

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
JULY 14, 2008 – REGULAR SESSION**

The Board of Island County Commissioners met in Regular Session on July 14, 2008 beginning at 10:07 a.m. in the Board of County Commissioners Hearing Room (Room # 102B), Annex Building, 1 N.E. 6th Street, Coupeville, Washington. John Dean, Chairman, Phillip Bakke, Member, and William L. McDowell, Member were present. The meeting began with the Pledge of Allegiance.

PUBLIC INPUT OR COMMENTS

Dom Amor, Community Relations Manager for Puget Sound Energy indicated there has been a considerable amount of information disseminated regarding the PUD effort and much of that information needs to be clarified with facts. PSE is preparing a report that will evaluate the assets of PSE on Whidbey and that information will soon be available and provided. Under Washington law the passage of the issue on November 4 will create an entirely new taxing authority and operation by a new governing body and those issues, as well, will be addressed. He encouraged the public to contact PSE with questions.

SERVICE AWARDS

EMPLOYEE SERVICE AWARDS

<u>Department</u>	<u>Employee</u>	<u>No Years</u>
Assessor	Amy Witt	10
ICSO/Jail	Eric Boone	5
Superior Court	Jeanne Wells	10
Superior Court	Karen Lerner	10
Public Works	Kelly Diefert	10
Public Works	Catherine Kelley	15

EMPLOYEE OF THE MONTH – JUNE

JOANTHA GUTHRIE – PUBLIC WORKS

Joantha is an outstanding manager of the Island County Trails program. She is dedicated, motivated and consistently sets a high standard in managing not only the trails program, but other numerous concurrent public works projects as well. The Bicycle Touring Enhancement Project began with Joantha writing and applying for a federal grant. Because of her grant writing skills, Island County was awarded the grant money to enhance bicycle touring as part of the overall Island County Non-Motorized Trails Plan. The Bicycle Touring Enhancement Project has been met with great excitement by the public and has been featured in the Tacoma Daily Index and other media sources. Joantha regularly makes presentations to the public concerning the Island County Trails program and the Non-Motorized Trails Plan. She consistently provides helpful, cheerful, expert knowledge to the public and fellow co-workers. She is looked upon as a valuable member of the Public Works team.

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SPECIAL RECOGNITION

DE DENNIS – ICSO/JAIL

On May 7, 2008 De’s quick thinking and efficient response to a potentially disastrous situation averted a distraught male from committing suicide by jumping off the Deception Pass Bridge. Even though De was on his way home and scheduled to be at a youth appreciation dinner later that evening he stopped his car, engaged the subject in conversation, and was able to convince him not to jump. There is no doubt that De saved a man’s life.

SPECIAL RECOGNITION

DAVE MATTENS AND ASSESSOR’S OFFICE STAFF

The Board formally acknowledged Mr. Mattens and the Assessor’s office staff for their diligent efforts, dedication and quality work on behalf of Island County in getting the revaluation notices out ahead of the state-mandated time schedule. The Board recognizes the workload of the office and the challenges of becoming familiar with new practices, procedures and programs – yet the entire office rose to the challenge with amazing results; an unbelievable accomplishment in a short amount of time. The performance and attitude of the Assessor’s office is rare and commendable.

CONSENT AGENDA

By unanimous motion the Board approved the Consent Agenda as follows with the exception of item 9 *Waiver from Competitive Solicitation for contract with Compass Health* and Item 10 *Professional Service Agreement with Compass Health*, both pulled from the Agenda:

ELECTRONIC FUND TRANSFERS, VOUCHERS, PAYMENT OF BILLS

Vouchers (War) #s 291212-291519.....	\$563,253.55
Electronic Fund Transfers.....	\$ 22,776.61

MINUTES OF PREVIOUS MEETINGS

Special Sessions	June 25 and 30, 2008
Regular Sessions.....	June 23, 2008

APPOINTMENTS TO VARIOUS BOARDS AND COMMITTEES

Island County Affordable Housing Advisory Board

Correction to reappointment of Jodi Kittelson to reflect that she represents Whidbey Island Bank, not New Leaf, Inc., on the Island County Affordable Housing Advisory Board.

GSA CONSERVATION FUTURES

Amendment No. 1 to Agreement for Conservation Futures funds between Island County and Island County Health Department granting a time extension for project completion until December 31, 2009 (RM-PKS-08-0139A)

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GSA DEPARTMENT OF EMERGENCY MANAGEMENT

Purchase Order No. 8909 to Motorola c/o Day Wireless for purchase of remote mount mobile radios for DEM duty vehicle. Amount: \$10,013.23 (*RM-DEM-08-108*)

Purchase Order No. 8910 to Day Wireless for purchase of VHF and UHF radios and programs for DEM duty vehicle. Amount: \$5,197.78 (*RM-DEM-08-109*)

HOMELESS HOUSING/AFFORDABLE HOUSING FUNDS

Letter to Washington State CTED Committing Matching Funds for Homeless Grant Assistance Program (HGAP)

