

**TITLE II**  
**ADMINISTRATION AND PERSONNEL**

**Chapters:**

- 2.01** Island County Employees' Manual (Repealed)
- 2.01A** Reimbursement of Expenses (Repealed)
- 2.01B** Salaries, Wages, Wage Grid (Superseded)
- 2.02** Salaries of Elected Officials
- 2.03** Merit System for Public Works Department Employees
- 2.04** Island County Road Department Working Conditions
- 2.08** Board of Commissioners Meeting Time (Repealed)
- 2.08A** Board of County Commissioner Meetings
- 2.12** Sheriff's Department Under Civil Service System
- 2.16** Civil Defense Civil Service System (Repealed)
- 2.20** Island County Fair (Repealed)
- 2.20A** Island County Fair
- 2.24** Economic Development Planning Commission (Recodified)
- 2.28** Health Department Civil Service System (Repealed)
- 2.29** Service, Electronic Data Processing and Telecommunications Contracts
- 2.30** Purchases and Contracts (Repealed)
- 2.30A** Purchases, Leases, and Public Works Contracts
- 2.31** Sale or Lease of Surplus County Property
- 2.32** Damage Claims Procedures
- 2.34** Personnel Board of Labor-Management Relations (Disestablished)
- 2.38** Individual Liability of County Officials
- 2.42** Elective County Office Holder Bond Amounts
- 2.46** County Employees and Officials Claiming Lost Property
- 2.50** Board of Equalization

**Chapter 2.01<sup>1</sup>****Island County Employees' Manual**

(Chapter 2.01, Island County Employees' Manual, and the resolutions passed October 8, 1975, December 8, 1975, July 5, 1977, December 4, 1978, February 20, 1979, May 5, 1980, September 15, 1980, December 6, 1982, November 7, 1983, December 27, 1983, August 19, 1985, April 6, 1987, June 8, 1987, March 7, 1988, May 16, 1988, October 9, 1989, August 27, 1990, February 25, 1991, March 4, 1991, June 1, 1992, July 6, 1992, October 12, 1992, and October 25, 1993 covering said subject, is repealed by Res. C-44-94, June 6, 1994, vol. 37, p. 171)

**Chapter 2.01A****Reimbursement of Expenses**

(Chapter 2.01A, Reimbursement of Expenses, and the resolutions passed May 7, 1951, December 5, 1961, January 29, 1968, December 14, 1970, January 4, 1971, July 16, 1973, March 17, 1975 covering said subject, repealed by Island County Code 2.01.270, Res., December 8, 1975, vol. 15, p. 528)

**Chapter 2.01B<sup>2</sup>****Salaries, Wages, Wage Grid**

(Chapter 2.01B, Salaries, Wages, Wage Grid, and the resolutions passed October 1, 1990, October 8, 1990, August 19, 1991, and April 6, 1992 covering said subject, is contained in the Island County Personnel Policies and Procedures Manual adopted by Res. C-44-94, June 6, 1994, vol. 37, p. 171)

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<sup>1</sup> For a current copy of the Island County Personnel Policies and Procedures Manual, contact the County Human Resources Department.

<sup>2</sup> For a current copy of the Island County Personnel Policies and Procedures Manual, contact the county Human Resources Department.

**Chapter 2.02**  
**Salaries of Elected Officials**

**Sections:**

- 2.02.010      Exercise of Authority**
- 2.02.020      Minimum Salaries**
- 2.02.030      Appropriation of Salaries**
- 2.02.040      Commissioners' Salaries**
- 2.02.050      Salaries of Elected Officials other than Commissioners**

**2.02.010      Exercise of Authority**

Island County hereby elects to exercise the authority granted to it by chapter 88, Laws of 1973, First Extraordinary Session, to increase or decrease the salaries of all elected county officials.

(Ord. CC-73-1, December 17, 1973, vol. 14, p. 489)

**2.02.020      Minimum Salaries**

The salaries of all elected county officials shall be no less than the minimum amount set by RCW 36.17.020 as amended by chapter 88, Laws of 1973, First Extraordinary Session, section 2(2).

(Ord. CC-73-1, December 17, 1973, vol. 14, p. 489)

**2.02.030      Appropriation of Salaries**

The salary of each elected county official shall be set at that amount appropriated upon adoption of and fixing of the budget of Island County as provided in RCW 36.40.100.

(Ord. CC-73-1, December 17, 1973, vol. 14, p. 489)

**2.02.040      Commissioners' Salaries**

- A. The salary of the District Three position on the Board of Island County Commissioners for 1995 and 1996, the first two years of the new term, shall be \$55,786. The salaries of the District One and District Two positions on the Board of Island County Commissioners for the years 1995 and 1996, the last two years of those terms, shall remain at \$53,130, the current salary for those positions.

**2.02.040****ADMINISTRATION AND PERSONNEL**

- B. The salaries of all positions on the Board of Island County Commissioners shall be increased on January 1st of each odd-numbered year, beginning in 1997, by five (5) percent. For 1997, the five (5) percent increase shall be applied to the District Three position salary to determine the salary of all Commissioner positions.
- C. All positions on the Board of Island County Commissioners shall receive the identical salary beginning in 1997, the first year following the election for the new terms for the District One and District Two positions.
- D. The following table illustrates the salary structure under the provisions of paragraphs A through C above:

**Island County Board of County Commissioner Member Salaries**

<b>Year</b>	<b>District One</b>	<b>District Two</b>	<b>District Three</b>
1995	53,130	53,130	55,786 (53,130 + 5%)
1996	53,130	53,130	55,786
1997	58,575 (55,786 + 5%)	58,575	58,575
1998	58,575	58,575	58,575
1999	61,504 (58,575 + 5%)	61,504	61,504
2000	61,504	61,504	61,504
2001	64,579 (61,504 + 5%)	64,579	64,579
	Etc.		

(Ord. CC-73-1, December 17, 1973, vol. 14, p. 489; Res. C-145-90, September 10, 1990, vol. 31, p. 403; amended by Res. C-80-92, July 27, 1992, vol. 34, p. 255, effective January 1, 1993; amended by Res. C-58-94, August 1, 1994, vol. 37, p. 278, effective January 1, 1995)

**2.02.050 Salaries of Elected Officials other than Commissioners**

The salaries of other Island County elected officials shall be set as a percentage of the salary of the members of the Board of Island County Commissioners as provided in ICC 2.02.040. The percentage relationships shall be as follows:

**SALARIES OF ELECTED OFFICIALS**

**2.02.050**

Prosecuting Attorney .....135  
 Sheriff .....110  
 Auditor .....90  
 Assessor .....90  
 Treasurer .....90  
 Clerk.....90  
 Coroner .....90

(Res. C-145-90, September 10, 1990, vol. 31, p. 403, effective January 1, 1993; amended by Res. C-80-92, July 27, 1992, vol. 34, p. 255, effective January 1, 1993; amended by Res. C-58-94, August 1, 1994, vol. 37, p. 278, effective January 1, 1995; amended by Ord. C-57-97, November 3, 1997, vol. 41, p. 168; amended by Res. C-46-99, May 17, 1999, effective June 1, 1999, vol. 43, p. 278; amended by Res. C-105-01, August 27, 2001, effective September 1, 2001, vol. 45, p. 423; amended by Ord. C-131-05, December 12, 2005, effective January 1, 2006, vol. 2005, p. 414)

**Chapter 2.03<sup>3</sup>**

**Merit System for Public Works Department Employees**

**Sections:**

- 2.03.010 Merit System Established--Sanitary Sewer Utility and Water Utility Only**
- 2.03.020 Merit System--Employment**
- 2.03.030 Merit System--Classification**
- 2.03.040 Merit System--Promotion**
- 2.03.050 Merit System--Demotion, Suspension, Transfer, Layoff, and Discharge**
- 2.03.060 Merit System--Employee Performance Evaluation**
- 2.03.070 Severability**
- 2.03.080 Effective Date**

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<sup>3</sup> This chapter of the Island County Code is established to comply with the requirements of RCW 36.94.120 in establishing a public works department. See ICC 13.01 for establishment of public works department.

**2.03.010 Merit System Established--Sanitary Sewer Utility and Water Utility Only**

There is established a personnel merit system for the employment, classification, promotion, demotion, suspension, transfer, layoff, and discharge of appointive officers and employees of any sanitary sewer utility and water utility established as part of the Public Works Department solely on the basis of merit and fitness, without regard to political influence or affiliation. Such merit system shall not apply to the public works director or any chief administrative officer of the separate divisions established within the Public Works Department.

(Ord. PW 73-1, June 4, 1973, vol. 14, p. 333; amended by Ord. C-125-91, August 26, 1991, vol. 33 p. 55)

**2.03.020 Merit System--Employment**

In general, new employees will be obtained from applicants who have expressed a desire for employment, with or without advertisement by the department. The requirements for employment shall be ability and fitness. Insofar as is possible, uniformity and fairness in selection will be observed regardless of race, religion, creed, sex, national origin, political influence or affiliation. Appointees shall enter employment at the minimum salary scale for the classification they are entering. Forms to be filled out by the appointee shall be as required by statute in addition to an employee permanent record form.

(Ord. PW 73-1, June 4, 1973, vol. 14, p. 333)

**2.03.030 Merit System--Classification**

Positions with comparable duties and responsibilities will be grouped into appropriate classes and, when circumstances dictate, may be reviewed from time to time and divided, combined, altered, or abolished by the Board of County Commissioners, upon recommendation of the public works director who shall also recommend the development of any new classification or salary ranges whenever warranted.

(Ord. PW 73-1, June 4, 1973, vol. 14, p. 333)

**2.03.040 Merit System--Promotion**

As vacancies occur in the various classifications of employment, they shall be filled whenever possible by promotion from within the organization. All candidates for promotion must possess the qualifications set forth in the specifications of the class to which promotion is sought.

(Ord. PW 73-1, June 4, 1973, vol. 14, p.333)

## **MERIT SYSTEM FOR PUBLIC WORKS DEPARTMENT EMPLOYEES 2.03.050**

### **2.03.050 Merit System--Demotion, Suspension, Transfer, Lay-off, and Discharge**

The tenure of each employee shall be subject to his good behavior and the rendering by him of efficient service. Demotion, suspension, transfer, layoff, and discharge shall be by the supervisor responsible for the employee's actions. These supervisors are the public works director and the division supervisor who may take such appropriate action "on the spot" but generally following an advance notice of two (2) weeks. Grounds for these actions may be based upon work performance and conduct. They may not be based upon racial, religious, or political prejudice. Any employee dismissed shall have the right to be heard in the presence of the Board of County Commissioners and the supervisor who dismissed the employee. In event of reduction in force, layoffs will normally be determined by seniority within classification.

(Ord. PW 73-1, June 4, 1973, vol. 14, p. 333)

### **2.03.060 Merit System--Employee Performance Evaluation**

There shall be an evaluation of each employee's work three (3) months after starting regular employment and before any merit increase between steps of a salary range. The division supervisor shall make such evaluation on forms and under procedures prescribed by the public works director. The evaluation methods shall be so devised as to gain significant facts concerning the details of the quality and quantity of the work performed, the conduct and work habits of the employee, and other factors having a bearing on his value to the public works department. To this end the division supervisor shall make such reports in accordance with an acceptable method of appraisal.

