

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
NOVEMBER 26, 2007 – REGULAR SESSION**

The Board of Island County Commissioners convened in Regular Session at 11:00 a.m. on November 26, 2007 for a Roundtable with Elected Officials and Appointed Department Heads, held in the Board of County Commissioners Hearing Room (Room #102B), Annex Building, 1 NE 6th Street, Coupeville, Washington. Other topics for the Regular Session followed at 1:30 p.m. as shown on the agenda. Wm. L. McDowell, Chairman, John Dean, Member, and Phillip Bakke, Member were present.

**ROUNDTABLE WITH ISLAND COUNTY
ELECTED OFFICIALS AND APPOINTED DEPARTMENT HEADS**

Elected Officials and Appointed Department Heads Attending:

Phil Bakke	Betty Kemp	Mike Merringer
Greg Banks	Larry Larson	Bill Oakes
Mark Brown	Elaine Marlow	Linda Riffe
Cathy Caryl	Dave Mattens	Dan Sherk
John Dean	Tim McDonald	Suzanne Sinclair
Sharon Franzen	Mac McDowell	Jeff Tate

Others:

Diane Kendy

Presentations

Island County Web Page Tool

Presented by: Mike Merringer

Hand-out: Model Web Page Tool/Grid

Mr. Merringer presented for consideration a model web page tool/grid he believes may be of benefit to those outside the County with a need to reach certain personnel but not sure where to go. The questions and directive to a particular department would give the needed guidance. If utilized it is felt that it could save the departments the time of fielding and transferring folks to different County offices and would be a useful tool for the public. Mr. Merringer spoke with Central Services and though work is needed to identify questions specific to Island County, it is a tool that Central Services can work with to format for the County's use. It was also suggested that such a tool be placed in next year's phone books. Ms. Caryl asked that the departments review the grid and provide comments and/or suggestions. From those comments and suggestions she will create a design and return it for discussion at the next Roundtable meeting in January.

Follow-up: Review model and provide Mr. Merringer and Ms. Caryl with a list of how the tool may be best utilized in respective departments.

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Policy Change – Reasonable Accommodation Policy
Presented by: Larry Larson
Hand-out: Reasonable Accommodation Policy Draft

Mr. Larson explained that the State Legislature broadened certain definitions relating to “Disability” and “Impairment” and his draft policy incorporates those changes. Dave Jamieson has reviewed and approved the draft. Ms. Kemp said when there is an injured employee Risk Management works with the injured employee, the doctors, L & I, and third party administrators. So as it concerns workers compensation and L & I claims only, sections 6.2.1 and 6.3.5 should be revised to say that Risk Management will be consulted on such issues.

Follow-up: Further comments or suggestions on the policy to Mr. Larson. In the meantime he will review with Mr. Jamieson language that includes Risk Management when confronted with workers compensation issues and L & I claims.

Vacation Leave Policy
Presented by: Larry Larson
Hand-out: Personnel Policies and Procedures Manual Section 2.01.030, Vacation Leave

Mr. Larson said this is a continuation of an on-going discussion about vacation leave, accumulation of leave, and modification of the policy concerning those issues. Specifically, suggested changes to accumulation from days to hours per month (due to standard practice and people who work different lengths of days); except in cases of emergency vacation leave, such will be requested and approved in advance of use; and donated increments of leave changed from eight hours to one hour. A major change to section 2.01.030.D relating to vacation leave and the ability of non-represented employees to defer the use of vacation sets forth a limitation on the ability of Elected Officials and Appointed Department Heads in allowing people to carry over excess amounts of leave.

Discussion ensued about the difficulty at times, due to workload and hardship on the departments, for employees to use vacation and it was suggested that possibly the Board may want to consider an annual buy-back program. In order to have a buy-back program the Board would need to budget for such and it was felt that the money spent is not a wise use of taxpayer dollars. Following further discussion concerning the two year maximum carry-over, it was agreed to extend the two years to three years instead to allow more time to work down excess leave.

Follow-up: Add language to alert people to refer to respective bargaining agreements when referring to the Personnel Policies and Procedures Manual. Mr. Larson will change the policy concerning carry-over to three years.

New Chair for Roundtable Meetings

By unanimous agreement Dave Mattens was selected as Chairman for 2008.

