

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
JANUARY 14, 2008 – REGULAR SESSION**

The Board of Island County Commissioners met in Regular Session on January 14, 2008 beginning at 9:30 a.m. in the Board of County Commissioners Hearing Room (Room # 102B), Annex Building, 1 N.E. 6<sup>th</sup> Street, Coupeville, Washington. John Dean, Chairman and Phillip Bakke, Member were present. The meeting began with the Pledge of Allegiance.

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

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

Warrant #s 278479-278723 (2007) .....	\$267,789.60
Warrant #s 278724-278807 (2008) .....	\$ 70,066.86
Electronic Fund Transfers .....	\$205,637.46

**HIRING REQUESTS & PERSONNEL ACTIONS**

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

<u>Department</u>	<u>PAA #</u>	<u>Description</u>	<u>Position #</u>	<u>Action</u>	<u>Eff. Date</u>
Prosecuting Attorney	012/08	Chief Criminal Deputy	1802.00	Replacement Position	02/25/08
WSU Extension	013/08	Administrative Assistant	1209.00	Personnel Action Increase in Hours	01/14/08
Planning & Community Development	014/08	Assistant Planner-Critical Areas	1708.10	New Position (Two Year Position)	01/14/08
	015/08	Associate Planner-Critical Areas	1708.11	New Position	01/14/08
	016/08	Planning Tech I/II	1601.05	Replacement Position	01/14/08
	017/08	Planning Intern Temp	1600.03	Personnel Action (Extend Position 03/31/08)	01/20/08

**EMPLOYEE AWARD PRESENTATION**

**EMPLOYEE OF THE MONTH AWARD -- KATIE HICKS – HEALTH DEPARTMENT**

Katie has the ability, regardless of the situation or conversation, to act very professionally and courteously with both staff and the public. She represents everyone at the County very well, something that is welcome in a day in age when many government employees are looked upon unfavorably because of a negative experience in the past. Katie does a great job making things more positive for these people. Secondly is her capacity for knowledge in her field. Katie is confident and very helpful in explaining things to people, and especially when it comes to discussing the “why.” It is one thing to know the rules; it is another to be able to explain why they are in place and why they are important. This is another area where other staff in Environmental Health may struggle, but Katie excels. Finally, Katie has knowledge of things not directly related to her job. In her position, she receives a large variety of phone calls on

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various subjects ranging from rat problems to mosquito bites, and anything else you might be able to imagine. Often she gets a call about an issue that the Health Department does not actually deal with. Many people in this position would simply say that the particular issue is not something the Department deals with, and they would be doing their job. Katie on the other hand has compiled a list of resources and information, so that even if she cannot help someone, she can send them in the right direction. And that is what public service is all about.

**APPOINTMENTS AND REAPPOINTMENTS TO VARIOUS BOARDS/COMMITTEES**

The Board, by unanimous motion, made the following appointments and reappointments and accepted the resignation of John Leengran:

**Ebey's Landing National Historical Reserve Trust Board**

Upon the recommendation of Marshall Bronson, Chair of the Trust Board of Ebey's Landing National Historical Reserve, Dr. Lisa Meserole is appointed to fill position # 7 left vacant following the resignation of Karen Lennon, with associated term to expire October 1, 2009.

**Board of Trustees, Camano Mosquito Abatement District**

Upon the recommendation of Jay Lawrence, District Manager of the Camano Island Mosquito Abatement District, Joan Haidle is reappointed to serve another term as a member of the Board of Trustees for the Camano Island Mosquito Abatement District. Her term will expire January 1, 2010.

**Washington State Association of Counties – 2008 Legislative Steering Committee**

Phillip Bakke, Board of County Commissioners Member, is selected to serve on the 2008 Legislative Steering Committee.

**Resignation – Clinton Ferry Advisory Board**

John Leengran resigned his position as a member of the Clinton Ferry Advisory Board.

**CORRECTION TO BOARD OF COUNTY COMMISSIONERS MINUTES CONCERNING  
APPOINTMENT TO VETERANS ADVISORY BOARD**

The Board, by unanimous motion, approved the correction to the Board's minutes of December 10, 2007 to reflect that all members of the Veterans Advisory Board were unanimously reappointed.

