

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 21, 2009 – REGULAR SESSION**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on September 21, 2009, beginning at 10:00 a.m. in the Board of County Commissioners Hearing Room (Room # 102B), Annex Building, 1 N.E. 6<sup>th</sup> Street, Coupeville, Washington. John Dean, Chairman, Helen Price Johnson, Member, and Angie Homola, Member were present. The meeting began with the Pledge of Allegiance.

**PUBLIC INPUT OR COMMENTS**

Elaine Woods, Whidbey Walks in Freeland, voiced a concern about the lack of distinguishable sidewalks in the Freeland Community. She was curious if white lines would be installed to differentiate the roadway from the bicycle/walkway. The safety of pedestrians in parking lots is also a worry.

Ms. Oakes responded that Public Works is working toward grant opportunities for pedestrian improvement in Freeland. A grant presently is being held by the Friends of Freeland for pedestrian improvements on Main Street and Public Works is working with the group for implementation. Included will be a delineator for pedestrians that will encompass planters, stripping, and a boardwalk proposed in front of the Payless area, incorporating the eastern side of Main Street. Concerning pedestrian safety in parking lots the project, he said, will add crosswalk markings on the pavement to more clearly define where pedestrians are using and not using the area. Mr. Oakes added there is an attempt to not interfere with parking.

Ms. Woods asked to be added as one who also cares about the signage as people come onto the Island, suggesting that the Board leave in place what is unique to Whidbey.

**MONTHLY FINANCIAL REPORTS**

***Auditor***

Anne LaCour, Chief Deputy Auditor, submitted the Auditor's written financial report for the period ending August, 2009. The numbers should reflect 67% with revenue continuing to be down along with expenditures. In order to show the long-term trend Ms. LaCour will provide the Board with monthly graphs, reflecting the last five years.

***Treasurer***

Ana Maria Nunez, Chief Deputy Treasurer, submitted the Treasurer's written financial report for the period ending August, 2009 with the following comments:

- *Planning* – Plan check fees received to date decreased: 2009 - \$88,133.67; 2008 - \$155,827.70
- *Emergency Management* – Funds received to date from the Department of Homeland Security decreased: 2009 - \$96,490.17; 2008 - \$187,201.37
- *General Services Admin* – Funds applied to GSA in prior years were reclassified to Parks and Recreation in July 2009
- *Jail* – Reimbursement for room and board of prisoners decreased due to a decrease in out-of-County inmates housed at Island County: 2009 - \$85,778.56; 2008 - \$115,462.17
- *Juvenile Court* – Juvenile Court grant billing and reimbursement decreased to date: 2009 - \$111,228.70; 2008 - \$202,219.26

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 21, 2009 – REGULAR SESSION**

- *Note:* Percentages continue to reflect the general downward trend of the market economy. Such is particularly evident in Investment Fees earned, Real Estate Excise Administration Fees and Sales & Use Tax revenues.

**CONSENT AGENDA**

By unanimous motion the Board approved the Consent Agenda as follows with the exception of Item 14, *Amendment A to Contract with Snohomish County Department of Emergency Management for US Department of Homeland Security*, moved to the Regular Agenda for consideration:

**ELECTRONIC FUND TRANSFERS, PAYROLL, VOUCHERS, PAYMENT OF BILLS**

Vouchers (War) #s 319100-319345.....	\$1,223,016.09
Electronic Fund Transfers.....	\$ 32,812.95
Payroll dated.....	September 15, 2009

**HUMAN RESOURCES**

**Personnel Action Authorizations**

<u>Department</u>	<u>PAA #</u>	<u>Description</u>	<u>Position #</u>	<u>Action</u>	<u>Eff. Date</u>
Central Services	089/09	Programmer/Analyst	711.00	Personnel Action (Increase in Hours)	10-05-09
Prosecuting Attorney	090/09	ParaLegal/Legal Assistant I	1813.02	Replacement Position	09-21-09