(Ord. PW 73-1, June 4, 1973, vol. 14, p. 333)

### **2.03.070 Severability**

The provisions of this ordinance are hereby declared to be separable, and if any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

(Ord. PW 73-1, June 4, 1973, vol. 14, p. 333)

### **2.03.080 Effective Date**

This ordinance shall be in full force and effect five (5) days from and after its date of passage.

(Ord. PW 73-1, June 4, 1973, vol. 14, p. 333)

Chapter 2.04

Island County Road Department Working Conditions

Sections:

2.04.010 Revision of 1962 Working Conditions Resolution

2.04.020 Right of Review--County Commissioners

2.04.050 Personnel Practices--Recruitment

2.04.060 Promotion

2.04.070 Dismissal

2.04.080 Hours of Work

2.04.090 Overtime

2.04.100 Annual Leave

2.04.110 Sick Leave

2.04.120 Leave of Absence Without Pay

2.04.130 Military Leave

2.04.140 Civil Leave

2.04.150 Holidays

2.04.160 Job Designations

2.04.170 Handling of Complaints

2.04.200 Road Department Work for Other Agencies

2.04.010 Revision of 1962 Working Conditions Resolution

The 1962 Working Conditions Resolution shall be updated and revised, an organizational chart and wage rate schedule should be attached, and shall then be in force beginning January 1, 1969, and shall continue in force until such time as reviewed and amended by the Board of Commissioners.

(Res. 630, March 17, 1969, vol. 13, p. 165)

2.04.020 Right of Review--County Commissioners

The Board of County Commissioners reserves the right to review all working conditions, agreements, and enclosures within this resolution at any time subject to adjusting and changing the resolution as justified by the economic conditions of the road department.

(Res. 630, March 17, 1969, vol. 13, p. 165)

**2.04.050 Personnel Practices--Recruitment**

- A. Personnel are to be hired by their immediate supervisors and are to be approved by the Board of Commissioners and the engineer prior to appointment.
- B. In general, new employees will be obtained from applicants who have expressed a desire for employment with or without advertisement by the Department. The requirements for employment shall be ability and fitness. Race, creed, organization membership, or political party shall not be reason for hiring or not hiring any individual, except as required by statute. Island County residents will be given priority if ability is equal.

(Res. 630, March 17, 1969, vol. 13, p. 165)

**2.04.060 Promotion**

Advancements will be made with prior approval of the county engineer and the Board of County Commissioners.

(Res. 630, March 17, 1969, vol. 13, p. 165)

**2.04.070 Dismissal**

Dismissal shall be by the supervisor responsible for the employee's actions. These supervisors are the county road engineer, assistant engineer, maintenance supervisors. Grounds for dismissal may be based on work performance or conduct. They may not be based on racial, religious, or political prejudice. Final dismissal will be made upon approval by the county engineer and the Board of Commissioners.

(Res. 630, March 17, 1969, vol. 13, p. 165)

**2.04.080 Hours of Work**

- A. Maintenance and shop crews shall work the same number of hours and the same days per week, working forty (40) hours per week from Monday through Friday inclusive. Daily working hours shall be from 8:00 a.m. to 4:30 p.m., with one-half (1/2) hour lunch time.
- B. In emergencies, hours of work shall be as directed by the engineer, maintenance supervisor, or the foreman.
- C. Personnel shall travel to work on county time and from work on their own time provided that travel from work does not exceed one-half (1/2) hour. Engineer crews working on Camano Island will be allowed two (2) hours travel time, to be paid from the administration fund.

**2.04.080**

**ADMINISTRATION AND PERSONNEL**

- D. All engineering personnel shall work the same hours and the same days per week, working forty (40) hours per week from Monday through Friday inclusive. Daily working hours shall be from 8:00 a.m. to 4:30 p.m., with one-half (1/2) hour lunch time. In emergencies, during contract construction, hours of work shall be as directed by the county road engineer or assistant engineer. All crews shall be notified no later than the preceding day of any change in work hours.
- E. All office personnel shall work the same hours and the same days per week, working forty (40) hours per week from Monday through Friday inclusive. Daily work hours shall be from 8:00 a.m. to 5:00 p.m., with one (1) hour lunch time, excepting those persons on a seven-hour (7-hour) day.

(Res. 630, March 17, 1969, vol. 13, p. 165)

**2.04.090 Overtime**

- A. Overtime shall be any time in excess of eight (8) hours per day or in excess of forty (40) hours per week.
- B. Overtime pay will be allowed after approval by the county road engineer, and will be paid for at a time-and-one-half rate.
- C. Overtime pay shall in no instance be granted to any supervisory personnel.

(Res. 630, March 17, 1969, vol. 13, p. 165)

**2.04.100 Annual Leave**

Annual leave shall be granted in accordance with ICC 2.01.

(Res. 630, March 17, 1969, vol. 13, p. 165)

**2.04.110 Sick Leave**

Sick leave shall be granted in accordance with ICC 2.01.

(Res. 630, March 17, 1969, vol. 13, p. 165)

**2.04.120 Leave of Absence Without Pay**

Leave of absence without pay shall be granted in accordance with ICC 2.01.

(Res. 630, March 17, 1969, vol. 13, p. 165)

**2.04.130 Military Leave**

Leave not to exceed fifteen (15) calendar days in any period of twelve (12) consecutive months, over and above the annual leave, may be allowed any employee who is a member of the National Guard or Reserve Corps of the United States to the extent authorized by, and under the provisions of, chapter 236 of the Session Laws of 1957.

(Res. 630, March 17, 1969, vol. 13, p. 165)

**2.04.140 Civil Leave**

Any necessary leave may be allowed by the county road engineer to permit any employee to serve as a member of a jury. Any such leave will not result in loss of pay.

(Res. 630, March 17, 1969, vol. 13, p. 165)

**2.04.150 Holidays**

All legal holidays of the State of Washington will be observed by all Island County Road Department employees.

(Res. 630, March 17, 1969, vol. 13, p. 165)

**2.04.160 Job Designations**

A. Designation of maintenance personnel

- M-6 Working Foreman
- M-5 Mechanic
- M-4 Heavy Equipment Operator
- M-3 Truck Driver
- M-2 Common Laborer
- M-1 Flagman

B. Engineering personnel will be designated and qualified for pay scale purposes as follows:

1. **Engineer Tech. V.** Responsible for several divisions of work, (i.e., field and office staff and being qualified technically and by experience to supervise personnel included in these divisions).
2. **Engineer Tech. IV.** Responsible for field or office staff and be qualified technically and by experience to supervise personnel in either of these divisions.

3. **Engineer Tech. III.** Qualified technically and by experience to carry out responsibilities of a particular phase of engineering work.
4. **Engineer Tech. II.** Qualified by experience to perform nontechnical engineering work.
5. **Engineer Tech. I.** Not qualified to perform engineering work requiring technical ability or experience. (Note: Desirable qualifications for the above-listed engineer personnel designations are available at the engineer's office.)

(Res. 630, March 17, 1969, vol. 13, p. 165)

### 2.04.170 Handling of Complaints

- A. The county road engineer will develop a uniform procedure for the handling of all complaints. This will include the keeping of a record indicating the date and time the complaint is reported to the engineer's office, the name of the complainant, and the action taken.

(Res. 630, March 17, 1969, vol. 13, p. 165)

- B. All complaints will be reported directly to the maintenance supervisor and, in his absence, to the county road engineer.

(Res. 630, March 17, 1969, vol. 13, p. 165)

- C. Complaints registered to individual foremen, county commissioners, or other personnel, will be acted upon and reported to the maintenance supervisor indicating the reason for the complaint and the action taken.

(Res. 630, March 17, 1969, vol. 13, p. 165)

- D. A periodic report shall be made to the Board of Commissioners, indicating the type of complaints and actions taken.

(Res. 630, March 17, 1969, vol. 13, p. 165)

- E. The attached form, marked Exhibit "A," entitled "Island County Road Department--Complaint," shall be used for the handling of complaints to the Island County Road Department.

(Res. 915, January 4, 1971, vol. 13, p. 409)

- F. In handling complaints, the following flow, record keeping, distribution, system of follow-up, and reporting procedure shall be used:

1. **Flow:** From citizen to supervisory personnel or the road department then to the county engineer for action, disposition, or with report of action taken.
2. **Record Keeping:** Complaints shall be logged in the complaint record book and copy number one (1) of the complaint form shall be filed.

3. **Distribution:** Road department supervisory personnel responsible for corrective action shall receive copy number two (2) of the complaint form. Copy number three (3) shall be used for follow-up purposes.
4. **Follow-up:** The action required shall be checked by the county engineer on the complaint form. A follow-up date shall be established and the subject, supervisor responsible for action, and date required shall be entered into the engineering department's general follow-up system.
5. **Reporting:** A copy of the complaints log shall be furnished to the Board of County Commissioners monthly.

G. The attached form marked "Exhibit B," entitled "Island County Road Department--Complaints," shall be the form of the complaints log.

(Res. 915, January 4, 1971, vol. 13, p. 409)

#### 2.04.200 Road Department Work for Other Agencies<sup>4</sup>

An appropriate written agreement approved by the legislative body of both the county and the requesting agency shall precede any work by the county road department for the agency. Such an agreement may be for a specific item of work and/or any work during a specific period of time, or it may be a general agreement for a long period to be supplemented by individual requests for specific items of work.

- A. **Delegation.** The authority to administer this policy is delegated to the county engineer. If a general long-term agreement is in effect with a public agency, requests for specific items of work from that agency can be scheduled and accomplished by the county engineer without further authorization. The county engineer is further authorized to administer requests from other county departments when cost of work is estimated at less than one-thousand dollars (\$1,000.00). Requests estimated to cost more than one-thousand dollars (\$1,000.00) will be reviewed by the engineer and, along with his recommendation, submitted to the Board of County Commissioners for approval.
- B. **Procedures.**
  1. The public agency shall submit in triplicate the agreement to the county engineer's office. When work is requested, the agency shall submit in triplicate the request for work to be performed to the county engineer's office. All forms will be available in the engineer's office.

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<sup>4</sup> Such work is in accordance with the provisions of RCW 35.77.020, -.030, and -.040; RCW 36.75.020; RCW 39.34; and, WAC 136.32.

**ISLAND COUNTY ROAD DEPARTMENT WORKING CONDITIONS 2.04.200**

2. The engineer shall review agreements and requests and then submit agreement and/or request to the Board of County Commissioners, along with his recommendation.
3. Upon approval by the Board of County Commissioners, the engineer's office shall assign a work order number and shall keep an accurate account of all charges pertaining to the requested work.
4. When the work has been completed, the engineer's office will submit billings to the requesting agency for the work performed in accordance with the request and agreement.
5. The requesting agency shall make payment to the Island County Treasurer, c/o Island County Engineer, Courthouse, Coupeville, WA 98239.

