

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
REGULAR SESSION – NOVEMBER 7, 2005**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on November 7, 2005, at 9:30 a.m. in the Island County Courthouse Annex, Hearing Room, 1 N. E. 6<sup>th</sup> 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.

By unanimous motion, the Board approved the minutes from previous meetings as follows:

October 14, 2005 Special Session	October 24, 2005 Special Session
October 17, 2005 Regular Session	October 24, 2005 Regular Session
October 19, 2005 Special Session	October 25, 2005 Special Session
October 21, 2005 Special Session	October 31, 2005 Special Session

**VOUCHERS AND PAYMENT OF BILLS AND PAYROLL**

The Board, on unanimous motion, approved the payroll dated October 31, 2005, and approved the following vouchers/warrants for payment: Voucher (War.) #225188-225639 .....\$665,647.32.

**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/Position #</b>	<b>Action</b>	<b>Eff. Date</b>
Sheriff	101/05	Deputized Officer #4014.33	Replacement	1/11/06
Juvenile	102/05	Prob. Aide & Diversion #1406.00	Reclassification	11/7/05
Health	103/05	Public Health Nurse II .8 FTE #2406.18	Replacement	11/16/05
Health	104/05	Env. Health Spec. II #2407.09	New Position	1/3/06
Health	105/05	Public Health Coord. .25 FTE #2408.07	Decrease Hours	11/7/05

**RESOLUTION #C-117-05 ADOPTING AN AMENDMENT TO ISLAND COUNTY DEFERRED  
COMPENSATION PLAN**

Mr. Toft submitted for Board approval a resolution to modify the County's Deferred Compensation Plans to reflect the latest changes in IRS regulations. The Board by unanimous motion approved Resolution #C-117-05 Adopting an Amendment to Island County Deferred Compensation Plan as presented. [Resolution #C-117-05 on file with the Clerk of the Board]

**APPOINTMENT TO SNO-ISLE REGIONAL LIBRARY BOARD**

The Board by unanimous motion appointed Arthur M. Peterson, Greenbank, to the Sno-Isle Regional Library Board refilling the vacancy left upon the resignation of Danetta Fowler, for an existing term running until January 1, 2007.

**CONTRACT, PROMISSORY NOTE & DEED OF TRUST BETWEEN ISLAND COUNTY AND  
HABITAT FOR HUMANITY OF ISLAND COUNTY FOR LOW INCOME SURCHARGE  
FUNDING**

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Following the Board's action September 12, 2005 approving an Island County Low Income Surcharge Fund award for Habitat for Humanity of Island County in the amount of \$45,000, the Board by unanimous motion, approved the Contract between Island County and Habitat for Humanity of Island County, promissory note & deed of trust [RM-BOCC-05-0126].

**RESOLUTION #C- 118-05 DECLARING LEGAL HOLIDAYS FOR THE YEAR 2006**

Resolution #C-118-05 Declaring Legal Holidays for the Year 2006 was adopted by unanimous motion of the Board. [*Resolution #C-118-05 on file with the Clerk of the Board*].

**MEMORANDUM OF UNDERSTANDING ATTACHMENT C - SPECIAL PROVISION TO  
CONTRACT BETWEEN SKAGIT COUNTY AND WASHINGTON STATE COMMUNITY  
TRADE & ECONOMIC DEVELOPMENT - DEVELOP THE NORTHWEST AGRICULTURE  
CENTER**

The Board by unanimous motion approved and authorized the Chairman's signature on Memorandum of Understanding, Attachment C-Special Provisions, regarding Contract #S06-76105-863 between Skagit County and the Washington State Community Trade & Economic Development to Develop the Northwest Agriculture Center (seed funding for AG Incubator Center for the benefit of Skagit, Island, Whatcom, San Juan and Snohomish counties) [RM-BOCC-05-0128] (*GMA #8456*)

**INTERAGENCY AGREEMENT – WASHINGTON STATE ADMINISTRATIVE OFFICE OF  
THE COURTS**

Having been discussed at the last staff session, the Board by unanimous motion approved Interagency Agreement, Contract # IAA0645 (RM-JUV-05-0123) between the Washington State Administrative Office of the Courts and Island County Juvenile Court to process Becca Bill programs and services, with the contract not to exceed \$143,609.

**PUBLIC HEARING SCHEDULED TO CONSIDER 2006 ISLAND COUNTY BUDGET**

As presented by Elaine Marlow, Budget Director, the Board by unanimous motion scheduled a public hearing to be held on December 5, 2005 at 9:45 a.m. to consider the following 2006 budget resolution and ordinances:

Resolution #C-119-05 Adopting the Island County Budget and Diking District No. 4 Budget for Fiscal Year 2006

Ordinance #C-120-05 Increasing the Taxing District's Prior Year's Levy Amount for Collection in Fiscal Year 2006 for the County Current Expense Levy

Ordinance #C-121-05 Increasing the Taxing District's Prior Year's Levy Amount for Collection in Fiscal Year 2006 for the County Road Levy

Ordinance #C-122-05 Increasing the Taxing District's Prior Year's Levy Amount for Collection in Fiscal Year 2006 for the County Conservation Futures Levy.