**HUMAN SERVICES**

Amendment No. 5 to Contract with Compass Health changing the budget allocation within the existing Exhibit F(5) – Reimbursement and Budget Allocation. Contract No. HS-01-07(5); Amendment Amount: \$803,571 (RM-HS-09-0367)

Amendment No. 4(a) to Contract with Housing Authority of Island County – Homeless Housing Plan Administration. Provides funding for services and activities related to the Island County 10-year Homeless Housing Plan. Contract No. RM-BUDG-06-0006; Amendment Amount: \$126,788 (RM-HS-09-0357)

**PUBLIC WORKS**

**County Roads**

Supplemental Agreement No. 8 – Skillings-Connolly, Inc.; Completion Date December 31, 2009; (RM-PW-09-0370) (PW-0920-142)

Resolution C-111-09/R-45-09 – In the Matter of Adoption of Island County’s Six-Year Transportation Improvement Program for the Years 2010-2015 (*Resolution on file with the Clerk of the Board*)

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 21, 2009 – REGULAR SESSION**

Resolution C-112-09/R-46-09 – In the Matter of Adoption of Island County’s Six-Year Capital Improvement Program for the Years 2010-2015 (*Resolution on file with the Clerk of the Board*)

Solid Waste

Resolution C-113-09/SW-02-09 – In the Matter of Extending the Term of the Recycle Services for Whidbey Island Contract – Waiver of Competitive Solicitation (*Resolution on file with the Clerk of the Board*)

Amendment No. 1 – Island Recycling; Time extension to December 31, 2009; Revision to Terms & Conditions; (RM-PW-09-0369)

Resolution C-114-09/SW-03-09 – In the Matter of Initiating Public Works Project PWP 09-02, Work Order No. 450; Coupeville Solid Waste Transfer Station Expansion (*Resolution on file with the Clerk of the Board*)

Resolution C-115-09/SW-04-09 – In the Matter of Approving Plans & Specifications and Authorizing Call for Bids for Island County Coupeville Solid Waste Transfer Station Expansion; PWP 09-02, Work Order No. 450 (*Resolution on file with the Clerk of the Board*)

**REGULAR AGENDA**

**Sheriff – Emergency Management**

**AMENDMENT A TO CONTRACT WITH SNOHOMISH COUNTY DEPARTMENT OF  
EMERGENCY MANAGEMENT FOR US DEPARTMENT OF HOMELAND SECURITY**

Mr. Hollett requested that since the contract amendment must be returned to Snohomish County not later than Thursday, that the Board authorize signature by the Chairman following contract review.

By unanimous motion the Board authorized, following contract review by the Prosecutor and Risk Management, the Chair to sign Amendment A to Contract with Snohomish County Department of Emergency Management for US Department of Homeland Security for funding extending contract expiration date to December 31, 2009, Contract No. E08-098.

**Appointments and/or Re-Appointments to Boards and Committees**

**APPOINTMENT TO THE EBEBY’S LANDING NATIONAL HISTORICAL RESERVE TRUST  
BOARD, POSITION #7 (AT-LARGE MEMBER)**

Commissioner Homola moved to reappoint Lisa Meserole to the Ebey’s Landing National Historical Reserve Trust Board having read the qualifications of the applicants and the recommendation from the Trust Board. She added that Mr. LeDesky, who previously sat on the Board for years, was not aware that Ms. Meserole was seeking reappointment. He spoke highly of her and recommended, as well, that she be reappointed.

By unanimous motion the Board approved the reappointment of Lisa Meserole to the Ebey’s Landing National Historical Reserve Trust Board, Position #7 (At-Large Member).

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 21, 2009 – REGULAR SESSION**

**PUBLIC HEARINGS**

**Public Works – County Roads**

**ORDINANCE C-98-09/R-40-09 REGULATING SPEED LIMIT ON MAXWELTON ROAD,  
AMENDING ISLAND COUNTY CODE TITLE X, CHAPTER 10.01.160.**

At 10:30 a.m. Chairman Dean opened a public hearing to consider the adoption of Ordinance C-98-09/R-40-09 Regulating Speed Limit on Maxwellton Road.

