

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
JANUARY 8, 2007**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on January 8, 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:

Dec. 11, 2006 Regular Session
Dec. 15, 2006 Special Session
Dec. 18, 2006 Special Session
Dec. 18, 2006 Regular Session
Dec. 19, 2006 Special Session

VOUCHERS AND PAYMENT OF BILLS

The Board by unanimous motion approved the December 29, 2006 payroll, as well as the following vouchers/warrants:

Voucher (War.) #6541227 approved at December 20, 2006 Staff Session:	\$125,446.26
Voucher (War.) #252916-252925 (2007) approved at January 3, 2007 Staff Session:.....	8,784.25
Voucher (War) #252926-253144 (2006) approved at January 3, 2007 Staff Session.....	499,573.26
Voucher (War) #253155-253201 (2007) dated January 8, 2007	57,224.33
Voucher (War) #253202-253451 (2006) dated January 8, 2007.....	218,931.02

RATIFICATION: ITEMS APPROVED AT DECEMBER 20, 2006 STAFF SESSION

For purposes of the record, the Board by unanimous motion ratified the Board's action taken at the December 20, 2006 Staff Session, approving the following items:

- Waiver of competitive solicitation for food service for Jail Facility, and approval of contract with Consolidated Food Management to provide food service to the Jail Facility
- Sale Agreement and related closing documents for purchase of Baum property on Camano Island
- Request for Full Reconveyance for Vessel Court Property by Habitat for Humanity
- Amendment #1 to professional services agreement with Herbert A. Marra Ph D for psychological evaluations of Juvenile Detention Officer applicants (RM-JUV-05-0158-01)
- Grant application for 2007 Puget Sound Watershed Protection & Restoration WA St. Dept. of Ecology for planning the integration of Island County Marine, Nearshore and Freshwater Resource Activities
- Grant contract with US Dept. of Justice Community Oriented Policing Services Law Enforcement Technology for law enforcement equipment; Contract #2006CKWX0073; Amount: \$148,084.00 (RM-SHER-06-0126)

HIRING REQUESTS & PERSONNEL ACTIONS

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

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Dept.	PAA #	Description	Position #	Action	Eff. Date
Assessor	001/07	Dept. Support Asst.	115.01	Replacement	1/8/07
Health	002/07	Env. Health Asst.	2419.00	Replacement	1/8/07
Prosecutor	003/07	Dep. Pros. Atty.	1814.00	Replacement	1/8/07
Prosecutor	168/06	Dep. Pros. Atty.	1803.00	Replacement	1/8/07
Prosecutor	169/06	Legal Asst. I	1813.02	Replacement	1/8/07

**WAIVER OF COMPETITIVE SOLICITATION AS PROVIDED IN ICC 2.29.030(B)(12) -
PROSECUTOR CONTRACT FOR LEGAL SERVICES REPRESENTING THE
STATE/COUNTY IN JUVENILE AND OTHER PROCEEDINGS**

As presented by Larry Larson, the Board by unanimous motion approved waiver of the normal competitive solicitation procedures as provided for in ICC 2.29.030(B)(12), to allow the Prosecutor to contract for legal services representing the State/County in juvenile and other proceedings, since a deputy prosecuting attorney has been reactivated to active duty and it is necessary for legal services to be furnished in the interim period.

EMPLOYEE AWARDS

EMPLOYEE SERVICE AWARDS

DEPARTMENT	EMPLOYEE	NO YEARS
Auditor	Loann Gulick	30
Auditor	Eileen King	20
Prosecutor	Caroline Morse	10
Public Works/Solid Waste	Brian Weaver	20
Sheriff	Steve Timm	20

EMPLOYEE OF THE MONTH - DECEMBER, 2006

Larry Weller was selected as the Employee of the Month for December 2006. He joined the County in July of 1995 in the Facilities Department as a Maintenance Tech. Larry has established a reputation for thoroughness and professionalism all the while exhibiting a cheerful and friendly demeanor that is welcomed and appreciated by members of the public as well as Island County employees.

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

By unanimous motion, the Board made the following appointments and reappointments to the following Board, Committee and Commission:

Northwest Senior Services Board

Appointed David P. Bell, Oak Harbor
Term expires: June 30, 2009

Marine Resources Committee

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Reappointed John Palka, Science Representative
Term expires: December 31, 2009

Reappointed Phyllis Kind, Beachwater
Term expires: December 31, 2009

Reappointed Benye Weber, Port of Coupeville
Term expires: December 31, 2009

Northwest Straits Commission

Reappointed Phyllis Kind as Island County's representative, with Dick Toft as alternate.