(Ord. R-60-75, July 7, 1975, vol. 15, p. 350)

**2.08**

**Board of County Commissioners Meeting Time**

(Chapter 2.08, Board of County Commissioners Meeting Time, Ord. CC-81-01, September 8, 1981, vol. 19, p. 530; repealed by Res. CC-85-03, October 14, 1985)

**2.08A**

**Board of County Commissioner Meetings**

**Sections:**

- 2.08A.010 Regular Meetings**
- 2.08A.020 Special Meetings**
- 2.08A.030 Cancellations**
- 2.08A.040 Executive Sessions**
- 2.08A.050 Clerk of the Board**
- 2.08A.060 Record of Proceedings**
- 2.08A.070 Resolutions--Consideration at Subsequent Meeting--Exception**
- 2.08A.080 Effective Date**
- 2.08A.090 Severability**

**2.08A.010 Regular Meetings**

The Board of County Commissioners of Island County, Washington, shall hold regular meetings according to the schedule which follows for the purpose of transacting any and all business required or permitted by law, and provided that the board may adjourn any regular meeting from time to time as is expedient or desirable in order to properly transact the business of the county.

**THIS PAGE RESERVED**

On the first three (3) Mondays of each month, the meetings shall be held, beginning at 10:00 a.m., or as soon thereafter as possible, and continuing until 5:00 p.m., unless earlier recessed, with a luncheon recess from noon until 1:00 p.m. On the fourth Monday of each month, the meeting shall be held beginning at 11:00 a.m., or as soon thereafter as possible, and continuing until 9:00 p.m., unless earlier adjourned, with a luncheon recess from noon until 2:00 p.m. and a dinner recess from 5:00 p.m. until 6:00 p.m. When possible, public hearings will be held on the fourth Monday meeting, beginning at 6:00 p.m. These meetings shall be held in the County Commissioners' meeting room in the basement of the Island County Annex Building, Coupeville, Washington.

In addition, regular meetings shall be held in the County Commissioners' meeting room in the basement of the Island County Annex Building, , Coupeville, Washington, with county departments on the first and third Wednesdays of each month, beginning at 9:00 a.m., and on the second Wednesday of each month, beginning at 10:00 a.m. Each meeting shall begin as soon as possible on or after those designated beginning times, and continue until 5:00 p.m., or adjournment, with a luncheon recess from noon until 1:00 p.m. In the event any regular meeting would fall on a legal holiday, such regular meeting shall not be held.

(Res. CC-85-03, October 14, 1985, vol. 24, p. 456; amended by Res., December 9, 1985, vol. 25, p. 33; amended by Res. C-69-87, October 5, 1987, vol. 27, p. 268; amended by Res. C-19-88, February 8, 1988, vol. 28, p. 18; amended by Res. C-24-90, February 12, 1990, vol. 30, p. 430; amended by Res. C-131-90, August 6, 1990, vol. 31, p. 313; amended by Res. C-35-98, April , 1998, vol. 42, p. 89; amended by Res. C-03-08, January 28, 2008, vol. 2008, p. 28; amended by Res. C-33-09, March 23, 2009, vol. 2009, p. 137)

**2.08A.020 Special Meetings**

The Board of County Commissioners may hold special meetings in the manner provided for by law in RCW 42.30.080, as presently written or as it may in the future be amended.

(Res., December 9, 1985, vol. 25, p. 33)

**2.08A.030 Cancellations**

Any regular or special meeting may be canceled. Cancellations may be made by less than a quorum of the board. If all members are absent, the clerk or secretary of the board may declare the meeting canceled. Unless a written notice of cancellation shall provide a different time and place, the next regular meeting of the board shall be at the date, time, and place as provided by this resolution for the holding of regular meetings.

(Res., December 9, 1985, vol. 25, p. 33)

**2.08A.040 Executive Sessions**

Executive sessions may be held as provided by law in RCW 42.30.110 as it is now written or may be amended in the future.

(Res., December 9, 1985, vol. 25, p. 33)

**2.08A.050 Clerk of the Board**

Pursuant to RCW 36.32.110, the board designates one of its employees, rather than the county auditor, to serve as clerk of the board, attend its meetings and prepare a record of its proceedings. (Ord. C-60-97, November 17, 1997, vol. 41, p. 194)

**2.08A.060 Record of Proceedings**

A record of proceedings of the board at regular and special meetings shall be kept as provided by law. The clerk of the board shall make the record of proceedings for all meetings of the board. The record of proceedings for all regular meetings of the board which occur on the first four (4) Mondays of each month and such special meetings designated by the board shall be kept in the office of the county auditor. The record of proceedings of all other regular meetings and other special meetings shall be kept in the office of the board.

(Res., December 9, 1985, vol. 25, p. 33; amended by Res. C-24-90, February 12, 1990, vol. 30, p. 430; amended by Ord. C-60-97, November 17, 1997, vol. 41, p. 194)

**2.08A.070 Resolutions--Consideration at Subsequent Meeting --Exception**

Individually or collectively, members of the Island County Board of Commissioners may introduce resolutions on various subjects at any regularly scheduled public meeting for consideration by the board at a time certain during a subsequent public meeting; **provided** that resolutions may be considered by the board without advance notice only after a finding by a majority of members present that circumstances require action at that meeting.

(Res. C-67-88, September 12, 1988, vol. 28, p. 463; amended by Ord. C-60-97, November 17, 1997, vol. 41, p. 194)

**2.08A.080 Effective Date**

This resolution shall be effective on the day of its passage.

(Res., December 9, 1985, vol. 25, p. 33; amended by Ord. C-60-97, November 17, 1997, vol. 41, p. 194)

**2.08A.090 Severability**

If any provision of this resolution or its application to any person or circumstance shall later be held invalid, the remainder of this resolution or the application of the provisions to other persons or circumstances shall not be affected.

(Res., December 9, 1985, vol. 25, p. 33; amended by Ord. C-60-97, November 17, 1997, vol. 41, p. 194)

**Chapter 2.12<sup>5</sup>**

**Sheriff's Department Under Civil Service System**

**Sections:**

- 2.12.010 Civil Service Commission Created**
- 2.12.020 Compensation, Appointment, Powers of Commissioners**
- 2.12.030 Terms of Office**
- 2.12.040 Coverage of Civil Service System**
- 2.12.050 Duties of Commission**
- 2.12.060 Purpose of Chapter**

**2.12.010 Civil Service Commission Created**

There is hereby created a Civil Service Commission for the sheriff's department of the County of Island, State of Washington, which commission shall be comprised of three (3) persons appointed by the Board of County Commissioners, Island County, Washington.

(Res., July 5, 1960, vol. 12, p. 5)

**2.12.020 Compensation, Appointment, Powers of Commissioners**

The members of the commission shall serve without compensation, and no person shall be appointed a member of the commission who is not a citizen of the United States, a resident of Island County, Washington for at least two (2) years immediately preceding his appointment, and an elector of said county. The duties, powers, salaries, expenses, immunities, and procedures of said commission are as set forth in the above-mentioned enactment of the laws of the State of Washington, and as the same may be amended from time to time.

(Res., July 5, 1960, vol. 12, p. 5)

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<sup>5</sup> For statutory provisions regarding a sheriff's department civil service, see RCW 41.14.

**2.12.030 Terms of Office**

The terms of office of each commissioner shall be six (6) years, except that the first three (3) members of the commission shall be appointed for different terms, as follows: one to serve for a period of two (2) years; one to serve for a period of four (4) years; and, one to serve for a period of six (6) years.

(Res., July 5, 1960, vol. 12, p. 5)

**2.12.040 Coverage of Civil Service System**

The classified civil service as provided by the laws of the State of Washington and hereby adopted, shall apply to and include all full-paid employees of the sheriff’s department, Island County, Washington, except those specifically excluded by the above-mentioned laws.

(Res., July 5, 1960, vol. 12, p. 5)

**2.12.050 Duties of Commission**

Immediately after appointment, the commission shall organize, as by law provided, and shall then proceed to make suitable rules and regulations and perform the duties imposed by law.

(Res., July 5, 1960, vol. 12, p. 5)

**2.12.060 Purpose of Chapter**

It is hereby expressly declared that it is the purpose of this chapter to fully provide for the carrying into effect the laws of the State of Washington relating to civil service for sheriffs’ departments, as more particularly set forth in the above-described enactment of the laws of the State of Washington.

(Res., July 5, 1960, vol. 12, p. 5)

**Chapter 2.16**

**Civil Defense Civil Service System**

(Chapter 2.16, Civil Defense Civil Service System, Res., May 3, 1971, vol. 13, p. 450; repealed by Res., June 6, 1983, vol. 21, p. 008)

**Chapter 2.20  
Island County Fair**

(Chapter 2.20, Island County Fair, and the resolution passed April 2, 1962, vol. 12, p. 123, covering said subject repealed by Island County Code 2.20A by Res. C-148-89, December 4, 1989, effective January 1, 1990, vol. 30, p. 253)

**Chapter 2.20A  
Island County Fair**

**Sections:**

- 2.20A.010 Fair Association; Agency Designation**
- 2.20A.020 Association Structure Requirements**
- 2.20A.030 Fair Association Responsibilities**
- 2.20A.040 Board of County Commissioners' Responsibilities**
- 2.20A.050 Fair Manager**
- 2.20A.060 Re-establishment of Fair Fund**
- 2.20A.070 Re-establishment of Revolving Fund**
- 2.20A.080 Island County Fair Association Bylaw Review**

**2.20A.010 Fair Association; Agency Designation**

Pursuant to authority granted by chapter 36.37 RCW, and 15.76 RCW, the Island County Fair Association, Inc., a Washington non-profit corporation, is hereby designated as the exclusive “agency” to operate and manage the Island County Fair and such other events as authorized under RCW 15.76 in accordance with this chapter (2.20A) of the Island County Code and all other applicable laws and statutes.

(Res. C-148-89, December 4, 1989, effective January 1, 1990, vol. 30, p. 253)

**2.20A.020 Association Structure Requirements**

The Island County Fair Association shall, within six (6) months of the effective date of this chapter and as soon as possible according to its bylaws, take any and all legal and lawful steps necessary, including amending its bylaws, to ensure the following:

- A. The Fair Association Board of Directors shall consist of eleven (11) positions/members, three (3) of which shall be appointed directly by the Board of County Commissioners from residents of the three respective Whidbey Island School Districts. Appointed directors need not be members of the Fair Association. Initially the South Whidbey appointee shall be appointed for one (1) year, the Central Whidbey appointee for two (2) years, and the North Whidbey appointee for three (3) years. Subsequently said terms shall be for three (3) years each.

