

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
APRIL 26, 2010 – REGULAR SESSION**

The Board of Island County Commissioners convened in Regular Session at 11:00 a.m. on April 26, 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>Lynda Richards attended in her stead</i>	Mike Merringer
Robert Bishop – <i>Excused</i>	Keith Higman	Bill Oakes
Mark Brown	Dave Hollett – <i>Excused</i>	Bob Pederson
Cathy Caryl	Angie Homola	Helen Price Johnson
Sheilah Crider	Betty Kemp – <i>Excused</i>	Linda Riffe – <i>Ana Maria Nunez attended in her stead</i>
John Dean	Elaine Marlow	Dan Sherk
Judy Feldman	Dave Mattens	Patricia Terry – <i>Jo Anne Sherrod attended in her stead</i>

Also in Attendance:

John McFarland, Interim Human Resources Director

Together with the monthly departmental roundtable reports by Elected Officials and Appointed Department Heads, the following items were addressed:

Update and Discussion on Information Technology Governance

Mr. Oakes, Ms. Caryl, and Chair Price Johnson, members of the IT team, provided the Committee's first quarterly report. A Power Point presentation revealed the project review process to date.

Continued Discussion of Tobacco Policy and Substance Abuse Policy

Based on comments received Mr. McFarland will re-work the existing drafts and provide those to the group for additional remarks, if any, prior to bringing the policies forward for approval.

Civic Engagement Project

Ms. Feldman provided a Project update, assuring the group that she will continue the effort on a volunteer basis following her last day as Interim WSU Extension Director at the end of the month.

Budget

Ms. Marlow reported that the 2011 Budget process will begin at 2:00 p.m. on May 10 with Elected Officials and Department Heads. The discussion will include a review of the financial state of the County to date, estimates for 2011 and future years, along with the Citizens' Financial Review Committee report. She provided the following information:

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- For the first quarter, real estate excise taxes are up about \$100,000 from last year indicating more home sales. Whether the trend will continue remains to be seen.
- Revenue is up for Planning & Community Development about \$50,000-\$60,000; however, permits for single family residences remain the same as 2009.
- Sales taxes are running about 7% below last year county-wide.
- County Road is about 18% below last year (\$450,000-\$470,000).
- Public Health is trending about 6% less than previous years.
- Interest rates remain at less than 2/10th of 1%. The Treasurer revised her forecast for interest revenue for 2010 to be about \$100,000-\$150,000 less than what is budgeted in the general fund.
- Budgets for expenditures are on targets.

Roundtable adjourned at 12:30 p.m. The next Roundtable is scheduled for May 24, 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.

PUBLIC INPUT OR COMMENTS

None

CONSENT AGENDA (Record Part 2)

[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:

Pre-audited bills & vouchers for payment: Voucher #: 333648–333933 - \$366,805.92

EFTs (electronic funds transfers): \$1,449.39

Minutes from previous meeting(s): None presented

Human Resources - Personnel Action Authorizations

None presented

Historical Preservation

Letter to Island County Historical Society – Notification of \$15,000 grant award

Human Services

Contract with Susan Yorton, LMHC to provide short term mental health counseling services.

Contract No. HS-09-10; Amount: \$5,000 (RM-HS-10-0095)

Public Health

Contract with Keystone Ecological LLC – Professional Services. Completion of nearshore protection priority list required by RCO Lead Entity Grant. Contract No. G0600084;

Contract No. HD-06-10; Amount \$4,800 (RM-HLTH-10-0114)

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Public Works – County Roads

- Resolution C-33-10/R-09-10 In the Matter of Initiating a County Road Project designated as CRP 10-02, Work Order No. 477; 2010 Whidbey Island HMA Overlays
- Resolution C-34-10/R-10-10 In the Matter of Initiating a County Road Project designated as CRP 10-03, Work Order No. 476; 2010 Camano Island HMA Overlays
- Resolution C- 35-10/R-11-10 In the Matter of Approving Plans & Specifications and Authorizing Call for Bids for 2010 Whidbey Island Overlays, CRP 10-02, Work Order No. 477
- Resolution C-36-10/R-12-10 In the Matter of Approving Plans & Specifications and Authorizing Call for Bids for 2010 Camano Island Overlays; CRP 10-03, Work Order No. 476
- Supplemental Agreement No. 4 – HW Lochner, Inc.; Transportation Plan Update; Revise Completion Date to July 16, 2010. (RM-PW-10-0080) (PW-0720-100)

REGULAR AGENDA (Record Part 2 @ 8:16)

[Documents on file with the Clerk of the Board]

Consider Appointments and/or Re-Appointments to Various Boards and Committees

Recommendation of an appointment to the Conservation Futures CAB as a Camano Island Representative

IT WAS MOVED BY DEAN, SECONDED BY HOMOLA, to APPOINT Dave Pelletier.
MOTION CARRIED: 3-0

Recommendation of Appointments to the Water Resources Advisory Committee

- Representative from District 2 (North Whidbey)
- Representative from District 3 (Camano Island)

IT WAS MOVED BY HOMOLA, SECONDED BY DEAN, to RE-APPOINT Robert Deering to the District 2 position (North Whidbey) and to RE-APPOINT Julios Budos to the District 3 position (Camano Island). MOTION CARRIED: 3-0

Recommendation of Appointments to the Board of Equalization – 2 Members and 1Alternate

IT WAS MOVED BY HOMOLA, SECONDED BY DEAN, to RE-APPOINT Georgia Gardner to a term that will expire 5/31/2013. MOTION CARRIED: 3-0

