

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 17, 2007 – REGULAR SESSION**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on September 17, 2007 beginning at 9:30 a.m., in the Island County Courthouse Annex, Hearing Room, 1 N. E. 6<sup>th</sup> Street, Coupeville, Washington. Wm. L. McDowell, Chairman, John Dean, Member, and Phillip Bakke, Member were present. The meeting began with the Pledge of Allegiance.

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

By unanimous motion, the Board approved the Electronic Fund Transfers, payroll dated September 14, 2007 and the following vouchers/warrants:

Voucher (War.) # 270838-271137 .....	\$1,407,490.78
Electronic Fund Transfers .....	\$ 1,173.19

**HEARING HELD: ORDINANCE NO. C-94-07 AMENDMENT TO ICC 3.02C.040, RURAL  
COUNTY SALES OR USE TAX, TO ALLOW FINANCING ECONOMIC DEVELOPMENT  
OFFICE PERSONNEL**

At 9:55 a.m. as scheduled, a Public Hearing was held to consider adoption of Ordinance C-94-07 Amendment to ICC 3.02C.040, Rural County Sales or Use Tax, To Allow Financing Economic Development Office Personnel.

David Jamieson, Chief Civil Deputy Prosecuting Attorney, presented the Ordinance to the Board explaining that the amendment to Island County Code section 3.02C.040 corresponds with the change made in state law by House Bill 1543 pertaining to County Rural Sales Tax and how the revenue may be spent by the County.

Mr. Jamieson explained that originally, the tax revenues could only be used to finance public facilities serving economic development purposes; that is, public facilities, capital facilities that would either create or retain businesses and family wage jobs in the County. The Bill expanded the allowable uses of the funds to also finance personnel working in economic development offices, including a port district office or an associate development organization. Mr. Jamieson went on to say that the Island County Economic Development Council is such an office in this County. Prior to budgeting and spending the funds, the County must first consult with the cities, towns, port districts, and the Island County Economic Development Council.

There being no public comment either in support of or in opposition to the Ordinance, the Board by unanimous motion approved Ordinance C-94-07 Amendment to ICC 3.02C.040, Rural County Sales or Use Tax, To Allow Financing Economic Development Office Personnel. (*Resolution on file with the Clerk of the Board*)

**APPOINTMENT/REAPPOINTMENT TO VARIOUS BOARDS/COMMITTEES**

The Board, by unanimous motion, made the following appointment/reappointment:

**Island County Housing Authority, Resident Member Commissioner**  
Robert Gogarty, Coupeville, appointed to refill the vacancy left by the resignation of Stephanie Liles. The term will run to December 6, 2008.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 17, 2007 – REGULAR SESSION**

**Island County Fair Board**

Barbara Pearson, Oak Harbor, reappointed to the Island County Fair Board to serve a full three-year term representing the area encompassed by the Oak Harbor School District boundaries. The term will run to October 8, 2010.

**PROCLAMATION: RESOLUTION C-98-07 IN THE MATTER OF PROCLAIMING THE  
WEEK OF OCTOBER 1-5, 2007 AS UNITED WAY OF ISLAND COUNTY WEEK**

By unanimous motion the Board approved Resolution C-98-07 in the Matter of Proclaiming the Week of October 1-5, 2007 as United Way of Island County Week in Island County, Washington. *[Resolution on file with the Clerk of the Board]*

**GENERAL SERVICES ADMINISTRATION**

The Board by unanimous motion approved the following as submitted by Betty Kemp, General Services Administration Director:

Parks

Interlocal Agreement with the City of Oak Harbor and the Oak Harbor School District #201 for funding maintenance at the Oak Harbor High School Stadium. Annual Amount: \$3,000

Contract with South Whidbey School District #206 for Conservation Futures Maintenance and Operation funds for Maxwelton Nature Preserve Repair. Contract Amount: \$20,200.00 *(RM-PKS-07-0146)*

Purchase Order No. 8555 with Metcalfe Septic Services for Double Bluff debris removal. Amount: \$9,971.56 including freight and tax. *(RM-PKS-07-0164)*

Public Defense

Application for Washington State Office of Public Defense Funding.