PLANNING & COMMUNITY DEVELOPMENT

Resolution C-79-08 In the Matter of Washington Wildlife and Recreation Program Farmland Preservation for the Ebey's Reserve Farmland – Engle II Project (*Resolution on file with the Clerk of the Board*)

PUBLIC HEALTH

Contract with Department of Social and Health Services for Foster Care Public Health Nurse Services. Continues Foster Care Passport program at current level of funding. Contract No. 0863-44375; Contract Amount: \$20,500 (*RM-HLTH-01-0064*)

PUBLIC WORKS

County Roads

Contract/Contract Bond with Krieg Construction, Inc. for 2008 Whidbey Island Overlays; CRP 08-03, Work Order No. 433. Amount: \$1,154,584 (*PW-0820-79*)

Escrow Agreement with Krieg Construction, Inc. for 2008 Whidbey Island Overlays; CRP 08-03, Work Order No. 433.

Consultant Agreement with Geometrics Surveying, Inc. for On-call Survey Research - Property Law Review. Amount: \$150,000; Expiration June 30, 2010 (*PW-0820-83*)

Adopt-A-Road Litter Agreement Renewal for East Camano Drive from stoplight at Sunrise Road to Cross Island intersection.

Public Works

Contract/Contract Bond with Barron Heating & Air Conditioning, Inc. for Nursing Services Remodel – HVAC Work; Work Order No. 415. Amount: \$16,108.24 (incl. tax) (*PW-0820-65*)

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LIQUOR LICENSE APPLICATION

Application for Special Occasion Liquor License No. 091623 by FETCH for a special occasion to be held August 9, 2008 from 1:00 p.m. to 4:00 p.m. at the enclosed area at Buchanan Vineyard, 5697 Casper Court. Langley, WA.

REGULAR AGENDA

**HEARING SCHEDULED ON PETITION FOR A BALLOT MEASURE AUTHORIZING
THE FORMATION OF PUBLIC UTILITY DISTRICT NO. 1 OF ISLAND COUNTY,
WASHINGTON**

*Hand-outs: Proposed Notice of Public Hearing
Map Reflecting Commissioner Districts*

David Jamieson, Chief Civil Deputy Prosecuting Attorney, advised the Board as to procedure following receipt of the Petition for Formation of a Public Utility District No. 1 of Island County, Washington filed by the People for YES on Whidbey PUD. The petition was signed by 2,699 registered voters in Island County and the Auditor certified that to be a sufficient number of voters' signatures to call for an election.

Mr. Jamieson provided the Board with a proposed Notice of Public Hearing explaining that the Board is to hold a public hearing when the proposed public utility district is not composed of the entire County; in this case, the public utility district is proposed to be on Whidbey alone and not on Camano. The public hearing is limited to the Board possibly reducing the boundaries of the proposed public utility district when determining whether "any lands have been unjustly or improperly included within the proposed public utility district and will not be benefited by inclusion therein." If so, the Board is to reduce the area and change the "boundary lines in such manner as it shall deem reasonable and just and conducive to the public welfare and convenience." The Board would then call for an election. (RCW 54.08.010)

Mr. Jamieson said that public utility districts are authorized to do a number of things. Not only can a public utility district furnish electricity but it can also furnish water, sanitary sewers, storm sewers, and provide conservation equipment for both electricity and water. The Attorney General concluded that if an area in the County is already served by a municipal government, one that furnishes each of those possible utilities, there is no reason for that area to be included in the public utility district because the public utility district could not furnish any services. The size of the area would accordingly be reduced when submitted to the voters. Mr. Jamieson, however, knows of no such area on Whidbey but regardless, there must be a public hearing. Mr. Jamieson emphasized the importance of the public realizing that the public hearing is not an opportunity to convince the Board that the idea is either good or poor because the Board does not make that determination; the voters will decide at the election in November.

Also at the election in November will be an election for commissioners of the proposed district. The Planning Department divided the County into three proposed district areas and provided a map reflecting that information (a copy of the map was handed to the Board). Each proposed area must be composed of an entire voting precinct so the Auditor, in determining election results, can follow precinct lines. Proposed District 1 is North Whidbey; proposed District 2 is

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partially north Whidbey to Coupeville; and proposed District 3 is Coupeville south. Each has approximately the same population which is another requirement.

Following the proposed August 4 public hearing:

- The Board will enter an order in its Resolution establishing the boundaries of the district;
- The Resolution will call for an election and be transmitted to the Auditor;
- The Auditor will call a special filing period for candidates for commissioner of the public utility district to file for election. Each commissioner must file for the district he or she resides in, there will be no primary, the election will be at the same time in November as the formation of the district.

The candidate from each district who receives the greatest number of votes will be elected as commissioner for that district in a non-partisan position. If the voters reject the effort and the public utility district is not formed, the commissioner positions will be null and void.

Mr. Jamieson said the Board must also determine the advocacy committees who will submit statements to the Auditor for the local voters' pamphlet, up to three persons each for pro and con. He suggested the Board determine those advocates at the time it adopts the resolution.

