

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING –  
REGULAR SESSION – FEBRUARY 28, 2005**

**ROUNDTABLE MEETING WITH ISLAND COUNTY ELECTED OFFICIALS AND  
APPOINTED DEPARTMENT HEADS**

The Board of Island County Commissioners convened in regular session at 11:00 a.m. on February 28, 2005 for a roundtable with Elected Officials and Appointed Department Heads, held in the Board of County Commissioners Hearing Room (Room #102B), Island County Courthouse Annex, 1 NE 6<sup>th</sup> Street, Coupeville, Wa. Other topics for the regular session followed at 1:30 p.m. as outlined on the agenda.

Elected Officials and Appointed Department Heads Attending

|                  |                 |             |                |                |
|------------------|-----------------|-------------|----------------|----------------|
| Greg Banks       | William J. Byrd | Cathy Caryl | Sharon Franzen | Mike Hawley    |
| Betty Kemp       | Elaine Marlow   | Don Meehan  | Tim McDonald   | Mike Merringer |
| Wm. L. McDowell  | Mike Shelton    | Bill Oakes  | Linda Riffe    | Dan Sherk      |
| Suzanne Sinclair | Dick Toft       |             |                |                |

**REVIEW FROM LAST ROUNDTABLE**

**Update: Accepting Credit Cards.** Treasurer provided an update on the use of credit cards, two separate issues and consideration: (1) provision for citizens to pay taxes on line via use of a credit card; (2) potential to accept credit cards from citizens within County departments (a non-web based), a proposed draft contract in legal review at this time. The on-line credit card carries a user fee, while accepting a credit card at the counter by the various County departments to pay for services [i.e. copies of death certificates, licenses, building permit fees, etc.] comes at a cost to that County department, along with costs associated with equipment and modem capability that connects with institutions to approve credit card payments.

One point made by the Auditor was that in comparing methods, need to take into consideration what it costs now to collect revenue versus what it would cost by accepting credit cards at the counter, as well as the benefit of collecting revenue faster. It seems worth the exercise to see if the convenience is of value to the citizens and the County.

Chairman noted this was not something for appointed department heads the Board is prepared to move forward on at this time.

Follow-on: Table to next month; come back and review the contract the Treasurer is working on; look into an Internet based approach.

**Nextel Phones.** Central Services reports that because Nextel phones do not work in the Courthouse buildings, Nextel is willing at no charge to put in a signal extender/repeater system in the Annex; to wire another County building would come at a cost of \$16,000.

Follow-on: Contract for the free installation and report back on how it is working.

**Staff Session scheduling changes.** Issue has “settled out”, and Don Meehan reports that if an Elected Official or Appointed Department Head is interested in a specific item listed on the agenda, make Donna Benson [x7354] aware of that and she will make a special effort to call and make you aware of the change.

**Review of goals set for 2005.** Nothing new since the last Roundtable.

**ROUNDTABLE**

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING –  
REGULAR SESSION – FEBRUARY 28, 2005**

AUDITOR. Island County is not being sued regarding Rossi for Governor. Will attend a meeting on Thursday in Skagit County to hear about election reform.

BUDGET DIRECTOR/CLERK OF BOARD. Now that parking is tight and parking tickets are being given out by the Town of Coupeville for those parked longer than two hours, it is important to let volunteer committee members know they need to obtain a parking pass to put in vehicle windshields. Bill Oaks will follow-up with an e-mail to all Elected Officials and Appointed Department Heads detailing the parking issue and attaching a copy of the parking permit.

CENTRAL SERVICES. Re-wiring for the new JDC accomplished in three hours Saturday – cut and re-connected 200 lines without a hitch. Congratulations to Stan Bradshaw and Verizon for getting the job done as quickly as possible without any problems. I-COM will be removed and re-routed to a wireless system hopefully this summer, which is significant and will free up a lot of band width. Will be installing hardware to block the spam being received. Will e-mail to departments a draft for review and comment of an information sheet for the public to list the departments and what types of services are included with each department.

GSA. Hand-out provided from retro-pool meeting showing how Island County stacks up with the rest of Washington Counties. Points out safety programs are very important. Sent simplified building evaluation plan out to Elected officials and Appointed Department Heads. Please get back to GSA if there are any issues you see related to the plan.

HUMAN RESOURCES. If an employee is on sick leave three days' or more Elected Officials and Department Heads need to HR to check qualifications for FMLA.

