

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
SEPTEMBER 28, 2009 – REGULAR SESSION**

SPECIAL SESSION

The Board of Island County Commissioners met in Special Session on September 28, 2009 beginning at 10:00 a.m. in the Board of County Commissioners Hearing Room (Room # 102B), Annex Building, 1 N.E. 6th Street, Coupeville, Washington. John Dean, Chairman, Helen Price Johnson, Member, and Angie Homola, Member were present. The Special Session was called for the purpose of conducting Budget Workshop.

BUDGET WORKSHOP

Human Services

Presentation by: Jackie Henderson, Director; Jaime Montoya, Accounting Coordinator

Ms. Henderson reported that her budget is balanced and the Department is not requesting any additional Current Expense money at this time. She believes additional cuts are expected from State grants but when and how much is unknown. The budget for Human Services will be adjusted, if needed, should that happen.

Ms. Marlow indicated that one major question is how the Veteran's budget will be handled because the amount proposed (\$190,000) is larger than the annual levy amount (approximately \$165,000 to \$170,000 if levied annually). If the decision is to have a \$150,000 program or more the Board would need to levy every year, foregoing the levy for 2010. Ms. Marlow thought it wise to spend down as much of the resources as possible and then provide a program that is achievable over the next five years. She suggested the Board could slightly increase the program going out in the future, starting with \$150,000. Actual property taxes collected in 2008 were approximately \$157,000 and assuming a 3% annual increase in property taxes would be a logical extension to the future. The question before the Board for 2010 is whether to have a property tax levy now that the scope of the Veteran's program has increased with the advent of a case manager and enhanced services.

Commissioner Homola suggested maintaining the Veteran's plan for 2010 as proposed by Ms. Marlow then reassessing the situation for 2011. Commissioner Price Johnson added the idea of a five-year plan since there currently is no historic data in place for the program. Ms. Henderson agreed to continue the assistance at about \$8,000 per month next year.

Ms. Henderson reviewed with the Board the Department's various budgets including, Developmental Disabilities, Mental Health, Mental Health Therapeutic Sales Tax Fund, Substance Abuse Treatment and Prevention, HGAP Housing, Veteran's Assistance and Homeless Housing Fund. She remains concerned about further State cuts to her Department and the ramifications to programs if those cuts are implemented. Smaller counties seem most vulnerable.

Mental Health Sales Taxes

Presentation by:

Jackie Henderson, Human Services Director; Michael Merringer, Court Administrator/Director; Channing Gredvig, Drug Court Coordinator

Ms. Marlow explained that the Mental Health Therapeutic Court Sales Tax funds two different major programs: 1) Mental Health Initiative, and 2) Therapeutic Drug Courts.

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Mental Health Initiative

Ms. Henderson said the Mental Health Sales Taxes, for Human Services, currently funds the following programs:

- Counselors in the schools
- Vulnerable Adults Outreach and Case Management
- Uninsured Program (has not yet started)

Once the economy improves the fund will provide for an Early Childhood Coordinator case manager and another jail case manager.

Therapeutic Drug Courts

Mr. Merringer proposed a budget of about \$177,000 from the Mental Health Initiative Taxes, supplemented with an additional \$24,000 from the Chemical Dependency Disposition Alternative Grant from the State. He wanted it known that the numbers indicated are not a true reflection of the costs associated with the program because the Prosecutor and Clerk contribute as well in terms of time.

Mr. Gredvig spoke about the individual courts and the budgets established for each including, Juvenile Drug Court, Adult Drug Court, and Family Treatment Court.

Ms. Marlow will check with both the Prosecuting Attorney and Court Clerk on the actual hours they might be spending on the programs. She mentioned a mismatch between proposed expenditures and the amount of revenue received. It is expected that sales taxes will be flat in 2010, with collection approximately at \$763,000; proposed expenditures are \$780,000. In an effort to narrow the gap Ms. Marlow, Mr. Merringer, and Ms. Henderson will have a conversation about the issue and return to the Board with a proposal.