**CONTRACTS FOR 2% HOTEL LODGING TAX TOURISM PROMOTION – 2008 FUNDING  
YEAR**

By unanimous motion the Board approved the following 2% Contracts for Hotel Lodging Tax Tourism Promotion, 2008 Funding Year:

Camano Island Chamber of Commerce for Visitor Information Center Staffing/Tourism Marketing and Fulfillment Program; Contract Amount: \$14,000.00 [RM-BOCC-07-0125]

Central Whidbey Chamber of Commerce for Visitor Information Center & Tourism Promotion; Contract Amount: \$17,500.00 [RM-BOCC-07-0116]

Coupeville Arts Center for "Shoulder Season" Marketing of Coupeville Arts Center Classes; Contract Amount: \$2,500.00 [RM-BOCC-07-0117]

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Freeland Chamber of Commerce for Freeland Visitor Information Center (VIC); Contract Amount: \$15,000.00 [RM-BOCC-07-0118]

Greater Oak Harbor Chamber of Commerce for Tourism Marketing and Development; Contract Amount: \$20,500.00 [RM-BOCC-07-0119]

Island County Historical Society for Rack Card Development and Distribution Program; Contract Amount: \$1,000.00 [RM-BOCC-07-0115]

Langley Chamber of Commerce for Tourism Marketing Fulfillment Program, Visitor Information Center and Accommodation Referral and Visitor Information Kiosk in Clinton; Contract Amount: \$22,500.00 [RM-BOCC-07-0120]

Meerkerk Rhododendron Gardens, Inc. for Brochure and Rack Card Development and Distribution Program; Contract Amount: \$2,000.00 [RM-BOCC-07-0121]

NW Tulip Trekkers for Walking Whidbey Volkfest; Contract Amount: \$2,000.00 [RM-BOCC-07-0122]

Penn Cover Water Festival Association for Penn Cove Water Festival Marketing Project; Contract Amount: \$2,000.00 [RM-BOCC-07-0123]

Concerning the aforementioned contracts and the Town of Coupeville specifically, Commissioner Bakke mentioned that he met with Mayor Conard, members of the City Council, and Chamber of Commerce to discuss the closure of the State Highway crossing from Port Townsend to Keystone and the creation of a marketing program in response. The program would educate the community and other neighboring communities as to how they can continue to bring car vehicles to Whidbey or retain shopping routes and circulation patterns given there is a foot ferry now instead of a car ferry. There is an effort to pursue funding from CTED for a long-term marketing program together with ongoing communication with Washington State Ferries to create a separate stand-alone ferry schedule for the Keystone route that would include information about Island Transit and communities such as Langley and Clinton. In the intervening period the Town of Coupeville is considering the idea of providing \$2500 from its 2% funds to help move the process along and asks the Board to consider a match of \$2500. The money will help the Coupeville Chamber work together with the Langley and Clinton Chambers to begin putting together an initial response for tourism and marketing.

Ms. Marlow said she will research the question of how the money is allocated but feels confident it can either be paid directly to the Chamber or funneled through the Town of Coupeville. She confirmed the funding will come from Current Expense, Commissioners' Contingency.

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**HEALTH DEPARTMENT**

As recommended by Tim McDonald, Health Services Director, by memorandum dated January 9, 2008 the Board unanimously approved the following:

Memorandum of Understanding between Island County Health Department and Island County Sheriff's Department for the provision of nursing services in the Island County jail in 2008. Contract No. HD-40-07; Contract Amount: \$55,000 (RM-HLTH-07-0130)

Amendment No. 1 to Contract with Bess Windecker Nelson PhD supports an additional hour required to staff mother's circle support groups and additional reporting requirements of Early Learning grants. Contract No. HD-06-07; Amendment Amount: \$2,100; Total Contract Amount: \$10,900 (RM-HLTH-05-0011)

Contract with Island County Juvenile Court for a public health nurse to provide nursing services to the Island County Juvenile Detention Facility. Contract No. HD-38-07; Contract Amount: \$ 22,000 (RM-JUV-05-0105)

