

**ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING
REGULAR SESSION - APRIL 16, 2001**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on April 16, 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 of the meeting April 9, 2001.

VOUCHERS AND PAYMENT OF BILLS

The Board, by unanimous motion, approved the March payroll, as well as the following vouchers/warrants: Voucher (War.) # 96904 - 97108 \$ 1,186,761.09.

APPLICATION FOR LIQUOR LICENSE #369144-3E - MIDGET MARKET

With recommendations of approval received from the Sheriff's Office and Health Department, the Board by unanimous motion, approved new application for Liquor License #369144-3E, by Davis Industries, Inc., d/b/a/ Midget Market, Oak Harbor, for grocery store beer and wine license. [BICC 01-250]

**APPOINTMENTS NAMED TO ISLAND COUNTY SUBSTANCE ABUSE ADVISORY BOARD, AND THE
ISLAND COUNTY MENTAL HEALTH ADVISORY BOARD**

As forwarded by Jackie Henderson, Island County Human Services Director, the Board by unanimous motion named the following individuals to serve on the newly formed Island County Substance Abuse Advisory Board, and the Island County Mental Health Advisory Board:

Island County Substance Abuse Advisory Board:

Diane Watson, Langley,	1 Year term to April 1, 2001
Karen Lewis, Coupeville	2 Year term to April 1, 2003
Lea Kouba, Langley	3 Year term to April 1, 2004
Chris Murray, Coupeville	2 Year term to April 1, 2003
Eileen Rosman, Camano Is.	3 Year term to April 1, 2004
Kathy Habel, Freeland	1 Year term to April 1, 2002

Island County Mental Health Advisory Board

Roksan Oliver, Oak Harbor	3 Year term to April 1, 2004
Janice Pickard, Coupeville	2 Year term to April 1, 2003.

FINANCIAL REPORTS

Treasurer's Report

Maxine Sauter, Island County Treasurer, commented from her written report provided to Board members under cover memo dated 4/10/01 on the Current Expense report for the period ending March 31, 2001, showing cash and budget comparisons. Also included was a copy of the Current Expense residual investments made through 3/30/01 [and later provided an update showing figures as of April 12, 2001]. She said that everything seemed to be on target but did note that property tax collections were down a little due to statements sent out later than usual. Although investment interest is down, she thought it would be all right because some of her investments were long term investments and made before rates took a downturn.

Chairman Thorn had some cause for concern because if year to date on investment interest were annualized the

projection showed a considerable shortfall, i.e. \$400,000. The two other Commissioners agreed and were not sure how or if that shortfall could be made up.

Auditor's Report

Motoko Pleasant, Auditor's Office, Accounting Section, stood in for Suzanne Sinclair, Island County Auditor, to give the Auditor's financial report for the period ending March 30, 2001, Ms. Sinclair being in Olympia today. Copies of the April 16th financial report were provided to the Commissioners and press. She confirmed tax collections as Ms. Sauter stated. The only thing she pointed out was the fact that current report shows the 5 million dollar bond issue proceeds in the revenue line [3rd page – Courthouse Expansion]. Looking at the report without the 5 million dollars, everything is about the same level as last year.

PUBLIC INPUT

Theresa Marie K. Gandhi, P. O. Box 1522, Coupeville, Wa., 98239.

Ms. Gandhi made a follow-up visit from last week when she made a presentation objecting to the use of pesticides and herbicides sprayed on county rights-of-ways. Her efforts continue with regard to collecting signatures on petitions about the issue of no spray on the Island, and confirmed those would soon be turned in. She mentioned that she had a great meeting Friday with staff from Public Works and she was appreciative of the process opened up for us. Again and again she is asked the question "*are we going to know when they are going to spray?*". She asked that the Commissioners come up with resources necessary to enable that communication, and she expressed her continued interest in participating in some kind of public forum with regard to this issue to talk about the risks.

Chairman Thorn thought it would seem that posting locally in the area a week in advance of spraying; it would be one way to do that fairly simply and not unduly expensive. One of the difficulties with the subject is the amount of anecdotal and unsubstantiated information, mixed with a lot of emotion; any action taken by the County must be taken based on fact and science. He had an opportunity on Friday to talk to a Commissioner from Jefferson County, a county that has not sprayed road shoulders for some years, and gathered that Jefferson County's concerns about maintaining road shoulders seems to be different than that of Island County.

Commissioner Shelton recognized there are people who are far more sensitive than others with regard to the use of chemicals, and confirmed that the County was looking at options and would do what it could to tell people ahead of time when the County is planning to spray.

