

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
SEPTEMBER 19, 2005**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on September 19, 2005 at 9:30 a.m. in the Island County Courthouse Annex, Hearing Room, 1 N. E. 6th Street, Coupeville, Wa. Mike Shelton, Chairman, Wm. L. McDowell, Member, and William J. Byrd, Member, were present. The meeting began with the Pledge of Allegiance.

**VOUCHERS AND PAYMENT OF BILLS; PAYROLL AND COMBINED SALES &
USE TAX RETURN**

By unanimous motion the Board approved the payroll dated September 15, 2005, and approved for payment the following vouchers/warrants: Voucher (War.) #221363-221824\$896,849.74.

The Board also, by unanimous motion, approved the Combined Sales & Use Tax return covering the period August 1-31, 2005, in the amount of \$17,296.64.

HIRING REQUESTS & PERSONNEL ACTIONS

As presented by Dick Toft, Human Resources Director, the Board by unanimous motion, approved the following personnel action authorizations:

Dept.	PAA #	Description	Position #	Action	Eff. Date
Sheriff	076/05	Deputized Officer	4014.32	Replacement	11-2-05
Sheriff	077/05	Deputized Officer	4014.29	Replacement	11-1-05
BOCC [Camano]	078/05	Dept. Asst .25 FTE	620.03	New Position	9-12-05

**REVIEW MONTHLY FINANCIAL REPORTS FROM AUDITOR & TREASURER FOR
PERIOD ENDING AUGUST 31, 2005**

Auditor's Report

Suzanne Sinclair, Island County Auditor, submitted the Auditor's written financial report for the period specified. Notes of interest:

Funds for the voter registration system have not been received, but will be billed. Funds have not been expended yet from Election Reserve for the vote tabulation system.

The negative number shown on line 48 for Timber Excise Tax reflects a correction of the 2004 coding

Budget revenue figure at 69% versus 65% this time last year reflects areas where more revenue has been received than originally budgeted for, such as local sales tax, Jail, interest, Homeland Security grant reimbursement. Also refer to the five-year average.

Expenditure side, Extension reflects over budget which could be a timing issue or the budget amendment not yet reflected in the report [line 23]

Treasurer's Report

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Linda Riffe, Treasurer, summarized from her written financial report/statement of cash operations, Revenue/Current Expense, for the same time period, with explanatory comments:

Line 8	Increase in plan check fees and permits
Line 10	Autopsy reimbursement received from the State
Line 13	WSU Extension received monies from four grants
Line 14	Homeland Security Grant funds received
Line 25	Investment Service Fees increased
Line 26	Real Estate Excise Tax Administration Fees increased due to new fee rate
Line 31	Payment in Lieu of Taxes received
Line 40	Franchise Tax increased due to expansion of Comcast

Investment interest continues to rise as reflected in the increase of \$417,361 over last year.

**REAPPOINTMENT TO THE CONSERVATION FUTURES
CITIZENS ADVISORY BOARD**

By unanimous motion, the Board reappointed Linda Kast, Langley, serve a full three-year term as a member of the Conservation Futures Citizens Advisory Board (CAB) for a term until September 30, 2008.

**WASHINGTON STATE MILITARY DEPARTMENT CONTRACTS APPROVED FOR FY2006
WIRELESS AND WIRELINE OPERATIONS**

The Board approved by unanimous motion two FY2006 contracts with the Washington State Military Department for Enhanced 911 as follows:

Interlocal Agreement #E06-076 with the Washington State Military Department for State Enhanced 911 Funds FY2006 Wireless Operations; Amount: \$34,804 (RM-BOCC-05-0108)

Interlocal Agreement #E06-077 with the Washington State Military Department for State Enhanced 911 Funds FY2006 Wireline Operations \$218,061 (RM-BOCC-05-0107)

**RESOLUTION #C-105-05 IN THE MATTER OF THE SALE OR DISPOSAL OF SURPLUS
COUNTY PROPERTY (ROPES COURSE EQUIPMENT)**

Forwarded by Don Meehan, WSU Extension, the Board by unanimous motion approved Resolution #C 105-05 In the Matter of the Sale or Disposal of Surplus County Property, ROPES Course equipment, inasmuch as the Ropes Course Program is no longer being offered for public use and the equipment no longer needed. [*Resolution #C-105-05 on file with the Clerk of the Board*]

**INTERGOVERNMENTAL COOPERATIVE PURCHASE AGREEMENT WITH LEWIS
COUNTY (RM-CS-05-0098)**

Intergovernmental Cooperative Purchase Agreement with Lewis County (RM- CS-05-0098) was approved by unanimous motion of the Board, as recommended by Cathy Caryl, Director, Central Services.

