

Public Works
Summary Minutes

Work Session was held between the County Commissioners and Public Works on Wednesday, April 21, 2010, at 9:00 a.m., in the Island County Annex Building, Commissioners' Hearing Room, B-102, Coupeville, WA. Present were:

County Commissioners: Helen Price Johnson, Chair **Staff:** Pam Dill
Angie Homola, Member
John Dean, Member

Staff Present: Bill Oakes, Director, Dave Bonvouloir, Joe Araucto, Steve Marx, Randy Brackett, Phil Cohen, Jack Taylor

Others Present: Keith Higman, Aaron Henderson, Kerry Graves, Jill Wood, Bob Pederson, Justin Burnett "Whidbey Examiner"

(Record Part 1 @:14)

Solid Waste

Subject: Replace Solid Waste Pickup off State Contract

Attachment: none

Proposed Action: Purchase of pickup from State Contract; Amount: \$19,523.00

Follow Up: Okay with Board.

Roads

Subject: Sole Source for Hilfiker Retaining Wall

Attachment: Draft Resolution

Proposed Action: Authorization to purchase Hilfiker retaining walls construction materials as sole source items exempt from competitive bidding for Frostad Road Improvement project.

Follow Up: Okay with Board to move resolution forward to Monday's agenda.

Subject: Speed Limit Petition – East Harbor Road

Attachment: Letter of Request/Petition w/Map

Proposed Action: Public Works received a petition for reduction of the speed limit (from 50 mph to 25 mph) on East Harbor Road, between Passage Way and Ashley Loop.

Follow Up: Board authorized Public Works to conduct an engineering and traffic study.

Subject: Initiation of CRP 10-03; WO 476- 2010 Camano Island HMA Overlays

Attachment: CRP 10-03, WO 476; Draft Resolution

Proposed Action: Resurfacing of approximately 1.52 miles of Camano Island County roads with thick overlay of Hot Mix Asphalt (HMA) and approximately 2.534 miles of Camano Island County roads with thin overlay of HMA; Total Appropriation \$527,611.00.

Follow Up: Okay with Board to move forward to Monday's agenda.

Subject: Initiation of CRP 10-02; WO 477- 2010 Whidbey Island HMA Overlays

Attachment: CRP 10-03, WO 476; Draft Resolution

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Proposed Action: Resurfacing of approximately 3.226 miles of Whidbey Island County roads with thick overlay of Hot Mix Asphalt (HMA) and approximately 7.07 miles of Whidbey Island County roads with thin overlay of HMA; Total Appropriation \$1,754,656.00.

Follow up: Okay with Board to move forward to Monday's agenda.

Subject: Call for Bids: 2010 Camano Island HMA Overlays

Attachment: Contract Provisions Cover & Map

Proposed Action: Approving contract provisions and authorizing call for bids for 2010 Camano Island Hot Mix Asphalt (HMA) overlays.

Follow up: Okay with Board to move forward to Monday's agenda.

Subject: Call for Bids: 2010 Whidbey Island HMA Overlays

Attachment: Contract Provisions Cover & Map

Proposed Action: Approving contract provisions and authorizing call for bids for 2010 Whidbey Island Hot Mix Asphalt (HMA) overlays.

Follow up: Okay with Board to move forward to Monday's agenda.

Drainage

Subject: WO No. 480 – Beach Drive Culvert & Road Closure

Attachment:

Proposed Action: Drainage

Subject: WO No. 480 – Beach Drive Culvert & Road Closure

Attachment:

Proposed Action: Staff updated the Board on the Beach Drive culvert failure. They have been looking at the options. The preferred option is to replace the culvert. The engineers are working on materials that are resistant to salt water such as plastic, aluminum, or some other material. State fisheries would like to see the culvert replaced with the same diameter or larger. The project will need permits from the state and possibly the Army Corps of Engineers. With the permit requirements construction is not likely to start until fall at the earliest. Staff recommended a meeting with the community to discuss the plan and the time line. A possible follow on project could be to pursue salmon recovery funding to replace the downstream sluice gates that are on private property.

