

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
FEBRUARY 22, 2010 – REGULAR SESSION**

The Board of Island County Commissioners convened in Regular Session at 11:00 a.m. on February 22, 2010 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. Helen Price Johnson, Chair, Angie Homola, Member, and John Dean, Member were present.

**ROUNDTABLE WITH ISLAND COUNTY
ELECTED OFFICIALS AND APPOINTED DEPARTMENT HEADS**
(Record Part 1)

Elected Officials and Appointed Department Heads Attending:

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

Financial State of the County

Following a Power Point presentation by Ms. Marlow on the County's five-year budget projections, dialogue ensued about the forecast, options for revenue, and ways to educate the community.

Ms. Feldman introduced the proposed Island County Civic Engagement Project. (*Handout provided and on file with the Clerk of the Board*). The Project would provide the most comprehensive package of information possible to Island County citizens who would then engage in conversation to generate a list of community values, the goal of which would be to provide the Board with the best understanding possible of the civic will as it relates to budget decisions. Discussion followed with Elected Officials and Department Heads who expressed not only their support of the proposal, but also their concerns.

Roundtable adjourned at 12:33 p.m. The next Roundtable is scheduled for March 22, 2010 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.

MONTHLY FINANCIAL REPORTS (Record Part 2 @ :55)
(*Reports on file with the Clerk of the Board and posted to the website*)

PUBLIC INPUT OR COMMENTS

None

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CONSENT AGENDA (Record Part 2 @ 15:25)

BY UNANIMOUS MOTION (3-0) the Board approved the following items presented on the Consent Agenda with the exception of Item 5, *Contract with Habitat for Humanity of Island County for Low-Income Housing Grant Award*, Item 30, *Consultant Agreement - Moore Iacofano Goltsman, Inc.*, Item 36, *New Application for Liquor License No. 406069-6E*, and Voucher # 1590036, all moved to the Regular Agenda for consideration. Item 26, *Schedule Public Hearing – Petition to Open Unopened County Road Right-of-Way known as Ridenour Street*, pulled from the agenda as the issue is not ready to move forward.

Pre-audited bills and vouchers for payment – Voucher #s 329172–329531 - \$502,012.90
EFTs (electronic funds transfers) - \$225,206.05
Minutes from previous meeting(s) – None presented
Payroll dated February 12, 2010

Commissioners

Award of Rural County Economic Development Sales Tax Funds for 2009 to Economic Development Council - \$67,000

GSA Dog Control

- Amendment No. 5 to Contract with Whidbey Animals' Improvement Foundation for animal shelter services on Whidbey Island; Amount: \$50,852.76 annually (RM-GSA-10-0014)
- Amendment No. 6 to Contract with Whidbey Island Animal Control, Inc. to provide animal control services on Whidbey Island; Amount: \$68,772.48 annually (RM-GSA-10-0016)
- Amendment No. 5 to Contract with Camano Animal Shelter Association for animal shelter services on Camano Island; Amount: \$26,734.08 annually (RM-GSA-10-0013)
- Amendment No. 5 to Contract with Camano Island Kennels, LLC to provide animal control services on Camano Island; Amount: \$43,927.20 annually (RM-GSA-10-0015)

GSA Risk Management

Resolution C-13-10 Continuing Relationships with the Washington Counties Risk Pool and the Related Appointments and Designations of/for Each Member County.

Human Resources - Personnel Action Authorizations

<u>Department</u>	<u>PAA #</u>	<u>Description</u>	<u>Position #</u>	<u>Action</u>	<u>Eff. Date</u>
Human Services	017/10	Substance Abuse Treatment Coord . 50 fte	2808.12	Personnel Action (Decrease Hours)	03/01/10
Public Works	018/10	Laborer I Oak Harbor	2245.11	Replacement	02/22/10
Facilities	020/10	Office Manager	904.00	Personnel Action	03/01/10