The Board of Island County Commissioners convened in Regular Session at 11:00 a.m. on September 28, 2009 for a Roundtable with Elected Officials and Appointed Department Heads, held in the Board of County Commissioners Hearing Room, Annex Building, 1 NE 6th Street, Coupeville, Washington. Other topics for the Regular Session followed at 2:00 p.m. as shown on the agenda. John Dean, Chairman, Helen Price Johnson, Member, and Angie Homola, Member were present.

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

Elected Officials and Appointed Department Heads Attending:

Greg Banks	Jackie Henderson	Mike Merringer
Robert Bishop – <i>Excused</i>	Keith Higman	Bill Oakes
Mark Brown	Angie Homola	Bob Pederson
Cathy Caryl	Betty Kemp	Helen Price Johnson
Sheilah Crider	Larry Larson	Linda Riffe
John Dean	Elaine Marlow	Dan Sherk - <i>Excused</i>
Judy Feldman - <i>Excused</i>	Dave Mattens – <i>Excused</i> – Gary Bur attended in his stead	
Sharon Franzen	Mike Merringer	

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ACCOUNTING SYSTEM

Ms. Marlow reported that the committee continues to struggle with data conversion from the old to the new system. Four to six months are now converted of 2008 and the hope is to go live sometime before the beginning of the year. HR payroll has begun and it is anticipated to go live in about 18 months. In the interim, she encouraged anyone with questions to give her a call.

VIDEO PRESENTATION – LEADERSHIP, AN ART OF POSSIBILITY

Chairman Dean, having viewed the video at a public forum last year, thought it a good inspirational leadership film to share with Elected Officials and Department Heads.

ROUNDTABLE DISCUSSION

Assessor

The appraisers are beginning the revaluations on Camano and notices for new construction along with revised notices have been mailed. The contract for the new Assessor/Treasurer program has completed contract review with the Prosecutor and Risk Management.

Auditor

The Auditor's office is busy once again with elections and the financial statements have been completed.

Central Services

Ms. Caryl suggested a meeting following roundtable with those interested in reconvening the technology committee. The discussion would include the Moss Adams report.

Clerk

Ms. Lyen, Chief Deputy Clerk, is retiring with her last day September 30. An invitation was extended to visit the Clerk's office to wish her well.

Clerk of the Board

Ms. Marlow reported that she is working to fine-tune the Work Session agendas along with the timelines and deadlines. Not only is she e-mailing the agendas to all Elected Officials and Department Heads but also she sends them out to the public; therefore, it is important that agendas be provided for Work Sessions that are specific enough so people understand what topics will be addressed. An e-mail will be forthcoming.

Commissioners

Commissioner Homola

- She thanked everyone for working so diligently with the added constraints.

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- Concerning technology, the Board is attempting to bring people together concerning public records and data records so the County can do a better job in maintaining those records and responding to the public.
- It is a goal of the Board and many other counties to create packets electronically in place of paper.

Commissioner Price Johnson thanked Chairman Dean for bringing forward the video as it reinforced her message about the budget and what it is the County hopes to provide to its citizens regardless of limited resources. The County is not restricted in its innovation, creativity, or ability to support each other.

Chairman Dean reported that the Board re-visited the issue of hunting at Deer Lagoon at a public hearing last Monday. Another public hearing on the subject will follow.

Health

A notice of flu clinics for the seasonal flu and a list of priority groups for the Swine flu were distributed by Mr. Higman. He suggested that everyone encourage their staff to pay attention to both. The Swine flu vaccine will not become available until mid-October with the expectation there will be a sufficient amount of vaccine for the community. Mr. Higman encouraged those with questions to phone Dr. Case, Mr. Higman, or Suzanne Turner. The Board approved purchase of a limited amount of hand sanitizers for distribution to offices.

Human Resources

Mr. Larson reported that the proposed travel policy, prepared by Mr. Banks, Mr. Higman, Mr. Larson and Ms. LaCour, is with the Board for consideration. He will send out an e-mail advising staff on how to handle the public should they visit the County when ill.