Follow up: Proceed with community meeting and keep the Board informed

Public Works

Subject: Call for Bids: Adult Jail Controls; PWP 08-06, WO No. 417

Attachment: Signed cover page

Proposed Action: Authorize call for bids for Island County Jail Controls replacement.

Follow up: Okay with Board to move forward to Monday's agenda.

Subject: Clean Water Utility

Attachment: none

Discussion:

What services will be included (program elements)?

The Board agreed that all the program elements were necessary to provide an integrated clean water utility program.

What will the scope of the services be (program budget)?

The Board provided their suggestions for each programs budget.

Determine the boundary (parcel/exemptions)?

- Absorb Marshall Road drainage district into the clean water utility program.
- Exclude Diking and Drainage Districts from surface and stormwater program.
- Exclude sewer systems from On Site Sewage System Operation and Maintenance Program & HOST.
- Exemption for low income senior citizens.
- Consider reduction for multiple property owners.
- Limit exemptions to those cited in code.

Determine the rational for fee structure (rate and application methodology)?

The Board agreed on a flat fee.

The Board requested some additional specificity for each of the programs, i.e., where did the numbers come from, what does the landowner get for the money, etc., as well as information with regard to integration between the programs.

Follow up: Staff will start putting together draft code language.

Island County Treasurer
Summary Minutes

Work Session was held between the County Commissioners and the Treasurer on Wednesday, April 21, 2010, at 11:15 a.m., in the Island County Annex Building, Commissioners' Hearing Room, B-102, Coupeville, WA. Present were:

County Commissioners: Helen Price Johnson, Chair (excused) **Staff:** Pam Dill
Angie Homola, Member
John Dean, Member

Present: Linda Riffe, Treasurer

Others Present: Dave Mattens, Assessor, Justin Burnett "Whidbey Examiner"

(Record Part 1@2:14:32)

Subject: PAA

Attachment: none

Proposed Action: The Board previously authorized a PAA for replacement of an Administrative Assistant position 3 days a week. Linda has yet to fill that position because she is unsure if there will be more layoffs with the new budget and she did not want to hire and train someone and then have to turnaround and lay that person off.

Follow up: The Board can not make any assurances with regard to the budget at this time.

Subject: Tax Collection Status

Attachment: spreadsheet

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Discussion: Linda briefed the Board on the impact of the Camano Island EMS levy error to her staff. She also expressed her displeasure at not being immediately informed about the Coupeville School District levy error.

General Services Administration
Summary Minutes

Work Session was held between the County Commissioners and General Services Administration on Wednesday, April 21, 2010, at 12:59 p.m., in the Island County Annex Building, Commissioners' Hearing Room, B-102, Coupeville, WA. Present were:

County Commissioners: Helen Price Johnson, Chair – excused **Staff:** Pam Dill
Angie Homola, Member
John Dean, Member

Staff Present: Betty Kemp, Director, Don Mason

Others Present: Elaine Marlow, Budget Director

(Record Part 2@06:00)

Subject: BOE committee appointments

Attachment: none

Discussion: Betty pointed out that unlike many of the advisory boards the BOCC appoints members to the Board of Equalization renders decisions that are binding. Currently there are four open positions on the Board of Equalization and Betty stressed the importance of retaining experienced members to conduct hearings and get through the process by the end of the year.

Follow Up: Discussion only.

Central Services
Summary Minutes

Work Session was held between the County Commissioners and Central Services on Wednesday, April 21, 2010, at 1:19 p.m., in the Island County Annex Building, Commissioners' Hearing Room, B-102, Coupeville, WA. Present were:

County Commissioners: Helen Price Johnson, Chair (excused) **Staff:** Pam Dill
John Dean, Member
Angie Homola, Member

Staff Present: Cathy Caryl, Director

Others Present: Elaine Marlow, Budget Director

(Record Part 2@ 21:36)

Subject: Training

Attachment: none

Proposed Action: Request for Stan Bradshaw to attend a 2 day seminar in Kirkland to receive training on Sonicwall Firewall hardware and software; \$2,000.00.

Follow up: Okay with Board.