Mr. Jamieson confirmed for Commissioner McDowell that the sole purpose of the public hearing is to determine if there are any areas on Whidbey that should not be included in the public utility district. He reiterated that to be excluded from the proposed public utility district an area must already furnish all of the services that a public utility district could provide.

Chairman Dean expressed a concern that possibly some members of the public could say they were not in favor of the proposed commissioner districts. Mr. Jamieson said that Planning attempted to create the districts in a way they are compact.

By unanimous motion the Board approved scheduling a public hearing on the Petition for a Ballot Measure Authorizing the Formation of Public Utility District No. 1 of Island County, Washington on August 4, 2008 at 10:15 a.m. to consider the proposed public utility district's boundaries and formally call for an election.

PUBLIC HEARINGS

**HEARING HELD: CONSIDERATION OF AN OPEN SPACE TIMBER LAND
CURRENT USE PROGRAM APPLICATION – OPS 468/07**

Chairman Dean opened a public hearing concerning OPS 468/07, Consideration of an Open Space Timber Land Current Use Program Application filed by Applicants David and Melinda Gladstone.

Matt Kukuk, Resource Enhancement Manager of the Planning and Community Development Department presented to the Board OPS 468/07, a request from Applicants David and Melinda Gladstone to incorporate three forested acres from Parcel No. S7125-00-00038-1 into their existing Open Timber tax use program located on contiguous parcel S7125-00-00039-0 on Camano Island. Staff recommends approval of the application.

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Chairman Dean opened the public comment portion of the hearing and there being none public comment was closed.

By unanimous motion the Board authorized conditional approval of OPS 468/07 by David and Melinda Gladstone as presented and recommended.

PRESENTATION BY WHIDBEY ISLAND CONSERVATION DISTRICT

In Attendance:

Karen Krug, Chair of the Whidbey Island Conservation District
 Fran Einterz, Vice Chair
 Erin Borden, Staff Liaison
 Rob Hallbauer, Auditor
 Karen Bishop, Manager
 Stacey Smith, Natural Resource Planner

Hand-outs:

- *FY 2009 Annual Work Plan*

Required each year by Washington State Conservation Commission which provides the basic funding from the Commission; new annual plan each year and continually updating long-range plan.

- *Living Responsibly in a Green Community*

Guide for the Highland Development, a low impact development neighborhood in Langley. The guide was one of the tasks in the Ecology grant that funded the project. Suggested that Conservation District and County partner to do something similar with the Wetland ID Guide and Rural Stewardship Plan currently being worked on by the Planning, as well as similar information for the Reserve, bluff owners guide, to name a few. Also suggested to work collectively on an outreach program where all agencies are working together to disseminate information to the public and agencies.

- *Printed Power Point Presentation*

- *Promotion Piece for Whidbey Island Farm Tour October 4 & 5, 2008*

An opportunity for the public to view a working farm and also an opportunity for farmers to economically expose what is being done.

An overview was provided of the District's work on Whidbey:

- Where landowners can turn for help:
 - “Navigate” the bureaucracy for people
 - Match landowner needs with programs
 - Fill in gaps where needed
- What are Conservation Districts:
 - A unique form of non-regulatory government
 - Provide landowners with technical assistance to encourage voluntary actions
 - Protect natural resources for future generations
- Conservation District History:
 - 1930s Dust Bowl, Soil Conservation Service
 - 1940s Washington State Districts enabled

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- 1961 Camano Island becomes part of already established Snohomish Conservation District
- 1967 Whidbey Island Conservation District formed
- Why Conservation Districts are successful:
 - Long-term relationships with landowners
 - Long-range plans that reflect community values directed by local Board of Supervisors
 - Science-based technical standards
 - On the ground technical assistance coupled with education
- Budget
- State RCW 89.08.400, Special Assessment
- Partners: Local, Regional, State and Federal
- 07-08 Projects:
 - EQIP Projects
 - LID projects and technical assistance
 - Farm plans and technical assistance
 - Forest plans
 - Salmon recovery
- Farm Plans and Technical Assistance
- Langley Middle School Community Garden and demonstration site
- Low Impact Development (LID) and Summit Group
- LID Workshop Series, Spring 2008, funded by Island County Health Department with money received from the Department of Ecology:
 - General Low Impact Development
 - Island County Annex Rain Garden
 - Pervious Concrete
- Restoration Projects
 - Maxwelton Tide Gate
- Forestry
- Native plant sale
- Future:
 - Awaiting outcome of Ag ordinance
 - LID – unlimited opportunities
 - Stabilize District funding

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There being no further business to come before the Board, the meeting adjourned at 11:31 p.m.
The Board will meet next in Regular Session on July 21, 2008 beginning at 10:00 a.m.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

John Dean, Chairman

Phillip Bakke, Member

Wm. L. McDowell, Member

ATTEST:

Elaine Marlow, Clerk of the Board