PROSECUTOR. Two murder cases pending. Got out from the Rossi for Governor lawsuit. Planning for a 20-minute presentation on public records requirements during the March roundtable.

PUBLIC WORKS. Started underground work for the JDC as noted by Central Services. Both fire flow and drinking water needs to be switched over, to be accomplished the end of this week or early next week. Town of Coupeville Main Street construction from the Catholic Church downtown is scheduled for construction mid-May. Detour plan is from the Catholic Church access to Front Street. Town will be working on Front Street; during the week when Front Street is closed Grace Street will be the detour.

SHERIFF. The Board today at Noon will make the annual inspection of the Jail.

TREASURER. Began running tax statements last Thursday, and hope that statements will be mailed out next Thursday.

WSU. Print out of "Sound Waters" showing what happens on our beaches. Copies available for purchase

*Roundtable adjourned 12:06 p.m.; next Roundtable February 28 @ 11:00 am.*

**ANNUAL INSPECTION OF ISLAND COUNTY CORRECTIONS & DETENTION FACILITY**

As is customary each year, today at Noon the Board conducted the annual inspection of the Island County Corrections & Detention Facility.

Other topics for the regular session followed at 1:30 p.m. as outlined on the agenda, including Diking Improvement District #4). This portion of the meeting opened with the Pledge of Allegiance. Mike

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING –  
REGULAR SESSION – FEBRUARY 28, 2005**

Shelton, Chairman, Wm. L. McDowell, Member, and William J. Byrd were present. By unanimous motion, the Board approved the minutes from the February 14, 2005 regular meeting.

**VOUCHERS AND PAYMENT OF BILLS; PAYROLL APPROVAL**

The following vouchers/warrants were approved for payment by unanimous motion of the Board, as well as the payroll dated February 15, 2005 and February 28, 2005:

Voucher (War.) #207474-207892 ..... \$544,282.87

**HIRING REQUESTS & PERSONNEL ACTIONS**

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

| <b>Dept.</b> | <b>PAA #</b> | <b>Description</b> | <b>Position #</b> | <b>Action</b> | <b>Eff. Date</b> |
|--------------|--------------|--------------------|-------------------|---------------|------------------|
| Treasurer    | 014/05       | Adm. Asst.         | 2111.00           | Replacement   | 2/28/05          |
| Treasurer    | 015/05       | Accountant         | 2106.00           | Replacement   | 2/28/05          |
| Pub. Works   | 016/05       | SW AttdII .25 fte  | 2248.13           | Replacement   | 2/28/05          |
| Health       | 017/05       | PHN III .80 fte    | 2404.02           | Replacement   | 4/19/05          |

**REVIEW MONTHLY REPORTS FROM AUDITOR & TREASURER**

Auditor

Suzanne Sinclair, Island County Auditor, submitted the Auditor's written financial report for the period ending January 31, 2005. Some monies will get accrued into 2004, such as \$94,000 criminal justice. Also to be taken into account for this report, there are expenditures included in this report that actually are for an entire year.

Treasurer

Linda Riffe, Island County Treasurer, likewise submitted the Treasurer's financial report for the same period, with similar comments to that of the Auditor. Percent seems to be pretty much on target.  
*[reports placed on file with the Clerk of the Board]*

**APPOINTMENT TO MARINE RESOURCES COMMITTEE**

By unanimous motion, the Board appointed Joe Hillers, Coupeville, to serve as a member of the Island County Marine Resources Committee representing Agriculture, for an existing term until December 31, 2005.

**STAFF SESSION SCHEDULE – MARCH, 2005**

The Staff Session schedule for March, 2005 was approved for distribution by unanimous motion of the Board, listing the two regularly-scheduled staff sessions which will be held on March 2 and 16, beginning at 9:00 a.m.

**HEARINGS HELD:**

**RESOLUTION C-07-05 AMENDING THE 2004 ISLAND COUNTY BUDGET**

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING –  
REGULAR SESSION – FEBRUARY 28, 2005**

**RESOLUTION C-08-05 AMENDING THE 2005 ISLAND COUNTY BUDGET**

A Public Hearing held at 1:55 p.m. was opened by Chairman Shelton for the purpose of considering Resolution #C-07-05 Amending the 2004 Island County Budget and Resolution #C-08-05 Amending the 2005 Island County Budget. On recommendation of Elaine Marlow, Budget Director, the Board by unanimous motion continued the hearing on both resolutions until March 7, 2005 at 9:50 a.m., allowing an opportunity for review at the March 2<sup>nd</sup> staff session.