WSU / Extension Services
Summary Minutes

Work Session was held between the County Commissioners and WSU/Extension on Wednesday, April 21, 2010, at 1:30 p.m., in the Island County Annex Building, Commissioners' Hearing Room, B-102, Coupeville, WA. Present were:

County Commissioners: Helen Price Johnson, Chair (excused) **Staff:** Pam Dill
Angie Homola, Member
John Dean, Member

Staff Present: Judy Feldman, Lynette Goodell

Others Present: Elaine Marlow, Budget Director

(Record Part 2@32:20)

Subject: Services Agreement with Kris Wiltse dba Popeye Design

Attachment: agreement

Proposed Action: Services Agreement with Kris Wiltse dba Popeye Design to provide design services for Task 4.1 Interpretive Nearshore Signage Installations funded by State of Washington, Department of Ecology, CZM Grant Agreement G100001; Project: MRC Administration and Action Grant; Amount: \$3,000 - \$4,000

Follow up: Okay with Board to move forward to Monday's agenda.

Subject: Transition of WSU Island County Extension Office

Attachment: draft of Exploring Island County's Food System 2010

Discussion: Judy reported that they are in the process of selecting a Lighthouse Programs Coordinator; the Administrative Assistant position (front desk) is still open; and the Glendale series is complete. She noted that the new WSU Extension Services Director, Tim Lawrence, will need to be appointed to be formally appointed to the Marine Resource Committee (MRC).

Judy provided the Board with a draft "Exploring Island County's Food Systems 2010" produced in coordination with Transition Whidbey.

Budget Director
Summary Minutes

Work Session was held between the County Commissioners and the Budget Director on Wednesday, April 21, 2010, at 1:53 p.m., in the Island County Annex Building, Commissioners' Hearing Room, B-102, Coupeville, WA. Present were:

County Commissioners: Helen Price Johnson, Chair **Staff:** Pam Dill
Angie Homola, Member
John Dean, Member

Staff Present: Elaine Marlow, Budget Director

Others Present: Don Mason, Betty Kemp, Ingrid Smith

(Record Part 3@:19)

Subject: Board of Equalization applications

Attachments: yes

Information: Applicants are being sought to fill four positions on the Board of Equalization to begin June 1, 2010. The Board received three applications. One applicant is seeking reappointment.

Follow-up: Okay to move recommendation to Monday's agenda.

Subject: Water Resources Advisory Committee applicants

Attachments: yes

Information: Applicants are being sought to fill three positions on the WRAC beginning in May 2010, one position in each of the Commissioner Districts. Committee members from District 2 and District 3 are seeking reappointment. There were no applicants from District 1 and the current position holder did not seek reappointment.

Follow-up: Okay to move recommendation to Monday's agenda.

Subject: Conservation Futures Citizens Advisory Committee applicants

Attachments: yes

Information: Applicants are being sought for the unincorporated areas of Whidbey coincident with the Oak Harbor school district and one member from Camano Island. Both applicants are from Camano Island.

Follow-up: Okay to move recommendation to Monday's agenda.

Subject: 1st quarter budget discussion

Attachments:

Information: Postponed.

Follow-up:

Subject: 2% Hotel-Motel Tax – Tourism Program

Attachments: yes

Information: Commissioner Homola met with Jill Johnson from the Oak Harbor Chamber of Commerce. Jill expressed some areas of concern she had with the program and suggestions for remedies.

Follow-up: This will be a discussion item on the Council of Governments (COG) agenda next week.

(Record Part 4@1:23:47)

Subject: Disbursement of historic preservation funds

Attachments: yes

Proposed Action: The Board approved funding in the amount of \$15,000.00 (the 2010 adopted budget already contains \$2,500.00) to assist the Island County Historical Society in continued operations of the archival museum for the year 2010. The Board recommended the museum make budget adjustments to keep current programs sustainable. Prior to any additional historical

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preservation funds being allocated to the museum the Board would like to be provided with a business plan moving forward.

Follow up: The Board will defer their decision on funding for the PBY Memorial Foundation once details for placement of the plane are determined to be at a public location. Other requests will be reviewed once the revised guidelines for the distribution of the Historical Preservation Recording Fee funds are in place.

