

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
JUNE 28/JUNE 30, 2010 – REGULAR SESSION**

The Board of Island County Commissioners convened in Regular Session at 11:00 a.m. on June 28, 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	Dave Mattens
Robert Bishop – <i>Excused</i>	Keith Higman	Mike Merringer
Mark Brown	Dave Hollett – <i>Excused</i>	Bill Oakes
Cathy Caryl	Angie Homola	Bob Pederson
Sheilah Crider	Betty Kemp	Helen Price Johnson
John Dean	Tim Lawrence	Linda Riffe
	Elaine Marlow	Dan Sherk – <i>Excused</i>
		Patricia Terry

Also Attending:

John McFarland, Interim Human Resources Director
Anne LaCour, Chief Deputy Auditor
Diana Vaughan, Assistant Central Services Director

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

Update on the Human Resources Director Search

Mr. McFarland reported that the level of response was not what he had hoped it would be; however, applications from strong candidates with public sector experience were received and moved to the next round for consideration. He is working with an HR (public sector) search firm to assist in identifying additional candidates with matching qualifications for the position.

Additionally he reported:

- Negotiations with 1845 and 1845-I continue.
- Official personnel files reside in the Human Resources Department so any personnel data should be provided to that office for filing.
- Timely notification concerning any issue relating to the Family Medical Leave Act would be appreciated

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Wellness Incentives

Mr. McFarland suggested that a cost benefit analysis be conducted to determine whether to renew the Wellness Incentives Program. Elected Officials and Appointed Department Heads were requested to provide comment.

Update on the State Auditor's Office Annual Audit

Ms. Crider conveyed that the State Auditor will arrive July 1 and is expected to remain for approximately 60 days. She encouraged everyone to provide timely information if requested to avoid any delay of the process. The material asked for should be provided to Ms. LaCour who will then pass it along to the State Auditor.

August 17 Primary Election

Ms. Crider provided an update on the Auditor's office preparation for the August 17 Primary Election. The military and overseas ballots are expected to be mailed between July 14-15; the general population ballots will be mailed about July 28-29. August 10 is the deadline to file a resolution for the November 2 General Election. With respect to Proposition 1 (levy lid lift), the Pro statement was received; however, still awaiting the Con statement.

Additional Items of Interest:

- Ms. Marlow provided a demonstration and answered questions regarding the new accounting system expected to go live August 1. She thanked everyone who participated in the endeavor, especially Diana Vaughan and Anne LaCour who took the lead roles.
- With a deadline of November 1, the Board will ask for a resolution to freeze Elected Officials' salaries.

Roundtable adjourned at 12:07 p.m. The next Roundtable is scheduled for July 26, 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 @ :45)

[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 28, *Amendment to Interlocal Agreement with WA State Parks & Recreation Commission for National Fish & Wildlife Foundation grant for restoration of shoreline habitat in the Cornet Bay Estuary*, pulled from the agenda. Added to the Consent Agenda is Item 39, *Resolution C-61-10 In the Matter of Adoption of the Island County Vision Statement, Mission Statement, and Guiding Principles*:

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Pre-audited bills and vouchers for payment: Voucher #s: 339752–339988 - \$564,700.08
EFTs (electronic funds transfers) - \$1,340.11
Minutes from previous meeting(s): None presented

2% Hotel-Motel Tourism Tax

Application Period for Island County 2% Hotel-Motel Tourism Lodging Tax: July 15, 2010 – August 31, 2010

Commissioners

Resolution C-61-10 In the Matter of Adoption of the Island County Vision Statement, Mission Statement, and Guiding Principles

Correspondence

Letter to Recreation and Conservation Office urging the Washington Wildlife and Recreation Program to provide funding for the Admiralty Inlet Natural Area Preserve project and further the long-term conservation of rare native plant communities in our state.

County Fair

Resolution C-57-10 Authorizing an Interfund Loan to the Island County Fair Fund. This resolution authorizes an interfund loan to the Island County Fair Fund in order to provide funds in advance of the annual county fair. The loan will be repaid from county fair receipts.

Human Resources – Personnel Action Authorizations

<u>Department</u>	<u>PAA #</u>	<u>Description</u>	<u>Position #</u>	<u>Action</u>	<u>Eff. Date</u>
Prosecuting Attorney	047/10	Para Legal/Legal Asst II Victim Witness Coordinator	1811.00	Replacement	08/05/10

Human Services

Approval of Designated Health Professional – Diane Jhueck to be appointed as a Designated Mental Health Professional.

Enhanced 911

Interlocal Agreement with WA State Military Dept. providing State Enhanced 911 funds for County FY11 Wireline and Wireless Operations at ICOM. Contract No. E11-010; Amount: \$12,500 (RM-BOCC-10-0286)

Planning & Community Development

Resolution C-58-10 [PLG-004-10] Supporting An Application For The Shoreline Master Program Grant. Funding is through the State of Washington Department of Ecology for the update of the Shoreline Master Program.