**RESOLUTION #C- 12-05 ESTABLISHING THE BENEFITS LIABILITIES CLEARING FUND**

Resolution #C-12-05 Establishing the Benefits Liabilities Clearing Fund was approved by unanimous motion of the Board. This is a separate fund [employee liability fund] a type of “holding fund” that will provide an easier method paying benefits from a fund specifically designated for that purpose.  
*[Resolution #C-12-05 placed on file with the Clerk of the Board ]*

**INTERLOCAL AGREEMENT FOR MISDEMEANOR PROSECUTION SERVICES WITH  
TOWN OF COUPEVILLE**

The Board, on unanimous motion, approved Interlocal Agreement for Misdemeanor Prosecution Services with Town of Coupeville (RM-PA-05-004) as submitted by Greg Banks, Island County Prosecuting Attorney via memorandum dated February 15, 2005, and as discussed previously at a staff session.

**HEALTH CONTRACTS APPROVED**

By separate motion, adopted unanimously by the Board, the following Health contracts were approved:

Professional Services Contract #HD-02-05 (RM-HLTH-05-0011) Bess Windecker Nelson, PH. D, for consultation and representation of Family Support Alliance Parent Education Program in the amount of \$9,000

Amendment #3 to Contract HD-13-02 (RM-HLTH-01-0046) - Christopher Spitters, MD to provide TB consultations, amendment in the amount of \$10,500; total contract \$15,000.

**APPROVAL OF COUNTY-DESIGNATED MENTAL HEALTH PROFESSIONALS**

By unanimous motion, as recommended in a memorandum dated February 22, 2005 from Jackie Henderson, Island County Human Services Director, Island County Health Department, the Board approved the following as County-designated Mental Health Professionals: River Malcolm, M.S. and Robert Adams, M.S.W.

**PUBLIC INPUT OR COMMENTS**

**Comments related to Proposed Agreement with Michael R. Yantis Associates, Incl. For Noise Monitoring at Nichols Brothers Boat Builders**

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING –  
REGULAR SESSION – FEBRUARY 28, 2005**

Mr. Rawlings, 5279 Bercot Road, resident of some 28 years, had concerns about Nichols Brothers Boat Builders (NBBB) expansion and the County's ability to enforce requirements of the expansion.

Chairman Shelton advised that Island County has an enforcement department within the Island County Planning and Community Development Department. In this case, much of the permitting process will be accomplished by State and Federal agencies as well, to enforce conditions of the permit for NBBB.

Christine Goodwin 5225 S. Bercot Road, provided a copy of an e-mail dated May 22, 2003 Commissioner Shelton received from Phil Bakke complaining at that time that NBBB had been forewarned about inspectors coming to investigate installation of a temporary rail. She was concerned about the potential for Commissioners giving advance warning about when actual studies would be performed. *[copy Ms. Goodwin's comments and e-mail placed on file]*

Chairman Shelton confirmed that Matt Nichols was a close friend, but in relation to the situation mentioned by Ms. Goodwin about installation of temporary rails, the rails were installed and the fact that NBBB was informed that State agencies were to come and look made no difference. He took exception to the inference that the Board, or him specifically, forewarned anyone; the Board did not, and he did not and will not. In relation to the NBBB study, any forewarning certainly would not come from the Board or him personally.

Eric Hansen, 5133 Bercot Road, noise consultant for 25 years, neighbor to NBBB, noted Michael R. Yantis Associates to be good and competent firm. In the interest to ensure the most benefit for the limited contract fee, Mr. Hansen suggested:

1. Noise analysis submitted by NBBB consultant should include a detailed description of the proposal in order to understand the noise implications, the physical layout, and activities that will occur by time of day, location of each type of noise source and when and where mitigation will be implemented.
- 2) Encourage Yantis Associates to review Mr. Hansen's comment letter to understand where the existing noise analysis was deficient and which issues are of concern to nearby residents.
- 3) Mike Yantis should play a significant role in the analysis to provide seasoned judgment, and the scope of work revised to ensure site visit on a night with calm wind conditions to gain an understanding of how quiet the area is.
- 4) Yantis focus on the project's compatibility with existing sound environment rather than compliance with a night noise limit.

Mr. Hansen agreed to provide his comments by e-mail to the Island County Planning Director.