Planning & Community Development
Summary Minutes

Work Session was held between the County Commissioners and the Planning Department on Wednesday, April 21, 2010, at 2:15 p.m., in the Island County Annex Building, Commissioners' Hearing Room, B-102, Coupeville, WA. Present were:

County Commissioners: Helen Price Johnson, Chair
Angie Homola, Member
John Dean, Member

Staff: Pam Dill

Staff Present: Bob Pederson, Director, Paula Bradshaw, Andrew Hicks, Dan Mitchell

Others Present: Elaine Marlow

(Record Part 4@:10)

Subject: Referral for legal action

Attachment: yes

Proposed Action: Island County Planning & Community Development issued an Initial Enforcement Order as a result of unpermitted construction activities within a Marine Fish and Wildlife Habitat Conservation Area buffer. The property owner extended an attached deck 12 feet beyond the original building permit footprint, with an additional 8 feet 7inch long staircase, after the final inspection. During an enforcement visit on March 4, 2010 both the property owner and his agent admitted to having prior knowledge that the deck extension would constitute a violation. Planning is requesting approval from the Board to refer violation to the Prosecuting Attorney's Office for initial review to consider further legal action.

Follow up: Okay with Board.

Subject: Island County Code SEPA administrative review process

Attachments: none

Proposed Action: Discussion regarding compliance with RCW 43.21C (SEPA) as it relates to Type 1 applications. Type 1 decisions are ministerial decisions and can only be appealed by the applicant. Island County Code allows for Type 1 decisions involving a SEPA determination to be appealed to the Hearing Examiner as a Type II decision. State law joins the underlying permit and SEPA together, Island County code does not. The dilemma that exists in Island County Code is that only the applicant can appeal a Shoreline Exemption, but the SEPA can be appealed by someone other than the applicant.

The Planning Director suggested three possible solutions:

1. Allow anyone to appeal a Type 1 decision.
2. Amend Island County Code so that any permit involving SEPA would be treated as a Type 2 permit allowing the underlying action to be appealed along with the SEPA.

3. Eliminate the ability for anyone other than the applicant to appeal the SEPA determination.

Follow up: Discussion purposes only. (*Current court case pending*).

Island County Auditor
Summary Minutes

Work Session was held between the County Commissioners and the Auditor on Wednesday, April 21, 2010, at 2:57 p.m., in the Island County Annex Building, Commissioners' Hearing Room, B-102, Coupeville, WA. Present were:

County Commissioners: Helen Price Johnson, Chair **Staff:** Pam Dill
Angie Homola, Member
John Dean, Member

Present: Sheilah Crider, Auditor, Anne LaCour

Others Present: Elaine Marlow, Budget Director

(Record Part 4@40:41)

Subject: HAVA grant

Attachment: none

Information: The National Defense Authorization Act includes new legislation, Military and Overseas Voter Empowerment Act, which will require ballots to be sent to military and overseas voters 45 days prior to an election. Previously the requirement was 30 days prior to an election. The Auditor's office was successful in securing Help America Vote Act (HAVA) grant funds for a ballot folder to help them meet that requirement.

During Candidate Filing Week, June 7th through June 11th the Elections Office at 400 N. Main Street in Coupeville will be open Monday through Friday from 9:00 a.m. until 4:00 p.m.

Subject: Update on Ballot Drop box approvals

Attachment: none

Information: Sheilah updated the Board on the ballot drop boxes they are arranging to place in Freeland, Oak Harbor and Camano with HAVA grant funding. They have received permission from Mayor Conard to place a box on the edge of the parking lot at 400 N Main in Coupeville.

Subject: Discussion of allowing credit cards for online filing

Attachment: none

Proposed Action: Authorization to sign a Memorandum of Understanding with the Secretary of State's Office to allow for the use of credit cards for online filing. The state will reimburse the County less the 1.6% merchant fee.

Follow up: Okay with Board to bring forward for signature once through legal review.

Subject: Amendments to Travel Policy 701 & Meeting Reimbursement Policy 700

Attachments: yes

Proposed Action: The Board adopted the Employee Travel Expenses policy on April 5, 2010. The following amendments have been suggested by the Auditor's office.