**SPECIAL OCCASION LIQUOR LICENSE APPLICATION 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 application:

Assumption of Liquor License No. 077967-3F by Holmes Harbor Community Partners LLC, Diversified Property Investors and Mark Schuster, d/b/a Holmes Harbor Golf & Beach Club, 5023 Harbor Hills Dr., Freeland, WA 98249 from Columbia Hospitality, Inc. and Holmes Harbor Community Partners, LLC d/b/a Holmes Harbor

**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 Dean opened a public hearing [*continued from August 27, October 1, and November 26, 2007*] 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.

As an update for the Board Jeff Tate, Planning and Community Development Director, explained that staff is continuing their work with City staff to make sure that where the two overlap within the Urban Growth Area the standards are consistent with one another. It is a continuing effort and there is no proposal as of yet to present to the Board.

Anthony Boscolo, Planner, said he has talked with the City of Oak Harbor and landowners to help address concerns voiced at the last hearing. As to outstanding issues remaining with the City, Mr. Boscolo said the City has requested a few changes and he is reviewing the County's ordinances and code to make sure those changes compliment one another.

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In conclusion Mr. Tate said that according to Steve Powers, the City's Planning Director, the City must proceed through a process much like that in the Interlocal Agreement whereby the City will make a decision and approve an ordinance, the Board will sign the ordinance, and then there is a ratifying process once both sides agree. He said that does not mean that the County must wait for that entire process to conclude in order to have something before the Board. Mr. Tate characterizes the discussions with the City as positive and there is not much in the way of disagreement. The delay has just been a resource issue.

There being no public comment at this time the Board by unanimous motion continued the public hearing to March 3, 2008 at 10:15 a.m. on Ordinance C-87-07 (PLG-017-07) relating to code amendments to the Aircraft Accident Potential Zone (APZ) for lands inside unincorporated Island County and within the County's Joint Planning Area and Urban Growth Area with the City of Oak Harbor, in an effort to avoid future conflicts from future land uses surrounding Naval Air Station Whidbey Island.

**ORDINANCE C-02-08/PLG-011-07 UPDATING ISLAND COUNTY'S COMPREHENSIVE  
PLAN AND DEVELOPMENT REGULATIONS RELATING TO WETLANDS AND  
DETERMINATION WHETHER TO ADD FOURTH AMENDMENT**

Mr. Tate indicated that the Board during its January 7, 2008 public meeting accepted the Planning Commission's recommendation for the wetlands ordinance and scheduled on January 28, 2008 three revisions to the Planning Commission's recommendation. At that meeting Commissioner Bakke, based on comments in the Planning Commission's transmittal memorandum, raised the issue of land use intensity. The Board directed staff to consider ways to look at land use intensity, cleared area thresholds in particular, and parcel size breaks, in an attempt to remove some of the inequities or imbalance when transitioning from one parcel size category to another.

Mr. Tate provided the Board with a package of documents. The package included in one document the first three amendments already set for public hearing on January 28, Findings for each, along with the fourth amendment for consideration today as to whether it will advance and be considered along with the other three on January 28. [GMA No. 9696] If the Board chooses to advance the fourth amendment Mr. Tate will communicate with the Planning Commission members so they know that the Board took notice and is interested in advancing a different concept that plays with the numbers. He will also post the information on the web page and notify the press.

Also part of the package is a memorandum from Mr. Tate dated January 14, 2008 [GMA No. 9645] describing more in detail the fourth amendment including the different parcel size categories and references back to Appendix F of the June version of the draft in which there was an analysis on clearing and grading trends recognized since 1999, the same information used to arrive at the Planning Commission recommendation. The alternative information is more refined and breaks the information down into more categories. The memorandum also includes a description of what the results are of changing the categories, creating more breaks and parcel sizes, and modifying the cleared area thresholds describing on balance that it is staff's opinion that it provides equal to or greater protection than the Planning Commission recommendation. Mr. Tate believes the alternative is a smoother transition from different size parcels. In part from his memorandum:

Staff has evaluated the historical clearing and grading trends and developed an alternative proposal that creates greater stratification in the ranges of parcel size and the clearing limit percentages. Additional stratification reduces the dramatic outcome that results when shifting from one parcel size range to another.