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General Roundtable Discussion

Assessor

Finished 60-day appeal period the end of October with 500 (plus or minus) petitions as opposed to nearly 1300 petitions last year. We are estimating 300 to 350 actual hearings this year as opposed to 772 last year. 2007 hearings are scheduled to begin in December 2007, hoping to finish by the end of January 2008. Hearings for 2006 actually didn't start until mid-March 2007 and ran for 3-1/2 months. Would like to return to a 30-day appeal period in 2009. Statute requires that once a change is made it must remain in effect for three years. This is year two. 2008 will be year three.

Auditor

Set up meeting December 19, 2007 with legislative and county officials and that is still in place though Auditor may not be in attendance. Attended WSAC annual conference in Vancouver. Auditor and current president and president to follow continue to encourage greater cooperation between the associations.

Auditor's office has been doing meal reimbursements incorrectly in Island County because they are taxable according to the IRS. If a business meal is reimbursed and it is not associated with overnight travel, then it is taxable and will be included in paycheck with the appropriate payroll taxes withheld. May wish to consider whether to ask for reimbursement under the circumstances. The change is effective the first of the year. Overnight can be covered by per diem so this change is for day trips only, and reimbursed according to Island County policy.

Budget Director

December Roundtable meeting is cancelled with the next meeting taking place January 28, 2008.

Central Services

Wrapping up year-end replacements. Moss Adams will be coming around to departments for "random checks" only at this time.

Clerk

Employee on maternity leave has returned. Continues to be busy.

Commissioners

Reminder of "open house" December 14, 2007 at both campuses in Coupeville and Camano. If there is knowledge of continued problems with ferry transportation, advise the Board who will talk with Transit about van pool.

Juvenile Court Services

Five children were adopted on National Adoption Day.

Health

Nursing position open so if knowledge of a nurse looking for work, please refer to Health Department.

Human Resources

Again reviewing retirement health savings account. Will research and bring forward once again for consideration.

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Maintenance

Hired two new people. Confirmation that fan for Administration Building received so it will be installed shortly.

Planning

Proposal to adopt the Subarea Plan for Freeland to designate Freeland as an Urban Growth Area presented to the Board at last staff session and over time will have varying effects on everyone. Public workshop scheduled with the Board December 10, 2007 at 7:00 p.m. in Freeland at Trinity Lutheran Church.

Treasurer

Delinquent past due notices out second week of November which is unprecedented. On-line tax payments took in half million dollars the first year; this year, just shy of a million dollars so the system is being utilized and public appreciates that option. Treasurer appreciates having the technology and capability for such things. Past due notices have been sent out. Appreciates the ability to donate to others less than eight hours of leave when needed.

Roundtable adjourned at 11:55 a.m. The next Roundtable is scheduled for January 28, 2008 at 11:00 a.m.

The Board of Island County Commissioners (including Diking Improvement District #4) met at 1:30 p.m. to consider items contained on the agenda. The meeting opened with the Pledge of Allegiance. By unanimous motion the Board approved the November 5, 2007 Regular Session minutes.

ELECTRONIC FUND TRANSFERS, VOUCHERS, AND PAYMENT OF BILLS

By unanimous motion, the Board approved the Electronic Fund Transfers and the following vouchers/warrants:

Voucher (War.) # 275773-275985.....	\$219,517.93
Electronic Fund Transfers	\$ 63,526.46

HIRING REQUESTS & PERSONNEL ACTIONS

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

<u>Department</u>	<u>PAA #</u>	<u>Description</u>	<u>Position #</u>	<u>Action</u>	<u>Eff. Date</u>
Public Works	134/07	Solid Waste Tech. I	2257.06	Replacement	11/26/07
Juvenile	135/07	Services Coordinator, .5 fte	1412.00	New Position	11/26/07
	136/07	Function Family Services, .5 fte	1411.00	New Position	11/26/07
Health	137/07	PHN III Supervisor	2404.04	Personnel Action (Replace PAA 129/07)	12/03/07

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MONTHLY FINANCIAL REPORTS

Auditor

Anne LaCour, Chief Deputy Auditor, submitted the Auditor's written revenue and expenditures reports for the period ending October 31, 2007, with nothing new to add at this time.

Treasurer

Linda Riffe submitted the Treasurer's written financial report for the period ending October 31, 2007. She too indicated not much has changed since her September report.