Suggested changes:

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- Policy Title: “Employee Travel Expenses” change to “Travel Expense Reimbursement”
- Under Policy:
It is the policy of Island County to reimburse allowable travel expenses when reasonable, necessary, and directly related to conducting business for the County. This includes conferences, training, etc. for all employees, ~~and~~ elected officials and members of Island County boards, committees, councils, volunteers and others in a similar category, who serve without compensation.
- Section F. dealing with light refreshments was inadvertently omitted from the Travel Policy and needs to be replaced.

Follow up: Auditor’s office will work with Elaine to draft a resolution for the Board’s Monday agenda.

Chairman’s Agenda
Summary Minutes

The County Commissioners met during Chairman’s portion of Work Session on Wednesday, April 21, 2010, at 3:17, in the Island County Annex Building, Commissioners’ Hearing Room, B-102, Coupeville, WA.

Present were:

County Commissioners: John Dean, Chair
Helen Price Johnson, Member
Angie Homola, Member

Staff: Pam Dill

Staff Present: Elaine Marlow, Budget Director

Others Present: Harry Anderson, Board Member, KWPA, Charles Arndt, Board Member, KWPA, William Bell, Board Member, KWPA

(Record Part 4@1:01:40)

Subject: KWPA –FM Whidbey Public Radio

Attachments: yes

Proposed Action: KWPA is a registered 501c(3) not-for-profit community broadcast station, operated by volunteers and supported entirely by donations, underwriting and memberships. KWPA is a six watt station located in the Harbor Master’s office at the Coupeville wharf with an antenna located at the Muzzall family farm on the north shore of Penn Cove. The station is currently seeking application from the FCC for a full-power FM license. Full power will permit the station to reach virtually all of Whidbey and Camano Islands, expanding its broadcast area from its current low power 5-7 mile radius around Coupeville. The station intends to focus on the many interests of those who live on the two islands and be a forum for discussion of local issues.

Harry Anderson, KWPA Board Member, asked for Board support in two ways:

- A general letter of support that could be used in raising awareness in the community that the station is seeking application for a full power license from the FCC.
- Once the application is approved by the FCC, the will be seeking a Public Telecommunications Facilities Program (PTFP) grant to increase the height of the tower

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and enhance the studio and transmission equipment. A letter from the Board to the FCC in support of the grant would be helpful.

Commissioner Homola noted the need to meet with Ebey's Historical Reserve group and the County permitting department about the increase in height of the tower. Prior to Board support she would like to be assured that the station was not sectarian or political on issues. Mr. Anderson provided the Board with their official application to the FCC which includes a letter from the IRS establishing non profit status.

Follow up: Consider request for letter of support at the May 5, 2010 work session.

EXECUTIVE SESSION ANNOUNCED

Commissioner Price Johnson announced that the Board would recess then meet in Executive Session at 4:30 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' office, Room #217 in the County Administration Building, and was expected to last approximately 30 minutes with the possibility of an announcement afterwards.

Since the doors to the building are locked at 4:00 p.m., the Chair added that someone would be at the front door of the Administration Building (7th Street entrance) at 4:25 p.m. for the beginning of the Executive Session and again at 4:55 p.m. for its conclusion should anyone wish to attend.

At 4:30 p.m. the Board reconvened and immediately met in Executive Session with legal counsel. At 5:05 p.m. the Board returned from Executive Session to open public session.

Commissioner Dean moved to terminate the employment of Larry Larson, Human Resources Director, immediately. The motion was seconded by Commissioner Homola and carried unanimously.

Commissioner Homola moved to authorize the Budget Director to offer a severance package to Larry Larson and to ask Mr. Larson to sign a Settlement Agreement and Release. Commissioner Price Johnson amended the motion to include a request that Mr. Larson make himself available to help the interim Human Resources Director at an hourly rate to be determined. The amended motion was seconded by Commissioner Dean and carried unanimously.

The Board authorized the Budget Director to enter into talks with John McFarland to determine an hourly rate for compensation as interim Human Resources Director. The Board also authorized the Budget Director to handle urgent human resources matters when the interim Human Resources Director was not available.

There being no further business to come before the Board the meeting adjourned at 5:10 p.m.

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BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Helen Price Johnson, Chair

Angie Homola, Member

John Dean, Member

ATTEST:

Elaine Marlow, Clerk of the Board