Steve Erickson, Langley, was pleased to see the County contract with an outside consultant to do the study. He noted that many jurisdictions have the applicants pay into a fund with the dollars used to hire consultants to provide an arms-length separation. He thought ultimately NBBB should be paying the cost of this study.

*[Proposed Agreement for Professional Services with Michael R. Yantis Associates is an agenda item under Island County Planning Department later this afternoon]*

**Miscellaneous Comments**

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING –  
REGULAR SESSION – FEBRUARY 28, 2005**

Diane Kendy, Langley, believed it a very poor message on behalf of the County with regard to an article in the South Whidbey Record wherein the County's Hydro-Geologist indicated that there would be no need for any conservation measures in water usage even though there has been under the normal rainfall. She believes every effort should be made to conserve water, as well as all natural resources.

**Comments Related to Closing a portion of Old Cornet Bay Road**

Captain John Adeyalotte, Cornet Bay, in business for some 28 years there, stated that from a safety aspect and access issue, as well as convenience of his customers, most of the traffic takes that easy access off Old Cornet Bay Road to launch near his business. Closing that access not a smart move for folks going down hill with boats and trailers on one of the busiest bottlenecks on the Island; it wastes resources and energy. Another issue is that should the road be closed, there is no escape coming from Cornet Bay in the event of tsunami or other disaster.

Mr. Wood, owner of Deception Pass Marina, 200 Cornet Bay Road, agreed with Captain Adeyalotte. He also observed that when coming north bound on Highway 20 where the Park entrance is located, a pedestrian issue is encountered. Coming Highway 20 into the Park entrance he notices lots of people towing boats and trailers with trucks not rated for the weight – going too fast; it is a bad idea to close what is now an “easy access ramp”.

Pat Stockwell, resident, was interested in hearing from DOT statistics used in making the determination requiring the closure of Old Cornet Bay Road: accident history with time of year documented; suggested DOT consider a traffic count of the number of cars; and consider an anonymous survey of every household in the area to get a true idea of resident concerns about the closure of the road. She believed that closing Old Cornet Bay Road would endanger pedestrians, and was a safety issue for vacationers as well.

Marianne Edain, WEAN, had seen the DOT plans for Deception Pass and understood what was driving the move to close Old Cornet Bay Road, and believed it was a bad thing. DOT needs to come up with the reason and justification why the State Route needs to be widened at Deception Pass. She suggested that the City of Oak Harbor and Island County should tell WSDOT “no thanks”.

Steve Erickson, WEAN, suggested the Board not take action on the Resolution and that DOT hold a meeting in the Cornet Bay community to thrash out the issues.

Noting that the comments on this particular issue should appropriately be made at the public hearing to follow today on Resolution #C-03-04/R-03-05, in the matter of closure of a portion of Old Cornet Bay Road, the Board closed Public Comments/Input and by unanimous motion, made all comments related to the proposed closure of Old Cornet Bay Road a part of the Public Hearing testimony. Comments will be allowed at the time of public hearing on anything brought up new.

**HEARING HELD: RESOLUTION #C-03-05/R-03-05- CLOSURE OF A PORTION OF OLD  
CORNET BAY ROAD**

A Public Hearing was held on Resolution C-03-05/R-03-05- In the Matter of Closure of a Portion of Old Cornet Bay Road located in Section 35, Township 34 North, Range 1 East, W.M.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING –  
REGULAR SESSION – FEBRUARY 28, 2005**

**Comments Made Part of the Public Hearing Record From Public Input-Comment Section of the Meeting:**

Captain John Adeyalotte, Cornet Bay, in business for some 28 years there, stated that from a safety aspect and access issue, as well as convenience of his customers, most of the traffic takes that easy access off Old Cornet Bay Road to launch near his business. Closing that access not a smart move for folks going down hill with boats and trailers on one of the busiest bottlenecks on the Island; it wastes resources and energy. Another issue is that should the road be closed, there is no escape coming from Cornet Bay in the event of tsunami or other disaster.

Mr. Wood, owner of Deception Pass Marina, 200 Cornet Bay Road, agreed with Captain Adeyalotte. He also observed that when coming north bound on Highway 20 where the Park entrance is located, a pedestrian issue is encountered. Coming Highway 20 into the Park entrance he notices lots of people towing boats and trailers with trucks not rated for the weight – going too fast; it is a bad idea to close what is now an “easy access ramp”.