Planning & Community Development

The Camano Gateway ordinance was adopted by the Board on September 22, 2009. Mr. Pederson added that staff is working toward closure of the Ebey's Landing joint effort with the Town and Reserve to define a unified set of regulations by the end of the year.

Prosecuting Attorney

Mr. Banks spoke about his annual public records training that occurred September 22. He encouraged additional training by WSAC, WACO or AWC when available.

Public Works

Mr. Oakes said that his Department is wrapping up its summer projects. He reminded everyone to plan accordingly for winter both at home and at work.

Sheriff

The Sheriff commented about three events that went fairly successfully over the weekend: 1) bicycle race; 2) Children's Day; and 3) Oyster Run. Lieutenant Ellis is retiring effective the end

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of September with his retirement party scheduled for October 24, 2009 at the Camano Senior and Community Center from 2:00 to 6:00 p.m.

Superior/Juvenile Courts

A couple of positions are available in the office as indicated by Mr. Merringer.

Treasurer

In order to reduce the level of mail-in tax payments Ms. Riffe said her Department is encouraging everyone to pay their taxes on-line, via the IVR system (telephone), or use the drop box. For those who do not want to pay the credit card fee an option is an electronic check with a flat \$2 fee regardless of the tax bill amount. She also advised against using staples or other methods of attaching payments to vouchers since that would involve manually taking those apart.

TECHNOLOGY COMMITTEE

Commissioner Price Johnson reviewed the Moss Adams report from June 2008, the outside assessment of the County's IT needs. She provided a copy of the page containing a summary of the specific recommendations; that is, what is most needed in order to move forward. She believes if everyone understands how the pieces fit together than resources can be allocated to proceed.

Ms. Caryl provided an overview (*and hand-out*) of what has been accomplished since 2008. The primary concerns of Moss Adams were:

- The Technology Committee should reconvene (the Committee will need to determine the number of meetings needed to evaluate projects).
- The County should move away from in-house software.
- The Staffing level is prohibitive in trying to maintain the desktop computer upgrades.
- Possible creation of a centralized GIS department will be contingent on the available budget and personnel. One advantage is that the true automation of the Assessor/Treasurer system has a good GIS-based mapping method which will give everyone access to the mapping system and parcels.

Ms. Caryl expressed concern about e-mail archiving and retrieval. Some efforts were made to bring those together and she will share that information with the committee once it is formed. The committee will be looking at projects on a County level and thereafter, will focus on individual departments. The idea is to bring all departments together through technology with the hope of interfacing at some point.

Discussion ensued and thoughts and concerns were expressed about whether to create a working group or instead, discuss the issue of technology as a whole at the regular department head meetings. Also suggested was the idea of a facilitator and the need to focus on the goal of what is expected from the effort.

It was ultimately agreed that the Board would select the committee members, arrive at the top five to ten questions (*what does the County need, what is needed in terms of resources, commitments already made, what is in process now, what remains, what else is needed to move*

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forward) and return to the October Roundtable meeting with a timetable and proposal. The Board would also provide the facilitator.

Roundtable adjourned at 12:46 p.m. The next Roundtable is scheduled for October 26, 2009 at 11:00 a.m.

The Board of Island County Commissioners (including Diking Improvement District #4) met at 2:00 p.m. to consider items contained on the agenda. The meeting began with the Pledge of Allegiance.

PUBLIC INPUT OR COMMENTS.

Bill Criswell, 1381 Reed Place, Freeland addressed the shooting moratorium on Deer Lagoon. Three points he expressed were: 1) there has never been an incident in the history of the lagoon where a human, livestock or property has been injured; 2) if a moratorium were placed on County property is the County prepared to engage in a moratorium on private property in the same area hunting the same estuary; and 3) his recommendation is to attempt to work the situation out as a community instead of in the courts.