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Public Health

- Contract with WA State Department of Ecology – Watershed Planning. Amendment to redistribute funding between work tasks at no change to the contract net amount. Contract No. G0600084, Amendment No. 8; Contract Amount \$444,444, Amendment Amount \$-0- (RM-HLTH-10-0054)
- Contract with WA State Department of Ecology – WRIA 6 Education & Outreach. Contract funds development of education & outreach, rule development, interlocal partnerships, and the Water Resources Advisory Committee. Contract No. G1000489; Contract Amount: \$30,000 (RM-HLTH-10-0052)
- Contract Amendment with Compass Health – HIV/AIDS Case Management. Contract continues funding for HIV/AIDS Medical Case Management services. Contract No. HD-05-08, Amendment No. 1; Contract Amount: \$28,500, Amendment Amount: \$10,500 (RM-HLTH-10-0032)
- Contract with Christopher Spitters MD – Medical Service Consultation 2010. Contract to provide professional TB consultation I 2010. Contract No. HD-14-09; Contract Amount: \$10,000 (RM-HLTH-09-0503)
- Contract with Snohomish Health District – 2010 Region 3 AIDS Service Network. Contract provides continued funding for 2010 HIV/AIDS program in Island County. Contract No. HD-0-3-10; Contract Amount: \$35,625 (RM-HLTH-10-0034)
- Work Order with Evergreen AIDS Foundation – HIV Medical Case Management. Work order provides for Island County reimbursement for services provided in 2009. Work Order No.09-01; Work Order Amount: \$13,405 (RM-HLTH-10-0033)
- Contract with Bess Windecker Nelson, PhD – Parent Educator Program. Contract funds Dr. Windecker Nelson to facilitate Partners for Young Children, act as coordinator for the 2010 Children’s Day event and provide consultation, education and training to child care providers. Contract No. HD-01-10; Contract Amount: \$16,000 (RM-HLTH-10-0018)
- Purchase Order with Printery Communications for printing of ‘Home Sewage System’ brochures. Purchase Order No. 8962; Purchase Order Amount: \$ 5,000 (RM-HLTH-10-0058)
- Purchase Order with Miskimens Design for production of ‘Community Action Report’ booklets. Purchase Order No. 8964; Purchase Order Amount: \$5,000 (RM-HLTH-10-0057)

Public Works- County Roads

- Certification to County Road Administration Board of 2010 Road Levy and Estimated Revenue Produced
- Temporary Construction Easement & Agreement – Ronald E. & Sue Christensen; Frostad Road Improvements; CRP 96-06A, Work Order No. 209; Parcel 313-3640; Sec. 18, Twp 33N, R 2E. (RM-PW-10-0027) (PW-1020-010)
- Purchase Order No. 9220 – Four (4) 2010 Chevrolet Silverado 2500 ¾ Ton 4WD Extended Cab pickup w/options; Purchase off State Contract - \$111,506.59 (incl. WSST). (RM-PW-10-0021) (PW-1020-006)
- Petition for Vacation of Portion of County Road Right-of-Way known as Ferry Dock Road – Petitioner: Clarence Swanson; petition to vacate a portion of Ferry Dock Road located in South Half of the North Half of Sec. 30, Twp 29N., Rge 4E; for referral back to County Engineer for processing.
- *Pulled/Not Approved - Schedule Public Hearing – Petition to Open Unopened County Road Right-of-Way known as Ridenour Street – Petition to open a portion of*

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unopened County R/W known as Ridenour Street located in SE ¼ of Sec. 2, Twp 29N, R 3E; Petitioner: Larry Lehtonen. Date and time: March 15, 2010 at 10:20 am

- Agreement – Puget Sound Energy; Permit for Limited Use of Operating Property (Permit #31-33-02-0112); Crescent Harbor Road; Sec. 31, Twp 33N, R 2 E. (RM-PW-09-0458) (PW-0920-160).
- Supplemental Agreement No. 1 – Washington State Department of Transportation; LA Agreement No. 6930; Reallocation of Funds; (RM-PW-10-0046) (PW-1020-0014).
- Bid Award – Traffic Control Signs; Three-Year Contract with the Potential for Two Additional Years; Award to Zumar Industries, Inc.