Pat Stockwell, resident, was interested in hearing from DOT statistics used in making the determination requiring the closure of Old Cornet Bay Road: accident history with time of year documented; suggested DOT consider a traffic count of the number of cars; and consider an anonymous survey of every household in the area to get a true idea of resident concerns about the closure of the road. She believed that closing Old Cornet Bay Road would endanger pedestrians, and was a safety issue for vacationers as well.

Marianne Edain, WEAN, had seen the DOT plans for Deception Pass and understood what was driving the move to close Old Cornet Bay Road, and believed it was a bad thing. DOT needs to come up with the reason and justification why the State Route needs to be widened at Deception Pass. She suggested that the City of Oak Harbor and Island County should tell WSDOT “no thanks”.

Steve Erickson, WEAN, suggested the Board not take action on the Resolution and that DOT hold a meeting in the Cornet Bay community to thrash out the issues.

Bill Oaks, Public Works Director, made the opening comments on the State proposed safety improvement project along this section of Highway 20. There are turn lanes proposed at the intersection with stop control at New Cornet Bay Road, a proposed northbound right turn lane off Highway 20 and a left turn lane onto Highway 20 at that intersection. The State reviewed the plans, along with the County Engineer, and recommend with these improvements the intersection at highway 20 and Cornet Bay Road be closed.

Omar W. Jepperson, Design Team Leader, Washington State DOT, posted a map on the wall showing the proposed plan and what the future alignment will be after construction, and the location. Primary concern for safety is Ducken Road intersection with Highway 20 with regard to poor sight distance and a high accident location. To solve the situation DOT proposes lowering the grade of the road for sight distance and aligning the intersection of Ducken Road with Deception Circle and create a 4-way intersection. Deception Circle dictated the location of the intersection; moving that would affect some folks’ houses and create a 5-way intersection with some bad grade challenges and geometrics to maintain the Old Cornet Bay Road intersection. DOT chose to eliminate Old Cornet Bay Road and added to the plan a 300’ long right turn pocket for people with vehicles and boat trailers heading north bound to go into the marina, and a left turn pocket to allow people to come out.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING –  
REGULAR SESSION – FEBRUARY 28, 2005**

Pat Stockwell did not recall receiving a mailing and guessed she was outside the project area, although directly involved. She asked about the research done regarding usage [i.e. impact of huge boats, difficulty breaking, in front of parks with children and dogs] and wanted the total number and then numbers separated out for Old Cornet Bay Road. Also, a traffic count done to find out how much use that road has and if so the numbers. She acknowledged the 10' to 13' drop was one way to address the situation but asked that some other options be considered. She asked that any future meetings by the State DOT be posted on the barrier.

Mr. Jepperson indicated that DOT had measured how many people there are turning into Ducken Road, into Deception Circle and Old Cornet Bay Road. For the initial planning phase of the project done between 2000 and 2002, DOT identified several alternatives and evaluated those; this proposal came out as the preferred alternative. The project was initiated in 2000 or 2001, and during the planning phase DOT did hold an open house at the Environmental Learning Center at the park and a second open house involving five projects on the Island, held at the High School about a year later. DOT recorded both written and oral concerns at the open houses that were held, schedule in the evenings usually with a window between 5:00 and 9:00 p.m. Mailings were sent to residents located within the limits of the projects, with ads in the paper and on radio. Flow volumes were taken at several different times, with different types of readings; one is average daily traffic which on Highway 20 rates between 13,000-15,000 and also do turning volumes to evaluate peak hourly volumes. Although he did not have specific accident statistics with him he offered to provide those, and other statistics requested, by e-mail from his office. DOT posted previously newsletters and open house advertisements at the store, smoke shop, at the bridge information center, Soundview Shopper, at the store by the shrimp shack, and on sandwich boards on the highway. The State contract is scheduled to be advertised March 28<sup>th</sup>.

Steve Erickson, WEAN, was interested in what time of year traffic volumes were taken, whether those were averaged or did DOT count for peak flow during summer for Ducken Road and Old Cornet Bay Road, and time of year taken.

Mr. Jepperson commented that DOT would come out for a specific week and measure it. The specific information would be in his records at the office. He noted for Mr. Erickson that in this project DOT incorporated a native seed mix that has been specially formulated.

Captain John Adeyalotte, 221 Cornet Bay Road, observed DOT had obviously put some thought into the plan, but could not possibly have surveyed those who use the road by use of a "rubber hose". DOT has not adequately listened to the people who live there. What is needed is correct left hand turn lanes i.e. between Ducken Road and the housing development on the left heading north, and 100' further access off onto Cornet Bay Road, there would be no five-way intersection. He sees it as a dumb idea and a waste of time and costs.