**PROJECT SERVICES AGREEMENT WITH SARAH SCHMIDT D/B/A TERRAFILIA**

By unanimous motion the Board approved a Project Services Agreement with Sarah Schmidt, doing business as Terrafilia, to develop the Cornet Bay Restoration Project Plan and manage the Marine Stewardship Area Signage Project. Contract Amount: \$8,500.00 *[RM-WSU-07-0182]*

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 17, 2007 – REGULAR SESSION**

**LIQUOR LICENSE APPLICATIONS APPROVED**

Having received recommendations of approval by the appropriate departments, the Board by unanimous motion approved forwarding a recommendation of approval to the Washington State Liquor Control Board for the following liquor license applications:

Assumption of Liquor License No. 080226-6E by Brian Keith Sollenberger and Robert D. Maphet, d/b/a Diamond Knot Brewing Co., Inc. for Diamond Knot Brewing Co. Camano Lodge, 170 E. Cross Island Rd., Camano Island, WA from Sweetwater Inc., d/b/a The Camano

Special Occasion Liquor License No. 092248 from Camano Animal Shelter Association for a special occasion to be held on October 6, 2007 from 6:30 p.m. to 10:00 p.m. at the Camano Senior & Community Center, 606 Arrowhead Rd., Camano Island, WA

Special Occasion Liquor License No. 092243 from P.E.O. for a special occasion to be held on October 13, 2007 from 4:00 p.m. to 7:00 p.m. at the Greenbank Progressive Clubhouse, Bakker & Firehouse, Greenbank, WA

**HEARING HELD: IN THE MATTER OF THE PETITION OF NIEL MOELLER FOR A FINAL ORDER OF VACATION OF A PORTION OF COUNTY ROAD RIGHT-OF-WAY KNOWN AS SHORE MEADOW ROAD – RESOLUTION NO. C-89-07/R-36-07**

At 10:15 a.m. as scheduled a Public Hearing was held to consider a Petition of Niel Moeller for a Final Order of Vacation of a Portion of County Road Right-of-Way Known as Shore Meadow Road. Bill Oakes, Public Works Director, opened the Public Hearing by explaining to the Board that the Final Order of Vacation would vacate a portion of a road right-of-way known as Shore Meadow Road located in Sec. 9, Twp. 29N, R 2E on Whidbey Island. Mr. Oakes is recommending approval of the vacation.

Chairman McDowell remarked that the Board was given a letter from Mr. Moeller [*letter on file with the Clerk of the Board*] prior to the Public Hearing requesting that the Resolution be amended to reduce the amount of payment. The Chairman asked Mr. Oakes if he wished the Board to take action or continue the hearing one week to allow time for review and research of the request presented.

Mr. Oakes said he is willing to consider Mr. Moeller's calculation of the value of the land. To inform the Board he said Public Works values such vacations essentially the same way it values property that the County would take for a road right-of-way: the square footage of the land, divide by the land value, and multiply by the strip area. Mr. Oakes is more than willing to look again at the earlier calculation and Mr. Moeller's numbers. He suggested that the Board take public testimony then continue the matter one week.

**Public Testimony**

Niel Moeller, 7512 Third Avenue N.W., Seattle, WA, Petitioner said he received the Resolution on the Friday before the Public Hearing which is why he did not have an opportunity to coordinate with Public Works in advance. Mr. Moeller is in agreement that the matter should be continued for one week to allow Mr. Oakes an opportunity to review and consider his request.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 17, 2007 – REGULAR SESSION**

Mr. Moeller approached the Commissioners with photographs of the property for their review so as to easier understand the situation. He explained the photographs.

Mr. Moeller said he is motivated not only to put in a gate and control access as indicated in his original Petition, but due to an unrecorded County interest in a portion of the right-of-way, there is now a cloud on the title to some property he thought he had already owned and the situation needs correcting.

Mr. Oakes said that Public Works extensively “noticed” properties to the north that the vacation would occur, regardless of the fact that research indicated all the properties have alternative access.