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**RESOLUTION #C-106-05 DECLARING AN EMERGENCY REGARDING THE SOUTH
WHIDBEY SCHOOL DISTRICT WATER SYSTEM**

The Island County Health Officer having advised the Board that drinking water supplied by the South Whidbey School District Water system is not safe for human consumption because of lead contamination, the Board by unanimous motion adopted Resolution #C-106-05 Declaring an Emergency Regarding the South Whidbey School District Water System. [*Resolution #C-106-05 on file with the Clerk of the Board*]

**APPROVAL TO SUBMIT COMMUNITY DEVELOPMENT BLOCK GRANT, IMMINENT
THREAT GRANT APPLICATION, AND CERTIFICATION OF ISLAND COUNTY CHIEF
ADMINISTRATIVE OFFICIAL**

The Board by unanimous motion granted approval for the Health Department's submittal of a Community Development Block Grant Imminent Threat Grant Application for the South Whidbey Public Schools Water System, and approved Certification of Island County Chief Administrative Official. The grant application requests funding a six month supply of bottled water for the 2005-2006 school year, giving the school ample time to seek and secure funding for the repair of their water system and design and construct permanent needed repairs to their school district water supply.

HEALTH CONTRACTS APPROVED

By unanimous motion, the Board approved the following health contracts:

Contract #8283-4, Amendment 4 with Washington State Department of Social & Health Services for Alcohol & Substance Abuse Treatment and Prevention, amending allocations per revised Award and Revenue section. Amendment in the amount of \$-110,000 for new total contract in the amount of \$1,000,631 (RM-HLTH-99-0021)

Contract #0563-80664 with Washington State Department of Social & Health Services for Developmental Disabilities/County Services 05-06 biennium contract for developmental disabilities program in Island County in the amount of \$920,350 (RM-HLTH-99-0054)

SPECIAL OCCASION LIQUOR LICENSE APPROVED

Having received recommendations of approval from the appropriate County Departments, the Board by unanimous motion approved Special Occasion Liquor License #092151 by Camano Island Yacht Club for event to be held October 17, 2005 from 5:30 p.m. to 9:00 p.m. , 129 N. Sunset Drive, Camano Island.

PUBLIC INPUT OR COMMENTS

W. B. Bierbower, Silver Lake Road, Oak Harbor, discussed the County Engineer's off-site road requirements on Carnation Lane associated with his Short Plat 127/04. It took six months to get clarifications regarding the Engineer's requirements. Basing oversight only on property that has not been previously divided he thought just plain stupid. Six months has passed; explanations have changed and still defy logic. He was interested to know how a developer could go in and make a road

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three quarters of a mile long in 1998 with no Engineer's oversight. Just based on when something was platted or how the land was divided makes no sense. He did not see how the County could place costs to upgrade private roads on whoever comes in at the last minute; the Code is bad and should be changed.

Commissioner McDowell stated that the requirements in County Code in this case are clearly based on developing new lots, not building a new house. County staff reviewed Mr. Bierbower's original request and based on Mr. Bierbower's concerns took into account that other existing lots never built on before were using that road, and that review resulted in being able to come up with a couple places with adequate sight distance at which he could have a turn-out; that complies with the Code as a minimum amount acceptable. Mr. Bierbower has had responses. The decision changed, both within the confines of the Code and in response to his concerns.

Commissioner Byrd knew that the existing parcels down the road were platted much earlier. The additional road requirements placed on Mr. Bierbower were triggered by his short plat.

Chairman Shelton addressed the fact that if Mr. Bierbower had gone back and obtained the neighbors cooperation to bring the road up to standards, that would have certainly been acceptable for his short plat.

**CAMANO HILL ROAD IMPROVEMENTS: TEMPORARY CONSTRUCTION EASEMENTS;
QUIT CLAIM DEEDS**

As presented by Bill Oakes, Public Works Director, the Board by unanimous motion, approved the following Temporary Construction Easements and Quit Claim Deeds associated with Camano Hill Road Improvements under CRP 02-04, Work Order 176:

Temporary Construction Easement #PW-0520-106 - Ruth B. Klein & Anna R. Clemans, Parcel 129-5000, Sec. 1, Twp 31N, R 2E.

