

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
NOVEMBER 15-16, 2010 – REGULAR SESSION**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on November 15, 2010 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. Helen Price Johnson, Chair, Angie Homola, Member, and John Dean, Member were present. The meeting began with the Pledge of Allegiance.

AGENDA ITEMS WERE ADDRESSED OUT OF SEQUENCE TO ACCOMMODATE THE PROPOSED CLEAN WATER UTILITY DISCUSSION

PUBLIC INPUT OR COMMENTS (Recording Part 1 @ :37)

Marianne Edain, as a private citizen, questioned whether Commissioner-Elect Emerson will voluntarily donate back a portion of her salary in terms of her travel allowance, as did the current Board. If she chooses not to, would the budget need to be adjusted accordingly? Lastly, given her lawsuit, can the Commissioner-Elect participate in budget discussions since those discussions will have a direct effect on the County's ability to defend itself and its employees?

There were a number of citizens in attendance who spoke in opposition to the proposed Clean Water Utility. There were others who spoke in support of the effort along with those who believed the proposal for water protection to be beneficial but thought the idea needed modification. (*Handouts and comments received via email on file with the Clerk of the Board*)

CONSENT AGENDA (Recording Part 1 @ 1:48:42)

[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 the exception of Item 5, *Grant Agreement with Northwest Clean Air Agency*, moved to the Regular Agenda for discussion:

Pre-audited bills: \$542,697.39
 Vouchers: \$208,046.78
 Electronic funds transfers: \$229,171.34
 Minutes: Work Sessions 10/6 and 10/13/2010
 Regular Sessions 9/13-14; 9/20, 9/27/2010

Commissioners

Resolution No. C-95-10 In the Matter of Declaring Legal Holidays for the Year 2011

Emergency Management

Interlocal Agreement Amendment C between Island County and Island County Fire Protection District #1 for emergency management support on Camano Island. The amendment is necessary to extend the interlocal agreement from 31 October 2010 to 28 February 2011, the amended end date of the original Home Land Security funding contract (Number E09-181)

Human Resources – Personnel Action Authorizations

None presented

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
NOVEMBER 15-16, 2010 – REGULAR SESSION**

Public Works

Public Hearing Scheduled – December 20, 2010 – 10:15 a.m.

Franchise # 221R – Public Utility District No 1 of Snohomish County; renewal of existing franchise covering electrical transmission system for Camano Island (RM-PW-10-437) (PW-1020-082)

Liquor License

Letter Request for 20-day Extension for Approval of New Application for Liquor License No. 407293-3D by Applicants Dustin Showers, Melissa Laurie Showers, Daniel Windisch and Billie Jo Sprouse, Tradename: Vagabond Sound, 545 Technical Dr., Ste. C, Oak Harbor

REGULAR AGENDA

[Documents on file with the Clerk of the Board]

GSA Burn Permit Program (Recording Part 1 @ 1:53:15)

Grant Agreement with Northwest Clean Air Agency for grant to underwrite 2010 costs of the Island County Fire Warden Program. Amount: \$13,000 (RM-GSA-10-0430)

Commissioner Homola acknowledged the generosity of the Northwest Clean Air Agency for subsidizing the burn program with not only an earlier amount of \$12,300, but for an additional subsidy of \$13,000 advocated for on behalf of Island County to assist with the shortfall for 2010. She spoke about the efforts made by the Board to seek full cost recovery from the users to keep burning available to citizens and contractors as it is less expensive than hauling natural debris to the dump. Although the Board made a modest increase to burn permit fees, it is evident that cost recovery continues to be a challenge even for other participating counties. There was discussion about moving Fire Warden duties to local fire districts for a fee; however, there are some concerns shared with the NWCAA and participating counties. The NWCAA will address those challenges and concerns later this month. Commissioner Homola will keep the Board apprised of those discussions.

Cory Ertel, representing the local building association SICBA, was present and thanked the Board for keeping him informed of this concern.

MOVED BY DEAN, SECONDED BY HOMOLA, to APPROVE the Grant Agreement with Northwest Clean Air. MOTION CARRIED: 3-0

PUBLIC HEARINGS (Recording Part 1 @ 56:30)

[Documents on file with the Clerk of the Board]

Planning & Community Development

OPS 209/10 Open Timber Applicant J. Felch. 9.77 acres located at the northwest corner of the intersection of Galbreath and Zimmerman Road, Clinton, WA

OPS 213/10 Open Timber Applicant P. Mohan. 17.37 acres located northwest of Langley near the intersection of Saratoga Road and Fox Spit Road

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
NOVEMBER 15-16, 2010 – REGULAR SESSION**

Following an introduction and recommendation for approval by staff, Chair Price Johnson opened the floor to public comment at 11:01 a.m.

Marianne Edain, WEAN, was in favor of both applications but would like to see a comparison of how the properties would rate if they were put through the Open Space Public Benefit Rating Program. In general, WEAN would like to see a shift away from the Forest Tax Program into Public Benefit.

Elliott Menasche did not object to the specific proposals but believes, in many cases, the Open Space Program is being misused.

Public comment was closed at 11:04 a.m.