**AMENDMENT 3A TO GRANT AGREEMENT - ADDITIONAL COSTS ASSOCIATED
WITH THE REPLACEMENT OF PUNCH CARD VOTING SYSTEM**

By unanimous motion, as presented and discussed with the Auditor at the January 3, 2007 Staff Session, the Board approved Amendment 3A to Grant Agreement Contract #G-2840 3A with the Washington State Office of the Secretary of State for additional costs associated with the replacement of punch card voting system, the amendment in the amount of \$1,521. As noted by Commissioner Dean, the statement of work includes "...all costs associated with equipment upgrade for voter verifiable paper audit trail."

CLAIM FOR DAMAGES R06-021 PUD SNOHOMISH COUNTY

As outlined in memorandum dated January 3, 2007 from Betty Kemp, Director GSA/Risk Management, the Board by unanimous motion approved Claim for Damages R06-021 by PUD Snohomish County in the amount of \$1,965.91.

**WAIVER OF COMPETITIVE SOLICITATION AND AGREEMENT WITH VOLUNTEER
LAWYER PROGRAM OF ISLAND COUNTY - COURT FACILITATION PROGRAM**

On unanimous motion, the Board approved Waiver of Competitive Solicitation under ICC 2.29.030(B)(12) for the contract between Island County Superior court and the Volunteer Lawyer Program of Island County to provide the Court Facilitator Program. Following approval of the waiver, the Board by unanimous motion approved the Agreement by and between Island County Superior Court and the volunteer Lawyer Program of Island county to provide court facilitation program, the amount of the contract \$29,004.00 (RM-JUV-06-108-07).

**AGREEMENT FOR PROFESSIONAL SERVICES WITH HERBERT A. MARRA, PH. D. FOR
PSYCHOLOGICAL EVALUATIONS OF JUVENILE DETENTION OFFICER APPLICANTS**

The Board by unanimous motion approved Professional Services Agreement with Herbert A. Marra, Ph. D. for psychological evaluations of Juvenile Detention Officer applicants, in an amount not to exceed \$6,000 (RM-JUV-05-0158-0611).

HEALTH CONTRACTS APPROVED

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As provided under cover memorandum dated January 3, 2007 from Tim L. McDonald, Health Services Director, the Board by unanimous motion approved the following:

Consolidated Contract (2005-2006) C13034, Amendment No. 14 (RM-HLTH-02-0094) with Washington State Department of Health extending timeframe for Local Capacity Development Fund; Contract Amount: \$1,133,889, Amendment Amount: \$ -0-

Consolidated Contract (2007-2011) No. C14949 (RM-HLTH-06-0140) with Washington State Department of Health initial funding allocations for 2007-2011, in the amount of \$601,231

Contract #HS-13-06 (RM-HLTH-06-0127) with Island Employment Services – Developmental Disabilities/Millage, to provide benefits planning, assistance, outreach and management supports to SS beneficiaries and recipients with developmental disabilities for career development, in the amount of \$10,000

Exemption from competitive solicitation procurement for consultation services for the Nursing/Oral Health Program per ICC 2.29.030.B.12 for Mary Jane Lungren, DDS – 2007 contract period

SUPPLEMENTAL AGREEMENT NO. 2 – FAKKEMA & KINGMA, INC.

As presented and recommended by Randy Brackett, County Engineer, the Board by unanimous motion approved Supplemental Agreement No. 2 to #PW-0220-36(B) between Island County and Fakkema & Kingma, Inc., on-call civil engineering services agreement, extending the time to March 31, 2007 and the total amount authorized to \$250,000.00.

ADOPT-A-ROAD LITTER CONTROL AGREEMENT – CONCORDIA LUTHERAN CHURCH

By unanimous motion, the Board approved Adopt-A-Road Litter Control Agreement between Island County and Concordia Lutheran Church for West Beach Road from one mile east of Crosby/Swantown intersection to West Beach Road parking area.

RELEASE OF DECLARATIONS OF TRUST

Upon recommendation of Mr. Brackett, and confirmation that conditions of bonds had been completed satisfactorily, the Board by unanimous motion approved the following Release of Declarations of Trust:

Release of Declaration of Trust between Island County and The Schuster Group; PLP 328-04/Tee-Side Plat; \$39,806.14.

Release of Declaration of Trust – Island County and Mike Hayes; Plat of Elger Glen; \$25,000.00.

SUPPLEMENTAL AGREEMENT NO. 2 – PW-0620-128

Pulled from agenda; to be rescheduled.

