

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
JUNE 14, 2010– REGULAR SESSION**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on June 14, 2010 beginning at 10:00 a.m. in the Board of County Commissioners Hearing Room (Room # 102B), Annex Building, 1 N.E. 6<sup>th</sup> Street, Coupeville, Washington. Helen Price Johnson, Chair, Angie Homola, Member, and John Dean, Member were present. The meeting began with the Pledge of Allegiance.

EMPLOYEE SERVICE AWARDS (Record @ :28)

Welcome to New Employees - December

| <u>Department</u> | <u>Employee</u>        |
|-------------------|------------------------|
| Clerk             | Candace Mustatia-Clark |
| Facilities        | Ross Cartmill          |

Employee Service Awards

| <u>Department</u>       | <u>Employee</u> | <u>No Years</u> |
|-------------------------|-----------------|-----------------|
| Assessor                | Leanne Erickson | 10              |
| Commissioners           | Joyce Kasperson | 20              |
| Health                  | Chris Luerkens  | 5               |
| Health                  | Jim Exe         | 20              |
| Juvenile Court Services | Gerald Murphy   | 5               |
| Treasurer               | Dawn Thomas     | 10              |

Employee of the Month for May

Joe Laxson

Environmental Health Specialist

In his capacity as an Environment Health Specialist, Joe is responsible for assisting in the development and implementation of the inspection and maintenance program for septic systems, known as the HOST program. His hard work, diligence and energy have brought great credit to the program and increased awareness as to the importance of the septic system inspection program in regard to environmental health.

It was due to his dedication that Mr. Laxson was nominated and selected as Employee of the Month. As reported by a citizen of Island County, Joe reacted quickly and effectively in assisting a property owner in resolving a difficult and time sensitive problem associated with a failing septic system on an adjoining property. He provided expert guidance, follow up and oversight to ensure that the matter was resolved quickly and appropriately. His ability to communicate information to the public, work toward a solution and provide education as to the importance of the HOST program left a lasting and positive impression on all concerned parties.

Joe's sense of service to the public and the effective performance of his duties are to be commended.

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PUBLIC INPUT OR COMMENTS (Record @ 16:50)

Tom Norton, 6573 Columbia Beach Drive, Clinton. Mr. Norton expressed his displeasure with the Planning Commission's decision that will now require he obtain a variance. The decision derails his plans and he believes it to be extortion. Mr. Norton does not plan to obtain the required variance.

CONSENT AGENDA (Record @ 17:55)

*[Documents on file with the Clerk of the Board]*

BY UNANIMOUS MOTION (3-0) the Board approved the following items presented on the Consent Agenda with a clarification to the agenda's language relative to Item 6, *Services Agreement with Kris Wiltse*:

Pre-audited bills and vouchers for payment - Voucher #s: 336438–336685 - \$378,941.42  
EFTs (electronic funds transfers) - \$299,868.64  
Minutes from previous meeting(s) - Work Session 5/12/10  
Regular Session 5/14/10

Emergency Management

- Grant Agreement with the Washington State Military Department and the Department of Homeland Security for the Emergency Performance Grant (EMPG) program. Contract number E10-303; Amount \$12,676.00 (RM-DEM-10-0280)
- Amendment B to Inter-local Agreement with Fire District #1 for emergency management planning services on Camano Island and is funded by US Dept. of Homeland Security Emergency Performance Grant. Contract No. E09-181; Amount \$14,420.00 (RM-DEM-10-0199)

Extension Services

Services Agreement between Island County, through its Marine Resources committee, and Kris Wiltse, dba Popeye Design. The Amendment extends the Agreement date to September 30, 2010, and is funded by WA State DOE CZM grant. Amount: \$3,000-\$4,000 (RM-WSU-10-0109)

*Ms Marlow indicated that the agreement is not an amendment; however, is funded by a Washington State Department of Ecology CZM grant contract.*

Historical Preservation

Historical Preservation Grant Contract with Island County Historical Society to collect, preserve, and exhibit historical materials illustrating the history of Island County. Fees authorized under RCW 36.22.170(1)(a) fund this contract and can only be spent on historical preservation activities. Amount: \$15,000 (RM-BUD-10-0271)

