

**ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING
REGULAR SESSION - JANUARY 8, 2001**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on January 8, 2001, beginning at 9:30 a.m. in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa., with William F. Thorn, Chairman, Mike Shelton, member and Wm. L. McDowell, member, present. By unanimous motion, the Board approved and signed minutes from the meeting of December 11, 2000.

VOUCHERS AND PAYMENT OF BILLS

The Board, by unanimous motion, approved the December, 2000 payroll, and the following vouchers/warrants were approved for payment by unanimous motion of the Board:

Voucher (War.) **2001** # 90292 – 90315..... \$ 149,434.00
 2000 #90010 - 90290 \$ 363,111.76.

EMPLOYEE SERVICE AWARDS

<u>Employee</u>	<u>Department</u>	<u>Ann. Date</u>	<u>No. Years</u>
Linda Kipling	Prosecutor	1/30/91	10
Jennifer Hannold	Prosecutor	1/11/96	5
Kelly Mauck	Sheriff	1/21/96	5
Julie Buktenica	Public Works	1/16/96	5
Kevin Hofcamp	Public Works	1/7/91	10
Doug Kelly	Health	1/16/96	5

EMPLOYEE OF THE MONTH AWARD – DECEMBER, 2000

Jim Barnes, Microcomputer Technician, Central Services, was selected as **Employee of the Month for December**. Jim is a Microcomputer Technician who demonstrates his knowledge and experience with computers daily. His prompt and courteous assistance in the maintenance of the County's computers and willingness to conduct repairs without impacting a department's work routine is greatly appreciated.

HIRING REQUESTS & PERSONNEL ACTIONS

The Board, by unanimous motion, approved the following Personnel Authorization Actions:

<u>PAA #</u>	<u>Department</u>	<u>Description/Position No.</u>	<u>Action</u>	<u>Eff. Date</u>
001/01	Sup. Court	Asst. Court Adm. 2008.00	New Position	1/8/01
002/01	GSA	Parks Mt. 8 mos. 1506.01	Replacement	1/8/01
003/01	Health	Pub. Hea. Nurse 2406.17	New Position	1/8/01
004/01	Health	Pub. Hea. Coord. 2408.07	New Position	1/8/01
005/01	Cen. Ser	Programmer/Anal. 711.00	Reclassification	1/8/01
006/01	Planning	Director 1700.00	Reclassification	1/8/01

APPOINTMENT/ REAPPOINTMENTS TO VARIOUS BOARDS AND COMMITTEES

By unanimous motion, the Board named the following reappointment to the Marine Resources Committee for Island County, and confirmed Snohomish County Council appointments to the Sno-Isle Regional Library Board:

Marine Resources Committee: reappointment of Gary Wood, Oak Harbor, to a three year term to 12/31/03

Sno-Isle Regional Library Board: Concurrence of Appointments made by Snohomish County Council appointing Robert Freeman, Edmonds, 7-year term to 12/31/07 and Joel Selling, Monroe, completing a term to 12/31/03, as members on the Sno-Isle Regional Library Board.

SIGNATURE ON KAUL BUILDING LEASE AMENDMENT

The Board by unanimous motion approved Kaul Building amendment to lease agreement between Island County and James Hudnall and Chris Kaul-Hudnall, extending the lease for another four years to December 31, 2005.

**INTERAGENCY WORK ORDER AMENDMENT, DASA, SIG,
COMMUNITY EDUCATION FUNDS**

Work Order Amendment #6882(2), Division of Alcohol and Substance Abuse (DASA), for SIG Community Education Funds, in the amount of \$172,102 was approved by unanimous motion of the Board, for State Incentive Grant for substance abuse prevention continuing education pass through funds from DASA.

**HEARING SCHEDULED: ORDINANCE #C-01-01 - DIS-ESTABLISHMENT OF
ISLAND COUNTY MENTAL HEALTH SERVICES AND SUBSTANCE ABUSE ADVISORY BOARD AND
ESTABLISHMENT OF SEPARATE MENTAL HEALTH ADVISORY BOARD AND SUBSTANCE ABUSE
ADVISORY BOARD**

By unanimous motion, the Board scheduled a Public Hearing to be held on February 5, 2001 at 9:45 a.m. to consider Ordinance #C-01-01 - Dis-establishment of Island County Mental Health Services and Substance Abuse Advisory Board and establishment of a separate Mental Health Advisory Board and Substance Abuse Advisory Board.

CONTRACT HS-09-00(1) - CENTER FOR COMMUNITY SUPPORT (TASH)

Health Contract #HS-09-00(1), Center for Community Support (TASH), in the amount of \$23,078, was approved by unanimous motion of the Board, to allow the contract to continue through the end of the biennium. There is no change in hours of service or number of people to be served.

APPOINTMENT OF COUNTY DESIGNATED MENTAL HEALTH PROFESSIONAL

In accordance with RCW 71.24 and WAC 275-57, as recommended by Jackie Henderson, Island County Human Services Director, Island County Health Department, the Board by unanimous motion designated Bruce A. Bardwell, CMFT, as a County Designated Mental Health Professional.