- B. Two (2) positions on the board of directors shall be reserved for the president of the Island County Fair Association, Inc., and a representative of the Island County 4-H Leaders Council elected from among its members. Said two (2) positions are to serve as “standing members” of the board of directors.
- C. Three (3) positions shall be designated for qualified Fair Association members in good standing, residing in the three (3) respective Whidbey Island School Districts. Only if such qualified nominees cannot be found or recruited by the Fair Association to serve or stand for election, may “at-large” members be elected or appointed to said positions. Except that one at-large position in addition to the above will be reserved for a Camano Island representative. This position will go unfilled in the absence of a qualified Camano Island volunteer.
- D. The remaining three (3) positions on the board of directors shall be available to any qualified “at-large” members of the Fair Association.
- E. The terms of office of the nine (9) directors (other than the two standing members) shall be staggered so that no more than three (3) director terms expire in any given year. The term of office for said director positions shall be three (3) years, and no director may serve more than two (2) consecutive terms of office unless the position cannot otherwise be filled.
- F. A quorum for meetings of the board of directors shall consist of at least a majority of the filled positions.
- G. Regular membership meetings of the Island County Fair Association, Inc. will be held May through September at the Island County Fairgrounds, then alternate being held in Coupeville every other month (October, December, February and April) and all remaining meetings being held at the Fairgrounds. Public notice (with available agenda) of all regular meetings of the Fair Association shall be provided during the week preceding the date of said meetings.
- H. At least two (2) regular meetings per year of the Fair Association Board of Directors shall be held in Coupeville. All other meetings of the board of directors may be held at the fairgrounds or other appropriate location.
- I. Generally, all meetings of the association and board of directors shall be open to public attendance and input as much as is practicable. Minimally, at least the two (2) Coupeville meetings of the board of directors shall include the specific purpose of receiving input and comments about the fair from the public at large. Said two (2) board meetings shall be preceded by public notice during the week preceding said meeting dates.

(Res. C-148-89, December 4, 1989, effective January 1, 1990, vol. 30, p. 253; amended by Res. C-36-92, April 13, 1992, vol. 34, p. 10; amended by Ord. C-58-97, November 10, 1997, vol. 41, p. 189; amended by Res. C-67-04, August 23, 2004, vol. 2004, p. 244)

**2.20A.030 Fair Association Responsibilities**

- A. The Island County Fair Association board of directors, in conjunction with the Board of County Commissioners shall be responsible for the safe, efficient, cooperative, management and operation of the annual Island County Fair and the Island County Fairgrounds, toward this end:
  - 1. The Fair Association Board of Directors shall be responsible for the selection and hiring/firing of the Island County Fair paid staff. Hiring a Fair Manager is optional with the Fair Association Board of Directors, provided, however, that the selection and hiring/firing of a Fair Manager by the Board of Directors is subject to the review and approval by the Board of County Commissioners.
  - 2. Should a Fair Manager be hired, the Fair Association Board of Directors shall ensure that the fair manager has sufficient management authority and assistance to properly carry out the duties of the position.
  - 3. The Fair Association Board of Directors shall designate a single person from among its members to act as the principal supervisor or contact person for the fair paid staff. Communications, directives, or guidance between the fair paid staff and the association shall proceed through the channel thus established.
  - 4. Decisions regarding expenditures for significant capital improvements (other than normal maintenance and repair) at or in the fairgrounds shall be recommended by the Fair Association Board of Directors to the Board of County Commissioners through the annual budget process.
  - 5. The Fair Association and its board of directors shall operate in accordance with its adopted by-laws and Articles of Incorporation, and all applicable laws of Island County and the State of Washington.
- B. At the first regular meeting after closure of the fair each year which is agreeable to both the Board of Island County Commissioners and the Fair Board, the Fair Board will provide a summary of the year's activities. The operation of this document will be one of the subjects of discussion at that time.

(Res. C-148-89, December 4, 1989, effective January 1, 1990, vol. 30, p. 253; amended by Res. C-67-04, August 23, 2004, vol. 2004, p. 244)

**2.20A.040 Board of County Commissioners' Responsibilities**

- A. Within six (6) months of the effective date of this chapter, the Island County Board of Commissioners shall take the lawful steps necessary to permanently dedicate the present Island County Fairgrounds for public use and enjoyment as fair or community center facilities, and to include specific designation of the main fair building (the "pole barn") as a historically significant structure. The documents created to accomplish said dedication shall be submitted to the Fair Association for review and comment prior to adoption and recording by the county. Said documents shall ensure, to the extent allowed by state law, that the fairground property may not be declared surplus, sold, or conveyed for private

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**ADMINISTRATION AND PERSONNEL**

ownership and use without the affirmative consent via an advisory ballot of the voters within the South Whidbey School District.

- B. The Board of County Commissioners or one (1) of its members designated for the task shall act as arbiter of disputes deemed sufficiently significant by the Board of County Commissioners that may arise over the operations and management of the fair, and shall have the final say in the resolution of said disputes as may arise in the future.
- C. The Board of County Commissioners shall act in a prompt and expeditious manner in reviewing and approving decisions of the Fair Association regarding the hiring and firing of the fair manager. The board's failure to act on said decisions within thirty (30) calendar days of receipt of same shall constitute automatic approval and ratification of said decisions.
- D. The Board of County Commissioners may delegate one (1) of its members to participate in the fair manager selection process.
- E. In exercising its responsibility to appoint three (3) members of the Fair Association Board of Directors, the Board of County Commissioners shall strive to select persons with a history of active volunteer participation in the Island County Fair, and who will commit to the responsibilities associated with serving as a member of the Fair Association Board of Directors. Said appointed members shall be subject to the Fair Association bylaw provisions applicable to the Board of Director responsibilities including meeting attendance and fair participation.

Removal of any director appointed by the Board of County Commissioners shall be by recommendation of the Fair Association with concurrence of the Board of County Commissioners. The Board of County Commissioners shall act quickly to re-appoint any of its designated director positions in the event that a vacancy occurs.

(Res. C-148-89, December 4, 1989, effective January 1, 1990, vol. 30, p. 253; amended by Res. C-67-04, August 23, 2004, vol. 2004, p. 244)

**2.20A.050 Fair Manager**

- A. The board of directors of the Island County Fair Association in conjunction with the Board of County Commissioners shall be responsible for the hiring and firing of a full-time Island County Fair Manager should the Board of Directors determine that one is necessary. Decisions to initiate or terminate the employment of the fair manager shall be forwarded to the Board of County Commissioners for review and approval at its next regular meeting. The fair manager shall be an at-will employee of the Island County Fair Association, not an employee of Island County.

## ISLAND COUNTY FAIR

**2.20A.050**

Termination of the fair manager may be either by majority vote of the Fair Association Board of Directors at regular or special meeting, or by directive of the Board of County Commissioners, when deemed in the immediate best interests of the public health, safety, and welfare. If a Fair Manager is not determined to be necessary by the Board of Directors, the Board of Directors shall be responsible for the duties and responsibilities that follow in subsection B. below.

- B. The fair manager shall:
1. Serve as coordinator of the Island County Fair;
  2. Manage, with the advice and direction of the Island County Fair Association Board of Directors, the preparation, promotion, and operation of the annual Island County Fair;
  3. Attend all meetings of the Island County Fair Association and its board of directors, and such other meetings of subcommittees, etc., as may be necessary;
  4. In conjunction with the responsible officers and directors of the Fair Association, prepare and administer the annual budget for the Island County Fair, and be responsible for disbursements of funds and financial transactions of the fair consistent with Fair Association responsibilities and Island County policies and procedures governing the expenditure of county funds;
  5. Develop and administer the program for off-season county fairgrounds/facilities consistent with guidance and policies as may be provided by the Fair Association Board of Directors;
  6. Coordinate the maintenance of fair facilities and their preparation for the annual Island County Fair;
  7. Hire and supervise persons to fill permanent and seasonable employee positions as may be assigned to the fair manager by the Fair Association Board of Directors, subject to personnel policies and procedures as may be provided by the Fair Association Board of Directors;
  8. Perform such other duties related to the management and operations of the fair and fairgrounds as may be assigned by the Fair Association; and
  9. The fair manager's primary channel of communications with the Fair Association shall be through the party or individual officially designated by the Fair Association Board of Directors to act as supervisor of the fair manager.

(Res. C-148-89, December 4, 1989, effective January 1, 1990, vol. 30, p. 253; amended by Res. C-67-04, August 23, 2004, vol. 2004, p. 244)

**2.20A.060 Re-establishment of Fair Fund**

A separate fund is created in the county treasurer’s office, designated the “Island County Fair Fund,” into which all future funds derived under the provisions of RCW 15.76.150, and all fair receipts and donations, shall be deposited. Funds in the previously created and existing fair fund shall be transferred to this new fund.

(Res. C-148-89, December 4, 1989, effective January 1, 1990, vol. 30, p. 253)

**2.20A.070 Re-establishment of Revolving Fund**

The county auditor is authorized to provide a revolving fund to be used by the Fair Association for the conduct of the fair, as provided by RCW 36.37.040.

(Res. C-148-89, December 4, 1989, effective January 1, 1990, vol. 30, p. 253)

**2.20A.080 Island County Fair Association Bylaw Review**

Revisions to the bylaws of the Island County Fair Association shall require the review and comment by the Board of County Commissioners before said revisions may become effective.

(Res. C-67-04, August 23, 2004, vol. 2004, p. 244)

**Chapter 2.24**

**Economic Development Planning Commission**

(Recodified--see chapter 16.16)

**Chapter 2.28**

**Health Department Civil Service System**

(Chapter 2.28, Health Department Civil Service System, Res., July 13, 1970, vol. 13, p. 324; repealed by Res. H-1-82, July 6, 1982, vol. 20, p. 207)

**Chapter 2.29**

**Service, Electronic Data Processing and Telecommunications Contracts**

**Sections:**

- 2.29.010 Intent**
- 2.29.020 Definitions**
- 2.29.030 Competitive Solicitation Required; Exceptions**
- 2.29.040 Award Following Competitive Solicitation**
- 2.29.050 Contract Review Procedures**

**2.29.010 Intent**

It is the intent of this chapter to establish a policy of competitive solicitation for all service contracts and contracts to acquire electronic data processing or telecommunications equipment, software or services entered into by Island County, its departments and officials, unless specifically exempted under this chapter. It is further the intent to provide a policy requiring the Board of County Commissioners, the Prosecuting Attorney and the Risk Manager to review all service contracts exceeding \$5,000 prior to any agreement being entered into. Notwithstanding any other provision of this chapter, the Board of County Commissioners reserves the right to require competitive solicitation for any service contract on a case by case basis.

(Ord. C-17-95, April 24, 1995, vol. 38, p. 270; amended by Ord. C-23-00, April 10, 2000, vol. 44, p. 374)

**2.29.020 Definitions**

As used in this chapter:

- A. “Competitive solicitation” means a documented process providing an equal and open opportunity to qualified parties and culminating in a selection based on criteria which may include such factors as fees, costs, ability, capacity, experience, reputation, responsiveness to time limitations, responsiveness to solicitation requirements, quality of previous performance, and compliance with statutes and rules relating to contracts or services. Notice of a request for proposal must, at a minimum, be published in the official county newspaper designated pursuant to RCW 36.72.075 at least thirteen (13) days before the last date upon which proposals will be received. The request for proposal must identify significant factors, including price, and their relative importance.
- B. “Department” means to include any county department, office or activity of county government including boards and commissions.
- C. “Emergency” means a set of unforeseen circumstances beyond the control of the department that either present a real, immediate threat to the proper performance of essential functions; or, may result in material loss or damage to property, bodily injury or loss of life if immediate action is not taken.
- D. “Sole source” means a service providing professional or technical expertise of such a unique nature that the provider is clearly and justifiably the only practicable source to provide the service. The justification shall be based on either the uniqueness of the service or sole availability at the location required.
- E. “Service” means anything of value that does not constitute materials, equipment or supplies as covered under ICC 2.30A.

