Oak Harbor said that the maps provided, specifically Map C, is not to scale. He asked if he can get a copy of a map to scale which Mr. Tate will provide.

Bonnie Newkirk, 170 W. Frostad Road, Oak Harbor said she also needs to short-plat her property and believes she does not have enough time so therefore would like a longer continuance of the Public Hearing. Claiming that she did not receive notice the Chairman asked that she speak with Planning about the address to which the notice was mailed. Commissioner Bakke suggested she talk with her attorney about a "vested" application submitted to the County concerning her short-plat request.

In answer to Ms. Newkirk's question as to why the County would consider such an ordinance Chairman McDowell answered that he believes it is the Board's responsibility to protect the public by restricting denser development in those identified properties as being in the Accident Potential Zones.

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There being no further public comment at this time the Board by unanimous motion once again continued the Public Hearing for consideration of Ordinance C-87-07 (PLG-017-07) in the Matter of Amending Chapter 17.02 and 17.03 ICC, the Island County Critical Areas and Zoning Ordinances and the Island County Comprehensive Plan to Address Land Use Compatibility Surrounding Naval Air Station Whidbey Island to November 26, 2007 at 2:30 p.m. [GMA Record No. 9515]

BUDGET WORKSHOP

Budget Workshop began as scheduled at 11:00 a.m. Budget workshop times are approximate and may be adjusted. Budget notebooks for Board members' use during budget workshops prepared by the Budget office are based on M&O and capital amounts at current levels. Department Heads and Elected Officials during budget workshops are to comment on requested increases and provide a brief explanation for the request. Budget narratives accompanied each department/office budget. Proposed budget and supplemental requests are taken under advisement by the Board with no final decisions expected as a result of budget workshops. Hand-outs are on file with the Clerk of the Board.

Budget Director Elaine Marlow and Chief Deputy Auditor Anne LaCour were present.

Public Health Pooling

Presented by: Tim McDonald

Also Present: Keith Higman, Carol McNeil, Jackie Henderson, Carrie McLachlan, Kerry Graves

Budget Assumptions:

Same Current Expense funding level as 2007:

- \$33,095 to Alcohol/Substance Abuse Fund
- \$541,049 to Public Health Pooling Fund, including
 - \$96,736 for Healthy Families
 - \$130,647 for Hydrogeologist program
 - \$25,000 for Children's Commission (includes \$5,000 fund balance from 2007)
- \$388,000 for OSS Monitoring and Maintenance Program

Two new programs:

- (1) Funded by E2SSB 5930 from which \$157,525 will be received per annum, first payment on January 1, 2008. "Non-supplanting" clause included.
- (2) OSS Monitoring and Maintenance program, includes revenues and expenditures of \$388,000.

Grants at same level

Fee revenue will follow historical trends

Requirements for 2008

To continue current programs at current levels, will require additional revenue of \$106,355 due to:

- (1) Inflationary pressure from COLAs;
- (2) Increases in medical and retirement plan contributions;
- (3) Staff progressing up the wage grid;

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- (4) Includes 2007 Public Health Nursing shortage of \$59,763 funded from Public Health Pooling unreserved fund balance.

Revenue made up of approximately:

- (1) 46% fees;
- (2) 26% grants;
- (3) 28% Current Expense Fund contribution

Cut in Current Expense revenue will have an impact on revenue generated from grants and fees.

Environmental Health

Requires \$200,605 additional revenue to continue current programs at current levels. Result of inflationary wage and benefit pressures.

Recommendation that Board consider following program level fee increases:

- (1) 44% food (\$72,844)
- (2) 17.5% liquid waste (\$107,778)
- (3) 36.5% Living Environment (\$7,296)
- (4) 3.5% water (\$5,929)
- (5) 134% Solid Waste (\$2,825)

Follow-up: Provide comparison of fees list from Skagit and Snohomish Counties

Proposed 2008 budget is \$4,284 short for hydrogeology section due to inflationary wage and benefit pressures. Will need to allocate additional funds from fee collection to offset deficit, those fees collected by Planning & Community Development.