CONSENT AGENDA

By unanimous motion the Board approved the Consent Agenda as follows with the exception of Item 6, *Schedule Public Hearing: Ordinance C-116-09 In the Matter of Establishing Island County Adopt-a-Park Program and Revising Island County Code Chapter 9.40, Island County Parks Property Rules and Regulations*, moved to the Regular Agenda for consideration:

ELECTRONIC FUND TRANSFERS, VOUCHERS, PAYMENT OF BILLS

Vouchers (War) #s 319523-319749.....	\$358,431.18
Electronic Fund Transfers.....	\$ 138.67

ENHANCED 911

Amendment B to Interlocal Agreement with ICOM for WA State Enhanced 911 FY09 Wireline & Wireless Funds; Contract No. E09-034; Amendment Amount: Increase of \$4,254.56 (RM-BOCC-09-0417)

HUMAN RESOURCES

Personnel Action Authorizations

<u>Department</u>	<u>PAA #</u>	<u>Description</u>	<u>Position #</u>	<u>Action</u>	<u>Eff. Date</u>
Health	091/09	Public Health Coord .50 fe	2408.12	New Position	09/28/09

PUBLIC HEALTH

Contract with WA State Department of Health – Consolidated Contract. Continues funding for Healthy Childcare Washington (HCCW) program and the Recreational Shellfish Program

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activities. Contract No. C14949, Amendment No. 17; Contract Amount: \$2,525,156, Amendment Amount: \$26,366 (RM-HLTH-09-0361)

Contract with Skagit/Islands Head Start – Consultation Program. Continues funding to provide a public health nurse consultation to the Head Start staff on health issues. Contract No. HD-11-09; Contract Amount: \$1,500 (RM-HLTH-09-0360)

Contract with WA State DSHS – CSO-Based Family Planning. Continues funding for a public health nurse or health educator to provide family planning services. Contract No. 0663-97795, Amendment No. 2. Contract Amount: \$336,094.40; Amendment Amount: \$53,267.76 (RM-HLTH-09-0379)

Contract with WA State Recreation & Conservation Office (RCO) – Lead Entity/Salmon Project. Funding to act as lead entity for supporting a committee of representative salmon habitat interests. Contract No. 09-1500N; Contract Amount: \$100,000 (RM-HLTH-09-0365)

PUBLIC WORKS

Resolution C-117-09/R-48-09 – In the Matter of Amending Island County’s Six-Year Capital Improvement Program for the Years 2009 -2014 (*Resolution on file with the Clerk of the Board*)

Solid Waste

Request to Waive Competitive Solicitation – Waive competitive solicitation procurement procedure for DOE Community Litter Cleanup Program Contract #C1000005 for 2009 – 2011.

Community Litter Cleanup Program (CLCP) Fund Agreement - Department of Ecology, CLCP Agreement No. C1000005. (RM-SW-09-0298)

REGULAR AGENDA

Public Works - Parks

**SCHEDULE PUBLIC HEARING: ORDINANCE C-116-09 IN THE MATTER OF
ESTABLISHING ISLAND COUNTY ADOPT-A-PARK PROGRAM
AND REVISING ISLAND COUNTY CODE CHAPTER 9.40,
ISLAND COUNTY PARKS PROPERTY RULES AND REGULATIONS**

Commissioner Homola suggested the following proposed changes and additions to Ordinance C-116-09:

- 9.40.480.A.5

Provide Worker’s Compensation Act coverage for Volunteers effective only while the volunteers are actively participating in the Adopt-A-Park Program on County Park property for medical treatment only (not for loss of time due to injury or illness, or for lasting disability or death) ...;

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Mr. Oakes indicated that the language could stand as is since it is self-evident by Washington State Labor and Industries law.

- 9.40.480.A.8

The County will waive tipping and/or handling fees for litter, tires, decommissioning of appliances and the processing of recyclable materials. The County will also assist in the collection of oversized items and hazardous materials.

Mr. Oakes proposed that that language is covered in the agreement between the volunteer organization and the County. The County provides marked bags for collection and those go to the scales at no charge to the volunteers; the Parks Department pays for disposal. Also in the policy volunteers are discouraged from handling any hard-to-handle waste, refrigerators, appliances and the like, including any hazardous materials; i.e., needles.

Commissioner Homola also suggested clarifying language to 9.40.490.E but withdrew the request.