Quit Claim Deed – Ruth B. Klein & Anna R. Clemans with compensation in the amount of \$7,150.00 (\$5,137.00/land, \$2,000.00; native vegetation, \$13.00/administrative settlement); Parcel 129-5000, Sec. 1, Twp 31N, R 2E

Temporary Construction Easement #PW-0520-107 - Ruth B. Klein & Anna R. Clemans Parcel 129-5000A, Sec. 1, Twp 31N, R 2E.

Quit Claim Deed – Ruth B. Klein & Anna R. Clemans with compensation in the amount of \$5,150.00 (\$5,143.00/land, \$7.00/administrative settlement)

Temporary Construction Easement #PW-0520-121 - Smitty Smith Loving Trust (Esther M. Herzog) & Herzog Loving Trust (Esther M. Herzog), Parcel 155-4900; Sec. 1 Twp 31N, R 2E.

Quit Claim Deed – Smitty Smith Loving Trust (Esther M. Herzog) & Herzog Loving Trust (Esther M. Herzog), with compensation in the amount of \$3,450.00 (\$2,442.00/land, \$1,000.00/native vegetation, \$8.00/administrative settlement); Parcel 155-4900, Sec. 1, Twp 31N, R 2E.

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Temporary Construction Easement #PW-0520-122 - Smitty Smith Loving Trust (Esther M. Herzog) & Herzog Loving Trust (Esther M. Herzog), Parcel 155-5400, Sec. 1, Twp 31N, R 2E.

Quit Claim Deed – Smitty Smith Loving Trust (Esther M. Herzog) & Herzog Loving Trust (Esther M. Herzog), with compensation in the amount of \$5,250.00 (\$5,242.00/land, \$8.00/administrative settlement); Parcel 155-5400, Sec. 1, Twp 31N, R 2E.

Temporary Construction Easement #PW-0520-134 - Jonathan L. Tracy, Parcel 023-0900; Sec. 11, Twp 31N, R 2E.

Quit Claim Deed – Christie Connors (C.J. Connors), with compensation in the amount of \$9,000.00 (\$3,106.00/land, \$3,000.00/fencing & trees, \$2,231.00/administrative settlement, \$663.00/statutory allowance); Parcel 170-4180, Sec. 11, Twp 31N, R 2E.

ADOPT A ROAD LITTER CONTROL PROGRAM AGREEMENT RENEWALS APPROVED

By unanimous motion, the Board approved two Adopt-A-Road Litter Control Program agreement renewals as follows:

Adopt-A-Road Litter Control Program Renewal - Fishin' Club; Fish Road from SR 525 to Mutiny Bay Road

Adopt-A-Road Litter Control Program Renewal - Unitarian Universalist Congregation of Whidbey Island; Mutiny Bay Road from Bush Point Road to SR 525.

**STORMWATER MITIGATION AGREEMENT AND COVENANTS – HOLMES HARBOR
RURAL AREA OF MORE INTENSIVE DEVELOPMENT**

As presented and recommended for approval by Mr. Oakes, the Board by unanimous motion approved Stormwater Mitigation and Covenants #PW-0520-298 between Island County and Doug & Carol Avery, Lot 10, Block 1, Division No. 5, Plat of Holmes Harbor Golf & Yacht Club, Sec. 3, Twp 29N, R 2E.

**HEARING HELD: OPS 262/05 BY J. TIMOTHY AND DELL MCGLINCHY AND
MICHAEL AND LINDA HILLEY – TIMBER LAND CURRENT USE PROGRAM**

A Public Hearing was held at 10:30 a.m. as advertised to consider OPS 262/05 by Applicants, J. Timothy & Dell McGlinchy and Michael & Linda Hilley, requesting that 38.39 acres of 40.92 acres on parcels R23226-472-4650 and R23226-372-5130 located on Camano Island, be enrolled into the Timber Land current use program.

Phil Bakke, Director, Planning & Community Development, summarized from Island County Planning Department Staff Report, Proposal, Findings, Analysis, Conclusions and Recommendation dated August 12, 2005, recommending conditional approval [conditions on page 7 and 8]. He noted that 36.14 acres are in the Designated Forest (DF) Program; the remaining 2.25 acres not in the DF program. An associated BLA (023/05) ZAA (215/05) and land exchange are contingent on approval of the enrollment of the property into the Open Timber Tax program.