Mr. Oakes began by saying that except when lights are flashing, the speed limit in the area is 20 miles per hour according to current law (school zones). There have been issues, he said, with enforcement of the code as written so staff recommended dividing the school zone into two areas: one area in front of the South Whidbey High School and the other area in front of the Intermediate/Primary schools. The speed limit would be 20 miles per hour in front of the Intermediate/Primary schools at the beginning and end of the school periods and all day in front of the high school. Mr. Oakes also indicated that the school district was in favor of the recommended change.

Commissioner Homola wondered about kindergarten and whether parents would be picking up their children at noon.

Commissioner Price Johnson responded that there is part-time kindergarten at the school, and also an alternative school with a schedule not continuous for the day for all students. The request to regulate the speed on Maxwellton Road was that of the school district. The Commissioner verified with the school's business office to make sure that the times proposed were what the school district had in mind.

Commissioner Homola asked, from a practical standpoint, about the speed limit that would occur in the gap between the two schools.

In answer Mr. Oakes replied 35 miles per hour in the gap between the two schools.

Commissioner Homola referred to a diagram of the area she prepared, detailing her understanding of how the speed limit would be affected and when. She asked if the flashing signs would remain along with the posting.

Mr. Oakes said the flashing lights would remain; however, the lights would not be the regulatory key.

Commissioner Price Johnson was curious why the speed limit in front of the Intermediate/Primary schools could not be 20 miles per hour while children are present.

Mr. Oakes responded that "when children are present" also has enforcement issues; that is, law enforcement is more comfortable with a set time for the purpose of writing tickets.

Commissioner Homola asked if the proposed change is supported by parents.

Commissioner Price Johnson was not aware of any outreach efforts since the school has been focused on budget and staffing issues.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 21, 2009 – REGULAR SESSION**

Mr. Oakes added that the requested enforcement action came directly from the business office of the school.

Chairman Dean remarked that he depends on the flashing lights to remind him when it is time to slow down to 20 miles per hour. If the lights are off but the sign is up, he believes there may be some confusion with the public. He would like to send a message to the school district to sync the lights with the times. The Chairman believes there is a legal issue but also a public understanding issue as well.

The school's intent according to Mr. Oakes is to continue to operate the lights but he will be sure to send the Chairman's comment to the school district.

Chairman Dean opened the floor to public comment and there being none, public comment was closed.

Commissioner Homola agreed with Chairman Dean to encourage the proper function of the lights. As clarification Commissioner Price Johnson said the times are not a difference from what is currently imposed.

By unanimous motion the Board approved Ordinance C-98-09/R-40-09 Regulating Speed Limit on Maxwellton Road, Amending Island County Code Title X, Chapter 10.01.160. (*Ordinance on file with the Clerk of the Board*)

**COMMISSIONERS COMMENTS & ANNOUNCEMENTS**

*Commissioner Homola*

Miscellaneous

- She would like to attend the State Building Code Council hearings scheduled for September 29 (which she cannot make) and October 5 (could possibly make but would miss a Board meeting and budget workshop). The Commissioner is looking into the possibility but wanted the Board to have a heads-up.
- Attended the Whidbey Camano Land Trust 25<sup>th</sup> Birthday Party. Conversation occurred about the Land Trust's history and how far it has come over the past 25 years, beginning with just a couple of staff and little land to having now paid staff and 800 acres per year now compared to 80 long ago. People attended the function who had donated land, thanking the Trust for helping those realize the perpetuity of their land.
- A reminder that the Board will hold a public hearing tonight in Freeland to consider hunting at Deer Lagoon and tomorrow on Camano the Board will consider the Camano Gateway proposal.