John Aydelotte, Cornet Bay Heights resident, believed the more obvious solution would be to move the entrance to Deception Circle and not require the expense of moving Ducken Road nor impact access on Old Cornet Bay Road.

One of the things Mr. Jepperson noted was that when DOT looked at the Deception Circle alternative, there are houses, as well as a community well and reservoir 14' off the road so the road would have impacted it.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING –  
REGULAR SESSION – FEBRUARY 28, 2005**

Marianne Edain, WEAN, suggested there were other possibilities WSDOT selected and considered, but without talking to the people in the community made the determination, and thought it appropriate if the Board set the matter aside and ask for a meeting in the Deception Pass area to look at other alternatives. Moving the entrance to Deception Pass Circle further north, along with other options, should be considered. She posed a question to keep in mind: are we trying to create a giant highway zooming people straight to the Deception Pass State Park and off the other side, or trying to retain the rural character that is written into the Comprehensive Plan.

Commissioner McDowell suggested continuance of the Public Hearing and DOT conduct a public meeting and at least explain the reasons why State DOT can or cannot do certain things from an engineering standpoint to those who attend the meeting. Goal of the meeting would be a further explanation of the reasons that DOT made this the preferred alternative, and show all options looked at.

Mr. Oakes, in terms of financial obligations for any changes made to the project, observed that this is DOT's project; if the County desires changes to the project then generally the county would participate in having those changes made.

Public Input portion closed.

The Board by unanimous motion continued the Public Hearing until March 14, 2005 at 10:15 a.m., believing that within that time frame, DOT will have an opportunity to meet with the public at an open house to explain the different options and some of the costs associated with options considered.

**HEARING HELD: RESOLUTION #C-01-05/R-01-05 – FINAL ORDER OF VACATION OF A  
PORTION OF COUNTY ROAD RIGHT-OF-WAY KNOWN AS HOWARD ROAD AND  
BAYVIEW ROAD**

A Public Hearing, continued from February 7, 2005 on Resolution C-01-05/R-01-05, final order of vacation of a portion of County Road right-of-way known as Howard Road and Bayview Road; Sec. 17, Twp 29N., R 3E., W.M. was by unanimous motion of the Board continued to March 14, 2005 at 10:30 a.m.

**RESOLUTION #C-13-05/R-04-05 - SPECIFICATIONS & AUTHORIZING CALL FOR BIDS -  
PUBLIC WORKS ADMINISTRATION VEHICLES/SIGN TRUCK CAB/ CHASSIS**

By unanimous motion, the Board approved Resolution #C-13-05/R-04-05 In the Matter of Approving Specifications & authorizing Call for Bids for Public Works Administration Vehicles and Sign Truck Cab & Chassis. [*Resolution #C-13-05 on file with the Clerk of the Board*]

**REAL PROPERTY VOUCHER/CONSTRUCTION EASEMENTS/QUIT CLAIM DEEDS –  
BAYVIEW ROAD PROJECT**

As presented and recommended for approval by Mr. Oakes, the Board by unanimous motion approved the following Real Property Voucher, Construction Easements and Quit Claim Deeds associated with Bayview Road Project CRP 98-17:

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING –  
REGULAR SESSION – FEBRUARY 28, 2005**

Real Property Voucher – Authorization for property acquisition per Real Property Acquisition & Right-of-Way Procedures (C-46-03/R-16-03) Craig D. & Kathleen M. Izett W.O. 229, \$13,578.00.

Construction Easement – PW-0420-29 between Island County and Thomas J. & Donna R. Kramer, Parcel 313-5540, Sec. 7, Twp 29N, R 3E., W.M.

Quit Claim Deed – Thomas J. & Donna R. Kramer, with compensation in the amount of \$4,813.33 (\$1,247.00/land, \$300.00/trees, \$3,266.33/fencing), Parcel 313-5540, Sec. 7, Twp 29N, R 3E., W.M.

Construction Easement – PW-0420-39 between Island County and Ivan L. & Donna M. Richardson, Parcel 108-1700; Sec. 5, Twp 29N, R 3E, W.M.

Quit Claim Deed – Ivan L. & Donna M. Richardson with compensation in the amount of \$2,449.00 (\$1,253.00/land, \$552.00/merchantable timber, \$644.00), Parcel 076-2350; Sec. 5, Twp 29N, R 3E., W.M.