There being no further public comment either in support of or in opposition to the Final Order of Vacation, the Board by unanimous motion continued the Public Hearing to September 24, 2007 at 2:15 p.m. to consider the Final Order of Vacation of a Portion of County Road Right-of-Way Known as Shore Meadow Road, Resolution C-89-07/R-36-07.

**SUPPLEMENTAL AGREEMENT WITH SKILLINGS-CONNOLLY, INC.**

The Board by unanimous motion approved the Supplemental Agreement No. 7 with Skillings-Connolly, Inc. for the Camano Hill Road Widening, Phase 1 and 2. The supplemental agreement provides for a revision to the scope of work and an increase in compensation in the amount of \$81,096.07. [PW-0220-29G]

**HEARING HELD: CONSIDERATION OF AN OPEN SPACE TIMBER LAND CURRENT  
USE PROGRAM APPLICATION – OPS 522/06**

At 10:30 a.m. as scheduled and advertised Chairman McDowell opened a Public Hearing, continued from August 27, 2007, for the purpose of considering an Open Space Timber Land Current Use Program Application submitted by Suzannah Dalzell, Parcel No. R32935-450-0630. Jeff Tate, Director of Planning & Community Development, explained that Ms. Dalzell is requesting that 27 acres out of 28 acres be reclassified from the Open Agriculture Tax Program into the Public Benefit Rating System current use program.

Mr. Tate said that at the August 27, 2007 Public Hearing Planning & Community Development transmitted a memorandum to the Board which included a staff report and Notice of Approval or Denial of Application placing the property in the tax program. The Public Hearing was continued from August 27 because the landowner came forward with additional information regarding wetlands that would have granted three additional points in the Public Benefit Rating System program. The Board was thereafter provided with a new staff report dated September 11, 2007 and Notice of Approval or Denial of Application essentially changing the percentage of the tax reduction from 13 points and 30% in the previous Notice to 16 points and 40% in the new Notice. Staff recommends conditional approval of the Open Space Application and the conditions are contained in the Notice. To a question from the Chairman, Mr. Tate confirmed that the landowner is required to submit to Planning an annual affidavit which is added to the file each year.

By unanimous motion the Board authorized conditional approval of OPS 522/06 by Suzannah Dalzell as presented and recommended.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 17, 2007 – REGULAR SESSION**

**2008 BUDGET WORKSHOP**

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

Budget Director, Elaine Marlow, and Chief Deputy Auditor Anne LaCour attended.

**Island County Clerk**

**Presentation by:** Sharon Franzen

Increase in M & O budget to reflect normal increase in costs of supplies and services as well as the unpredictability of costs such as legal publications for dependency cases.

Request that the Board continue the collections program, implemented in late 2004, as it has proven to be worthwhile and successful. Combination of a persistent and resourceful collections deputy, along with the cooperative support of the Prosecuting Attorney, guarantees the continuing success. The collections program serves victims of crime and provides additional revenue to the County.

The Budget Director said that the revenue attributed to the collections program did not fully fund the collections position. Commissioner McDowell asked Ms. Franzen if all accounts were charged a collection fee. Ms. Franzen said that only delinquent accounts were assessed the fee. She will look into seeing if all accounts could be charged to help defray collection program costs.

Ongoing need for additional staff. There remains a heavy workload and it is difficult under the circumstances to meet critical deadlines. Significant amount of overtime will be required of staff with the forthcoming implementation of the AOC's new Core Case Management System (CMS) unless additional staff is hired.

Supplemental Request: One full time deputy clerk and one half time deputy clerk who will, at some point, increase to full time.

*Follow-up:* Having not considered the amount of money set aside for the Clerk from the new Mental Health Initiative Tax, Sharon will talk with Mike Merringer and return to the Board that information.

Supplemental Requests:

- Computers for the three courtrooms
- Five additional Laserfiche licenses
- One additional Quickfield license
- Replace Laserjet office printers
- New workstation (contingent upon Board approval of additional full-time deputy clerk)

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 17, 2007 – REGULAR SESSION**

**Facilities and Maintenance**

**Presentation by:** Dan Sherk

Mr. Sherk commented on his department's unavoidable cost increases for 2008. The Budget Director has included these amounts in the workshop budget as proposed.