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Human Resources - Personnel Action Authorizations

| <u>Department</u>       | <u>PAA #</u> | <u>Description</u>                             | <u>Position #</u> | <u>Action</u> | <u>Eff. Date</u> |
|-------------------------|--------------|--|-------------------|---------------|------------------|
| WSU<br>Extension        | 043/10       | Program<br>Coordinator Weed<br>Control .70 fte | 1208.00           | Replacement   | 06/15/10         |
| Prosecuting<br>Attorney | 046/10       | Legal Secretary<br>Office Administrator        | 1806.00           | Replacement   | 08/02/10         |

Planning & Community Development

**Public Hearing Scheduled – June 28, 2010 – 2:30 p.m.**

303/09 WSR: Applicant Island Transit PTBA System requests to create a new water system within existing Town of Coupeville water service area to serve a future 241-employee transit center at their current location

Public Health

Purchase Order with Whidbey Island Conservation District – Soil Evaluation Workshop. Purchase order for soil evaluation workshop coordination. PO No. 8967; PO Amount: \$2,812.44 (RM-HLTH-10-0256)

Public Works – County Roads

- Supplemental Agreement No. 2 – Anchor QEA, LLC.; On-call Consultant Agreement Environmental Services; Increase Maximum Amount payable by \$50,000 (RM-PW-10-0219)(PW-1020-046)
- Contract/Contract Bond – Coral Construction Company; 2010 Guardrail Projects – Whidbey & Camano Islands; CRP 10-01, WO 455; \$195,195.00 (RM-PW-01-0221) (PW-1020-40)

Liquor License(s)

- Application for Special Occasion Liquor License No 093914 by Slow Food Whidbey Island for a special occasion to be held on June 27, 2010 from 2:00 p.m. to 4:00 p.m. at the large barn, Greenbank Farm, 765 Wonn Rd., Ste. A201, Greenbank, WA
- New Application for Liquor License No. 405292-6E by Whidbey Island Distilleries, LLC, James Heising, Elizabeth Mava Heising, Steven Heising and Beverly Heising d/b/a Whidbey Island Distillery, 3466 Craw Rd., Langley, WA

REGULAR AGENDA (Record @ 26:01)

*[Documents on file with the Clerk of the Board]*

Planning & Community Development

PRD 447/07 Holbeck Construction & Design, Inc. Final "Ridgeview" Planned Residential Development application. 13 lots; Parcel Nos.R23235-205-1980 and R23235-161-1250

Mr. Pederson indicated that PRD 447/07 is a final plat and unlike short plats which are administrative actions, long plats (5 or more lots) require Board signature on the final plat. The PRD went through the preliminary review and approval process and the applicant demonstrated compliance with the conditions of approval. Staff, therefore, recommended approval.

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Following clarifying questions to Mr. Pederson from the Board,

IT WAS MOVED BY DEAN, SECONDED BY HOMOLA, to APPROVE for signature PRD 447/07. MOTION CARRIED: 3-0

PUBLIC HEARINGS (Record @ 30:55)  
*[Documents on file with the Clerk of the Board]*

Assessor/Planning & Community Development

Ordinance C-48-10 In the Matter of Adopting Amendments to Chapter 3.40 ICC to Revalue all Land Classified as Open Space in the Current Use Program under the Public Benefit Rating System to Comply with State Law

At 10:31 a.m. Chair Price Johnson opened the public hearing.

Proposed Ordinance C-48-10, according to Mr. Pederson, is an ordinance put forward by the Assessor with participation by Planning & Community Development. The ordinance was brought forward because the Department of Revenue indicated that the County must bring into compliance with State law old Chapter 3.40 ICC (Public Benefit Open Space Rating System) and re-value properties currently in that program in accordance with the Public Benefit Rating System (PBRs) Current Use Program. The re-valuations are specific to those presently in the old system. If any other property owner should wish to apply, that property owner would do so in the normal manner. Mr. Pederson provided a history of how Chapter 3.40 ICC came into being and Mr. Bur spoke to what it will mean for those property owners in the old system to transition to the Public Benefit Rating System. Property owners of approximately 53 parcels were notified through the mail of the impending re-valuations and public hearing.

At 10:33 a.m. the Chair opened the floor to public comment from Susan Vanderbeek; Steve Erickson on behalf of Whidbey Environmental Action Network; Brendan Donckers, the attorney representing the estate of David Henny; Al Lunemann; and Rufus Rose. Following responses from Mr. Pederson and Mr. Bur to questions and concerns, Chair Price Johnson closed public comment at 10:59 a.m.