IT WAS MOVED BY HOMOLA, SECONDED BY DEAN, to APPOINT Erica Schumacher to a term that will expire 5/31/2013. MOTION CARRIED: 3-0

IT WAS MOVED BY DEAN, SECONDED BY HOMOLA, to APPOINT David Haworth to the Alternate Position. MOTION CARRIED: 3-0

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Appointment of Tim Lawrence, WSU Extension Services Director, to Island County Marine Resources Committee as Ex Officio Member

IT WAS MOVED BY DEAN, SECONDED BY HOMOLA, to APPOINT Tim Lawrence.
MOTION CARRIED: 3-0

PUBLIC HEARINGS (Record Part 2 @ 23:10)
[Documents on file with the Clerk of the Board]

Ordinance C-31-10 (PLG-001-10) In the Matter of Re-Adopting an Interim Official Control that Regulates the Use of Property within the Freeland Non-Municipal Urban Growth Area. The proposed ordinance adopts the Freeland NMUGA interim development regulations addressing the following:

- Eliminates the potential for new uses to be established that are classified as non-conforming under the Land Use Element of the Freeland Sub Area Plan;
- Allows interim development only after it is demonstrated that the activity will not preclude future urban growth, uses, and infrastructure; and
- Goes into effect immediately and shall remain in effect for a period of six months, or as soon as permanent rules are adopted, whichever is earlier.

Chair Price Johnson opened the public hearing at 2:22 p.m.

Mr. Boscolo and Mr. Pederson introduced the interim control (third renewal), providing its history and indicating a change to the tables in terms of farm stands in residential land use categories adjacent to Hwy 525 as discussed at various Work Sessions. Text of the ordinance was modified to take into account public comments. On page 2, the third *WHEREAS* clause was revised to indicate that the community is rich with public input and the County would like to encourage and continue that process:

WHEREAS, the Board finds that encouraging Freeland community members to participate in the review process can create project support and improve project outcomes, so long as this participation does not result in additional levels of review that lengthen the permit review processes; and

Following concerns expressed by Commissioner Homola and responses to those concerns by Chief Deputy Prosecutor David Jamieson and Mr. Pederson, Chair Price Johnson opened the floor to public comment.

Keith Scully, an attorney representing WaterCrest, Inc., a local corporation that owns two undeveloped parcels within what will become the Freeland NMUGA, provided comment. WaterCrest requests the lifting of use restrictions related to: 1) light manufacturing; 2) storage; and 3) warehouses. Additionally, Mr. Scully asked that a specific *WHEREAS* clause be added saying that the draft Freeland Zoning Code is not an official document but is instead a public comment. With the requested modifications, WaterCrest encouraged the Board to adopt another round of interim controls.

Subsequently, Mr. Pederson provided points of clarification to Mr. Scully's comments and requests.

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There being no one else wishing to speak, Chair Price Johnson closed public comment.

Commissioner discussion and questions of staff ensued, with Mr. Pederson recommending that the following *WHEREAS* clause (7th paragraph) be added:

WHEREAS, the Board finds that the November 23, 2009 draft Freeland Zoning Code is a draft document, compiled from work done by the Freeland Steering Committee and volunteers and is of no legal effect; and

IT WAS MOVED BY DEAN to ADOPT Ordinance C-31-10 (PLG-001-10) with the additional *WHEREAS* clause (7th paragraph) as recommended, SECONDED BY HOMOLA.

Subsequently, following dialogue, Commissioner Homola moved to replace the third *WHEREAS* clause on page two of the ordinance, to read instead:

WHEREAS, the Board encourages public input and recognizes the desire for Freeland residents to participate in the creation of the design guideline portion of the land use element; and

IT WAS MOVED BY HOMOLA, SECONDED BY DEAN, to REPLACE the third *WHEREAS* clause, page two, as proposed. MOTION CARRIED: 3-0

MOTION CARRIED (3-0) to ADOPT Ordinance C-31-10 (PLG-001-10) with the noted revisions.

EXECUTIVE SESSION ANNOUNCED

At 2:55 p.m. Chair Price Johnson announced that the Board would meet in Executive Session as allowed under RCW 42.30.110(1)(i) to discuss with legal counsel representing the County potential/pending litigation. The Executive Session would be held in the Commissioners' Hearing Room and was expected to last approximately 30 minutes with no announcement afterwards.

The Board, with Chief Deputy Prosecuting Attorney David Jamieson, immediately went into Executive Session.

Following Executive Session at 3:25 p.m. the Board returned to Regular Session.

COMMISSIONERS COMMENTS AND ANNOUNCEMENTS

None presented

UNTIMED ITEMS (Record Part 3)

Commissioners

Termination and Interim Appointment of the Human Resources Director

-- Settlement Agreement and Release with the former Director (Larsen)

IT WAS MOVED BY DEAN, SECONDED BY HOMOLA, to AUTHORIZE the Chair to sign the Settlement Agreement and Release. MOTION CARRIED: 3-0

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-- Issuance of severance payment in the amount of \$21,906

IT WAS MOVED BY HOMOLA, SECONDED BY DEAN, to ISSUE payment.
MOTION CARRIED: 3-0

-- With respect to PAA 39/10, authorizing the hiring of an interim Human Resources Director at an hourly rate of \$35 (the position would terminate on completion of a transition period for a permanent replacement, or August 31, 2010, whichever occurs first),

IT WAS MOVED BY HOMOLA, SECONDED BY DEAN, to APPROVE PAA 39/10.
MOTION CARRIED: 3-0

There being no further business to come before the Board the meeting adjourned at 3:24 p.m. The Board will meet next in Regular Session on May 3, 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