[*Copies may be obtained from the Clerk of the Board*]

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**HEALTH CONTRACTS APPROVED**

As submitted to the Board for approval under cover memo dated November 2, 2005 from Tim McDonald, Health Services Director, the Board by unanimous motion approved the following Health Department contracts:

Contract #2006 (RM-JUV-05-0105) between Island County Health Dept. and Island County Juvenile Court to provide nursing services in the Island County Juvenile Detention Facility, in the amount of \$12,000

Contract #G0600084 (RM-HLTH-02-0018) with WA St. Dept. of Ecology for Watershed Planning – continued funding for Phase 4 Implementation, in the amount of \$85,687

Contract #HS-09-05(RM-HLTH-04-098) with Coupeville School District #204 for Substance Abuse Prevention. Provides mentoring/tutoring services to at-risk youth, in the amount of \$27,500.

**APPROVAL OF LIQUOR LICENSES**

The Board by unanimous motion approved the following liquor licenses, having received favorable recommendations from the appropriate county departments, subject to departmental conditions:

- New Application #088651-3F by Michael Cho and Christine Choe dba CDX Ferry Concessions, Inc., for MV Kittitas, located at 64 S Ferry Dock Road, Clinton, WA
- New Application #363753-3F by Anneliese Petry and Gordon James Stewart, Jr., for Gordon's on Blueberry Hill, located at 5438 Woodard Road, Freeland, WA, subject to conditions stipulated by the Island County Health Department.

**PUBLIC INPUT OR COMMENTS**

Darcy Patterson, Oak Harbor, asked if a determination had been made regarding which County-owned public lands are classified as park areas and thereby subject to Island County Park Regulations.

Chairman Shelton clarified that Goss Lake and the Camano Ridge properties that were transferred to the County through the Washington State DNR trust transfer program were deeded to Island County. The County has never taken any action to make those a part of the parks property and simply are properties owned by Island County. Part of the confusion results from the fact that the Parks Director is also the Property Manager for Island County. For a property to become parks property takes action by the Board of County Commissioners transferring the property from County owned property into the parks system. He confirmed that the Kettle's property is not a park property.

In response to Ms. Patterson's question with regard to the Parks Facility List, and whether or not there were other properties on the list that are not considered park properties, Chairman Shelton did not know but agreed to look at the list and get back to Ms. Patterson with a response.

Dave Harrington, Oak Harbor, understood the concept of the deeding of property to the County rather than the Parks Department. He asked the following questions: (1) Has there ever been a property deeded to the Parks Department; and (2) how many of the list of properties he was provided are

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currently being managed by either the Manager for GSA or Director of Parks, and how many of those properties have actually been turned over to parks formally by resolution of the Board?

The Commissioners agreed there had been some properties that were in fact deeded for parks, example, Taylor Property deeded specifically for parks. As to the second part of the question, Chairman Shelton advised he would look into and get the information back to Mr. Harrington.

**HEARING HELD: #ORDINANCE C-112-05/R-45-05 – ORDINANCE REGULATING SPEED  
LIMIT ON BAYVIEW ROAD AND MARSHVIEW ROAD, AMENDING ISLAND COUNTY  
CODE TITLE X, CHAPTER 10.01**

A Public Hearing was held at 10:15 a.m. as scheduled and advertised to consider Ordinance #C-112-05/R-45-05, an Ordinance Regulating the Speed Limit on Bayview Road and Marshview Road, amending Island County Code Title X, Chapter 10.01.

Bill Oakes, Public Works Director, advised that the Ordinance is a reduction in speed limit proposed and recommended by the County Engineer:

On Marshview reduction from 35 to 25 mph and on Bayview, a short section from State Highway north about .14 miles reduction from 40 to 25 MPH.

A school zone from about 1/10<sup>th</sup> of a mile to 3/10ths of a mile presently 20 MPH when children are present. At the end of that school zone approximately at MP .36 the speed limit would be 25 MPH to that point and remain 40 mph from there north.

Bob Dalton, Bayview Road, Langley, spoke in favor of the speed reduction. As President of Goosefoot (which owns the Bayview Corner, runs Saturday Market, etc.) he commented that on weekends with Saturday Market, with Good Cheer moving to that corner along with the coming Commons project, there is a lot of additional walking traffic. A reduction in speed from the highway down to the school reduction sign is appropriate for that area, just for public safety and the way the road is designed. As more bicycle traffic is encouraged down in that area it would be safer for all concerned to slow people down in that area.