*Commissioner Price Johnson*

Clinton Sign

Commissioner Price Johnson met with a woman from Langley who does a great deal of cedar restoration as well as new construction for log homes. She identified a number of issues with the sign that are leading to its moisture retention which is one of the reasons, people say, the sign should not be moved. Her opinion was, however, that due to the moisture retention the sign should be moved from its current location because having it up against such a wet environment, with lots of vegetation, is contributing to

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 21, 2009 – REGULAR SESSION**

the problem. The Commissioner will be meeting with the people who have been coordinating the sign project later in the week, as well as attempting to determine what organizations might be willing to help put money towards the sign's restoration. There is no identified owner or steward of the sign moving forward. There is also a question as to whether it is actually a permitted sign in its current location. Those are the questions Commissioner Price Johnson is attempting to have answered before any move of the sign takes place. Timing is an issue as federal funds have been accepted for the Gateway monuments so there are restrictions on that side as well.

Commissioner Homola thanked Commissioner Price Johnson for her hard work in this regard, providing much diligence into trying to not only answer the questions of the community but also look at all the science behind it.

Miscellaneous

- Attended the League of Women Voter's Annual Luncheon meeting at which she provided an update of what the Board is working on. The League was welcoming and her presentation was well received.

*Chairman Dean*

Tidal Energy

Chairman Dean talked about the tidal energy forum he attended, mentioning that the effort will be located off Admiralty Head, 67 meters deep with the installation of two turbines, and the PUD will sell the power to PSE. While it is a pilot project, it will immediately begin contributing to the grid for Whidbey with the earliest installation about 2011-2012. Data collection will occur for about two years. He mentioned that Deception Pass is a difficult place to consider such an attempt. The University of Washington will conduct the tidal research including surveys, field measurements, and reports.

Commissioner Homola added that the Navy is conducting a similar effort though in much shallower water with a different type of turbine. The question was raised whether crustaceans would fasten themselves to the turbine, impeding its function, but the system Chairman Dean spoke of is below the zone where most crustaceans form. The Navy's effort, though, is in much shallower water so that concern could be a problem.

The Chairman understood the Navy's effort is a mandate from Congress for the research so the plan is to install the turbines, hook them up to the Navy facility, and then after the year of research the Navy will take them out.

The Navy, Commissioner Homola believes, was hoping to study various ways to provide power to naval facilities so those facilities are not dependent on the grid for continued security. The former effort would be south of the Smith and Minor Island Aquatic Reserve and south of the Ebey's Landing National Historic Reserve. The latter effort by the Navy is off Maristone Island on the peninsula.

*General*

The Commissioners agreed, concerning the curbside recycling community meetings, that they will attend as follows:

Commissioner Homola – October 19, 2009 at Skagit Community College, Oak Harbor

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 21, 2009 – REGULAR SESSION**

Chairman Dean - October 21, 2009 at the Coupeville Recreation Hall, Coupeville  
Commissioner Price Johnson – October 22, 2009 at St. Hubert Catholic Church, Langley

At 10:52 a.m. the Board recessed, reconvening in open session at 11:00 a.m. for budget workshop.

**BUDGET WORKSHOP**

Budget Workshop began as scheduled at 11:00 a.m. Budget workshop times are approximate and may be adjusted. Budget notebooks for Board members' use during budget workshops prepared by the Budget office are based on M&O and capital amounts at current levels. Department Heads and Elected Officials during budget workshops are to comment on requested increases and provide a brief explanation for the request. Budget narratives accompanied each department/office budget. Proposed budget and supplemental requests are taken under advisement by the Board with no final decisions expected as a result of budget workshops. Hand-outs are on file with the Clerk of the Board.

**Superior/Juvenile Courts**

Presentation by:

Michael Merringer, Court Administrator/Director; Brooke Powell, Probation Manager; Carla Grau-Egerton, CASA/GAL Program Coordinator

**Juvenile**

Mr. Merringer reviewed the many grants the Department receives and the funding amount and purpose of each. Of particular note:

- The Juvenile Accountability Block Grant (JABG) requires a 10% cash match (\$1,120) requested from current expense.
- The Special Sex Offender Disposition Alternative (SSODA) bases its funding upon how many youth were on the alternative in the past.
- Chemical Dependency Disposition Alternative (CDDA) funds a percentage of a probation counselor for Juvenile Drug Court. Juvenile Drug Court serves 17 youth for the year; the year begins July 1, 2009 to June 30, 2010. 39 youth, over the last two years, were served through the program with a 65% graduation rate (moderate and high risk offenders). The hope is to enhance the graduation rate to 75%.
- An Expansion grant will provide about \$47,000 in 2010 for Functional Family Therapy.
- From the BECCA funding (\$125,500), Juvenile Court Services takes approximately \$39,000 with the remaining to the Court Clerk and others.