Prosecuting Attorney

Grant Agreement with WA State Dept. of Commerce for Victim/Witness Assistance Grant; Grant No. S11-31102-513; Amount: \$40,000 (RM-PA-10-0298)

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Public Health

- Purchase Order with South Whidbey Parks & Recreation District – Healthy Living After School Program. Funding for pilot after school program promoting healthy eating and active lifestyles to youth and families. PO No. 8970; PO Amount: \$10,000 (RM-HLTH-10-0276)
- Purchase Order with Oak Harbor School District #201 – Safe Routes to School. Funding to establish two safe routes to school programs at Crescent Harbor Elementary and Olympic View Elementary. PO No. 8969; PO Amount: \$10,000 (RM-HLTH-10-0275)
- Contract Amendment with WA State DSHS – Medicaid Administrative Match. Amendment extends the contract period of performance to December 31, 2019. Contract No. 0963-53329, Amendment No. 2; PO Amount: Fee for Service, Amendment Amount: Fee for Service (RM-HLTH-10-0278)
- Out of State Travel Request – Attend NACO (National Association of Counties) Conference in Reno, NV to present on Island County’s partnerships with parks & recreation. All attendance expenses paid by NACO.

Public Works – County Roads

- Bid Award – Terry’s Corner Sidewalk Repairs; CRP 08-07, Work Order No. 289C; Award to Konnerup Construction; \$6,167.85
- Contract/Contract Bond – Kinney Street Parking Lot Improvements; PWP 08-05, Work Order 406; Krieg Construction, Inc.; \$58,797.25
- Consultant Agreement – Pacific Surveying & Engineering Services, Inc.; On-Call Surveying Agreement; \$300,000.00; Expiration Date: May 5, 2013. (RM-PW-10-0223) (PW-1020-045)
- Purchase Order No. 9229 – Northend Truck Equipment, Inc.; Contractor-Style 10/12/Yd Dump Body (scheduled replacement); Purchase off State Contract No. 12304; \$48,298.78 (incl. WSST) (RM-PW-10-0265) (PW-1020-053)
- Consultant Agreement – Coastal Geologic Services, Inc.; On-Call Geological Consultant Agreement; \$150,000.00; Completion Date June 4, 2013. (RM-PW-10-0222) (PW-1020-044)

Public Works – Solid Waste

- Amendment No. 1 – Department of Ecology; Decrease in state funding by \$27,200, from \$54,400 to a revised total of \$27,200. (RM-WSU-10-0136)

Public Works - Parks

- Resolution C-59-10/R-18-10 Approving Aquatic Lands Enhancement Account Authorizing Resolution; Barnum Point Acquisition – Phase I (RCO Project No. 10-1438). This resolution authorizes application for grant funds.
- Resolution C-60-10/R-19-10 Approving Washington Wildlife and Recreation Program Authorizing Resolution; Barnum Point Acquisition – Phase I (RCO Project No. 10-1438). This resolution authorizes application for grant funds.

Superior/Juvenile Court

- Contract with Paul Douhan; Sexual Deviancy evaluations and treatment for Juvenile Court program participants; Amount \$4,500.00 (RM-JUV-10-0294)
- Contract with Randy Green, M.A.; Sexual Deviancy evaluations and treatment for Juvenile Court program participants; Amount \$4,500.00 (RM-JUV-10-0293)

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- Contract with WA State Patrol: User’s agreement to submit Electronic Fingerprints (RM-JUV-10-0287)
- Contract with Coupeville School District: Operation Agreement with Coupeville School District for the Education Program in Island County Juvenile Detention Center; Amount -0- (RM-JUV-10-0288)

Liquor Licenses

- Application for Special Occasion Liquor License No. 090125 by Whidbey Island Pony Club for a special occasion to be held July 10-11, 2010 from 6:00 p.m. to 10:00 p.m. at the enclosed area, farmland, corner of Zylstra Rd. & Sweetbriar Lane, Oak Harbor.
- Application for Special Occasion Liquor License No. 092248 by the Camano Animal Shelter Association for a special occasion to be held November 6, 2010 from 5:30 p.m. to 11:00 p.m. at the Camano Senior & Community Center, 606 Arrowhead Rd., Camano Island
- Letter Request for 20-day Extension for Approval of Application for Added Privilege for Liquor License No. 080699-3C by Applicants Curtis J. Myers, Elise Akiko Myers, Kent Myers, Tanya Marie Myers, Tyler Kent Myers, Jonathan Blake Stoverud-Myers and Kristin Mary Stoverud-Myers, d/b/a Camano Plaza Market, 370 NE Camano Dr., Camano Island
- Letter Request for 20-day Extension for Approval of Application for Added Privilege for Liquor License No. 405022-3D by Applicants Christine E. Hurley and Debora R. Torget, Bayview Grocery, Inc., d/b/a The Goose Community Grocery, 14485 SR 525, Ste. 7, Langley
- Letter Request for 20-day Extension for Approval of Application for Added Privilege for Liquor License No. 088417-3D by Applicant Janet L. Gunn, Whidbey Pies, Etc. LLC, d/b/a Whidbey Pies Café, 765 Wonn Rd., Ste. A102, Greenbank