**RESOLUTION #C-01-07/R-01-07- DECLARING COUNTY PROPERTY SURPLUS TO
SELL PARCEL S7635-00-00001-0**

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By unanimous motion, the Board approved Resolution #C-01-07/R-01-07 In the Matter of Declaring County Property Surplus to Sell Parcel S7635-00-00001-0, located at 198 Can Ku Road, Camano Island, to Island Transit for use as a transit center serving Camano Island. *[Resolution #C-01-07 on file with the Clerk of the Board]*

**QUESTIONNAIRE – ESCROW NO. IS101249 – ISLAND TRANSIT, PURCHASER
198 CAN KU ROAD, CAMANO ISLAND**

By unanimous motion, the Board authorized the Chairman’s signature on the Questionnaire for Escrow No. IS101249, 198 Can Ku Road, Camano Island, authorizing release of information for purchase of property by Island Transit, Parcel S7635-00-00001-0.

**PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF REAL PROPERTY BY
ISLAND TRANSIT**

The Purchase and Sale Agreement for the Acquisition of Real Property by Island Transit, #PW-0620-118, between Island County and Island Transit, Parcel S7635-00-00001-0, in the amount of \$140,000.00, was approved by unanimous motion of the Board.

**RESOLUTION #C-02-07/R-02-07 – DECLARING COUNTY PROPERTY SURPLUS FOR
EASEMENT ON S7100-00-01001-0 – COMMUNICATIONS CABLES AND CONDUITS –
SOUTH WHIDBEY SHERIFF’S PRECINCT**

Resolution #C-02-07/R-02-07 In the Matter of Declaring County Property Surplus on S7100-00-01001-0 for the purpose of an easement to allow Whidbey Telephone to locate communications cables and conduits for the South Whidbey Sheriff’s precinct was approved by unanimous motion of the Board. *[Resolution #C-02-07 on file with the Clerk of the Board]*

**PROTECTOR AGREEMENT AND RELEASE - WHIDBEY TELEPHONE -
TELECOMMUNICATIONS AND OTHER COMMUNICATIONS - SOUTH WHIDBEY
SHERIFF’S PRECINCT**

By unanimous motion, the Board authorized the Chairman’s signature on Protector Agreement and Release (PW-0620-117) between Island County and Whidbey Telephone, for telecommunications and other communications, South Whidbey Sheriff’s Precinct, Parcel S7100-00-01001-0.

**EASEMENT – WHIDBEY TELEPHONE COMPANY - TELECOMMUNICATIONS AND
OTHER COMMUNICATION PURPOSES - SOUTH WHIDBEY SHERIFF’S PRECINCT**

The Board by unanimous motion approved Easement (PW-0620-116) between Island County and Whidbey Telephone Company; Easement for telecommunications & other communication purposes; South Whidbey Sheriff’s Precinct; Parcel S7100-00-01001-0.

**RESOLUTION #C-05-07/R-03-07 – DECLARING COUNTY PROPERTY SURPLUS FOR
EASEMENT ON PARCEL R13102-330-2001**

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By unanimous motion, the Board approved Resolution #C-05-07/R-03-07 In the Matter of Declaring County Property Surplus for a water utility easement on Parcel R13102-330-200, 1.011 acre, for Whidbey Animals' Improvement Foundation (WAIF). *[Resolution #C-05-07 on file with the Clerk of the Board]*

**UTILITY AND TRAIL EASEMENT – WHIDBEY ANIMALS' IMPROVEMENT
FOUNDATION (WAIF)**

The Board by unanimous motion approved a mutual benefit Utility and Trail Easement (PW-0620-114) between Island County and WAIF, Parcels 428-0830, 423-1160, 330-2001; Sec. 2, Twp. 31N, R 1E, to be used for the County's extension of a public non-motorized trail from Main Street in Coupeville, along State Route 20 to County Rhododendron Trail.

**APPLICATION FOR COMMUNITY LITTER CLEANUP PROGRAM FUNDS –
DEPARTMENT OF ECOLOGY**

An Application to the State Department of Ecology for Community Litter Cleanup Program Funds for the period July 1, 2007 – July 1, 2009 was approved by unanimous motion of the Board, for \$56,500 Litter Pickup & Illegal Dump Cleanup/\$53,500.00 for Litter Prevention/Education/outreach \$3,000.00 was approved by unanimous motion of the Board.

**CONTRACT – BAYVIEW SURVEYING AND ENGINEERING, INC. - SURVEY –
RHODODENDRON TRAIL PROJECT**

The Board by unanimous motion approved Standard Consultant Agreement with Bayview Surveying and Engineering, Inc. under Work Order 372 in the amount of \$8,490.72 (incl. SST) to provide a survey for the Rhododendron Trail Right-of-Way plan compliant with Federally Funded and WSDOT requirements.