Ms. Grau-Egerton provided a hand-out (*on file with the Clerk of the Board*) and talked about the Court Appointed Special Advocates (CASA) program. The most important responsibility of the program, she said, is to support the volunteers and at the same time also work on retention to keep intact the one program coordinator to 30 volunteers who advocate on behalf of a 90 children ratio (the National CASA standards). Volunteer retention includes 1) mileage reimbursement; 2) In-service training requirements; 3) Volunteer appreciation event; and 4) staff support. CASA volunteers reported working 2,613 hours thus far in 2009 with an expected year-end total of approximately 3,921 hours. The current caseload is 80 children. The cost to the County for legal representation instead for the children would be approximately \$282,065. Ms. Grau-Egerton added that the challenge with outreach to the military is the required time commitment.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 21, 2009 – REGULAR SESSION**

While Mr. Merringer is content with the current makeup of the CASA program, the hope is not another reduction in the next legislative session. He said there was talk about a possible budget proviso to move counties to a block grant type of funding system meaning that instead of having the specific pots of money with restrictions, the restrictions would be gone and counties would need to justify how they move the money between programs. Also revealed was the need for emphasis of the funding formula changed to provide for more moderate and high risk youth.

*Juvenile Detention*

Mr. Merringer indicated that overtime and training contribute to an increase in expenditures. The County has partnered with Skagit who coordinated a mini-academy for part-time and on-call position training.

Ms. Marlow proposed that fund balance be used to balance the budget amount of \$228,315. It is expected that the General Fund in 2011 will begin to support the Juvenile Detention activities. The growth will be determined by the level of growth in sales taxes with an estimated 3% growth anticipated in 2011. She advised the Board to keep three to four months' operating expenses on hand.

The County participates in both a breakfast and lunch reimbursement program by way of a USDA grant.

*Superior Court*

A fund balance is expected from the Jury Services budget due to a decline in the number of trials. Mr. Merringer recommended, however, that the amount currently budgeted remain for unknown contingencies.

*Law Library*

The Law Library is a self-sustaining program supported by filing fees. Because the amount of money spent is dependent upon what is brought in, the Library does not require any type of County funding.

*Adult Drug Court/Family Treatment Court*

Mr. Merringer indicated that the funding for Adult Drug and Family Treatment Courts is mainly a combination of State grants, Current Expense, and Mental Health Initiative money.

*Commissioner Discussion*

Ms. Marlow indicated that the use of fund balance will be suggested for other budgets as well, in smaller amounts than that proposed for the Juvenile Detention Center.

Concerning the Veteran's Fund, Commissioner Homola asked the question if the fund is assessed annually without increasing the percentage, would the fund remain an issue for Current Expense.

Ms. Marlow responded that it would. It is better, she said, to determine what the annual assessment will be and plan to assess. The earlier 2009 budget revisions are picking up much of the deficit which is good news.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 21, 2009 – REGULAR SESSION**

There being no further business to come before the Board the meeting adjourned at 2:37 p.m. The Board will meet next in Regular Session at 11:00 a.m. on September 28, 2009 for Roundtable followed by agenda items at 2:00 p.m.

BOARD OF COUNTY COMMISSIONERS  
ISLAND COUNTY, WASHINGTON

\_\_\_\_\_  
John Dean, Chairman

\_\_\_\_\_  
Helen Price Johnson, Member

\_\_\_\_\_  
Angie Homola, Member

ATTEST:

\_\_\_\_\_  
Elaine Marlow, Clerk of the Board