- 10% increase in supplies due to rising fuel costs for delivery
- 40% increase in fuel due to rising fuel prices and the continued high expense to fill nine separate diesel tanks
- 20% increase in small tools to maintain the daily upkeep of County facilities
- Currently no line item for advertising. Requesting \$500 to cover cost of advertising when rehiring staff
- 400% increase in rentals and leases to allow for a man lift to wash exterior windows
- 20% increase in repair and maintenance to account for the increasing fuel costs passed down from vendors

Continuing projects into 2008:

- Replacing expansion tank in the Administration Building
- Installing a generator at the North Whidbey Family Resource Center
- Metal Roof on the District Court building
- Remodeling District Court building with new carpet and interior paint
- Jail HVAC study
- Issues not warranted under the South Precinct, new Records Storage Building, and Jail roof replacement

The Board of County Commissioners recessed at Noon, participating in the regular meeting of the Island County Board of Health at 1:15 p.m. The Board of County Commissioners reconvened in Regular Session at 2:15 p.m. for continued budget workshops.

**Public Works Department, including Public Works/Road/ER&R/Paths & Trails/Storm & Surface Water/Solid Waste/Diking District #4**

**Presentation by:** Bill Oakes

**Attending:** Colleen Jokinen

Hand-out: 2008 ER&R Monthly Rental Rates  
2008 ER&R Hourly Rental Rates  
2008 ER&R General/Shop Rental Rates

Presentation: Power Point Presentation "Public Works Budget 2008"

Roads

Revenue \$15.6 Million [bulk from property tax at 47%]

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 17, 2007 – REGULAR SESSION**

Beginning Fund Balance Jan 1:

\$2.2 million - Emergency [based on 1996-97 flood/slide response and delay in FEMA reimbursement;  
\$1.5 million adjusted to 2007 dollars]

\$2.5 million cash flow [property tax – spring and fall; construction season in between]

2008 Roads Design and Right-of-Way

E. Camano at McElroy  
Crawford  
Frostad  
Arrowhead (South)  
New “Country” Road  
Boon

2008 Roads Construction

Ault Field/Oak Harbor  
Terry’s Corner III  
Camano Hill [continued]  
East Camano Safety [continued]

2008 SWM Construction

Sunset Culvert  
Useless Bay Pump Station  
Saratoga Re-work  
Jones at Sunday Drive  
Green Road Outfall

2007-2008 SWM Design

Maple Grove Boat Launch Outfall  
Jones at Sunday  
Scatchet Head Drainage Plain  
Simonson Place/Cavalero Park Access

ER&R

\$3.3 Million. Internal service fund for equipment replacement. Revenue comes from rental rates and is reviewed annually. Equipment rental rates have been revised for 2008 and the rates have been reduced by approximately 33%.

Solid Waste

Revenue \$7.6 Million, primarily from tipping fees at 90%

2008 Proposed:

Camano expansion construction  
Coupeville transfer station expansion

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 17, 2007 – REGULAR SESSION**

Continue to upgrade the septage operations to meet the demands of the on-site programs

Public Works

Includes:

Administration

Capital Project Management

Funded by Roads, ER&R, Solid Waste, Projects, REET, Current Expense

2008 Proposed:

Camano Campus Projects

Libbey Beach Design

Nursing Building Remodel

Jail Controls

Rhododendron Trail

Diking Improvement District #4

Routine Maintenance Programmed

“What is Around the Corner”

- Maintenance Management System – CAMS
- Petroleum and materials prices
- Level of Service demands
- Tremendous demand for drainage fixes
- Curbside recycle

**Sheriff**

**Presentation by:** Mark Brown and Kelly Mauck

**Attending:** De Dennis, Wylie Farr

**Press:** Jessie Stensland

Hand-out: Written speech by Mark Brown

Sheriff Mark Brown presented a plan for what the Sheriff’s office hopes to accomplish over the next eight years. Sheriff Brown further explained that while he is only elected for a four-year term, he believes it is important to plan into future years.