Public Works – Solid Waste

- Bid Award – Hauling of Processed Refrigerating Appliances; Award to Smalley Enterprises, Inc.; \$15.00/appliance.
- Contract – Lenz Enterprises, Inc.; Yard Waste Composting for Camano Island; \$22.50 per delivered ton; Term of Contract – Three years. (RM-SW-10-0047) (SW-01-10)
- Contract – Smalley Enterprises, Hauling of processed refrigerating appliances from Coupeville and Camano Transfer Stations; \$15.00/appliance; Three Year Contract with option for two year extension. (RM-SW-10-0035) (SW-02-10)

Superior Court/Juvenile Court Services

Contract Amendment with WA State DSHS for JABG FFY08 – Federal Grant supporting Alternatives to Detention Work Crew, RM-JUV-10-0028, Reduction of \$1200.00

Liquor Licenses

- Application for Special Occasion Liquor License No. 091239 by the Lions Club – Coupeville for a special occasion to be held February 27, 2010 from 5:00 p.m. to 9:00 p.m. at the Crockett Farm, 1056 Crockett Farm Rd., Coupeville, WA
- Letter of Non-Objection for Meerkerk Rhododendron Gardens' special event to be held February 27, 2010 from 5:30 p.m. to 9:30 p.m. at Fireseed Hall, 6051 Coles Rd., Langley

REGULAR AGENDA (Record Part 2 @ 26:20)

Affordable Housing

Contract with Habitat for Humanity of Island County for Low-Income Housing Grant Award for acquisition of building lot for construction and sale of a home to an Island County household with an income at or below 50% of the area median income. Amount: \$27,000 (RM-BUD-10-0049)

Ms. Marlow, at Commissioner Homola's request, will determine if the acquisition of property will remain in perpetuity.

IT WAS MOVED BY HOMOLA, SECONDED BY DEAN, to APPROVE the Contract with Habitat for Humanity with accompanying Voucher # 1590036. MOTION CARRIED: 3-0

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Public Works - Parks

Consultant Agreement - Moore Iacofano Goltsman, Inc.; Island County Parks & Habitat Conservation Plan; Complete Parks & Habitat Conservation Plan; \$89,808,33 (RM-PW-10-0004) (PW-1020-001)

For the benefit of the public Mr. Oakes described the process that ultimately led to the selection of MIG to implement the parks plan. Pat Powell, Whidbey Camano Land Trust, expressed her appreciation to Public Works and the County for their commitment to parks.

Commissioner Homola indicated that she would like the Board to be involved early on with the shape of the plan. A session with the Board and consultant will be scheduled in early March for that purpose.

IT WAS MOVED BY DEAN, SECONDED BY HOMOLA, to APPROVE the Consultant Agreement. MOTION CARRIED: 3-0

Liquor Licenses

New Application for Liquor License No. 406069-6E by Comfort Farm and Vineyard, LLC, Carl Christian Comfort and Rita Comfort, d/b/a Comfort Farm and Vineyard, 4361 Witter Rd., Langley, WA

Commissioner Homola wanted to be sure that proper permitting is in place prior to approval of the application.

Mr. Pederson indicated that the Island County Code provides, in commercial agriculture with 20 acres, that a winery is a named permitted use; in Rural agriculture, however, the Code is silent. He provided examples of other wineries in the County. In this instance the property is zoned Rural, is over 22 acres, and is an agricultural piece of property so the appropriate method of review for a winery would be a Zoning Code Interpretation (ZCI). He proposed that such be done on a County basis so the owner is not responsible for the application fee and so the use question can be addressed, thus providing a consistent standard for future processing when similar requests are received. There is no pause for the winery aspect alone in the Rural zone; nevertheless, other potential activities do create a concern.

Mr. Pederson suggested the Board defer the application request for one week and in that time, he will reach out to the applicants to determine the goal.

IT WAS MOVED BY DEAN, SECONDED BY HOMOLA, to AUTHORIZE the Chair to sign a letter to the State Liquor Control Board requesting a 20-day extension to respond (*New Application for Liquor License No. 406069-6E is tabled until further notice*). In the interim Mr. Pederson will contact the applicants.

Treasurer

Resolution C-14-10 Cancellation of Uncollectible Personal Property Taxes as of February 2010. As provided under RCW 84.56.240, the County Treasurer requests approval to deem certain personal property taxes as uncollectible

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Ms. Riffe explained the annual process to write off uncollectible personal property taxes.