(Ord. C-17-95, April 24, 1995, vol. 38, p. 270; amended by Ord. C-23-00, April 10, 2000, vol. 44, p. 374)

**2.29.030 Competitive Solicitation Required; Exceptions**

- A. Electronic Data Processing and Telecommunications. Acquisition of all electronic data processing or telecommunications equipment, software or services shall be by competitive solicitation, except the following do not require competitive solicitation:
1. Contracts or purchases made necessary by a disaster as set forth in RCW 38.52.070(2);
  2. Contracts and purchases for equipment involving an amount less than \$5,000;
  3. Contracts and purchases between \$5,000 and \$25,000 so long as the alternate informal bid procedure contained in ICC 2.30A.020 is followed;
  4. Contracts and purchases made through interlocal governmental agreement with the United States, a state, or another political subdivision which fulfill the aforementioned competitive solicitation requirements or the competitive bidding requirements of chapter 2.30A ICC;
  5. Sole source contracts; and
  6. Contract amendments.
- B. Other Services. All service contracts, other than contracts for electronic data processing or telecommunication services covered above, shall be entered into pursuant to competitive solicitation, except for:
1. Contracts made necessary by a disaster as set forth in RCW 38.52.070(2);
  2. Sole source contracts;
  3. Contract Amendments;
  4. Contracts for services less than fifteen thousand dollars (\$15,000); Departments shall not structure contracts to avoid this requirement;
  5. Contracts awarded to companies that furnish a service where the tariff is established by the utilities and transportation commission or other public entity;
  6. Intergovernmental agreements;
  7. Contracts for architectural and engineering services, which shall be entered into pursuant to chapter 39.80 RCW;
  8. Contracts for the employment of expert witnesses for the purposes of litigation or contracts for dispute resolution services;
  9. Contracts for or purchases of election services;

## SERVICE CONTRACTS

2.29.030

10. Contracts of Insurance, self-insured plan contractors, claims or insurance contract administrators or similar services in connection therewith, however continuing contracts of this nature shall be required to be reviewed and approved prior to renewal by the Board of County Commissioners at least once every three (3) years;
11. Contracts for services exempt from competitive solicitation specifically provided for under any state statute, case law or grant agreement (where the grant recipient is the County); and
12. Any service contract waived by the Board of County Commissioners on a case by case basis.

(Ord. C-17-95, April 24, 1995, vol. 38, p. 270; amended by Ord. C-23-00, April 10, 2000, vol. 44, p. 374; amended by Ord. C-88-07, September 10, 2007, vol. 2007, p. 273)

### 2.29.040 Award Following Competitive Solicitation

The County will award the contract or make the purchase from the qualified contractor or vendor whose proposal is most advantageous to the County with the price and other factors considered. The County may reject any and all proposals for good cause and may then request new proposals.

(Ord. C-23-00, April 10, 2000, vol. 44, p. 374)

### 2.29.050 Contract Review Procedures

Island County departments shall submit proposed service contracts in excess of \$5,000 to the Board of County Commissioners, Prosecuting Attorney and Risk Manager for general review, review of the contract form and risk and insurance provisions, respectively. All service contracts, regardless of amount, shall be submitted to the Risk Manager for review of risk and insurance provisions who shall assign an internal Island County contract control number. A standard cover sheet shall be attached to the proposed contract form to initiate the review and for verification of the review approval or suggested amendments thereto. All Island County proposed service contracts shall automatically come under the provisions of this chapter unless clearly excepted herein. It is the responsibility of the department head and/or Elected Official to resolve any question regarding a proposed contract qualifying as an exception with the Board of County Commissioners prior to its award. The Risk Manager may establish rules and procedures regarding the service contract approval process.

(Ord. C-17-95, April 24, 1995, vol. 38, p. 270)

## Chapter 2.30

### Purchases and Contracts

(Chapter 2.30, Purchases and Contracts, Ord. CC-73-2, November 5, 1973, vol. 14, p. 437; amended by Ord. PA-77-03, December 8, 1977, vol. 17, p. 178; amended by Ord. C-72-87, November 2, 1987, vol. 27, p. 327; amended by Ord. C-29-90, February 12, 1990, effective March 12, 1990, vol. 30, p. 486; amended by Ord. C-173-90, November 19, 1990, vol. 32, p. 41 is repealed by Ord. C-117-91, August 12, 1991, vol. 33, p. 31)

## Chapter 2.30A

## Purchases, Leases, and Public Works Contracts

## Sections:

- 2.30A.010 Bidding Procedure for Purchase of Materials, Equipment, Supplies, and Leases--Exemption under \$5,000 and other Exemptions--Board Pre-Approval of all Leases Required**
- 2.30A.020 Purchase of Materials, Equipment, Supplies, and Leases between \$5,000 and \$25,000--Alternative to Advertising and Formal Bid Procedure**
- 2.30A.030 Purchase of Road Maintenance Materials-Consideration of Haul Distance--Award to Multiple Bidders**
- 2.30A.040 Bidding Procedure for Awarding Public Works Contracts--Exemption under \$10,000 and other Exemptions**
- 2.30A.050 Public Works Contracts Greater than \$10,000 and up to \$200,000--Small Works Roster-Alternative to Advertising and Formal Bid Procedure**
- 2.30A.060 List of Vendors and Small Works Roster--Alternative to Advertisement and Formal Competitive Bidding--Posting of Purchase/ Contract List**
- 2.30A.070 Procurement of Architectural and Engineering Services**
- 2.30A.010 Bidding Procedure for Purchase of Materials, Equipment, Supplies and Leases--Exemption under \$5,000 and other Exemptions--Board Pre-Approval of all Leases Required**

- A. No purchase or contract for the purchase of materials, equipment, supplies, or leases of personal property may be made by the Board of County Commissioners or any elected or appointed Island County officer without first complying with the advertising and formal competitive bidding procedures set forth in RCW 36.32.245(1) and (2) as now in effect or hereafter amended, except as follows:
1. Contracts, purchases, and leases involving an amount less than \$5,000 do not require formal or informal competitive bidding;
  2. Island County may contract by interlocal governmental agreement with the United States, a state, or another political subdivision to fulfill the aforementioned bidding requirements and any purchase or lease made pursuant to said interlocal governmental agreement shall be deemed to have complied with the purchasing procedures of this chapter without the necessity of further bidding;
  3. Purchases, contracts for the purchase of materials, equipment, supplies, and leases between \$5,000 and \$25,000 need not follow the formal competitive bidding

procedure so long as the alternate informal bid procedure contained in ICC 2.30A.020 is followed;

4. Items may be purchased at a governmental or private party auction when the items purchased can thereby be obtained at a competitive price;
  5. Performance-based contracts, as defined in RCW 39.35A.020(4) (energy equipment and services contracts), which are negotiated under chapter 39.35A RCW;
  6. Contracts and purchases for the printing of election ballots, voting machine labels, and all other election material containing the names of candidates and ballot titles;
  7. Emergency purchases or contracts for purchases following adoption of resolution by the Board of County Commissioners pursuant to RCW 36.32.270;
  8. Public works contracts which bidding procedures are set forth in ICC 2.30A.040 and 2.30A.050;
  9. Purchases, contracts for purchases and leases which are exempt from competitive bidding procedures under any statute or case law; and
  10. Purchases of electronic data processing equipment and/or software and telecommunications equipment and/or software that follows the procurement procedures set forth in chapter 2.29 ICC.
- B. The county may provide that no bid will be considered unless it is accompanied by a bid deposit in the form of a surety bond, postal money order, cash, cashier's check, or certified check in an amount equal to five (5) percent of the amount of the bid proposed. The county may require from the successful bidder a performance bond. If the bidder to whom the contract is awarded fails to enter into the contract and furnish any required performance bond as required within ten (10) days after notice of the award, exclusive of the day of notice, the amount of the bid deposit shall be forfeited to the county and the contract awarded to the next lowest and best bidder. The bid deposit of all unsuccessful bidders shall be returned after the contract is awarded and any required performance bond given by the successful bidder is accepted by the Board of Commissioners.
- C. Regardless of the applicability of any exceptions to the bidding procedure, all leases of personal and real property, no matter what the amount of the lease, shall be pre-approved in writing by the Board of County Commissioners prior to the lease being entered into.

(Res. C-117-91, August 12, 1991, vol. 33, p. 31; amended by Ord. C-94-93, December 6, 1993, vol. 36, p. 315; amended by Ord. C-23-00, April 10, 2000, vol. 44, p. 374; amended by Ord. C-88-07, September 10, 2007, vol. 2007, p. 273)

**2.30A.020 Purchase of Materials, Equipment, Supplies, and Leases between \$5,000 and \$25,000--Alternative to Advertising and Formal Bid Procedure**

Advertising and the formal sealed bidding procedures of RCW 36.32.245(1) and (2) as now in effect or hereafter amended, may be dispensed with for purchases of materials, equipment, supplies and leases of personal property between \$5,000 and \$25,000 by complying with the following procedure: Telephone and/or written quotation shall be obtained from at least three (3) different vendors from the appropriate vendor list maintained by the county auditor to assure the establishment of a competitive price for purchase or lease from the lowest responsible bidder as defined in RCW 43.19.1911. When there are fewer than three (3) quotations from vendors on the vendor's list, then additional quotations from other vendors shall be solicited so that at least three (3) quotations are obtained whenever possible. Immediately after the award is made, the bid quotations obtained shall be forwarded to and recorded with the county auditor, open to public inspection, and shall be available by telephone inquiry. A purchase or contract awarded pursuant to this section need not be advertised.

(Res. C-117-91, August 12, 1991, vol. 33, p. 31; amended by Ord. C-94-93, December 6, 1993, vol. 36, p. 315; amended by Ord. C-88-07, September 10, 2007, vol. 2007, p. 273)

**2.30A.030 Purchase of Road Maintenance Materials--Consideration of Haul Distance--Award to Multiple Bidders**

In accordance with section 61, chapter 363, 1991 Laws, when calling for competitive bids for the procurement of road maintenance materials, Island County may award to multiple bidders for the same commodity when the bid specifications provide for the factors of haul distance to be included in the determination of which vendor is truly the lowest price to the county. The county may readvertise for additional bidders and vendors if it deems it necessary in the public interest.

(Res. C-117-91, August 12, 1991, vol. 33, p. 31)

**2.30A.040 Bidding Procedure for Awarding Public Works Contracts--Exemption under \$10,000 and other Exemptions**

No contract for public works shall be entered into by the Board of County Commissioners or any elected or appointed county officer without first complying with the competitive bidding procedure contained in RCW 36.32.250 as now in effect or hereafter amended, or the alternative public works contracting procedures provided in House Bill 1506 (2007) when authorized by the Board of County Commissioners, except as follows:

- A. Public works contracts involving an amount less than \$10,000 do not require formal or informal competitive bidding;
- B. For public works projects with an estimated value of \$10,000 or more, up to \$200,000 when the small works roster process set forth in ICC 2.30A.050 is followed;

- C. County road construction and road improvement project contracts shall comply with the bidding procedures of RCW 36.77.020 through 36.77.040 except as allowed under the alternate bidding procedure of ICC 2.30A.050;
- D. Performance-based contracts, as defined in RCW 39.35A.020(4) (energy equipment and services) which are negotiated under chapter 39.35A RCW;
- E. Emergency contracts following adoption of resolution by the Board of County Commissioners pursuant to RCW 36.32.270; and
- F. Any public works project which is exempt from bidding under any state statute or decisional case law.

