

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
APRIL 11, 2011 – REGULAR SESSION**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on April 11, 2011 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. Angie Homola, Chair, Helen Price Johnson, Member, and Kelly Emerson, Member were present. The meeting began with the Pledge of Allegiance.

EMPLOYEE SERVICE AWARDS (*Recording Part 1 @ :40*)

WELCOME TO NEW EMPLOYEES - MARCH

<u>Department</u>	<u>Employee</u>
Auditor	Michele Tefft
Commissioners	Linda Slane
Juvenile Court	Orlana Welch
Public Works	Devin Joslin
WSU	Julie Pygott

EMPLOYEE SERVICE AWARDS

<u>Department</u>	<u>Employee</u>	<u>No Years</u>
Central Services	Bob Thomas	10
Facilities	Dennis Bodley	15
Juvenile Court Services	Kristi La Mascus	5
Public Works	Connie Bowers	5
Public Works	Henry Fakkema	10
Sheriff – Jail	Lori Prendergast	20

EMPLOYEE OF THE MONTH – MARCH

None submitted

PUBLIC INPUT OR COMMENTS for non-agenda items

None

(Recording Part 1 @ 19:00)

Action: By unanimous motion of the Board (3-0) Item 3, *Resolution C-40-11 [R-18-11]* and Item 4, *Resolution C-41-11[R-19-11]* are moved to the Regular Agenda from the Consent Agenda; Item 14, *Ordinance C-36-11* and Item 15, *Ordinance C-37-11* are added to the Regular Agenda; Item 12, *Public Meeting re Ordinance C-46-11 [PLG-012-11]* and Item 13, *Public Hearing re Ordinance C-38-11 [PLG-013-11]* will be taken out of order to begin immediately after approval of the Consent Agenda.

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CONSENT AGENDA (Recording Part 1 @ 21:55)

[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 as amended:

Pre-audited bills: \$165,488.64
 Vouchers: \$707,117.51
 Electronic funds transfers: \$2,670.94
 Payroll: None
 Minutes: Regular Sessions: 2/28 and 3/7/11
 Special Session 2/28/11

Public Works - County Roads

- Bid Award – 2011 Self-propelled Track Asphalt Paver; Award to Modern Machinery Co., Inc.; \$271,000.00 (incl WSST).
- Purchase Order No. 9243 – Modern Machinery Co., Inc.; 2011 Leeboy Asphalt Paver Model #8816B; \$271,000.00 (incl. WSST).

Sheriff

Agreement between Island County Juvenile Detention Center/Juvenile and Family Services and Consolidated Food Management, Inc. to provide food services to both the County Jail and Juvenile Detention Center. Agreement provides early termination on the Jail contract effective July 31, 2011, to solicit proposals for a single provider.

PUBLIC MEETINGS

[Documents on file with the Clerk of the Board]

Planning & Community Development

1. Ordinance C-46-11 [PLG-012-11] CPA 155/04, Oak Harbor Comprehensive Plan Amendment updating the Island County Comprehensive Plan to address the Growth Management Act requirements for periodic review. Specifically, this amendment completes the 2005 required updates to the Island County Comprehensive Plan with respect to 20-year population projections and urban growth area boundaries in Island County.
2. Ordinance C-38-11 (PLG-013-11) In the Matter of Amending the Official Zoning Atlas for Island County, to show the revised boundary for the Oak Harbor Urban Growth Area to implement CPA 155/04.

Public Hearing opened at 10:25 a.m. (**Recording Part 1 @ 26:10**)

For the Record:

- *Binder 1 (GMA No. 10564)*
 - *April 1, 2011 Memorandum from Robert Pederson*
 - *Staff memorandum to BICC dated August 31, 2010*
 - *Staff memorandum to BICC dated September 8, 2010*
 - *Staff memorandum to BICC dated October 1, 2010*
 - *Planning Commission Findings of Fact for CPA 155/04 dated December 20, 2010*
 - *Planning Commission meeting minutes - November 9, 2010*

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- *Staff report to Planning Commission on CPA 155/04 dated October 29, 2010*
 - *Transmittal of Planning Commission Findings to BICC – staff memorandum dated December 22, 2010*
 - *City of Oak Harbor letter – Larry Cort to Jeff Tate, dated August 20, 2004 transmitting the City of Oak Harbor – 2025 Preliminary Population Projections*
 - *Public comments received*
 - *City of Oak Harbor comment letter to BICC dated October 11, 2010*
 - *City of Oak Harbor comment letter to Planning Commission dated November 9, 2010*
 - *CPA 155/04 text amendments to the Comprehensive Plan, Section III, Future Land Use, Population Projections, Rural and Urban Population Growth*
 - *1998 Island County Comprehensive Plan Land Use Element, Page 1-28*
 - *WWGMHB Decision – Case No. 08-2-0015, Page 1*
 - *City of Oak Harbor comment letter – Freeland Subarea Plan, dated February 3, 2011*
 - *City of Oak Harbor Technical Support Paper No. 1*
 - *City of Oak Harbor Ordinance No.1439*
 - *City of Oak Harbor letter – Mayor Cohen to BICC dated November 17, 2005*
 - *E-mail from County (Jeff Tate) to City (Larry Cort) dated August 23, 2006*
 - *Island County staff memorandum dated March 31, 2011 – Verifying accuracy of City’s Buildable Lands Analysis*
- *Binder 2 (GMA No. 10565)*
 - *Beighton Oak Harbor Analysis of Need (for more development land in Oak Harbor)*
 - *Handout (letter) provided by Al and Barbara Williams (GMA No. 10566)*