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At the time of hearing when the Chairman offered an opportunity for public comments, no one in the audience spoke either for or against approval of OPS 262/05.

By unanimous motion, the Board approved OPS 262/05 by Applicants, J. Timothy & Dell McGlinchy and Michael & Linda Hilley for 38.39 acres of 40.92 acres on parcels R23226-472-4650 and R23226-372-5130 located on Camano Island enrolled into the Timber Land current use program, as recommended.

**ORDINANCE #C-107-05 - DECLARATION OF A NUISANCE AND ENFORCEMENT OF
THE ZONING CODE AGAINST MARIA C. KIEFER**

Mr. Bakke presented to the Board with a recommendation of approval, Ordinance #C-107 -05 In the matter of Declaration of a Nuisance and Enforcement of the Zoning Code against Maria C. Kiefer, pursuant to RCW 36.32.120(10). The property located at 2775 N. Benton Place, Oak Harbor, is subject to an on-going violation case, two enforcement orders along with multiple letters requesting compliance over the past several years, to no avail. The property continues to be in a state of violation and is the subject of neighborhood and citizen complaints on an on-going basis. The hope is that this Ordinance will cause this issue to come to a head and get something positive done. Civil remedies have been exhausted and regrettably it is recommended that the Board adopt the ordinance as presented which will authorize the Prosecutor's Office to bring legal action to pursue abating the nuisance.

By unanimous motion the Board approved Ordinance #C-107 -05 In the matter of Declaration of a Nuisance and Enforcement of the Zoning Code against Maria C. Kiefer as presented.

[Ordinance #C-107 -05 on file with the Clerk of the Board]

Budget Workshop

Budget Workshop began as scheduled at 11:00 a.m. Budget workshop times are approximate and may be adjusted. Proposed budget and supplemental requests are taken under advisement by the Board; no final decisions expected as a result of budget workshops. Hand-outs are on file with the Clerk of the Board.

WSU EXTENSION SERVICES/WEED CONTROL [Budget Workbook page 255-256]

Presentation by: Don Meehan; Janet Hall

There are some 27 or 28 different revenue sources for WSU programs. Proposed this year with the help of the Budget Director is to set up a special fund for Extension (Fund #160), a simplified approach to make it easier to keep track of, more understandable and allows flexibility. Continue to be frustrated at not having adequate funds to support Extension programs and infrastructure needed. They do all they can to provide fund-raising on the side to supplement programs. Of note, when programs receive money from a private level, it means they really value those services as a community and the County should step up to the plate and do its part as well. The Camano program has grown immensely and they would like to see that continue, but are hard pressed to keep up. Extension has a small capital budget request to improve technology.

Weed Control continues to have a very active successful program. Noxious Weed Control Coordinator

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is fully funded to half-time in the 2006 proposed budget [lines 7 and 8 on page 256 are duplicate; delete one of those lines showing the Coordinator] .

Total request for Extension Services from Current Expense: \$182,985

HUMAN RESOURCES (Budget Workbook page 98-102)

Presentation by: Dick Toft

Budget proposal generally the same as last year. Does request \$600 for purchase of color printer estimated to cost around \$600. Other requests:

- (1) Reinstate Employee Assistance Program (EAP). There is a regular on-going need to intervene and provide counseling to employees who need assistance in the workplace or at home. Quote from HPN is \$1.90 per employee per month, for a total of just under \$10,000. Will review any labor issues, if any, with the County's labor consultant.
- (2) Conduct Anti-harassment training. Bring in outside trainer for refreshment course on prevention of harassment in the work place. Minimum estimated cost is \$11,500.
- (3) Wellness/Service Recognition. Encourage walking program at lunch or after work; provide incentives. Consider smoking cessation program . Will write to WCIF and give them the plan and vision, and seek matching funds.
- (4) Braun Consulting effective January, 2003, accepted a 5% reduction in fees for Labor Relations and related services. Consider effective 2006 a retainer of \$2,000.00 per month. [line item for Braun Consulting is within the Board's budget and will be considered during that budget workshop].

Meeting adjourned at 11:30 a.m. The Board will meet next in Special and Regular Session on September 26, 2005.

**BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON**

Mike Shelton, Chairman

Wm. L. McDowell, Member

William J. Byrd, Member

ATTEST:

Elaine Marlow, Clerk of the Board