(Res. C-117-91, August 12, 1991, vol. 33, p. 31; amended by Ord. C-94-93, December 6, 1993, vol. 36, p. 315; amended by Ord. C-88-07, September 10, 2007, vol. 2007, p. 273)

**2.30A.050 Public Works Contracts Greater than \$10,000 and up to \$200,000 -- Small Works Roster -- Alternative to Advertising and Formal Bid Procedure**

- A. The advertising and formal sealed competitive bidding procedures of RCW 36.32.250 and RCW 36.77.020 through 36.77.040 may be dispensed with for public works projects estimated to be between \$10,000 and \$100,000 when the following procedure is followed: Quotations from contractors on the general small works roster or a specific small works roster for the appropriate specialty or category of work, which roster is maintained by the Island County Public Works Director, shall be invited from at least five (5) contractors whenever available. The invitation for quotations must include an estimate of the scope and nature of the work to be performed as well as materials and equipment to be furnished and any other public works requirements. Quotations from contractors must be in writing. Once a contractor has been given an opportunity to submit a proposal, that contractor shall not be offered another opportunity until all other appropriate contractors on the applicable small works roster have been given an opportunity to submit a proposal on a contract with Island County. Contracts shall only be awarded to the lowest responsible bidder as defined in Section 2 of Substitute House Bill 2010 (2007) and the award shall be in writing. Immediately after an award is made, the bid quotations obtained shall be forwarded to and recorded by the Public Works Director, open to public inspection, and available by telephone inquiry. A contract awarded pursuant to this section need not be advertised. For public works projects estimated to be between \$100,000 and \$200,000, for formal sealed bidding procedures to be dispensed with, the above provisions must be complied with, however, quotations from all of the contractors on the appropriate small works roster must be invited, rather than from just five (5) contractors.
- B. Public works contracts involving an amount less than \$10,000 do not require formal or informal competitive bidding.

- C. The breaking of any project into units or accomplishing any project by phases is prohibited if it is done for the purpose of keeping the project below the \$10,000-bidding-exemption limit or avoiding the maximum dollar amount of a contract that may be let using the small works roster process.

(Res. C-117-91, August 12, 1991, vol. 33, p. 31; amended by Ord. C-94-93, December 6, 1993, vol. 36, p. 315; amended by Ord. C-47-00 [R-19-00], June 5, 2000, effective June 8, 2000, vol. 44, p. 425; amended by Ord. C-88-07, September 10, 2007, vol. 2007, p. 273)

**2.30A.060 List of Vendors and Small Works Roster--Alternative to Advertisement and Formal Competitive Bidding--Posting of Purchase/Contract List**

The Island County Auditor shall establish a list of vendors and the Island County Public Works Director shall establish a small works roster under the procedure described below:

- A. **List of Vendors.** The auditor shall annually prepare a roster of vendors by publishing in the newspapers of general circulation, published in Island County and the Stanwood/Camano News, a notice of the existence of vendor lists and solicit the names of vendors for the lists. The auditor shall then prepare vendor lists for the purchase of different categories of anticipated needs of materials, equipment, supplies, and services from those who have requested to be on the vendor list. The vendor roster may be updated and supplemented more often than annually by the auditor upon request of a vendor to be placed on the list. Upon request of any county department, the auditor shall furnish that department with the appropriate vendor list so that the alternative informal bidding procedure can be followed.
- B. **Small Works Roster.** The public works director shall annually prepare a small works roster by publishing in the newspapers of general circulation, published in Island County and the Stanwood/Camano News, a notice of the existence of and description of small works rosters for public works and solicit the names of contractors to be included on such rosters. Interested contractors shall provide their qualifications as requested by the public works director along with evidence that they are properly licensed or registered to perform such work. The public works director shall then prepare small works rosters for different specialties or categories of anticipated public works consisting of all responsible contractors who have requested to be on the list and who are properly licensed or registered to perform such work in this state. Where applicable, small works rosters may make distinctions between contractors based upon different geographical areas served by the contractor. The small works roster may be updated and supplemented more often than annually by the public works director upon request of a qualifying contractor. Upon request of any county department, the public works director shall furnish that department with the appropriate small works roster for the public works project anticipated so that the alternative informal bidding procedure can be followed.

- C. **Posting of List of Contracts, Leases and Purchases.** Every two months the auditor and public works director must post a list of contracts, leases, and purchases awarded pursuant to the alternative informal bidding procedures by posting notice on the main bulletin board at the entrance to the county courthouse.

The notice shall contain the name of the contractor or vendor awarded the contract, the amount of the contract, a brief description of the type of work performed or items purchased under the contract, the date it was awarded, and the location where the bid quotations for the contract or purchase are available for public inspection.

(Res. C-117-91, August 12, 1991, vol. 33, p. 31; amended by Ord. C-60-97, November 17, 1997, vol. 41, p. 194; amended by Ord. C-47-00 [R-19-00], June 5, 2000, effective June 8, 2000, vol. 44, p. 425)

**2.30A.070 Procurement of Architectural and Engineering Services**

No purchase or contract for the procurement of architectural or engineering services may be made by the Board of County Commissioners or any elected or appointed Island County officer without first complying with the procedures set forth in chapter 39.80 RCW as now in effect or hereafter amended.

(Ord. C-94-93, December 6, 1993, vol. 36, p. 315)

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**Chapter 2.31**

**Sale or Lease of Surplus County Property**

**Sections:**

- 2.31.010 Authority to Sell Real Property or Easements**
- 2.31.020 Real Property - Minimum Pricing and Terms**
- 2.31.030 Procedure for Sale of Real Property or Easements Exception**
- 2.31.035 Negotiated Sales when Appraisal Requested**
- 2.31.040 Advertisement of Sale of Real Property**
- 2.31.050 Contents of Advertisement for Sale of Real Property**
- 2.31.060 Deed to Real Property/Easement Document**
- 2.31.070 Exchange for Privately Owned Real Property**
- 2.31.080 Authority to Sell Personal Property**
- 2.31.090 Personal Property - Minimum Pricing**
- 2.31.100 Procedures for Sale of Personal Property**
- 2.31.110 Advertisement of Sale of Personal Property**
- 2.31.120 Contents of Advertisement for Sale of Personal Property**
- 2.31.130 Sale of Personal Property for Cash - Exceptions**
- 2.31.140 Bill of Sale of Personal Property**
- 2.31.150 Authority to Lease County Property - Exception**
- 2.31.160 Authority to Enter into Private Negotiations for Lease of County Property**
- 2.31.170 Terms for Privately Negotiated Leases**
- 2.31.180 Prevailing Lease Rates for Privately Negotiated Lease - Exception**
- 2.31.190 County Officials/Employees - Prohibited from Purchasing Property**
- 2.31.200 Comprehensive Procedures Supersede State Law**
- 2.31.210 Severability**

**2.31.010 Authority to Sell Real Property or Easements**

Whenever it appears to the Board of County Commissioners (Board) that it is in the best interest of the County and the people thereof that real property (including easements across County owned real property) belonging to the County should be sold, the Board shall declare such

## **SALE OR LEASE OF SURPLUS COUNTY PROPERTY**

**2.31.010**

property as surplus and sell and convey such property under the limitations and restrictions and in such a manner hereinafter provided. In making such sales, the Board may sell timber, mineral, or other resources on any land owned by the County separate and apart from the land in the same manner and upon the same terms and conditions as provided in Sections 2.31.020 through 2.31.060 for the sale of real property. The County may reserve the mineral rights to such land.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

### **2.31.020 Real Property - Minimum Pricing and Terms**

The Board, by resolution, shall fix a minimum price at which real property sold by auction may be sold and shall set the terms of sale, if other than lump sum. No sale shall be made unless at least the minimum price fixed by the Board is bid. Proceeds from the sale, less costs of sale, shall be credited to the fund from which the original purchase price was paid.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

### **2.31.030 Procedure for Sale of Real Property or Easements Exception**

- A. Real property shall be sold at public auction with sale to the highest bidder except:
1. When selling to another government agency;
  2. When the value of the property to be sold is less than two thousand five hundred dollars (\$2,500) based on a reasonable estimate accepted by the Board;
  3. When the Board determines that it is not practical to build on the property due to the physical characteristics of the property or legal restrictions on construction activities of the property;
  4. When the Board, setting forth its reasons by resolution, declares its desire to attempt a negotiated sale. Passage of such a resolution does not bind the Board to sell the property by negotiation;
  5. When a party is negotiating for an easement across real property owned by the County. The County will not sell an easement across any of its real property if the easement will jeopardize or compromise the utility of the property or pose a security problem to the remainder of the property; or
  6. When the Board, setting forth the facts by resolution, has declared an emergency to exist. The Board shall further decide by resolution the manner of sale appropriate to meet the emergency.
- B. When real property is not sold by public auction it shall be sold through negotiation with the minimum sale price set by the Board.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

**2.31.035 Negotiated Sales when Appraisal Required**

Following the passage of a resolution as provided in Section 2.31.030.A.4, the Board shall direct the obtaining of at least one (1) fee appraisal for the property being considered for sale, unless the cost of the fee appraisal will be ten percent (10%) or more of the estimated sale price as determined by the Island County Assessor. The appraisal shall be performed not more than six (6) months before the date of the sale unless the Board by resolution setting forth its reasons provides for a longer period of time. Appraisals should consider the value of standing timber and known mineral resources. The results of the appraisal shall be made public prior to the Board's approval of the sale and no real property shall be sold for less than any appraisal obtained, without the Board setting forth its reasons by resolution.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

**2.31.040 Advertisement of Sale of Real Property**

When real property is to be sold at public auction a notice shall be published by the County Property Manager in the official county newspaper for two (2) consecutive weeks prior to the sale and said notice shall be posted conspicuously on the public bulletin Board in the County Courthouse. Both posting and the date of last publication must be at least five (5) days prior to the sale.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

**2.31.050 Contents of Advertisement for Sale of Real Property**

The advertisement for the sale shall set forth the date, time and place of sale, the legal description and address of the property, the minimum price established by the Board and the terms of the sale.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

**2.31.060 Deed to Real Property/Easement Document**

Upon the completion of the terms of the sale the County Property Manager shall have the necessary contract or deed or other instrument executed by the Board of County Commissioners and delivered to the transferee.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

**2.31.070 Exchange for Privately Owned Real Property**

Exchanges for privately owned real property shall follow procedures as outlined in RCW 36.34.330.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

**2.31.080 Authority to Sell Personal Property**

All tangible personal property including supplies, materials, and equipment, no longer needed for public use, may be declared surplus and sold at the direction of the Board. Proceeds from the sale, less costs of sale, shall be credited to the fund from which the original purchase price was paid.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