After Board questions and responses from Mr. Pederson and Mr. Bur it was agreed to delay action on the ordinance in order to revisit and modify some of the language presented.

MOTION BY HOMOLA, SECONDED BY DEAN, to CONTINUE the public hearing on Ordinance C-48-10 to June 21, 2010 to revisit and add some clarifying language to address concerns. The modifications are:

*H. Active or Passive Recreation Area*

H.1

.... The facility must be open to the public and if charging a use fee, that fee shall be no higher than the fee charged by a like public facility ....

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H.3(b)

Golf courses open to public with fees comparable to local public golf courses and which adhere to Best Management Practices (as determined by Island County Planning & Community Development). ...

H.3(e)

Properties with public or private trails: ....

The Chair called for the vote. MOTION CARRIED 3-0 to **continue the public hearing to June 21, 2010 at 10:20 a.m.** to allow for added clarification prior to adoption. (GMA No. 10399)

COMMISSIONERS COMMENTS & ANNOUNCEMENTS (Record @ 1:22:15)

Chair Price Johnson

- Letter of support from the Central Whidbey Chamber of Commerce proposing a name change for the ferry dock at Keystone to the Coupeville Ferry Dock

Following discussion it was MOVED BY HOMOLA, SECONDED BY DEAN, to agree to a letter of support. In order to assure a broad touch to the business community, the Chair will confirm that the Coupeville Chamber conducted outreach to its members. MOTION CARRIED: 3-0

- Feedback requested from the Coastal Caucus:
  - 1) Should lead organizations with the Puget Sound Partnership for each of the categories be required to use a competitive process to make sub-awards?
  - 2) Relative percentage of the remaining funding outside of the lead agency that should be applied to each category?
  - 3) Is 45 days sufficient for preparation of a proposal for the RFP?

The lead organization applicants would manage the action agenda with watershed based priorities for implementation. Other priorities: tribes, ecosystem restoration and protection, including watershed protection; toxics and nutrients reduction and control pathogens; and nearshore and shoreline protection.

The Chair believes that using the competitive process for making subawards is important when moving forward but at the same time, is mindful of the fact that smaller organizations such as Island County often are dismissed out-of-hand due to smaller projects and lower ratings. With a competitive process she would advocate that there also be a mitigating factor for smaller jurisdictions.

Both Commissioners Homola and Dean concurred with the Chair.

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Commissioner Dean added that he would like to rank the priorities in the following order:

- 1) 75% of money going to ecosystem restoration;
- 2) 15% for tribal priority projects;
- 3) 10% to manage implementation of the action agenda;
- 4) That an over-amount of money be spent on additional research.

Commissioner Homola would rank instead, with different percentages:

- 1) Ecosystem restoration;
- 2) Manage implementation of the action agenda;
- 3) Tribal priority projects.

- Advocacy Committees

The discussion to appoint volunteer members to serve on the local voters' pamphlet committees for Proposition 1, Levy for Retention of Basic Public Safety and other Essential Services, will occur in Special Session June 15.

- The Northwest Workforce Council

The Council received a clean audit and is planning a regional public forum about workforce training. There is an effort to disseminate information that the North Puget Sound area is open and ready for business with trainable employees who are willing to work.

Commissioner Homola

- State Building Code Council

The Commissioner attended the State Building Code Council meeting during which discussion occurred in response to a request from the Governor to delay adoption of the Washington State Energy Code. There was also dialogue about whether to re-open the Energy Code for revision. It was determined that the Council would accept the letter of request from the Governor and in order to follow State law, extended adoption of the Energy Code for 120 days. The Council did not entertain the idea of re-opening the Energy Code for revision.

- Northwest Clean Air Agency

The Northwest Clean Air Agency agreed that anything to do with the overall health of the environment, including air, would be more open to projects. Awaiting information about how the burn permit program is being implemented.

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There being no further business to come before the Board the meeting adjourned at 11:49 a.m.  
The Board will meet next in Regular Session on June 21, 2010 beginning at 10:00 a.m.

BOARD OF COUNTY COMMISSIONERS  
ISLAND COUNTY, WASHINGTON

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Helen Price Johnson, Chair

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Angie Homola, Member

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John Dean, Member

ATTEST:

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Elaine Marlow, Clerk of the Board