Follow-up: Talk with Leonard Bower, CTED, concerning hydrogeologist program

EXECUTIVE SESSIONS

Chairman McDowell announced that the Board would recess then meet again in two Executive Sessions as allowed under RCW 42.30.110(1)(i) to discuss with legal counsel potential/pending litigation as follows:

1:15 p.m. to be held in the office of the Planning and Community Development Department Director, Annex Building, 1 N. E. 6th Street, Coupeville, Washington, anticipated to last 1-1/2 hours;

2:45 p.m. to be held in the Office of the Commissioners, Conference Room #218, Second Floor, Administration Building, 1 N.E. 7th Street, Coupeville, Washington, anticipated to last 45 minutes.

The Chairman did not anticipate an announcement following either Executive Session in open public session.

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BUDGET WORKSHOP

The Board reconvened in Budget Workshop at 3:30 p.m. as scheduled following Executive Sessions. The Chairman noted for the record that there are no announcements following the Executive Sessions.

Budget workshop times are approximate and may be adjusted. Budget notebooks for Board members' use during budget workshops prepared by the Budget office are based on M&O and capital amounts at current levels. Department Heads and Elected Officials during budget workshops are to comment on requested increases and provide a brief explanation for the request. Budget narratives accompanied each department/office budget. Proposed budget and supplemental requests are taken under advisement by the Board with no final decisions expected as a result of budget workshops. Hand-outs are on file with the Clerk of the Board.

Budget Director Elaine Marlow, Chief Deputy Auditor Anne LaCour, and Caroline Morse were in attendance.

District Court/District Court Probation

Presentation by: Honorable Peter Strow

Also Present: Maggie Paczkowski, Administrator
Karen Lewis, Probation Supervisor

Judge Strow said that a second elected District Court Judge is not an option for at least another six years because the numbers to warrant that position, case filings vs. case closures, are not there. He will place this request in his long-range planning file for the time being but said it will be something to look at and plan for in the future.

Revenues:

Projected 10% increase for 2008 (\$308,000) if filings continue at current level.

Expenditures:

Office and Operation Supplies increase \$1,000

Mailing costs increase \$1,000

Association dues for the Judge and Court Commissioner increase \$500

Supplemental Requests in order of priority – District Court

Two full-time additional staff, hired in a two-step process with one person beginning in January and the second in July. Designated collections and compliance clerks have been less diligent in pursuing those activities due to increase in court time and after-court work. Current staff also working extra hours. Estimated cost and benefits per employee: \$48,000/yr.

Install video-conferencing equipment in Court Room 1. The Budget Director asked if it would be acceptable to only wire Court Room 1 for video conferencing since the video equipment can be easily moved between courtrooms. Ms. Paczkowski said that would be acceptable since there is only one connection in the Jail.

Follow-up: Central Services will provide Budget Director with cost.

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Increase security to include walk-through detector. Have screener available minimum of three days a week.

Supplemental Request – District Court Probation

Increase in hours for the Probation Officer I/Secretarial positions to 40 hours each in order to have the ability to properly manage cases, monitor the Robo-Cuff home detention monitoring system, and keep up with daily office work and duties.

Coroner

Presentation by: Dr. Robert Bishop

The Coroner gave a Power Point presentation to summarize activities during the last year. He spoke favorably about:

- The van conversion to using a pick-up.
- The Alternative Light Source System and Total Station and how both systems are working well in conjunction with the Sheriff's office.

2008 Budget

Dr. Bishop reduced employee costs in 2007 by working alone for the first half of the year. Working alone was an immense personal strain and Dr. Bishop stated he is unable to do so on a regular basis. Dr. Bishop has filled the vacant deputy coroner position, and now his office is fully staffed. Fuel and autopsies are his largest increase as fuel has tripled in cost and autopsies have increased from 800 to 1300. Proposing \$50,000 for Professional Services (morgue rental/autopsies), \$1,500 less than 2007. Very hard to predict this cost, does not want to ask for more money then not need it.

There being no further business to come before the Board, the meeting adjourned at 4:30 p.m. on conclusion of budget workshops. The Board will meet next in Regular Session on October 8, 2007 beginning at 9:30 a.m.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Wm. L. McDowell, Chairman

John Dean, Member

Phillip Bakke, Member

ATTEST:

Elaine Marlow, Clerk of the Board