**2.31.090 Personal Property - Minimum Pricing**

The Board may fix a minimum price at which such property may be sold. No sale shall be made unless at least the minimum price fixed by the Board is bid.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

**2.31.100 Procedures for Sale of Personal Property**

- A. Surplus personal property shall be sold at public auction, privately operated consignment sale open to the public or by sealed bid with sale to the highest bidder at or above the minimum price established by the Board, except:
  - 1. When selling to a government agency;
  - 2. When personal property to be disposed of is to be traded in upon the purchase of a like article;
  - 3. When the Board setting forth the facts has declared an emergency to exist;
  - 4. Salvage junk metals that have accumulated for purposes of sale as scrap metals, in which case the metal shall be sold to the local dealer(s) offering the best current market price per measured weight or volume determined by telephone survey or other reasonable means.
  - 5. When the value of the property to be sold is less than two thousand five hundred dollars (\$2,500) based upon a reasonable estimate by the Board.
- B. Surplus personal property to be sold by a process other than specified in A above shall be sold by negotiation.
- C. Surplus personal property no longer having any value shall be disposed of in an appropriate solid waste disposal site. However, once having arrived at an Island County solid waste disposal facility, such items that may be of use to another person, under policies and procedures developed by the Public Works Director, may be conveyed to another person at no cost.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60; amended by Ord. C-52-03, June 2, 2003, vol. 47, p. 123)

**2.31.110 Advertisement of Sale of Personal Property**

When personal property is to be sold at public auction or sealed bid a notice shall be published in the official county newspaper for two (2) consecutive weeks prior to the sale and said notice shall be posted conspicuously on the public bulletin board in the County Courthouse. Both posting and the date of last publication must be at least five (5) days prior to the sale.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

**2.31.120 Contents of Advertisement for Sale of Personal Property**

Advertisement for the sale shall set forth the date, time and place of sale, a description of the property, minimum price if any, and the terms of the sale.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

**2.31.130 Sale of Personal Property for Cash - Exceptions**

Sale of personal property must be for cash except:

- A. When property is transferred to a government agency;
- B. When the property is to be traded in on the purchase of a like article, in which case the proposed cash allowance for the trade-in must be a part of the proposition to be submitted by the seller in the transaction.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

**2.31.140 Bill of Sale of Personal Property**

Upon the sale of any property as provided in Sections 2.31.080 through 2.31.130 the person in charge of the sale shall issue a bill of sale/receipt.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

**2.31.150 Authority to Lease County Property - Exception**

When it appears to the Board of County Commissioners that it is in the best interest of the County and the people thereof, that any County property and its appurtenances should be leased for a year or terms of years, procedures as set forth in RCW 36.34.140 through 36.34.200 shall apply, except as set forth in ICC 2.31.160 - .180.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

**2.31.160 Authority to Enter into Private Negotiations for Lease of County Property**

In the event that the County owns real property that has been designated to be utilized for a specific service to the County, the Board may enter into private negotiations with the service provider(s) for lease of the property.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

**2.31.170 Terms for Privately Negotiated Leases**

In the case of a privately negotiated lease the term of the lease shall be the same as the length of the contract with the service provider, except, that in no case shall a lease be for a term exceeding five (5) years. In the event that a contract with a service provider is cancelled prior to the expiration of their contract the subject lease will also be cancelled.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

**2.31.180 Prevailing Lease Rates for Privately Negotiated Lease - Exception**

When privately negotiating a lease for County owned property, the amount of the lease shall not be less than the average rental amount for similar properties in the same area, as determined by the Island County Assessor, except when the Board, setting forth the facts by resolution, has declared an emergency to exist provided the Board shall further state by resolution a proper amount for the lease.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

**2.31.190 County Officials/Employees Prohibited from Purchasing Property**

No County official or employee may, directly or indirectly, purchase or lease surplus County property during the time of their employment with Island County, nor may such official or employee purchase surplus County property for the five (5) year period immediately following the end of his/her employment with Island County. Surplus personal property having arrived at an Island County solid waste disposal facility, however, may be conveyed to a current or former County official or employee pursuant to the procedures of ICC 2.31.100.C.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60; amended by Ord. C-52-03, June 2, 2003, vol. 47, p. 123)

**2.31.200 Comprehensive Procedures Supersede State Law**

Pursuant to the authority granted the County in RCW 36.34.005, these comprehensive procedures for the management of County property consistent with the public interest shall supersede all other provisions of Chapter 36.34 RCW except where indicated otherwise in Chapter 2.31 of the Island County Code.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

**2.31.210 Severability**

The provisions of this chapter are hereby declared to be separable, and if any section, subsection, sentence, clause, phrase, or portion of this chapter is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter.

(Ord. C-11-94, April 11, 1994, vol. 37, p. 60)

**Chapter 2.32**

**Damage Claims Procedures**

**Sections:**

- 2.32.010 Claim for Damages Form, Availability**
- 2.32.020 Prohibition**
- 2.32.030 Receipt and Referral of Claims**
- 2.32.040 Investigation**
- 2.32.050 Approval, Rejection or Referral**
- 2.32.060 Notification**
- 2.32.070 Payment of Approved Claims**
- 2.32.080 Time for Filing Claim**
- 2.32.090 Time for Commencement of Lawsuit**
- 2.32.100 Severability**

**2.32.010 Claim for Damages Form, Availability**

The county risk manager and the county engineer shall keep on hand in their departments a standard claim for damages form and shall supply a copy to any person upon request. The claim for damages form shall be in the following form:

**CLAIM FOR DAMAGES**

WARNING: Island County provides this claim for damages form as an accommodation to the claimant. No representation as to its legal sufficiency is made. Responsibility for complying with all requirements of law regarding claims rests with the claimant. No county employee is authorized to assist you in completing this form or to review it for sufficiency. Island County expressly disclaims responsibility for any such advice or review. This claim must be filed with the Island County Risk Manager, P.O. Box 5000, Coupeville, WA 98239.

**DAMAGE CLAIMS PROCEDURES**

**2.32.010**

(Attach additional sheets and note the item number if more space is needed.)

TO: The Board of County Commissioners of Island County, Washington.

PLEASE TAKE NOTICE that in accordance with chapter 36.45 and chapter 4.96 of the Revised Code of Washington, I, \_\_\_\_\_ (PRINT NAME OF CLAIMANT) hereby present you with my claim for damages against the County of Island, State of Washington, with the information required to be given by RCW 4.96.020, as follows:

- 1. That the injury for which I claim damages against the County of Island, State of Washington, occurred on the \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ .m.
- 2. That the place of injury or damage was: \_\_\_\_\_.
- 3. That the location and description of the conduct and circumstances which brought about the injury or damage was: \_\_\_\_\_  
\_\_\_\_\_.
- 4. That the names of all persons involved in bringing about the injury or damage are: \_\_\_\_\_.
- 5. That the injury or damage is described as follows: \_\_\_\_\_  
\_\_\_\_\_.
- 6. That the amount of damages claimed is as follows: \_\_\_\_\_, and billing, invoice, or two estimates of repair cost are attached to this claim.
- 7. That I [ ] do, [ ] do not have insurance to cover the injury (if applicable), that I have received or expect to receive \$\_\_\_\_\_ from my insurance company.
- 8. That the actual residence and phone number of the claimant at the time of presenting and filing this claim is: \_\_\_\_\_  
\_\_\_\_\_.
- 9. That the actual residence of the claimant for a period of six (6) months immediately prior to the time that this claim arose was: \_\_\_\_\_  
\_\_\_\_\_.

DATED this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
CLAIMANT'S SIGNATURE

**2.32.010**

**ADMINISTRATION AND PERSONNEL**

STATE OF WASHINGTON )

) ss.

COUNTY OF ISLAND )

\_\_\_\_\_, being first duly sworn, on oath, deposes and says: That I am the claimant herein, and that I have read the foregoing claim for damages, know the contents thereof, and believe the same to be true.

\_\_\_\_\_  
CLAIMANT'S SIGNATURE

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC in and for the State of Washington,  
residing at \_\_\_\_\_

Filed with the county risk manager of Island County this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

ATTEST: \_\_\_\_\_  
Island County Risk Manager

(Res. R-35-75, July 14, 1975, vol. 15, p. 361; amended by Ord. C-83-91, May 13, 1991, vol. 32, p. 359; amended by Ord. C-60-97, November 17, 1997, vol. 41, p. 194)

**2.32.020 Prohibition**

No employee of Island County shall assist a claimant in preparing a claim for damages or review the same for legal sufficiency when completed; **provided** that notarizing the signature of the claimant shall not be deemed assistance or review.

(Res. R-35-75, July 14, 1975, vol. 15, p. 361)

**2.32.030 Receipt and Referral of Claims**

The county risk manager shall receive and file all damage claims. The name and business address where he or she may be reached during normal business hours shall be recorded with the county auditor. The risk manager shall furnish a copy of the claim to the head of the department allegedly responsible. When appropriate, the risk manager shall also submit the claim to an insurer.

(Res. R-35-75, July 14, 1975, vol. 15, p. 361; amended by Res. C-05-88, February 1, 1988, vol. 28, p. 7; amended by Ord. C-83-91, May 13, 1991, vol. 32, p. 359; amended by Ord. C-60-97, November 17, 1997, vol. 41, p. 194; amended by Ord. C-78-01, July 2, 2001, vol. 45, p. 369)

**2.32.040 Investigation**

The county risk manager shall investigate the claim, obtain a written report from each employee who may have knowledge of the events allegedly causing the damage, and may retain outside professional claims service assistance, when necessary.

(Res. R-35-75, July 14, 1975, vol. 15, p. 361; amended by Res. C-05-88, February 1, 1988, vol. 28, p. 7; amended by Ord. C-83-91, May 13, 1991, vol. 32, p. 359)

**2.32.050 Approval, Rejection or Referral**

- A. **Approval of Claims for \$5,000 or less--County Risk Manager.** If following investigation of a claim and a determination that the claim or a portion thereof should be approved for a total sum of \$5,000 or less, the county risk manager shall, upon receipt of a properly executed release, have authority to approve payment of the claim without referral to the Board of County Commissioners. In such case the risk manager shall notify the claimant as well as the clerk of the board.
  
- B. **Denial of Claims and Approval of Claims over \$5,000--Board of County Commissioners.** If, following investigation of a claim and either a determination that the claim should be rejected or that a claim in excess of \$5,000 should be approved, the county risk manager shall submit to the Board of County Commissioners a written report with a copy to the head of the department allegedly responsible. The report shall contain the risk manager's findings, including a recommendation for approval or rejection of the claim and the report shall be submitted to the Board within 30 days of the filing of the claim. The Board shall approve the claim in whole or part, subject to receipt of a properly executed release, or shall deny the claim.
  
- C. **Referral of Claims over Insurance Deductible.** As an alternative to the provisions of A. and B. above, when a claim covered by the County's insurance is submitted for an amount that exceeds the County's deductible, the county risk manager shall forward that claim for processing to the County's insurer.