No others spoke either for or against said Ordinance.

The Board by unanimous motion approved Ordinance #C-112-05/R-45-05, an Ordinance Regulating the Speed Limit on Bayview Road and Marshview Road, amending Island County Code Title X, Chapter 10.01. [*Ordinance #C-112-05 on file with the Clerk of the Board*]

**RESOLUTION #C-123-05/R-47-05 - ADOPTION OF THE ANNUAL ROAD CONSTRUCTION  
PROGRAM FOR THE YEAR 2006**

As presented and recommended for approval by Mr. Oakes, the Board by unanimous motion approved Resolution #C-123-05/R-47-05 adopting Island County 2006 Annual Construction Program, including the 2006 proposed equipment purchases by ER&R. [*Resolution #C-123-05 on file with the Clerk of the Board*]

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**HEARING SCHEDULED: ORDINANCE #C-124-05/R-48-05 ORDINANCE ELIMINATING  
ANNUAL MAINTENANCE AND OPERATION CHARGE IN MARSHALL DRAINAGE  
BASIN STORM & SURFACE WATER UTILITY**

As presented by Mr. Oakes, the Board by unanimous motion scheduled a Public Hearing on Ordinance #C-124-05/R-48-05 Eliminating Annual Maintenance and Operation Charge in Marshall Drainage Basin Storm & Surface Water Utility, for November 28, 2005 at 2:15 p.m.

**AMENDMENT #2 – PW-0320-101(B) - DEPARTMENT OF ECOLOGY - WATERSHED  
IMPLEMENTATION ACTIONS PROJECT**

Amendment 2, #PW-0320-101(B), between Island County and the Department of Ecology for the Island County Watershed Implementation Actions Project, Grant #G0000207, authorizing time extension to March, 2006, was approved by unanimous motion of the Board, as recommended by Mr. Oakes.

**INTERLOCAL COOPERATIVE AGREEMENT BETWEEN SKAGIT COUNTY AND  
ISLAND COUNTY FOR THE PROVISION OF GEOGRAPHIC SERVICES**

Jeff Tate, Assistant Director, Planning and Community Development, presented for the Board's approval an Interlocal Cooperative Agreement (RM-PLAN-05-0120) between Skagit County and Island County for the provision of geographic services, in the amount of \$5,000 or less. This includes an operating agreement and a cap on spending. Skagit County will provide Island County with some geographic information services, staffing and resource work. Skagit County has a far more advanced system, and Island County has a one-time need for some product related to the Critical areas update.

By unanimous motion, the Board approved the Interlocal Cooperative Agreement (RM-PLAN-05-0120) between Skagit County and Island County for the provision of geographic services, in the amount of \$5,000 or less. [GMA #8455]

**RESOLUTION #C-125-05 (PLG-022/05) RELEASE OF THE BOND GUARANTEEING  
COMPLETION OF WORK IN SPR 027/92, GOLF NORTHWEST, INC.**

Mr. Tate recommended that the Board release the bond in the amount of \$14,310.75 guaranteeing completion of work with respect to SPR 027/92 by Golf Northwest, Inc., held by Frontier Bank, Everett, Wa. The site plan has expired, the work in SPR never constructed and of multiple parcels involved, each of those parcels have been sold.

By unanimous motion the Board approved Resolution #C-125-05 (PLG-022/05) Release of the Bond Guaranteeing Completion of Work in SPR 027/92, Golf Northwest, Inc., held by Frontier Bank, Everett, Wa. in the amount of \$14,310.75. [Resolution #C-125-05 on file with the Clerk of the Board]

**HEARING SCHEDULED: ORDINANCE #C-126-05 (PLG-016-05) TECHNICAL  
AMENDMENTS TO THE ISLAND COUNTY COMPREHENSIVE PLAN FUTURE LAND USE  
PLAN MAP AND THE ISLAND COUNTY ZONING ATLAS (MAPS 492 & 490)**

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As presented by Mr. Tate, the Board by unanimous motion scheduled a Public Hearing to consider Ordinance #C-126-05 (PLG-016-05), an Ordinance Concerning Technical Amendments to the Island County Comprehensive Plan Future Land Use Plan Map and the Island County Zoning Atlas (Maps 492 & 490), on November 28, 2005 @ 2:30 p.m. [GMA #8454]

There being no further business to come before the Board at this time, the meeting adjourned at 10:40 a.m. Island County Offices will be closed Friday Nov. 11 in observance of Veterans Day holiday. The next regular meeting of the Board will be November 14, 2005 at 9:30 a.m.

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

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Mike Shelton, Chairman

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Wm. L. McDowell, Member

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William J. Byrd, Member

ATTEST:

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Elaine Marlow  
Clerk of the Board