**RESOLUTION #C-02-01 AUTHORIZING APPEAL OF SHORELINE MASTER PROGRAM GUIDELINES
ADOPTED BY THE WASHINGTON DEPARTMENT OF ECOLOGY ON NOVEMBER 29 2000**

The Board, by unanimous motion adopted Resolution #C-02-01 Authorizing Appeal of Shoreline Master Program Guidelines Adopted by the Washington Department of Ecology on November 29 2000.

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

**RESOLUTION AUTHORIZING APPEAL)
OF SHORELINE MASTER PROGRAM)
GUIDELINES ADOPTED BY THE) RESOLUTION NO. C-02-01
WASHINGTON DEPARTMENT OF)
ECOLOGY ON NOVEMBER 29, 2000)**

WHEREAS, the Washington State Department of Ecology has adopted on November 29, 2000, final rules for the Shoreline Master Program Guidelines; and

WHEREAS, the new Shoreline Master Program Guidelines adopted by the Washington State Department of Ecology will upon implementation have a substantial impact on the citizens, land owners and economic development of Island County; and

WHEREAS, it is the view of the Board of County Commissioners that the required implementation by Island County of the new Shoreline Master Program Guidelines requires a substantial expenditure of County funds and constitutes an unfunded mandate contrary to Initiative 601; and

WHEREAS, it is the view of the Board of County Commissioners that the Washington State Department of Ecology exceeded its authority as granted by the Legislature of the State of Washington in adopting the new Shoreline Master Program Guidelines and failed to follow proper procedures in the consideration drafting an adoption of the new Shoreline Master Program Guidelines; and

WHEREAS, a group of local governments and associations have filed an appeal at the Shorelines Hearing Board of the new Shoreline Master Program Guidelines including, but not limited to, Grays Harbor County, Pacific County, City of Hoquiam, City of Ocean Shores, City of Westport, the Association of Washington Business, the Washington Association of Realtors, the Washington State Grange, the Washington Cattlemen Association, the Associated General Contractors, National Association of Office and Industrial Properties, the Washington State Farm Bureau, and the Building Industry Association of Washington; and

WHEREAS, joining the appeal of the new Shoreline Master Program Guidelines must occur no later than January 17, 2001; **NOW, THEREFORE**,

IT IS HEREBY RESOLVED by the Board of County Commissioners of Island County that Island County will join with the above-named associations and organizations and other governmental entities in appealing the new Shoreline Master Program Guidelines as adopted by the Washington State Department of Ecology on November 29, 2000.

IT IS FURTHER RESOLVED AND ORDERED that the law firm of Perkins Coie, L.L.P. to file an appeal with the State Shorelines Hearing Board in concert with the Association of Washington Business, and other named entities on behalf of Island County.

IT IS FURTHER RESOLVED THAT a joint representation agreement and attorney's contract with Perkins Coie, L.L.P. has been reviewed and approved by the Island County Superior Court Presiding Judge for a concerted appeal of the these new shoreline guidelines at no cost to Island County and Island County shall at all times be able to withdraw its participation or proceed in its appeal independently at its discretion.

This matter having been moved and adopted in open session on January 8, 2001.

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

William F. Thorn, Chairman
Mike Shelton, Member
Wm. L. McDowell, Member

ATTEST: Margaret Rosenkranz
Clerk of the Board BICC 01-025

**JOINT REPRESENTATION AGREEMENT - ASSOCIATION OF WASHINGTON BUSINESS AND PERKINS
COIE LLP – REGARDING NEW SMA RULES**

Following adoption of Resolution #C-02-01, the Board by unanimous motion, approved and signed the Joint Representation Agreement with Association of Washington Business and Perkins Coie, L.L.P. joining the Shorelines Hearings Board appeal of the shoreline master program guidelines adopted by the Department of Ecology. The Agreement has been approved as required by Island County Superior Court Presiding Judge, Alan Hancock, since this is a contract with outside counsel.

**RESOLUTION #C-03-01 IN THE MATTER OF REDEFINING THE PLANNING DIRECTOR'S AUTHORITY
AND RESPONSIBILITIES DUE TO TRANSFER
OF COMMUNITY DEVELOPMENT STAFF AND RESPONSIBILITY
FROM PUBLIC WORKS TO PLANNING**

The Board by unanimous motion issued the following Press Release, with respect to the transfer of Community Development from the Public Works Department to the Planning Department:

Over the course of the year, Island County anticipates the retirement of several key management personnel in the Public Works Department, including the Public Works Director and the Island County Engineer. The Board of Island County Commissioners wish to utilize the time available to provide an orderly transition to new management.

It is the Board's desire to ensure that services of the County are delivered to the public efficiently and effectively, minimize conflict in decision-making, promote coordination among programs and regulations, and bring predictability to the development process.

Accordingly, the Board has decided to make an important organizational change and move the Community Development portion of the Public Works Department into the Planning Department, effective Monday, January 8, 2001.

By unanimous motion, the Board adopted Resolution #C-03-01 In the Matter of Redefining the Planning Director's Authority and Responsibilities due to transfer of Community Development Staff and Responsibility from Public Works to Planning.