**PEER REVIEW PANEL CONSULTANTS TO SERVE ON REVIEW PANEL FOR WETLAND
WILDLIFE/HABITAT AND WATER QUALITY UNDER DEARBORN & MOSS CONTRACT**

Jeff Tate, Assistant Director, Planning & Community Development Department, presented for Board approval, authorization of two contracts for peer review panel consultants under Dearborn & Moss, PLLC Contract, as outlined in a Memorandum to the Board from Keith Dearborn dated December 17, 2006, including proposed contracts and resumes/credentials for each *[GMA record #9132]*. The proposed contracts are with Richard Horner, Seattle, Wa., and Malcolm Hunter and Aram Calhoun of Milford, Maine, to serve on a review panel for wetland wildlife/habitat and water quality, a total contract amount of \$11,000.00 for both contracts. This will add special expertise in wetland wildlife habitat and water quality. Mr. Tate confirmed the Planning Department's recommendation of approval.

By unanimous motion, the Board authorized two contracts under Dearborn & Moss PLLC contract, for peer review panel consultants to serve on a review panel for wetland wildlife/habitat and water quality, with Richard Horner, Seattle, Wa., for \$200.00/hr. not to exceed a total of \$5,000.00; Malcolm Hunter at \$125.00/hr. and Aram Calhoun at \$100.00/hr. not to exceed a total of \$6,000.00. *[approval authorization GMA #9133]*

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**ORDINANCE #C-03-07 (PLG-001-07) - UPDATING CHAPTER 14.02A ISLAND
COUNTY CODE TO INCORPORATE AMENDMENTS MANDATED BY THE FEDERAL
EMERGENCY MANAGEMENT AGENCY**

Mr. Tate presented for approval a proposed Ordinance updating Chapter 14.02A of the Island County Code to incorporate amendments mandated by the Federal Emergency Management Agency [FEMA]. The proposed amendments have gone through a public hearing process before the Island County Planning Commission, who deliberated on the matter and voted unanimously to recommend approval of the amendments. Periodically FEMA conducts a flood insurance study for Island County, and FEMA's recommendation is to amend the Code to incorporate that flood insurance study and to incorporate references to new FEMA maps, along with six or seven other amendments necessary to make ICC consistent with the State Model ordinance, maintaining good status of the County for flood insurance program so that county property owners continue to be eligible for flood insurance policies.

By unanimous motion the Board approved Ordinance #C-03-07/(PLG-001-07) updating Chapter 14.02A of the Island County Code to incorporate amendments mandated by the Federal Emergency Management Agency, effective February 1, 2007. [*Ordinance #C-03-07 on file with the Clerk of the Board*].

**RESOLUTION #C-04-07 (PLG-002-07) APPROVING ANNEXATION OF PROPERTY
INTO SWANTOWN WATER DISTRICT AND INCORPORATING THE SWANTOWN
WATER DISTRICT SERVICE AREA BOUNDARY INTO THE ISLAND COUNTY
COORDINATED WATER SYSTEM PLAN**

Mr. Tate presented Resolution #C-04-07 (PLG-002-07) In the matter of approving annexation of property into the Swantown Water District and incorporating the Swantown Water district service area boundary into the Island County Coordinated Water System Plan (CWSP) for approval. He explained that the boundary established for the properties served by the District was established in 1990 when the County adopted the Island County CWSP. Swantown Water District is a public district with elected commissioners. The District held a public hearing for the annexation process and the District Commissioners recommended approval [District Resolution adopted 10/23/06]. State Statute requires the Board of County Commissioners ratify the action. Service areas established must be consistent with the CWSP and during the review process, and the Planning & Community Development Department in its review confirmed there is no other service area serving those properties and that what is being proposed for annexation is consistent with zoning. The proposal is primarily to serve existing lots of record that are in the area, and the Department recommends approval.

Resolution #C-04-07 (PLG-002-07) In the matter of approving annexation of property into the Swantown Water District and incorporating the Swantown Water District service area boundary into the Island County Coordinated Water System Plan. [*Resolution #C-04-07 on file with the Clerk of the Board*].

There being no further business to come before the Board at this time, the meeting adjourned at 10:53 a.m. The next regular meeting of the Board will be on January 22, 2007, beginning at 11:00 a.m.

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BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Wm. L. McDowell, Member

John Dean, Member

ATTEST:

Elaine Marlow
Clerk of the Board