On another issue, Ms. Gandhi understood from a local news article that some residents of Coupeville were protesting a proposed cell tower along Parker Road, and Ms. Gandhi told the Board that to put a cell tower on a road near to where children are would not be a good idea because of electromagnetic radiation.

Chairman Thorn reminded that the proposed site was 1300' back from the road. Island County, based on the 1996 Federal Telecommunications Act, does not have the authority to deny a cellular tower site based on that issue. Island County re-wrote its cell tower code and the Chairman thought it one of the better siting codes in the State.

ADOPT-A-ROAD LITTER CONTROL PROGRAM AGREEMENT RENEWAL WITH S.I.S. LOCK AND KEY – DON MAILE, CAMANO ISLAND

As presented and recommended for approval by Larry Kwarsick, Public Works Director, the Board by unanimous motion, approved the renewal of Adopt-A-Road Litter Control Program Agreement with S.I.S. Lock and Key, Don Maile, for Cross Island Road from Cross Island Road/East Camano Drive to 1 mile west of East Camano Drive.

RESOLUTION #C- 42 –00 (R-20-00) – FINAL ORDER OF VACATION FOR PORTION OF COUNTY ROAD RIGHT-OF-WAY KNOWN AS HUMPHREY ROAD

Resolution #C-42–00 (R-20-00) the Final Order of Vacation in the matter of the petition by David and Janet Sonnichsen, for vacation for portion of County road right-of-way known as Humphrey Road located in Sec. 36, Twp

29N., R 3E, was presented by the Public Works Director.

This was previously before the Board at public hearing May 15, 2000 for the vacation of a portion of County road right of way. Humphrey Road is located in such a way it is not associated with the as built road or needed by the County for the as built road or its associated slopes.

Mr. Kwarsick believed this particular party now had complied with the terms and conditions of the Board's prior action and recommended that the Board now approve and sign the final order of vacation for that portion of road associated with the property of David and Janet Sonnichsen.

By unanimous motion, the Board approved and signed Final Order of Vacation under Resolution #C-42-00/R-20-00, in connection with the petition of David and Janet Sonnichsen for a portion of County road right of way known as Humphrey Road located in Section 36, Township 29 North, Range 2 East, W.M. [BICC 01-252]

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HEARING HELD: FRANCHISE #115(R)- DUGUALLA COMMUNITY, INC. - RENEWAL OF WATER SYSTEM FRANCHISE

A Public Hearing was held at 10:20 a.m. as scheduled and advertised for the purpose of considering Franchise #115(R), by Dugualla Community, Inc., for renewal of water system franchise in the Plat of Dugualla Bay, located in Sections 16 and 17, Township 33 North, Range 2E. Mr. Kwarsick explained that the application covered the existing water distribution system with no plans for expansion of current system. Departments requested to comment responded with no objections to the proposal. The Prosecuting Attorney's office reviewed and approved the document as to form, and the document has been reviewed and approved by Risk Management.

The President of Dugualla Community, Inc., attended the hearing and expressed support for approval of the franchise renewal. No other public comments were made for or against said renewal.

By unanimous motion, the Board approved the renewal application of Franchise #115(R), Dugualla Community, Inc., renewal of water system franchise in the Plat of Dugualla Bay, located in Sections 16 and 17, Township 33 N, Range 2E.

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**BID AWARD – EAST CAMANO DRIVE,
PHASE 2-CONSTRUCTION**

Per bids opened on April 11, 2001, the Board agreed with the Public Works Director and County Engineer and awarded by unanimous motion the bid for East Camano Drive, Phase 2, Construction Phase, under Work Order #208, to the low bidder, Callen Construction, Custer, Wa., in the amount of \$1,195,071.00 including sales tax.

**BID AWARDS FOR WHIDBEY AND CAMANO
PAVING REPAIRS**

By unanimous motion, as recommended by Mr. Kwarsick and the County Engineer, the Board awarded bids to the low responders under the Small Works Roster for Whidbey and Camano paving repairs as follows:

Whidbey Is. Pavement Repair [W. O. #100] to Island Asphalt: \$38,692.35
Camano Is. Pavement Repair [W. O. #101] to Lakeside Industries: \$14,575.00.