REGULAR AGENDA (Record Part 2 @ 11:00)

[Documents on file with the Clerk of the Board]

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

Recommendation of an appointment to the Board of Equalization to complete a vacancy in an alternate position

IT WAS MOVED BY DEAN, SECONDED BY HOMOLA, to APPOINT Lynn Petersen.

Commissioner Homola suggested in the future that the Board consider conducting interviews of candidates to improve the process.

Recommendation of Lisa Clark for re-appointment to the Island County Affordable Housing Advisory Board

IT WAS MOVED BY DEAN, SECONDED BY HOMOLA, to RE-APPOINT Lisa Clark.

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Recommendation of Debbie Torget for re-appointment to the Island County Affordable Housing Advisory Board

IT WAS MOVED BY HOMOLA, SECONDED BY DEAN, to RE-APPOINT Debbie Torget

PUBLIC HEARING (Record Part 2 @ 19:20)
[Documents on file with the Clerk of the Board]

Planning & Community Development

ZAA 213/08: Applicants Leonard & Susan Perry request re-zone of an 18.5 acre parcel R22913-200-0970 from Commercial Agriculture to Rural Agriculture, amending Island County Zoning Code Map #321

At 2:19 p.m. Chair Price Johnson opened the public hearing.

Kyla Walters introduced ZAA 213/08, indicating that applicants are asking for a technical zoning amendment to Island County Zoning Map 321. The request, if approved, would change the zoning classification of Parcel No. R22913-200-0970 from Commercial Agriculture (CA) to Rural Agriculture (RA). The parcel consists of 18.5 acres.

In 1998 Island County adopted new Zoning Code Chapter 17.03 and Zoning Atlas, both of which changed the zoning of many parcels throughout the County. A GMA Comprehensive Plan was also created and adopted at the same time. At the instruction of the Western Washington Growth Management Hearings Board, sections of the Comprehensive Plan and Chapter 17.03 were updated via Ordinance C-105-99 in order to better reflect the intent of the Comprehensive Plan with respect to the preservation of agricultural lands. It was at this time that the subject parcel was re-zoned from RA to CA. Ms. Walters added that staff examined the designation criteria established in Ordinance C-105-99 and compared it to the property conditions as they were in 1998. When considering the appropriateness of zoning designations it is necessary to analyze property characteristics at the time of adoption of the Comprehensive Plan when zoning changes were made, rather than the characteristics of the property at the time the application for re-zone is submitted.

The technical correction request, proposed by the applicants, stated that staff incorrectly zoned the parcel as CA at that time.

Following further research staff determined that the parcel was not zoned CA in error. The parcel should not be re-zoned RA because it meets all of the designation criteria for the CA zone as outlined in ICC 17.03.100.D, and the parcel does not meet the designation criteria in ICC 17.03.090.C for the RA zone. Staff, therefore, recommended denial of the request.

Conversely, the Planning Commission voted 5-1 to recommend approval based upon the findings that the property does not meet the definition of CA as it stands today.

At 2:34 p.m. the Chair opened the floor to public comment. Following remarks from Larry Kwarsick, Sound Planning Services (applicants' representative) and Mr. Perry (applicant) in support of the re-zone request, and from Rufus Rose, who asked if the economic aspects of actions taken were considered, public comment was closed at 2:58 p.m. Chair Price Johnson

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reserved the right to ask Mr. Kwarsick specific questions, if necessary, when moving forward. (*Handouts provided by Mr. Kwarsick and on file with the Clerk of the Board*)
The Board then engaged in dialogue and asked questions of staff, as well as directing specific inquiries to Mr. Kwarwick. Ultimately,

IT WAS MOVED BY PRICE JOHNSON, SECONDED BY DEAN to allow the correction based on two criteria: 1) the property is too small; and 2) when designated, the contiguous parcel should have been CA at the same time. Moreover, part of the property is within a drainage or diking district. MOTION CARRIED: 2-1 (*Commissioner Homola opposed because she agreed with the interpretation of Planning staff*)

PUBLIC HEARING (Record Part 2 @ 1:20:40)
[Documents on file with the Clerk of the Board]

Planning & Community Development

WSR 303/09: Island Transit PTBA System request to create a new water system within the existing Town of Coupeville Water Service Area to serve a future 241 employee transit center

At 3:21 p.m. the Chair opened the public hearing.