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Chairman Dean inquired of Mr. Tate as to how the percentages were arrived at. Mr. Tate said that staff reviewed, under the same parcel size categories, what the averages were for percent cleared and in doing so noticed a decline over time of less and less percent cleared on property. Staff wanted to capitalize on that positive trend so they began looking at how much percent cleared was occurring within the percentages or within the parcel size categories. High intensity went slightly above the number that was the average, low intensity went in an equal down direction so attempted to put medium intensity at the average.

Commissioner Bakke moved that the Board include Amendment No. 4 and memorandum of explanation dated January 14, 2008 to be considered as an amendment, along with the other three, to Ordinance C-02-08/PLG-011-07 at the public hearing on January 28, 2008 at 2:30 p.m. Seconded by Chairman Dean, unanimously carried.

Commissioner Bakke extended his thanks to Mr. Tate for compiling the information. He also asked if he would be sure to notify not only the Planning Commission but also the entire GMA list serve and provide copies of all four amendments, the notice, and post the information on the web page which Mr. Tate will do.

**CONTRACT WITH WASHINGTON STATE DEPARTMENT OF ECOLOGY FOR HOLMES  
HARBOR BACTERIA SOURCE IDENTIFICATION/REMEDY**

Mr. Tate said that staff is requesting Board approval and signature of an Ecology contract for the Holmes Harbor Bacteria Source Identification/Remedy for South Holmes Harbor Shellfish Protection District. He said that the project cost is \$384,000 with a contract amount of \$288,000. He explained it has been a long process of applying for grant monies from the Department of Ecology to aid the County in implementation of the South Holmes Harbor Shellfish Protection District. Ecology awarded the County with grant funds, ranking it well in the competitive process for statewide grant applications, and he looks forward to moving forward with Ecology's assistance.

Mr. Tate said in February the Department will be ready to release the County's Surface Water Quality Monitoring 2007 year-end summary. It will address all the basins, all 48 that have been monitored, but South Holmes Harbor has two basins with six locations so at that site there has been a more intense expanded data collection effort. He said the raw data was sent to Oregon State University for statistical analysis to look at soil type, topography and the like to better understand conditions. To explain, Mr. Tate said there may be elevated levels of turbidity in a watershed for example indicating that development may be causing the exceedence. If a basin has very little development but highly erodible soils turbidity readings will be high so a statistical correlation is done with the geomorphology of each basin. The Department has conducted outreach, sent mailers to the public, and located kiosks. Next is the Source Identification and Compliance Assessment and toward that end Mr. Tate said that staff is in the process of pulling permits that have been issued in the Shellfish Protection District, looking at permanent activity, gaining an understanding of septic systems, and determining the age of septic systems and whether they are likely contributors to any issues. He suspects a year from this time we will have a good handle on some of the likely contributors.

Commissioner Bakke commented that it is important to point out that the County did not wait before proceeding with adopting its implementation strategy for the Holmes Harbor clean-up. The Board budgeted money through the Resource Enhancement Program in Planning to immediately begin work. As a result there is a year's worth of water quality data already collected putting the County closer to answering questions.

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By unanimous motion the Board approved the Contract with Washington State Department of Ecology for Holmes Harbor Bacteria Source Identification/Remedy (for South Holmes Harbor Shellfish Protection District). Contract No. G0800327; Contract Amount: \$288,000. *[GMA No. 9697]*

There being no further business to come before the Board the meeting adjourned at 10:55 a.m. The Board will meet next in Regular Session at 11:00 a.m. on January 28, 2008 for Round Table followed by Regular agenda items at 1:30 p.m.

BOARD OF COUNTY COMMISSIONERS  
ISLAND COUNTY, WASHINGTON

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John Dean, Chairman

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Phillip Bakke, Member

*[William L. McDowell, Member: absent]*

**ATTEST:**

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Elaine Marlow, Clerk of the Board