IT WAS MOVED BY HOMOLA, SECONDED BY DEAN, to ADOPT Resolution C-14-10.
MOTION CARRIED: 3-0

Appointments and/or re-appointments to Boards and Committees

Recommendation of two appointments to the Island County Law & Justice Council from Commissioner District #1

IT WAS MOVED BY PRICE JOHNSON, SECONDED BY HOMOLA, to appoint Thomas Ewell and Mary Heidel Haight. MOTION CARRIED: 3-0

Commissioners

Interlocal Agreement with City of Oak Harbor in which the County agrees to continue to operate a municipal department of Island County District Court for the City (RM-BOCC-10-0050)

Ms. Marlow provided some background and explained that while the City has approved the Interlocal Agreement, she has not seen the final version which would address the Prosecutor's concerns. Until the final document is received she suggested the Board table the Agreement to next Monday for approval.

IT WAS MOVED BY HOMOLA, SECONDED BY DEAN, to TABLE the Interlocal Agreement to March 1.

Commissioners

Resolution C-15-10 Proclaiming the Month of February 2010 as African American History Month

Gary Jackson spoke in support of the resolution and provided a history of what has occurred in the effort to acknowledge Black History Month.

IT WAS MOVED BY HOMOLA, SECONDED BY DEAN, to ADOPT Resolution C-15-10.
MOTION CARRIED: 3-0. A similar resolution will be considered annually each January.

PUBLIC HEARINGS

Public Works

Franchise #157R (Record Part 2 @ 1:12:10)

At 3:15 p.m. Chair Price Johnson opened the public hearing.

Mr. Oakes explained the request for renewal of the existing water distribution system, Franchise #157R, for the Timaru Community Association in the Plat of Woodridge Acres, Secs. 32/33, Twp 33N, R 1E. The franchise request was approved by applicable departments and staff recommended approval.

The Chair opened the floor to public comment and there being none, public comment was closed.

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IT WAS MOVED BY DEAN, SECONDED BY HOMOLA, to APPROVE Franchise #157R (RM-PW-09-0542) (PW-0920-179). MOTION CARRIED: 3-0

Public Works

Franchise #377 (Record Part 2 @ 1:13:36)

At 3:17 p.m. Chair Price Johnson opened the public hearing.

The franchise, according to Mr. Oakes, is a renewal of an existing water distribution system franchise for Ebey Road Farm, Inc. The franchise is at Sherman Road, Cook Road, and Ebey Road at Sec. 4, Twp. 31N, R 1E. Staff recommended approval.

The Chair opened the floor to public comment and there being none, public comment was closed.

Following a question of Mr. Oakes from Commissioner Homola,

IT WAS MOVED BY DEAN, SECONDED BY HOMOLA, to APPROVE Franchise #377 (RM-PW-09-0334) (PW-0920-120). MOTION CARRIED: 3-0

Public Works

Franchise #386 (Record Part 2 @ 1:14:45)

At 3:18 Chair Price Johnson opened the public hearing.

Mr. Oakes noted that Franchise #386 is for a minor expansion, one lot further to the north on Jones Road, for the Cliffside Water System, in Sec. 5, Twp 33N, R 2E. Staff recommended approval.

The Chair opened the floor to public comment and there being none, public comment was closed.

IT WAS MOVED BY DEAN, SECONDED BY HOMOLA, to APPROVE Franchise #386 (RM-PW-09-0543) (PW-0920-178). MOTION CARRIED: 3-0

COMMISSIONERS COMMENTS AND ANNOUNCEMENTS (Record Part 2 @ 1:15:42)

Commissioner Dean

- Civil Service Candidates for Appointment
(Appointments tabled to March 1)

Chair Price Johnson

- Bond refinancing update
- Citizen Financial Review Committee Proposal
(Discussion ensued about the structure of the group, the purpose statement, and anticipated process. Ms. Marlow will provide a proposed work plan at the March 1 meeting; the Board will provide their names of respective committee members)

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There being no further business to come before the Board the meeting adjourned at 3:59 p.m.
The Board will meet next in Regular Session on March 1, 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