Mr. Pederson indicated that positive discussion ensued between the County and Town of Coupeville whereby the Town's concerns as to the ability to serve the area were alleviated. As a result staff recommended moving forward with the creation of the new water system to serve the Island Transit property. Mr. Sweeza, at Commissioner Homola's request, provided a synopsis of the proposal.

At 3:26 p.m. Chair Price Johnson opened the floor of public comment. Following remarks in favor of the proposal from Allen Hendricks, General Counsel for Island Transit and in opposition to the request from Louise Harvey, owner of the Countryside Inn, public comment was closed at 3:39 p.m. (*Handouts provided by Mr. Hendricks and Ms. Harvey and on file with the Clerk of the Board*).

The Commissioners thereafter directed questions to staff, staff responded to the Board's inquiries and concerns expressed by Ms. Harvey, and Island Transit Executive Director Martha Rose added further clarification with respect to the EPA part of the process. Thereafter,

IT WAS MOVED BY DEAN, SECONDED BY HOMOLA, to APPROVE the creation of a new Group A Island Transit PTBA water system within the existing Town of Coupeville Water Service Area to serve a future 241 employee transit center.

Chair Price Johnson added that the proposal was an important area of concern for the County; thus, special attention was given to the request. She is confident that both the Town of Coupeville and PTBA are well served with the boundary adjustment.

The Chair having called for the vote, MOTION CARRIED: 3-0

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COMMISSIONERS COMMENTS & ANNOUNCEMENTS (Record Part 2 @ 2:02:50)

Draft Resolution Freezing Salaries of Elected Officials

A brief discussion ensued between the Board and Ms. Marlow concerning a draft ordinance prepared by the Prosecuting Attorney's office. It was agreed the Board would recess its meeting to Wednesday, June 30 at 2:30 p.m. in order to provide the Commissioners an opportunity to submit to Ms. Marlow their suggested *WHEREAS* clauses. She would then prepare and present at that time a revised ordinance for the Board to consider and move forward for public hearing. The meeting would continue in the Board's Conference Room in the Administration Building, Room 218.

Commissioner Homola

Attended the Memorial Service for Orrin Gorman McClellan.

Commissioner Dean

Met with Elected Officials about the possibility of a freeze to salaries and each were supportive.

Chair Price Johnson

Creation of handout and outreach around the levy lid lift proposal.

At 4:31 p.m. Chair Price Johnson recessed the Board's Regular Meeting to Wednesday, June 30, 2010 at 2:30 p.m. in the Board's Conference Room #218, Administration Building, for the purpose of scheduling a public hearing on the subject of freezing the salaries of Island County Elected Officials.

REGULAR MEETING RECONVENED JUNE 30, 2010 AT 2:30 P.M. (Record Part 3)

At 2:30 p.m. Chair Price Johnson reconvened the Board's June 28, 2010 Regular Session in the Board's Conference Room #218, Administration Building, for the purpose of revising Island County Code section 2.02.040 and 2.02.050 freezing salaries of Elected Officials (*with the exception of the District and Superior Court Judges as their salaries are set by the State of Washington*). Angie Homola, Board Member, Elaine Marlow, Clerk of the Board, Chief Deputy Prosecuting Attorney Dave Jamieson, and Rufus Rose were in attendance. Helen Price Johnson, Chair, and John Dean, Member, attended via telephone.

Ms. Marlow reviewed with the Board the revised proposed ordinance, considered prior by Mr. Jamieson who clarified certain language where appropriate. If adopted, the effective date would be January 1, 2011.

Following Board dialogue and comment from Mr. Jamieson, the Board ultimately agreed to the ordinance language and scheduled the issue for public hearing.

IT WAS MOVED BY HOMOLA, SECONDED BY DEAN, to SCHEDULE FOR PUBLIC HEARING on July 19, 2010 at 10:20 a.m. Ordinance C-62-10 Revising Island County Code 2.02.040 and 2.02.050 Freezing the Salaries of Island County Elected Officials. **MOTION CARRIED: 3-0.**

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Those running for office will be notified of the public hearing and provided a copy of the proposed ordinance.

Mr. Rose asked should the ordinance be adopted, would it affect the appointed officials or staff employees. *The ordinance pertains only to that portion of the Island County Code that addresses Elected Officials.*

He also asked about the potential for the Board to appoint a citizens' salary commission. *The Board has not made any firm decisions on when the discussion would occur, and has not come to consensus as to how to approach the issue.*

There being no further business to come before the Board the meeting adjourned at 3:30 p.m. The Board will meet next in Special Session July 1, 2010 at 1:00 p.m., Special Session July 7, 2010 at 6:00 p.m., then in Regular Session July 12, 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