2% HOTEL-MOTEL TAX TOURISM PROMOTION PROJECT AWARDS

By unanimous motion the Board approved the 2% Hotel-Motel Tax Tourism Promotion Project Awards for the 2008 program year.

**RESOLUTION C-119-07 ADOPTING A RISK MANAGEMENT POLICY IN SUPPORT OF
THE ISLAND COUNTY RISK MANAGEMENT PROGRAM**

The Board by unanimous motion approved Resolution C-119-07 Adopting a Risk Management Policy in Support of the Island County Risk Management Program

**RESOLUTION C-120-07 PROCLAIMING DECEMBER 7TH AS PEARL HARBOR
REMEMBRANCE DAY**

The Board by unanimous motion approved Resolution C-120-07 Proclaiming December 7th as Pearl Harbor Remembrance Day. [*Resolution on file with the Clerk of the Board*]

INTERLOCAL AGREEMENT WITH I-COM

The Board by unanimous motion approved the Interlocal Agreement with ICOM for Washington State Enhanced E911 FY 2008 Wireless & Wireline Funds. Contract Amount: \$47,514 ; Contract No.: E08-014. (*RM-BOCC-07-0108*)

AMENDMENT B TO INTERLOCAL AGREEMENT WITH I-COM

The Board by unanimous motion approved Amendment B to the Interlocal Agreement with ICOM for Washington State Enhanced E911 FY 2007 Wireless & Wireline Funds. Amendment Amount: \$124,050; Total Contract Amount: \$663,089; Contract No.: E07-024 (*RM-BOCC-07-0058*)

APPROVAL OF DECEMBER STAFF SESSION AGENDA

By unanimous motion the Board approved the Staff Session Agenda for December with Regular Sessions scheduled December 5 and 19, 2007.

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HEALTH DEPARTMENT

As recommended by Tim McDonald, Health Services Director, by memorandum dated November 20, 2007, the Board unanimously approved the following contracts:

Amendment No. 5 to Contract with Washington State Department of Health – Consolidated Contract. Contract adds \$20,925 to Group B Drinking Water Program, addition of \$23,816 to the Public Health Emergency Preparedness and Response Program, and \$100,000 one-time funding for implementation of the on-site system management plan. Amendment Amount: \$144,741; Total Contract Amount: \$ 962,264; Contract Number C14949. *(RM-HLTH-06-0140)*

Amendment No. 5 to Contract with Washington State Department of Ecology – Watershed Planning. Contract provides funding for Phase 4 implementation of the watershed planning process. Amendment Amount: \$92,222; Total Contract Amount: \$217,840; Contract Number G0600084. *(RM-HLTH-06-0140)*

Contract with San Juan County Health and Community Services – Mental Health/Jail Transition Services. Contract to provide mental health and transition services to eligible San Juan County residents while incarcerated in the Island County and Okanogan County jails. Contract No. SJC-Jail-07; Contract Amount: \$10,687 *(RM-HLTH-07-0182)*

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:

Special Occasion Liquor License No. 091244 from the Camano Island Yacht Club for a special occasion to be held on December 15, 2007 from 5:30 p.m. to 9:00 p.m. at the Camano Island Yacht Club, 129 N. Sunset Dr., Camano Island, WA

New Application for Liquor License No. 402486-3F by Applicants Jeffrey Ross Hadlock and Judith Seiler Hadlock, Tradename: Speedboat Pizza and Brewery, 6315 Storkson, Clinton, WA 98236

PUBLIC WORKS

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

Roads

Resolution C-121-07/R-46-07 In the Matter of Approving Specifications & Authorizing Call for Bids for Crushed Rock Supplies for 2008, 2009, 2010 for the Bayview, Coupeville and Camano Road Shops. *[Resolution on file with the Clerk of the Board]*

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Purchase Order No. 8275 with CB-Toyota-Lift for a Replacement Fork Lift for Oak Harbor Road Shop. Purchased from State Contract #09902; Contract Amount: \$25,940.10, including sales tax.

Cooperative Purchasing Agreement between Island County and City of Ocean Shores, equipment purchase by City of Ocean Shores. *[PW-0720-112]*

Bid Award to Zumar Industries, Inc. for Historic Marker Signs. Contract Amount: \$3,407.61.