Lastly, she proposed changing 9.40.490.F to read:

Volunteer participants shall sign the “Registration, Release and Indemnity form.”
All minors must be accompanied by an organization member.

Mr. Oakes explained that the language is from the Adopt-A-Road Program and as such, staff consciously made a decision to not have children under 16 working along County roads picking up trash due to the hazardous nature of the work. Commissioner Homola’s suggested addition, he said, would need to be reviewed with Human Resources concerning child labor laws.

Commissioner Price Johnson believes that each individual organization could address that concern.

Commissioner Homola said she compared this program with that of the Lighthouse Program which is more associated with beaches and parks and not so much with roadside and vehicles. She thought it a good idea to bring children to the parks and teach them about stewardship and responsibility.

Chairman Dean added it could be argued that someone under 16 comes with their parents to watch or play in the park and are not considered a member of the crew.

Commissioner Price Johnson felt there to be some urgency in setting the ordinance for public hearing so the program can be implemented. If some clarifications at the public hearing were warranted, those changes could be made at that time.

Mr. Oakes pointed out that if the issue of children is the only outstanding concern, then there is time between now and the public hearing to address that subject with Human Resources and Risk Management. Any change would need to be provided to the Code Reviser for approval as to form.

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Commissioner Homola agreed that she did not want to hold up the process, that if it must go the way it is then she approves.

By unanimous motion the Board approved scheduling the public hearing:

Public Hearing Scheduled – October 19, 2009 – 10:20 a.m.

Ordinance C-116-09 In the Matter of Establishing Island County Adopt-a-Park Program and Revising Island County Code Chapter 9.40, Island County Parks Property Rules and Regulations

Public Works

**BID AWARD RECOMMENDATION – ISLAND COUNTY ADULT JAIL CONTROLS
REPLACEMENT**

Mr. Oakes said that bids from four bidders were opened with irregularities in each, some demanding rejection and others indicating that qualifications were lacking. Therefore, staff recommended rejecting all bids and re-advertising.

By unanimous motion the Board approved rejecting the Public Works contract bids for the Island County Adult Jail Controls Replacement, PWP 08-06, Work Order No. 417 as recommended.

**SCHEDULE PUBLIC HEARING: ORDINANCE C-118-09 RESTRICTING DISCHARGE
AND USE OF FIREARMS IN THE VICINITY OF DEER LAGOON.**

As allowed under RCW 9.41.300(2)(a), which permits a county to enact an ordinance restricting the discharge of firearms in any portion of the county where there is a reasonable likelihood that humans, domestic animals or property will be jeopardized, the proposed Ordinance prohibits the discharge, firing, shooting, and use of firearms on Island County owned Deer Lagoon property.

Mr. Oakes said the ordinance is a new one governing the property. The nature of the restriction would be the prohibition of discharge of firearms on all County-owned Deer Lagoon property. The legal description attached to the ordinance, he said, was the description used to purchase the property of approximately 379 acres.

Commissioner Price Johnson mentioned that the ordinance discussed at the last public hearing (C-101-09/R-41-09) was never voted on. Additionally, the public comment period from that hearing was extended to September 28 with a significant number of comments received.

The Board unanimously agreed to keep open the public comment period on both ordinances (C-101-09/R-41-09 and C-118-09/R-47-09) until October 12, the date of the next public hearing.

By unanimous motion the Board approved scheduling the public hearing:

Public Hearing Scheduled – October 12, 2009 – 6:00 p.m.

Location: Freeland Hall, 1515 Shoreview Drive, Freeland, WA.

Ordinance C-118-09 Restricting Discharge and Use of Firearms in the Vicinity of Deer Lagoon

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PUBLIC HEARINGS

Public Works

FRANCHISE #359 MAPLE GROVE BEACH WATER ASSOCIATION

At 2:30 p.m. Chairman Dean opened a public hearing to consider Franchise #359 with the Maple Grove Beach Water Association.

Mr. Oakes explained that the franchise is for an existing water distribution system on Camano Island, with a mixture of private and public roads that contain the system. The Board would approve with the franchise the public roads only for its use and staff recommended approval.