**RESOLUTION #C-14-05/R-05-05 – INITIATING A PUBLIC WORKS PROJECT  
DESIGNATED AS PWP 05-01 - RHODODENDRON TRAIL PROJECT**

As presented and recommended by Mr. Oakes, the Board by unanimous motion approved Resolution #C-14-05/R-05-05 In the Matter of Initiating a Public Works Project designated as PWP 05-01, Rhododendron Trail Project for a total current grant and local match budget appropriation in the amount of \$498,000.00 (secured amount \$312,000.00). *[Resolution #C-14-05 on file with the Clerk of the Board]*

**BID AWARD AND CONTRACT APPROVAL FOR FREELAND WORK SHED**

On recommendation of Mr. Oakes, the Board by unanimous motion awarded bid for the Freeland Work Shed (800 sq. ft. with concrete floor) to Spane Buildings, Inc. in the amount of \$18,302.70, including tax, and approved the contract with that firm (SW-05-0018). Spane Buildings, Inc. was the lowest responsible bid of three bidding companies that met specifications.

**PUBLIC HEARINGS SCHEDULED FOR 2:30 P.M. - CONTINUED TO MARCH 7, 2005**

By unanimous motion, the following Public Hearings were continued to March 7, 2005 at 10:30 a.m.

Public Hearing on Ordinance #C-05-05 (PLG-022-04) Ordinance concerning technical amendments to the Island County Comprehensive Plan Future Land Use Plan Map and the Island County Zoning Atlas (Maps 701 & 703)

OPS 317/04, Tinyblue Foundation, David Trowbridge requesting that 7.2 acres of his 20-acre parcel be enrolled into the Timber Land current use program. Parcel R22922-065-4620 located on South Whidbey Island, WA.,

OPS 415/04, Catherine Swain and Pete Krogseng requesting that 38.18 acres of their 40.10-acre parcel be enrolled into the Timber Land current use program. Parcel R13111-447-1080,

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING –  
REGULAR SESSION – FEBRUARY 28, 2005**

R13111-517-0410, R13111-450-0410 and R13111-514-1080 located on Central Whidbey Island, WA. and

OPS 399/04, Judy Dixon requesting that 39 acres of a 40-acre parcel be shifted from the Designated Forest Tax Program to Timber Land current use classification. Parcel R32804-067-4650, located near Scatchet Head, South Whidbey Island, WA.

**HEARING SCHEDULED - OPS 357/04 LARRY & MARY LEONARD - 20-ACRE PARCEL  
BE SHIFTED FROM DESIGNATED FOREST TAX PROGRAM TO TIMBER LAND  
CURRENT USE CLASSIFICATION**

By unanimous motion, the Board scheduled a Public Hearing on OPS 357/04 by Larry & Mary Leonard for March 21, 2005 at 10:30 a.m. Applicants request their 20-acre parcel be shifted from the Designated Forest Tax Program to Timber Land current use classification. Parcel R23120-199-0350 is located east of Hwy 525 and north of Houston Road on Central Whidbey Island, WA. Staff recommendation is for conditional approval.

**AGREEMENT FOR PROFESSIONAL SERVICES WITH MICHAEL R. YANTIS  
ASSOCIATES, INC. - NOISE ANALYSIS AND MONITORING AT NICHOLS BROTHERS  
BOAT BUILDERS, FREELAND, WA**

Agreement for Professional Services with Michael R. Yantis Associates, Inc. for noise analysis and monitoring at Nichols Brothers Boat Builders (NBBB), Freeland, WA in conjunction with a master permit application the County received and is currently being reviewed was brought forward for the Board's approval by Phil Bakke, Island county Planning and Community Development Director. Mr. Bakke provided copies of the proposed contract and Mr. Yantis' resume'.

NBBB hired a professional noise firm to do an analysis of noise and evaluate materials and construction methods to reduce the level of noise. In Mr. Bakke's opinion neither his Department nor Island County has the expertise to review the report provided to the County by NBBB consultants. The County has received information and public comment from a number of citizens in the community raising issues related to the noise study itself and also practical issues concerning noise levels in the community during NBBB operations.

Mr. Yantis has been affiliated with certain cases in the past and has done noise evaluations and tests before the Hearing Examiner on an enforcement case several years ago. Mr. Bakke was impressed with Mr. Yantis' qualifications and with the information provided. The primary effort the Department seeks from Mr. Yantis is to evaluate the noise and studies that have been prepared, aid the Department in preparing comprehensive comments, and if necessary, requests for additional information from NBBB to aid in the review of the master program and also responding to questions that have been raised by the public during the public comment period. Primarily, concern is not what has happened in the past, rather what will happen in conjunction with the permit. Included in the agreement are funds for two evaluations to be done on site.