(Recording Part 1 @ 26:40)

Chair Homola called attention to RCW 42.36, the Appearance of Fairness Doctrine.

(Recording Part 1 @ 29:10)

Robert Pederson, Director of Planning & Community Development, added for the record:

- *A new page 10 to the April 1, 2011 memo from Mr. Pederson (See GMA No. 10564)*
- *Staff Power Point presentation (GMA No. 10567)*
- *Four public comment letters received from: 1) Duncan Greene (GordonDerr); 2) City of Oak Harbor; 3) Whidbey Environmental Action Network; 4) Vern Pederson (GMA Nos. 10568, 10569, 10570, 10571)*

(Recording Part 1 @ 30:30)

Using a Power Point presentation Mr. Pederson explained the background and procedural history for the Comprehensive Plan Amendment (CPA 155/04). He talked about the current effort and provided reasons why staff proposed adoption of 1) Ordinance C-46-11 [PLG-012-11] Amending the Island County Comprehensive Plan (CPA 155/04) to Address Updates to Population Projections and Urban Growth Area Boundaries; and 2) adoption of Ordinance C-38-11 [PLG-013-11] Amending Map #219 of the Official Zoning Atlas for Island County to Show the Revised Oak Harbor Urban Growth Area Boundary to Implement CPA 155/04.

Staff recommended the Board take final legislative action on:

- Expansion of the Oak Harbor UGA to add Parcel 1 (plus 18 acres)
- Adopt 2005 population projections

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- Related text and map changes
- Companion change to the Zoning Atlas (Ordinance C-38-11)

Future actions include:

- Comprehensive plan update
- Next periodic update 2012-2015
- Actual schedule not set
- Work begins with 2011 docket
- Review of countywide planning policies
- Then buildable lands analysis
- New population projections

(Recording Part 1 @ 54:22)

The Chair opened the floor to public comment (*Attendance Sheets on file with the Clerk of the Board - GMA No. 10596*). Those speaking were:

- Al Williams
- Hap Fakkema
- Steve Erickson (WEAN)
- Marianne Edain (WEAN)
- Gaylynn Beighton
- Vera Pitsch
- Edward Meredith

Public comment closed at 11:31 a.m.

(Recording Part 1 @ 1:31:40)

Commissioner discussion with staff and comments.

(Recording Part 1 @ 1:48:35)

Chair Homola mentioned reports from the City of Oak Harbor about the revitalization of the City's downtown area (*added to the record by reference*):

- *Higher Density Development Myth and Fact - Urban Land Institute*
- *Turning around Downtown, 12 Steps to Revitalization - The Brookings Institution*
- *Revitalizing Commerce for American Cities - Fannie Mae Foundation*

(Recording Part 1 @ 1:54:15)

Commissioner Emerson's comments against the adoption of CPA 155/04 as presented.

(Recording Part 1 @ 2:00:26)

Jerry Jones, a member of what was the Oak Harbor Comprehensive Plan Task Force, submitted to Chair Homola reports that he asked be included with the record. (GMA No. 10602)

(Recording Part 1 @ 2:05:23)

Action:

Moved and seconded by Commissioners Price Johnson and Homola to adopt Ordinance C-46-11 [PLG-012-11] Amending the Island County Comprehensive Plan (CPA 155/04) to Address Updates to Population Projections and Urban Growth Area Boundaries as

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recommended by the Planning Commission. (GMA No. 10572) MOTION CARRIED: 2-1 (Commissioner Emerson voted no)

(Recording Part 1 @ 2:07:55)

Action:

Moved and seconded by Commissioners Price Johnson and Homola to adopt Ordinance C-38-11 [PLG-013-11] Amending Map #219 of the Official Zoning Atlas for Island County to Show the Revised Oak Harbor Urban Growth Area Boundary to Implement CPA 155/04. (GMA No. 10573) MOTION CARRIED: 2-1 (Commissioner Emerson voted no)

At 12:09 p.m. the Board recessed.

The Board returned to open public session at 12:12 p.m.