Prior to the Board taking action Mr. Pederson addressed the areas of concerns expressed by Ms. Edain and Mr. Menasche.

MOVED BY DEAN, SECONDED BY HOMOLA, to APPROVE OPS 209/10 (Felch) and OPS 213/10 (Mohan). MOTION CARRIED: 3-0

COMMISSIONERS COMMENTS & ANNOUNCEMENTS (Recording Part 1 @ 1:57:08)

Letter to WA State Transportation Commission in support of officially naming the new SR 532 bridge between Stanwood and Camano Island the “Camano Gateway”

MOVED BY HOMOLA, SECONDED BY DEAN, to APPROVE signature of the letter.
MOTION CARRIED: 3-0

Chair Price Johnson and Commissioner Homola

- Attended the launching of the Chetzemoka Ferry on Sunday

Discussion concerning staff proposal for Clean Water Utility (Recording Part 1 @ 1:05:27)
(Handouts provided and on file with the Clerk of the Board)

At 11:07 a.m. County staff (Keith Higman, Public Health Director; Bill Oakes, Public Works Director; and Bob Pederson, Planning & Community Development Director) presented their proposal for a Clean Water Utility.

Mr. Oakes began by saying that the Board approved funding of legal counsel to assist Public Works, Planning, and Public Health in developing the mechanism for creating a Clean Water Utility. He indicated that the documents provided to the Board and audience today, and mentioned below, would be posted to the County’s web page as soon as possible:

- Resolution rescinding portions of the County’s Flood Hazard Management Plan
- Ordinance establishing a Clean Water Utility outside of the Marshall Drainage Basin (new Island County Code chapter 15.03)
- Resolution to establish a system of charges for the Clean Water Utility with three different tiers of fees:

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
NOVEMBER 15-16, 2010 – REGULAR SESSION**

- Residential fee for properties zoned residential.
- Commercial industrial fee for properties zoned commercial industrial (fee is a base fee that is the same as the residential fee with an additional cost established for every added 5,000 square feet of impervious surface).
- Proposed schedule provides agricultural properties a 10% discount below the residential fee.

The dialogue between staff and the Board focused on how the plan was proposed to be implemented.

Mr. Higman spoke to a document he presented for the Commissioners to consider entitled “A Need for Clean Water.” The handout would be intended as an outreach document for staff to communicate with the public about why it is important to manage water resources and why it is important to do so in a comprehensive way. As staff understands more about the Board’s desire in terms of the proposal, it will be easier for them to continue their outreach.

The process going forward will include the Board’s review of the documents presented today, additional meetings in the next week to talk again, and tentatively on November 22 set a public hearing for December in order to provide a full month of public outreach. In an effort to educate the public it is a priority of the Commissioners to disseminate as much information as possible to the community. Suggested was that a minimum of three public forums be held so people can ask questions and offer opinions. Information will also be posted to the County’s website.

Specific direction for staff prior to tomorrow’s meeting:

- Confirm with counsel another way to address commercial fees to allow relief during the recession.
- Confirm the possibility of extending the fee to incorporated portions of the County.
- What will it take to implement the program to meet statutory requirements and at the same time address the County’s water issues?
- What would it look like over a year or two to make the effort comprehensive and more efficient?
- If some piece is pulled from commercial what would that mean for everyone else?

The conversation will continue tomorrow at 1:30 p.m. and also again at Wednesday’s Work Session at 9:00 a.m.

The Chair announced that the Board would recess its meeting until tomorrow (November 16) at 1:30 p.m. to continue the discussion about the proposed Clean Water Utility. The meeting will follow the Joint Workshop with the Town of Coupeville concerning the Ebey’s Design Guidelines and process scheduled for 9:00 a.m.

At 12:04 p.m. the Regular Session recessed.

REGULAR SESSION RECONVENED – NOVEMBER 16, 2010 (Recording Part 2)

At 1:36 p.m. Chair Price Johnson reconvened the November 15 Regular Session of the Board to continue discussion with staff (Bill Oakes, Public Works Director; Keith Higman, Public Health

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
NOVEMBER 15-16, 2010 – REGULAR SESSION**

Director; Bob Pederson, Planning & Community Development Director; and Aaron Henderson, Environmental Health Director) about the implementation of a proposed Clean Water Utility (*no new documents were distributed from those presented Monday*).

At 1:58 p.m. the Chair offered to re-open the floor to public comment. A couple of unidentified members in the audience remarked about the need for a hydrogeology program and whether the utility should include diking districts.

The Board presented additional direction to staff:

- Fee structure for parcels inside diking districts, excluding boundaries of diking districts, absent capital improvement portions of the utility.
- Continue to collect and synthesize public comment, including developing responses, in an attempt to educate those who are interested. Staff will work to post documents on the County's web page and coordinate public forums.

There being no further business to come before the Board the meeting adjourned at 3:26 p.m. The Board will meet next in Regular Session on November 22, 2010 beginning at 10:00 a.m.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Helen Price Johnson, Chair

Angie Homola, Member

John Dean, Member

ATTEST:

Elaine Marlow, Clerk of the Board