- Manpower growth in patrol division will progressively increase based on population expansion.
- Improved coverage will ultimately meet minimum standards of two commissioned patrol officers on duty 24/7 in each of the three defined geographical precincts.
- Progressive expansion will require an additional 13 deputies be added to current staffing level.
- More specialty units (Marine Safety/Security, traffic, narcotics, and regional emergency response unit)
- Training standard minimum requirement for each officer will eventually be raised from the basic required 24 hours per year (as required by the Criminal Justice Training Commission) to 40 hours

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 17, 2007 – REGULAR SESSION**

per year (as recommended by the Washington Sheriff's and Police Chiefs Association) increasing proficiency and reducing county liability.

- Jail will take a positive role in rehabilitation and reintegration of released prisoners thereby reducing recidivism.
- Records/Civil Division staffing levels will stabilize due to technology advances in field training.
- Continued personal commitment to the Island County community.

2008 Supplemental Requests Proposed by Sheriff Brown

Sheriff Brown told the Board that he will not fill the current vacant administrative position of Chief Criminal Deputy until there are adequate personnel at the line level. Therefore, requesting:

- Three new deputies;
- Two correction officer positions; and
- Part time clerk to be made full time.

Non-Discretionary Budget Increases:

- Fuel/Supplies – *Increase of \$20,000*
- ICOM – *Increase of \$58,353*
- Small Tools/Minor Equipment  
55 hands free accessories for cell phones, to be in compliance with 2008 state law.  
*Increase of \$10,010*
- Communications/Other Services  
16 Aircards for new laptops in cars/service cost  
*Increase of \$10,950*  
Postage and phone increases plus new phone lines, alarm system and overall fees of bills which include Nextel, Whidbey Telecom, Sprint, Cingular, Central Services, Verizon and Metrocall/pagers.  
*Increase of \$17,830*
- Office and Operating Supplies – *Increase of \$2,000*

Discretionary Budget Increases:

- Lease  
Replace office copier at North Precinct – *Increase of \$10,000*
- Small Tools & Minor Equipment  
5 flat panel monitors to replace aging ones at South/North Precincts - \$1,500  
1 color printer at South Precinct - \$150  
1 desk top shredder with installation for South Precinct - \$750  
6 computer desk office chairs for East Precinct - \$1,380  
1 Ultralite ALS Kit for Lab/Evidence Dept - \$2,100  
1 dehumidifier for old jail - \$2,095  
*Increase of \$7,975*
- Computer equipment  
2 complete computer work stations with flat panel monitors for South Precinct squad room  
*Increase of \$8,000*

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 17, 2007 – REGULAR SESSION**

The Chairman commented that he believed the most optimal way to staff a 24-hour day is with three eight-hour shifts instead of 10-hour shifts. He asked the Sheriff how many additional positions he would need if he went to eight-hour shifts. Undersheriff Mauck said that if they went to eight-hour shifts they may need fewer additional positions but added they would need to hire more deputies as many would leave and overtime paid out would probably increase. With 10-hour shifts, there are six hours a day where there is an overlap of coverage. Emergency calls warrant response regardless of time and as it is now, frequently there is somebody else out there who can respond. If working an eight-hour shift, there is no overlap.

The Sheriff remarked that he believes personnel need three days off from the job, and working 10-hour shifts provides this. From a practical sense on an eight-hour shift it could work. But if working a graveyard shift and something happens that warrants attention at or near the time to go home, could conceivably end up with one day off, which is not enough.

*Follow-up:* De Dennis, Jail Administrator, will obtain a copy of the agreement between Island and San Juan Counties concerning the housing of San Juan inmates in Island County. A question arose about the sufficiency of the reimbursement rate to Island County for that service. Mr. Dennis will report that information back to the Board.

There being no further business to come before the Board, the meeting adjourned at 4:18 p.m. on conclusion of budget workshops. The Board will meet next in Special Session on September 24, 2007 beginning at 10:00 a.m. for budget workshops, followed by Regular Session at 11:00 a.m.

BOARD OF COUNTY COMMISSIONERS  
ISLAND COUNTY, WASHINGTON

\_\_\_\_\_  
Wm. L. McDowell, Chairman

\_\_\_\_\_  
John Dean, Member

\_\_\_\_\_  
Phillip Bakke, Member

**ATTEST:**

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