GRAVEL PIT SITE

The Board approved an extension of time for timber removal from a gravel pit site purchased by the County to September 1, 1974, for Bernard Waterman, with the stipulation that this be the final extension of time for this purpose.

HEARING HELD-DISTRICT COURT CLERKS SALARY

The matter of a salary change of the District Court Clerk of Island County came on for hearing at 2:30 PM, as advertised, having been set for hearing on the 4th of March. Commissioner Mecklenberg made the motion to grant the Emergency Appropriation of $800.00 for salary increase to the budget of the District Justice Court. The motion, seconded by Christiansen, carried.

AFFIRMATIVE ACTION PLAN

Mr. Roy Reed, Representative of Huebleim & Associates, which is a private organization, explained the services which his company offers. He said that his firm works with employers to develop or upgrade affirmative action plans, which offer equal job opportunities to people of all ages, races and sex. He recommended that the County take a look at their procedures for hiring as government agencies which work with the County were interested in seeing that affirmative action plans were incorporated into the system. He quoted approximate prices as $1,500 for an analysis and $2,400 to $3,600 for the whole package which would include a study.

MUTINY BAY CONDOMINIUM DISCUSSION

A discussion was held by the Board with representatives of Mutiny Bay Condominium and the State Department of Social & Health Services (DSHS) which was aimed at the resolution of the problems which have arisen regarding the sewage disposal system, road and pathway to the beach at the site of the Mutiny Bay Condominium. Commissioner Anderson said in review that during the past year members of the Board had made trips to the site and were not able to get down to the beach. He said they had recently been made aware that the septic system was failing and that a Show Cause Order had been filed by the Deputy Prosecuting Attorney at the Board's request. Commissioner Anderson said that the press had erroneously reported that the restraining order had been dropped. He said that he had agreed that the matter of the restraining order would be postponed. until the meeting on this date. Commissioner Christiansen said that, tohis best knowledge, he also had agreed that this matter would be postponed until this date's meeting. Mr. Strong said that it was pointless to discuss an irrelevant matter and that the press had accurately reported the facts. The motion which had been made at the last meeting was reread into the record as follows: "Commissioner Christiansen made order the motion for a show cause in the existing court action in the road situation as well as the health hazard, and to have court action filed with the complaint we have filed here with a temporary restraining order regarding stopping the building, pending abatement of the health hazard." Commissioner Mecklenberg read into the record the following letter to the Deputy Prosecuting Attorney:

Island County Prosecuting Attorney
Courthouse
Coupeville, Wn. 98239
Attention:Mr. David B. Strong

Re: Mutiny Bay Riviera

Gentlemen:

We are in receipt of your letter dated March 22, 1974. As indicated therein and

in accordance with our discussion, Mutiny Bay Riviera agents will be in attendance at the regular meeting of the Island County Commissioners on April 1974, at 3:45 pm, for purposes of discussing its actions taken under the January 16, 1973, order in Island County Cause No. 7295.

We wish to also affirm that under no circumstances will Mutiny Bay Riviera consent to any discussions, references to (directly or indirectly, collaterally or otherwise) the motivation for, filing of, issues in, or status of the action, Island County Cause No. 7995. In the event there is any reference made to or attempt made to bring that action into the above meeting, Mutiny Bay will immediately withdraw. It is further understood that Mutiny Bay's attendance at the meeting is not for purposes of settlement or compromise of that action.

You have requested, properly, that Mutiny Bay report to the Board of Commissioners in connection with Mutiny Bay's actions under the January 16, 1973 order. We intend to do so. No other connotations or implications of any nature may be attached to Mutiny Bay's appearance at the meeting.

A matter of no small importance to our client is the fact that at previous commission meetings, members of the public have been permitted to impugn the actions and motives of Mutiny Bay Riviers, the Developers and their agents. In most instances these statements by members of the public have been libelous and defamatory in nature and without foundation. Mutiny Bay, of course, cannot do other than suspect that these statements have an effect upon the thinking and subsequent actions of the commissioners, since this is obviously their purpose. Invariably, these statements appear in the press, further injuring our client.

Mutiny Bay can no longer tolerate such libelous and defamatory statements being made. Failure to take appropriate action following the utterance of such statements only encourages the making of additional reckless and unfounded statements, in addition to the resulting injury to reputation and property. Accordingly, we have been instructed to, and will, have at the commission meeting on April 1, 1974, a tape recorder and cameraman for purposes of recording and documenting statements made by members of the public. We would appreciate your assuring that each speaker at the meeting will be required to identify himself.

Very truly yours,

Dale E. Kremer

DEK/es

Mr. Strong explained that there were two court actions in process at this time (1), Mutiny Bay vs Island County, Court Case No. 7295, filed in January 1973, and (2) Island County vs Mutiny Bay, Inc., Court Case No. 7995. He said he had asked for a Show Cause Order and for a Temporary Restraining Order, but that after talking with Commissioner Anderson he had dissolved the restraining order. He said the two cases would come before the court on April 5th. Doug Millard, Attorney for Mutiny Bay, said that they had been served with a summons and could not discuss the matter of Court Case No. 7995. Commissioner Mecklenberg said it was very hard to limit conversation at a public meeting. Mr. Walter Banks, Engineer employed by Mutiny Bay, said he had been in constant contact with Mr. Plews, DSHS, regarding the septic system, and he had monitored it. He said that one drainfield had showed failure in the dye tests and had been shut down. It was stated that no human waste had showed up in the small drainfield tests. He stated that some coloform organisms had showed up but that they were from upstream and went on to add that he could assure them that it was not from their area. The following letter was read in part, into the record:

December 11, 1972

Mr. Dale Kremer
Attorney at Law
545 Henry Building
Seattle, Wn. 98101

Re: Mutiny Bay Riviera

Dear Mr. Kremer:

This is to confirm our conversation of Thursday, December 7, regarding the development of a sewage disposal system at Mutiny Bay Riviera. Assuming the following is consistent with your understanding of our agreement, I would suggest we contact Ed Beeksma to see that our understanding if incorporated into the stipulated order, as per our previous conversations. The conditions are as follows:

1. Mutiny Bay Riviera, Inc., or its successors, would agree to the development and installation of a sewage treatment facility within two years after receiving plat approval. In the interim, use of the drainfield will be allowed so long as it does not fail to the extent that an emergent danger to the public health or ground water