Chairman Shelton advised Mr. Bakke that during the public input time Board heard from a number of people from the community addressing concerns with regard to the proposed

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING –  
REGULAR SESSION – FEBRUARY 28, 2005**

contract. Eric Hansen, a sound expert, was interested in the scope of work and will forward Mr. Bakke an e-mail with those comments and concerns. The Department needs to recognize there may be issues that require further expanding the scope of contract later to properly take into account the concerns of the surrounding citizens.

By unanimous motion, the Board approved Agreement for Professional Services between Island County and Michael R. Yantis Associates, Inc. [RM-PLAN-05-0025] for noise analysis and monitoring at Nichols Brothers Boat Builders, Freeland, WA.

*[A number of comments, oral and written, have been received and placed on file with the Island County Planning Department on this subject, as well as recent e-mail from John W. Graham, with questions and comments regarding the Agreement]*

**RESOLUTION #C 15-05/PLG-003-05 - UPDATE OF GMA CRITICAL AREA  
REGULATIONS**

Mr. Bakke handed out copies of proposed Resolution #C-15-05/PLG-003-05 in the matter of the Update of GMA Critical Area Regulations with Exhibit “A” the 2005 Critical Areas Update Procedure & Schedule. The Critical Area update as part of the Comprehensive Plan has been separated out into three phases. The second page of the Exhibit details the milestones for each track and target dates for planning purposes to guide the process.

Keith Dearborn, County’s consultant, reviewed the schedule in more detail as listed in Exhibit A, with critical areas divided into three phases; hearings on all three phases will be held both on Whidbey and Camano Island.

**(1) Aquifer Recharge**

Health Department taking the lead and is far along on their update for aquifer Recharge; all of their work is being done in house. Target date to complete is the end of June.

**(2) Frequently Flooded Areas and Geologically Hazardous Areas**

Public Works is taking lead on Geologically Hazardous areas, using their “on-call” consultant to help with the update.

Planning is the lead department on Frequently Flooded Areas and the work will be handled in house.

**(3) Fish & Wildlife Conservation Areas and Wetlands**

Outside consultant identified for Wetlands work is Paul Adamus from Oregon State University with a Ph.D in wildlife science, consulted regularly by other agencies and has done extensive work on wetlands in Oregon. Mr. Dearborn, under contract, reviews and gains approval of the Board for consultants he considers hiring to work on the update. The contract is between Mr. Dearborn’s firm and Mr. Adamus for slightly less than \$70,000 for his work plus \$4,000 in reserve for statistical analysis by one of his colleges at Oregon

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING –  
REGULAR SESSION – FEBRUARY 28, 2005**

State. The Commissioners met with Mr. Adamus individually. A copy of the resume for Paul R. Adamus, Wetland Scientist and Wildlife Biologist and Mr. Adamus' February 22, 2005 Best Available Science for Wetlands and Fish & Wildlife proposed work Plan were provided to the Board. Mr. Adamus is being asked to first help organize all of the County's existing data related to wetlands, evaluate that data and identify gaps in that data that needs to be filled with new information; another phase is to gather that information and the next step would be to make recommendations and to participate in the public hearing process. One of the by-products of his work is to help enhance the skills of County staff for the future [GIS work area and in the wetlands analysis area]. Overriding objective for wetlands is to determine to what extent, if any, existing regulations have unintentionally caused damage to wetlands, what kind of damage has occurred and what actions can be taken by the County to address whatever damage there may be.

By unanimous motion the Board approved Resolution #C-15-05/PLG-003-05 in the matter of the Update of GMA Critical Area Regulations. [GMA Record #7750] *[Resolution #C-15-05/PLG-003-05 placed on file with the Clerk of the Board]*

By unanimous motion the Board approved Paul R. Adamus as the Consultant as presented by Mr. Dearborn. [Resume and Scope of Work GMA #7751].

There being no further business to come before the Board at this time, the meeting adjourned at 3:50 p.m. The Board met directly afterwards in special session for the Annual Joint meeting with the Island County Planning Commission and Hearing Examiner. The next regular meeting of the Board will be on March 7, 2005 at 9:30 a.m.

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