Local Agency Standard Consultant Agreement with Evergreen Surveying, Inc. for On Call Surveying Services. Contract Amount: \$300,000.00; Completion Date: December 2010. *[PW-0720-58]*

Drainage

Drainage and Abutter's Agreement with Randall E. Crosby. Parcel No. R23036-402-3040; Sec. 36, Twp. 30N, R 2E. *[PW-0720-108]*

Public Works

Supplemental Agreement No. 3 with Ambia, Inc. Completion date revised to March 1, 2008. *[PW-0720-03(B)]*

Solid Waste

2007 Solid Waste Uncollectable Write-off Approval

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 2:30 p.m. as scheduled Chairman McDowell opened a Public Hearing, continued from August 27 and October 1, 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, updated the Board by saying today's hearing is a continuation of a public hearing pertaining to a code amendment relative to the Aircraft Accident Potential Zone section of the Island County Code and the Comprehensive Plan and

Comprehensive Plan Maps. The amendments are for the purpose of updating regulation and policy to prevent future conflicts with the use of land surrounding Naval Air Station Whidbey Island.

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Mr. Tate said the Board continued the public hearing on October 1, 2007 for two reasons. First, to work with the City of Oak Harbor on developing the policies and regulations as they would apply in the unincorporated portion of the Urban Growth Area. Those policies and regulations dealt primarily with land use activities outside of the Urban Growth Area and part of the Accident Potential Zone runs through the Urban Growth Area outside City limits. He went on to say that the City of Oak Harbor has already adopted policies and regulations pertaining to Accident Potential Zones within the City's jurisdiction so the task assigned at the last public hearing was to work with City staff on developing policies and rules as they pertain to Urban Growth Area lands.

Mr. Tate said that County and City staff met on November 1 to review the different options. Island County's code dealt primarily with Residential uses and uses in the Rural zones in the County and did not address uses within Urban Growth Areas which tend to be more dense development. The City's code adopted standards for non-residential uses, industrial uses, and commercial uses pertaining to "floor area ratios." The "floor area ratios" restrict development uses allowed within those zones and is a function of how big the property is and how intense the development can be relative to the size of property within those zoning designations. In Mr. Tate's opinion the City and County are both on the same page in terms of developing something that is similar to what the City does in one of its highway commercial zones, the only zone in the City that had to have the "floor area ratios." The City and County also reviewed other zoning designations within the UGA that would ultimately be in the City and applying the same principal to those types of uses. Mr. Tate said there was also a meeting with Jennifer Meyer from NAS on November 8. At this point the ball is in the County's court to develop regulation and policies that would implement principals in the UGA but due to the pressing issue of wetlands at the moment, it has not been completed. Mr. Tate hopes to forward a proposal to the City of Oak Harbor shortly. The City will ultimately need to take a form of action based on what is in the Interlocal Agreement and will need to provide concurrence beyond just the City's planning director level.

Commissioner Bakke asked if the Board must wait to take action on the Ordinance until after receipt of the City's concurrence to which Mr. Tate replied that the Interlocal Agreement does not specify which jurisdiction takes action first. The Interlocal Agreement itself was first signed by the City then adopted by the County so it is Mr. Tate's feeling they would follow something similar and hopefully bring something back to the Board that would have the City's endorsement. That way the Board is not adopting something with that being an unknown. Mr. Tate requests that the hearing be continued to January 14, 2008 at 10:30 a.m.

The Chairman asked Mr. Tate if the County would be adopting something similar to what the City adopted concerning a limit of residential growth beyond a certain point along Goldie Road in the Commercial zone.

Mr. Tate said the zoning designations are not Residential but rather are Industrial, and there is some minimal allowance of some types of Residential within those zoning designations. He will raise that issue with the City since it also will be evaluating the same standards as the County.

According to Mr. Tate it is not clear if the Ordinance will be ready for adoption January 14 but he believes it would be good to return to the Board regardless to report where he is in the discussion.

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Mr. Tate wanted the Board to know that he did go back and look at a couple of pieces of property where people have provided comment and expressed concern over the ability to subdivide. He said one of the pieces of property that was discussed is in the Aircraft Potential Zone but houses exist on the property and there is already provision in the Code which allows for the subdivision of land down to the number of existing legally established residences on the property. He communicated that to the landowner saying that County policy continues to exist within that zoning designation and it would apply to their property. In other words, if there are three existing houses and they are existing dwelling units they would have the ability to subdivide. Other pieces of property that were also looked at are actually in APZ 2 and it is APZ 1 that limits the ability to subdivide.