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

**IN THE MATTER OF REDEFINING THE
PLANNING DIRECTOR'S AUTHORITY
AND RESPONSIBILITIES DUE TO TRANSFER
OF COMMUNITY DEVELOPMENT STAFF AND
RESPONSIBILITY FROM PUBLIC WORKS TO
PLANNING** }
} **RESOLUTION NO. C-03-01**

WHEREAS, on October 2, 1998, by Resolution No. C-161-98, the Board of Island County Commissioners transferred staff and responsibilities of Community Development from the former Planning and Community Development Department to Public Works; and

WHEREAS, the Board of County Commissioners now desires to transfer the full responsibilities of the current Community Development staff back to the Planning Director along with and including responsibility for the administration and interpretation of Titles 14, 16 and 17 Island County Code (ICC); and

WHEREAS, the Board also desires to reassign duties of the Public Works Director for portions of Title 11 ICC to the Planning Director, specifically 11.01 Land Development Standards, and 11.02 Clearing and Grading Requirements; and

WHEREAS, the Board also desires to designate the Planning Director as the SEPA responsible official for all project and non-project actions that require review as mandated in the State Environmental Policy Act; ***NOW THEREFORE***

BE IT HEREBY RESOLVED that effective January 8, 2001, the Board of Island County Commissioners declares that the Planning Director is designated and assigned the authority and responsibilities of the current staff of Community Development as well as for the administration and interpretation of Titles 14, 16 and 17 ICC. In addition, Chapter 11.01 Land Development Standards and Chapter 11.02 Clearing and Grading Requirements are also assigned to the authority and responsibility of the Planning Director in place of the Public Works Director. The Planning Director is also designated as the SEPA responsible official for all project and non-project actions that require review as mandated in the State Environmental Policy Act.

ADOPTED this 8th day of January, 2001.

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

William F. Thorn, Chairman
Mike Shelton, Member
Wm. L. McDowell, Member

ATTEST: Margaret Rosenkranz
Clerk of the Board BICC 01-026

**CONSULTANT AGREEMENTS PW-0020-29 FOR APPRAISAL SERVICES
ON-CALL SERVICES AGREEMENT**

As recommended by Larry Kwarsick, Public Works Director, and reviewed and explained by Randy Brackett, Construction Engineer, the Board by unanimous motion approved Consultant Agreements #PW-0020-29 for on-call Appraisal Services, each not to exceed \$55,000, as follows:

- The Granger Company
- Northwest Valuation Services
- Peterson Appraisal & Consulting Services
- Washington Appraisal Services, Inc.

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PETITION FOR VACATION OF COUNTY ROAD – UNNAMED PORTION BETWEEN SARATOGA ROAD AND WELLS ROAD – WHIDBEY ISLAND, SECTION 19, TOWNSHIP 30N., RANGE 3E, JOHN JOYNT

By unanimous motion, the Board referred back to the County Engineer for report, a Petition for Vacation of County Road, the unnamed portion between Saratoga Road and Wells Road, on South Whidbey located in Section 19, Township 30N., Range 3E, John Joynt, petitioner. Approximate length is 870'.

The Chairman noted for the record two e-mails recently received regarding this matter, requesting that if and when this vacation is granted, that the county is reimbursed for the property's fair and reasonable market value; alternatively, given shortage of public open space on South Whidbey, perhaps the land would better benefit the public if it were maintained in public ownership and used for a hiking trail or left undisturbed, wildlife corridor.

Under Washington State Law, Mr. Kwarsick pointed out that governments do not literally own the fee title to the roadways except in very specific exceptions. This is a case where the public has an easement right by virtue of the dedications, and the requested action, if approved, would relinquish that easement.

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**WASHINGTON STATE CONTRACT – BANKS & OFFICES
LAW & JUSTICE FACILITY**

Mr. Kwarsick reported that the Department was at the final stages of placing the order off the Washington State Contract from Bank & Offices Interiors, Seattle, for modular furniture systems for the new Law and Justice Facility. As far as the status of the contract review process, the Risk Manager has signed off. At the request of the Deputy Prosecuting Attorney, Jill Wood, Public Works Engineer, completed a fairly detailed analysis of State contract prices versus contract prices represented in the document, and verified it is consistent. The Deputy Prosecutor is now conducting his final review of that, and Mr. Kwarsick asked that the Board authorize the Chairman's approval of this submittal - Purchase Order #04158 from State Contract on receipt of the Deputy Prosecutor's final review approval. This represents all the furniture for the Law & Justice Facility excluding the filing system for the Clerk's Office and the Prosecuting Attorney's Office.

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By unanimous motion, the Board approved and authorized the Chairman's signature on the contract [under Purchase Order #04158] subject to final approval by the Deputy Prosecuting Attorney.

There being no further business to come before the Board at this time, meeting adjourned at 10:30 a.m. The next Regular Meeting is scheduled for January 22, 2001, beginning At 11:30 a.m. [January 15 is a County Holiday]

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

William F. Thorn, Chairman

Wm. L. McDowell, Member

Mike Shelton, Member

ATTEST:

Margaret Rosenkranz, Clerk of the Board

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