(Res. R-35-75, July 14, 1975, vol. 15, p. 361; amended by Ord. C-83-91, May 13, 1991, vol. 32, p. 359; amended by Ord. C-35-08, May 5, 2008, vol. 2008, p. 163)

**2.32.060 Notification**

The county risk manager shall notify the claimant of the approval or rejection of all claims decided by the Board. Notice of rejection shall be by certified mail with return receipt requested. (Res. R-35-75, July 14, 1975, vol. 15, p. 361; amended by Ord. C-83-91, May 13, 1991, vol. 32, p. 359; amended by Ord. C-60-97, November 17, 1997, vol. 41, p. 194)

**2.32.070 Payment of Approved Claim**

The county auditor shall prepare a warrant payable to the claimant for the amount of any claim approved and transmit the same to the claimant. (Res. R-35-75, July 14, 1975, vol. 15, p. 361)

**2.32.080 Time for Filing Claim**

All claims for damages against Island County, or any Island County officer or employee, must be filed with the Island County Risk Manager within the period specified in the appropriate statute of limitations. (Ord. C-83-91, May 13, 1991, vol. 32, p. 359; amended by Ord. C-60-97, November 17, 1997, vol. 41, p. 194)

**2.32.090 Time for Commencement of Lawsuit**

No lawsuit or other action shall be commenced against Island County or any Island County officer or employee for damages until sixty (60) days have elapsed after the claim for damages is presented to and filed with the Island County Risk Manager. The applicable period of limitations within which an action must be commenced shall be tolled during the sixty (60) day period. (Ord. C-83-91, May 13, 1991, vol. 32, p. 359; amended by Ord. C-60-97, November 17, 1997, vol. 41, p. 194)

**2.32.100 Severability**

If any provision of this chapter, or its application to any person or legal entity or circumstances is held invalid, the remainder of this chapter, or the application of the provision to other persons or legal entities or circumstances shall not be affected. (Ord. C-83-91, May 13, 1991, vol. 32, p. 359)

**Chapter 2.34**

**Personnel Board of Labor-Management Relations**

(The Board on Labor-Management Relations, otherwise known as the Personnel Board, disestablished pursuant to resolution, July 20, 1981, vol. 19, p. 503. This action supersedes Res., April 7, 1975, vol. 15, p. 271, and Res., December 18, 1978, vol. 17, p. 559.)

**Chapter 2.38**

**Individual Liability of County Officials**

**Sections:**

- 2.38.010 Finding**
- 2.38.020 Insurance**
- 2.38.030 Defense**
- 2.38.040 Findings**
- 2.38.050 Indemnification**
- 2.38.060 County Not Party**
- 2.38.070 Severability**
- 2.38.080 Effective Date**
- 2.38.090 Adoption**

**2.38.010 Finding**

The adoption of this ordinance is in the interests of the public health, safety, and general welfare of all of the citizens of Island County and is necessary for the protection of the county's existing public institutions.

(Ord. P-1-76, September 13, 1976, vol. 16, p. 273)

**2.38.020 Insurance**

Liability insurance may be purchased by Island County and its elected officials out of county funds, with such limits as it may be deemed reasonable for the purpose of protecting the officers, officials, agents, and employees of the County of Island against liability for personal or bodily injuries and property damage and for all damages from any tort or cause of action of any kind whatsoever arising from their acts or omissions while performing or in good faith purporting to perform their official duties.

(Ord. P-1-76, September 13, 1976, vol. 16, p. 273)

**2.38.030 Defense**

- A. The County of Island may provide legal services for the defense of any of its officers, officials, agents, or employees when a suit against them arises out of an official act if the requirements of this section are met. Whether a defense will be provided by the

county will be determined by the county commissioners pursuant to a determination of merit in each case. Such a defense will not necessarily be for the benefit of the officer or employee but merely in support of his or her actions on behalf of the county. An attorney may be hired especially for the purpose of any such defense at county expense, or these services may be provided by the office of the prosecuting attorney, or county officials or employees may be reimbursed for the costs of legal services they have incurred.

- B. Such services or reimbursement may be provided to both past and present officers and employees as long as the cause of action arose as a result of acts or omissions occurring during their tenure of office or employment. Such defense or reimbursement may be provided although it may turn out that the officer or employee exceeded his legal rights and authorities. Such defense may also be provided even though the result at a trial at law clearly shows that the acts were illegal, provided such acts were done by the officers or employees in the bona fide discharge of their duties. On the other hand, legal services will not be provided to officers or employees of the county to defend a charge of official misconduct or to defend the right to hold office.
- C. Before a defense may be provided for an officer or employee, the decision of the Board of County Commissioners must be supported by findings in the record, qualifying the action as in conformity with the standard established by this ordinance.

(Ord. P-1-76, September 13, 1976, vol. 16, p. 273)

### **2.38.040 Findings**

Before authorizing the defense by the county of one of its officers, officials, agents, or employees, the Board of Commissioners must affirmatively find the following:

- A. The official or employee must have been acting in a matter in which the county had an interest;
- B. The official or employee must have been acting in the discharge of a duty imposed or authorized by law; and,
- C. The official or employee acted in good faith.

(Ord. P-1-76, September 13, 1976, vol. 16, p. 273)

**2.38.050 Indemnification**

Any officer, official, agent, or employee of the County of Island may be indemnified for all costs and judgment which he or she is actually obligated or called upon to pay if the act or omission resulting in a judgment is one for which the individual would be eligible for legal services or reimbursement for legal services under this ordinance; **provided** that the same approval process and criteria for determining whether the county shall provide legal services for the defense of an action shall be employed in determining whether or not indemnification will be made by the county.

(Ord. P-1-76, September 13, 1976, vol. 16, p. 273)

**2.38.060 County Not Party**

Legal services and indemnification may be provided by the county under this ordinance irrespective of whether or not the county is either a party to the cause or itself subject to liability.

(Ord. P-1-76, September 13, 1976, vol. 16, p. 273)

**2.38.070 Severability**

If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

(Ord. P-1-76, September 13, 1976, vol. 16, p. 273)

**2.38.080 Effective Date**

This ordinance is necessary for the immediate preservation of the public peace, health, and safety, the support of the county government and its existing public institutions, and shall take effect immediately.

(Ord. P-1-76, September 13, 1976, vol. 16, p. 273)

**2.38.090 Adoption**

Adopted the 13th day of September, 1976.

(Ord. P-1-76, September 13, 1976, vol. 16, p. 273)

Chapter 2.42<sup>6</sup>

Elective County Office Holder Bond Amounts

Sections:

2.42.010 Bond Amounts

2.42.020 Effective Date

2.42.030 Repealer

2.42.010 Bond Amounts<sup>7</sup>

The bonds required of elective Island County office holders pursuant to RCW 36.16.050 shall be in the following amounts:

- A. Assessor .....\$10,000
- B. Auditor .....\$50,000
- C. Clerk.....\$120,000
- D. Coroner .....\$5,000
- E. Sheriff .....\$50,000
- F. Treasurer .....\$150,000

(Res. C-91-86, December 1, 1986, vol. 26, p. 186)

2.42.020 Effective Date

The effective date of the amounts fixed in ICC 2.42.010 is the term of office beginning January 1, 1987, and all subsequent terms, unless and until the bond amount is duly changed by the Board of County Commissioners.

(Res. C-91-86, December 1, 1986, vol. 26, p. 186)

<sup>6</sup> See RCW 36.16.050 for other terms and conditions regarding bonds; RCW 36.16.060 and RCW 42.08.100 regarding approval, recording, and filing of bonds.

<sup>7</sup> Pursuant to RCW 36.16.050, the bond amount of county commissioners of counties with a population between 70,000 and 125,000 is fixed at \$22,500, and the bond amount of the prosecuting attorney is fixed at \$5,000.

**ELECTIVE COUNTY OFFICE HOLDER BOND AMOUNTS**

**2.42.030**

**2.42.030 Repealer**

Any and all ordinances and resolutions or parts thereof in conflict with the provisions of this chapter are hereby repealed, effective January 1, 1987.

(Res. C-91-86, December 1, 1986, vol. 26, p. 186)

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**Chapter 2.46**

**County Employees And Officials Claiming Lost Property**

**Section:**

**2.46.010 County Employees and Officials Authorized to Claim Lost Property**

**2.46.010 County Employees and Officials Authorized to Claim Lost Property**

Pursuant to the terms of chapter 63.21 RCW, when an Island County employee or official finds lost property while acting within the course of his or her employment, turns the property in to the Sheriff or other chief law enforcement officer of the jurisdiction where it is found, and the property is not claimed by the owner, the employee or official is authorized to claim the property for himself or herself personally.

(Res. C-06-02, January 28, 2002, vol. 46, p. 106)

**Chapter 2.50  
Board of Equalization<sup>8</sup>**

**Sections:**

- 2.50.010**      **Establishment of Board/Members/Terms of Office**
- 2.50.020**      **Board Members Per Dien**
- 2.50.030**      **Appeal Period**

**2.50.010 Establishment of Board/Members/Terms of Office**

- A. There is established in Island County a five-member Island County Board of Equalization, with two additional alternate members, to perform the duties under the procedures for such boards as prescribed by state law.
- B. The members of the Board of Equalization shall be selected based upon the qualifications established by rule of the state Department of Revenue and shall be appointed by the Board of County Commissioners to serve three year terms and until their successors are appointed. A member may be removed mid-term by a majority vote of the Board of County Commissioners. One current member's terms of office will expire on May 31, 2006, two current members' terms of office will expire on May 31, 2007, and two current members' terms of office will expire on May 31, 2008. The two current alternate member positions terms of office will expire on May 31, 2006. If a member's position becomes vacant mid-term, the Board of County Commissioners shall appoint a replacement member to serve the remainder of the vacant term.
- C. Replacement Board of Equalization members, who may be reappointed current members, will be appointed by the Board of County Commissioners to serve three-year terms beginning at the conclusion of each expiring term to maintain a stagger in the terms of office. A member may serve a maximum of four consecutive terms, unless there is no other available, qualified and willing replacement member.

(Ord. C-10-06, February 6, 2006, vol. 2006, p. 34)

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<sup>8</sup> For statutory provisions regarding boards of equalization, see RCW 84.48.010 through 84.48.046.

**2.50.020**

**ADMINISTRATION AND PERSONNEL**

**2.50.020 Board Members Per Diem**

Each Board member shall receive a per diem amount as set by the Board of County Commissioners for each day of actual attendance of the meetings of the Board of Equalization.  
(Ord. C-10-06, February 6, 2006, vol. 2006, p. 34)

**2.50.030 Appeal Period**

Pursuant to RCW 84.48.038(1), the owner or person responsible for payment of taxes on any property may petition the Island County Board of Equalization for a change in the assessed valuation placed upon such property by the Island County Assessor or for any other reason specifically authorized by statute. Such petition must be made on forms prescribed or approved by the state Department of Revenue and any petition not conforming to those requirements or not properly completed shall not be considered by the Board of Equalization. The petition must be filed with the Board of Equalization on or before July 1st of the year of the assessment or determination, or within sixty days after the date an assessment, value change notice, or other notice has been mailed, whichever is later.  
(Ord. C-10-06, February 6, 2006, vol. 2006, p. 34)

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