Public Comment

Rebecca Spraitzar, 37353 State Route 20, Oak Harbor reiterated her comments from the October 1 hearing. She also mentioned there are a lot of people who have not been notified and who are being impacted by their ability to use their land. She said the only people who have been notified are those with 10 acres or more in APZ 1. She asked, again, that the public be informed.

Mr. Tate said that the mailer went to all property owners in APZ 1 who were losing the ability to subdivide their property. He mentioned that Exhibit A-12 and A-13 in the Ordinance lists what is allowed within APZ 1 and 2 and the effects on a property owner within those accident potential zones. He said that individual mailers go out when a zoning category changes but when doing something area wide, that situation is not something that requires a direct mailer under State rules for notification. In this situation Mr. Tate believed that losing the ability to subdivide is a more dramatic impact on a landowner so therefore did take it to another level of notification for those landowners. The requirements under the law are to advertise in local newspapers and that was done for the Planning Commission.

There being no further public comment at this time the Board by unanimous motion continued the Public Hearing for further discussion only concerning 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 January 14, 2008 at 10:30 a.m. [*GMA Record No. 9561*]

**RESCHEDULE HEARING: CONSIDERATION OF AN OPEN SPACE TIMBER LAND
CURRENT USE PROGRAM APPLICATION – OPS 105/07**

Mr. Tate explained that the landowner, after transmitting the paperwork, had requested that Planning reschedule the hearing because he wanted to reconsider his options under the Public Benefit Rating System. Also, the staff report included incorrect information as to acreage and parcel numbers so that information was corrected by way of a new staff report. Mr. Tate is requesting that the public hearing be rescheduled to December 17, 2007 at 10:30 a.m.

The Board by unanimous motion approved a continuance of the hearing to consider OPS 105/07 to December 17, 2007 at 10:30 a.m.

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**HEARING HELD: ORDINANCE C-115-07/PLG-021-07 CONCERNING TECHNICAL
AMENDMENTS TO THE ISLAND COUNTY COMPREHENSIVE PLAN FUTURE LAND USE
PLAN MAP AND THE ISLAND COUNTY ZONING ATLAS**

The Chairman opened another Public Hearing to consider Ordinance C-115-07/PLG-021-07 Concerning Technical Amendments to the Island County Comprehensive Plan Future Land Use Plan Map and the Island County Zoning Atlas.

Mr. Tate informed the Board that Ordinance C-115-07/PLG 021-07 Concerning Technical Amendments to the Island County Comprehensive Plan Future Land Use Plan Map and Island County Zoning Atlas concerns parcel number R13301-363-097-0 and is a rezone of property from the Rural zoning designation at one house per five acres to the Rural Agriculture zoning designation at one house per 10 acres. This is a Type I decision meaning it is a ministerial decision that is made on the part of staff and there are no standards for additional review since it is an automatic granting of approval. Regardless, there must be an Ordinance adopted by the Board to change the map.

There being no public comment for or against the proposal the Board by unanimous motion approved Ordinance C-115-07/PLG-021-07 Concerning Technical Amendments to the Island County Comprehensive Plan Future Land Use Plan Map and the Island County Zoning Atlas. [GMA No. 9562]

**RESOLUTION C-122-07/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**

Mr. Tate said that Planning is seeking signature of a Resolution to expand the Freeland Water District service area and incorporate the revised service area boundary into the Island County Coordinated Water System Plan. The Ordinance includes an Exhibit A which is a map of the Freeland Water District and the proposed expanded service areas. Mr. Tate said this was once before the Board for consideration but was removed from the Board's agenda due to legal counsel that the Freeland Water District needed in dealing with other parts of an expanded service area. When the application was originally submitted it included several expansion areas. The District has since revised the application to exclude the majority of those. The three expansion areas are Silver Fin, Hardy, and Highlands. It does not include areas not contiguous to the Water District service area originally proposed.

By unanimous motion the Board approved Resolution C-122-07/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.

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There being no further business to come before the Board, the meeting adjourned at 3:00 p.m. The next regular meeting of the Board is December 3, 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