Chairman Dean opened the floor to public comment and there being none, public comment was closed.

By unanimous motion the Board approved Franchise #359 with the Maple Grove Beach Water Association, Plats of Maple Grove Beach & Maple Grove Heights, Camano Island; Sec 23, Twp 32N, R 2E (RM-PW-08-0184) (PW-0820-113).

Commissioners Comments & Announcements

Commissioner Price Johnson

Clinton Sign

To better inform the public Commissioner Price Johnson will host an open house for informational purposes on October 8 at the Community Hall. The Board supported having the Commissioners' Contingency Fund pay the fee for the hall.

The Commissioner has been in contact with the Chamber of Commerce, Rotary, Kiwanis, Eagles, and Pat McVay who is one of the original carvers of the sign. Most people, once they understood the Island-wide effort involved in the placement of the Whidbey Gateway monuments, thought the Clinton placement made sense. One idea brought forward was to enlist the expertise of the National Parks Service Ranger, Craig Holmquist, who has been involved with the Ebey's Restoration efforts in the Coupeville area. Mike Morton attended a meeting held on South Whidbey and would be helpful in the continuing discussion.

Commissioner Homola wanted to make sure sufficient support staff is involved as well as a good mix of the community.

Mr. Oakes remarked that any significant changes would require approval by the granting agency and moving the sign to another location would be a significant change. It would be necessary then to revisit the environmental permitting and permitting with the State. The possibility, he said, does exist but would not be easy and would be a cost to the County of additional staff time. Mr. Oakes explained that once Public Works has in place a federal permit he would never recommend that the Board willingly back away, though the possibility exists it could be done.

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Mr. Morton has been working on the Byways for approximately four years. There originally was a plan for the Scenic Byways and the sign project is a grant that was applied for as an implementation of that plan. There were two phases to the three monuments and the Scenic Byway signs. Under many of the Washington 20 and Washington 525 locations there are now Scenic Byway logos, all developed through competition with the community and selected by a group of stakeholders who then recommended the same to the RTPO (approving authority). The three Gateways were carefully chosen with the only one really obvious being the Port Townsend/Keystone Gateway. Considered were many locations in Clinton for the sign. The County is a partner in the project with the Chamber and the Port who have both gone along with the idea because they wanted the Welcome to Clinton sign placed at the ferry landing when coming into Clinton. It would be relatively difficult and time consuming, Mr. Oakes reiterated, to now go back and re-open the permitting process.

Commissioner Homola understands that a great deal of thought and effort went into developing the monument and re-locating and honoring the existing sign. She wanted to be sure the Board is hearing from the broader group of the public and it is unclear if that goal is being achieved.

Commissioner Price Johnson said there were two articles in the newspaper, responses to e-mails, conversations with the Chamber, and civic organizations. The problem, she said, is that people are receiving misinformation. They are being asked to sign a petition saying “stop the County from spending \$100,000 to move our sign” which does not correctly tell the story. The \$100,000 is the total package of the entire program over the last four years for developing the logo, engineering, etc. There is no County money going toward the moving of the sign; instead, the move is a volunteer effort coordinated through the Chamber, the Progressive Club, and the Port. The e-mails received are saying there are 1,000 signatures opposing removal of the sign when in fact those signatures are not necessarily based on anything factual.

Mr. Oakes added that the contract, already awarded, is for three monuments not just one and the contract does not include re-locating the sign; instead, re-locating the sign is a community effort. The sign is being re-located to the top of the hill in Clinton where a location was worked out with the Department of Transportation and a foundation poured. The sign is not being destroyed, it will be placed back in the right-of-way.

Commissioner Price Johnson said that one of the challenges of the sign in its current location is maintenance. The new location would be easier in that regard.

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There being no further business to come before the Board the meeting adjourned at 2:45 p.m. The Board will meet next in Regular Session on October 5, 2009 beginning at 10:00 a.m.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

John Dean, Chairman

Helen Price Johnson, Member

Angie Homola, Member

ATTEST:

Elaine Marlow, Clerk of the Board