REGULAR AGENDA

[Documents on file with the Clerk of the Board]

[Items 3 and 4 moved from the Consent Agenda to the Regular Agenda]

[Items 14 and 15 added to the Regular Agenda]

Public Works

Resolution C-40-11 [R-18-11] In the Matter of Initiating County Road Project CRP 11-05, Work Order No. 482; Glendale Creek Restoration & Fish Passage Enhancement project

Discussion *(Recording Part 2 @ :22)*

Action *(Recording Part 2 @ 5:36)*

By unanimous motion (3-0) the Board adopted Resolution C-40-11 [R-18-11] In the Matter of Initiating County Road Project CRP 11-05, Work Order No. 482; Glendale Creek Restoration & Fish Passage Enhancement project.

Resolution C-41-11 [R-19-11] In the Matter of Approving Plans & Specifications and Authorizing Call for Bids for Glendale Creek Restoration & Fish Passage Enhancement project; CRP 11-05, Work Order No. 482.

Action *(Recording Part 2 @ 6:32)*

By unanimous motion (3-0) the Board adopted Resolution C-41-11 [R-19-11] Approving Plans & Specifications and Authorizing Call for Bids for Glendale Creek Restoration & Fish Passage Enhancement project

Planning & Community Development

Schedule Public Hearing: Ordinance C-42-11 (PLG-014-11) In the Matter of Adopting an Interim Official Control that Regulates the Use of Property Within the Freeland Non-Municipal Urban Growth Area. Date & Time: April 25, 2011 at 2:30 p.m.

Discussion *(Recording Part 2 @ 7:43)*

Action *(Recording Part 2 @ 9:21)*

The Board by unanimous motion (3-0) scheduled for Public Hearing Ordinance C-42-11 (PLG-014-11) Adopting an Interim Official Control that Regulates the Use of Property Within the Freeland Non-Municipal Urban Growth Area. Public Hearing April 25, 2011 at 2:30 P.M.

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Treasurer

Resolution C-43-11 Declaring that Purchase of AQ2 Aqurit Remittance Processing System, Annual Maintenance and Support, is a Sole Source Purchase Exempt from Competitive Procurement

Discussion (Recording Part 2 @ 10:53)

Action and comment (Recording Part 2 @ 12:47)

By unanimous motion (3-0) the Board adopted Resolution C-43-11 Declaring that Purchase of AQ2 Aqurit Remittance Processing System, Annual Maintenance and Support, is a Sole Source Purchase Exempt from Competitive Procurement.

Clerk of the Board

1. *Revised* Ordinance C-36-11 [PLG-002-11] Adopting Amendments to Island County Code Chapters 16.19 and 11.02, to Clarify the Appeal Process for Clearing and Grading Permits
2. *Revised* Ordinance C-37-11 [PLG-008-11] Adopting Amendments to Island County Code Chapter 16.08, Relating to the Role of the Planning Commission with Respect to Long Plats

Discussion (Recording Part 2 @ 14:35)

Action (Recording Part 2 @ 16:48)

By unanimous motion (3-0) the Board approved scheduling for public hearing revised 1) Ordinance C-36-11 [PLG-002-11] Adopting Amendments to Island County Code Chapters 16.19 and 11.02 to Clarify the Appeal Process for Clearing and Grading Permits; and revised 2) Ordinance C-37-11 [PLG-008-11] Adopting Amendments to Island County Code Chapter 16.08 Relating to the Role of the Planning Commission with Respect to Long Plats. Public Hearings April 18, 2011 at 10:20 A.M.

Commissioners

Resolution C-44-11 Proclaiming the Month of April 2011 National County Government Month

Action and comment (Recording Part 2 @ 18:03:05)

By unanimous motion (3-0) the Board adopted Resolution C-44-11 Proclaiming the Month of April 2011 National County Government Month.

Resolution C-45-11 Proclaiming the Month of May 2011 Community Action Month in Island County

Discussion (Recording Part 2 @ 19:35)

Action (Recording Part 2 @ 20:32)

By unanimous motion (3-0) the Board adopted Resolution C-45-11 Proclaiming the Month of May 2011 Community Action Month in Island County.

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COMMISSIONERS COMMENTS & ANNOUNCEMENTS

The Board engaged in dialogue on a variety of subjects, including:

(Recording Part 2 @ 20:55)

- Gordon Koetje service
- EDC Annual Luncheon
- Freeland Water & Sewer District meeting
- Review of calendars

EXECUTIVE SESSION ANNOUNCED

(Recording Part 2 @ 25:24)

Chair Homola announced that the Board would recess then meet in Executive Session at 2:00 p.m. 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 one hour with no announcement afterwards.

At 12:40 p.m. the Board recessed.

At 2:00 p.m. the Board reconvened in Executive Session with Prosecuting Attorney Greg Banks and Chief Deputy Prosecuting Attorney David Jamieson.

At 2:30 p.m. the Board returned to open public session and after announcing there was no further business, the meeting adjourned at 2:31 p.m. The Board will meet next in Regular Session on April 18, 2011 beginning at 10:00 a.m.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Angie Homola, Chair

Helen Price Johnson, Member

Kelly Emerson, Member

ATTEST:

Elaine Marlow, Clerk of the Board