**BID AWARD – ISLAND COUNTY COURTHOUSE EXPANSION &
IMPROVEMENT PROJECT – PHASE 2, COURTHOUSE REMODEL**

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Mr. Kwarsick presented bid award recommendation for the Island County Courthouse Expansion and Improvement Project Phase 2, Courthouse Remodel, under Work Order #302, This involves the remodeling and renovation of the

existing 1947 County Courthouse, to the low bidder, Hanson Brothers Construction, Inc., and based on the Prosecuting Attorney's Office opinion, that the Board waive as a non material irregularity the issue regarding the writing of the numbers. Along with base bid, also recommended is alternatives 1, 2, 3, 4c, 5 and 6, along with trench safety systems costs and the allowance for the removal of petroleum-impacted soils be included, and that consistent with bid documents reserve the right to award alternative #9 following some initial demolition work within the courthouse project. Bids by and large were all under the estimate and the County will be going into the project in a healthy position. Mr. Kwarsick's department will be submitting a letter of intent to seek FEMA hazard mitigation funds to help with costs associated with seismic retrofit, with the possibility of being awarded from \$250,000 to \$300,000. As part of the bid package, the Board received a letter from Bryan Young dated April 11th discussing reference checks, credit issues, L&I issues and status with regard to bonding, and verified believe that Hanson Brothers Construction is a qualified bidder. This firm did a renovation at the Anacortes High School which was of this scale of magnitude and complexity.

By unanimous motion, the Board awarded bid to the apparent low bidder, Hanson Brothers Construction, Inc., and waived the non-material irregularity consistent with the opinion of the Prosecuting Attorney's Office dated 4/6/00 with regard to the omission of the bid amount in words, for the base bid, with Alternatives 1, 2, 3, 4c, 5 and 6, with trench safety systems and allowance for the removal of petroleum-impacted soils be included, and reserve the right to award alternative #9 following some initial demolition work within the courthouse project, at the total bid price of \$1,968,500.00, excluding sales tax. [BICC 01-255]

GRANT AGREEMENT SRFB 00-1672D (PW-012014) – SALMON RECOVERY FUNDING BOARD (SRFB) & ISLAND COUNTY; CRESCENT BAY SALT MARSH/SALMON HABITAT RESTORATION

Grant Agreement SRFB 00-1672D (PW-012014) for Salmon Recovery Funding Board (SRFB) & Island County, Crescent Bay Salt Marsh/Salmon Habitat Restoration, was presented by Julie Buktenica, Surface Water Manager.

This agreement has been through the contract review process and approved. Out of the total project cost of \$546,049, the amount of \$102,200 is the local share, of which \$75,000 will come from the U. S. Navy. As a follow on staff will work the University of Washington and NAS Whidbey and enter into a three party interlocal agreement to execute the grant.

The City of Oak Harbor is aware of this grant agreement and project. From this will be a feasibility study to look at the effects of restoring tidal influence to the marsh as well as looking at impacts to the sewage treatment plant. There will be a long term monitoring plan. Grading work is scheduled this summer; over the winter finishing up on the feasibility study and receiving engineering plans. Summer 2002 is when construction is scheduled to occur [depending upon feasibility study reports] and there is a "no action" alternative that will be examined, and there is a baseline ecological assessment. From a conversation the Professor at the University of Washington who is working on the project, no mosquito problem is anticipated as a result of this project because of the brackishness of the water based on the elevation of the tide marsh and the type of salinity that is typical at that elevation.

By unanimous motion, the Board accepted Grant Agreement SRFB 00-1672D (PW-012014) for Salmon Recovery Funding Board (SRFB) for Crescent Bay Salt Marsh/Salmon Habitat Restoration for a total project cost of \$546,049.00, with local share of that amount being \$102,200.00. [BICC 01-256]

**HEARING SCHEDULED: ORDINANCE #C-54-01 (PLG-010-01)
TECHNICAL AMENDMENTS TO ISLAND COUNTY COMPREHENSIVE PLAN FUTURE LAND USE
PLAN MAP AND THE ISLAND COUNTY ZONING ATLAS.**

As introduced by Phil Bakke, Planning and Community Development Director, the Board by unanimous motion, scheduled a public hearing to consider Ordinance #C-54-01 (PLG-010-01) Technical Amendments to Island County Comprehensive Plan Future Land Use Plan Map and the Island County Zoning Atlas. Parcels R23125-010-0450, R23136-495-0850 and R23136-503-1150. (Map #508) on May 14, 2001, at 10:45 a.m. [GMA #6492]

There being no further business to come before the Board at this time, the meeting adjourned at 10:47 a.m. The Board will meet next in Regular Session on April 23, 2001, beginning at 11:30 a.m.

**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