With regard to the boundary issue, the Chair noted that the Board had authority to reduce the boundaries should it decide it appropriate, but did not have the authority to expand the boundaries. Both Commissioners Shelton and McDowell favored the boundaries as proposed and as represented to those who signed the petitions.

On the issue of whether or not it is in the public interest to place the formation of the port district on the ballot, Commissioners Shelton and McDowell believed it was in the public interest to put it on the ballot, signatures having been collected and validated.

Chairman Colby, as the commissioner representing most of the precincts outside Oak Harbor, noted that people from those precincts generally spoke in opposition to the port district, but agreed with Commissioners McDowell and Shelton there was a legally adequate show of interest in seeing this on the ballot, and believed he was obligated based on the legal sufficiency of the petition to give the voters of the area the opportunity to vote on the issue.

Commissioner Shelton moved that the Board approve Resolution #C-71-93. Motion, seconded by Commissioner McDowell, carried unanimously.

IN THE MATTER OF THE ELECTION OF THE)
NORTH WHIDBEY ISLAND/OAK HARBOR PORT DISTRICT) RESOLUTION C-71-93

WHEREAS, a petition calling for the formation of a North Whidbey Island/Oak Harbor Port District was filed with the Island County Auditor signed by voters residing within the proposed port district equal in number to at least ten percent of such voters who voted at the last county general election,

WHEREAS, the County Auditor has filed with the Board of County Commissioners his Certificate of Sufficiency, stating that said petition was signed by a sufficient number of qualified voters, and

WHEREAS, the Board of County Commissioners fixed the 16th day of August 1993 at 3:30 P.M. as the date and time for a public hearing on said petition and caused Notice of Hearing to be published as provided by law,

NOW THEREFORE BE IT RESOLVED BY the Board of County Commissioners of Island County, Washington:

(1) The Board finds that creation of the proposed port district is in the public interest, and

(2) That a special election be held on the 2nd day of November, 1993 within the area proposed for the port district, as defined in Exhibit A for the purpose of submitting to the qualified voters within the proposed district the proposition for forming a port district, which will be known as the North Whidbey Island/Oak Harbor Port District; and

(3) That in submitting said proposition to the voters for their approval or rejection, said proposition shall be expressed on the ballot in the following terms:

North Whidbey Island/Oak Harbor Port District YES
North Whidbey Island/Oak Harbor Port District NO, and

(4) There shall be also elected at said election Three port district commissioners for said proposed North Whidbey Island/Oak Harbor Port District to hold office respectively for the term of two, four and six years, and until their respective successors are elected and qualified, the terms of each to be determined by the number of votes cast for each, and

(5) That the notices of said election and special filing period for port district commissioner positions shall be published and posted as required by law.

ADOPTED this 16th day of August, 1993.

BOARD OF COUNTY COMMISSIONERS

DWAIN COLBY, CHAIRMAN
WILLIAM L. MCDOWELL, MEMBER
J. MICHAEL SHELTON, MEMBER

Attest:
ART HYLAND, Auditor

There being no further business to come before the Board at this time, the Chair adjourned the meeting at 5:00 p.m., to meet in Special Session at 10:00 a.m. on August 23, 1993. and Regular Session beginning at 1:30 p.m.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

BOARD OF CO. COMMISSIONERS EST ISLAND COUNTY 1853 WASHINGTON

Dwain Colby, Chairman

J. Michael Shelton, Member

William L. McDowell, Member

ATTEST:

Art Hyland, Island County
Auditor & Ex-Officio Clerk
of the Board

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ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING
REGULAR SESSION - AUGUST 23, 1993

The Board of Island County Commissioners met in Special and Regular Session on August 23, 1993, Island County Courthouse Hearing Room, Coupeville, Wa. Chairman Dwain Colby, and members J. Michael Shelton and William L. McDowell were present. Special Session held at 10:00 a.m. and 1:15 p.m.

SPECIAL SESSION

EXECUTIVE SESSION

The Board met in Executive Session at 10:00 a.m., under R.C.W. 42.30.110 (1)(i), to discuss with legal counsel matters relating to litigation or potential litigation, held in the Planning Department Conference Room, Courthouse Annex, Coupeville. The meeting lasted one-half hour. No announcement made.

HEARING HELD: ORDINANCE #C-70-93, AMEND ICC 9.04.020 BY CHANGING TERM "JET SKIS" TO "PERSONAL WATERCRAFT"; AND AMEND ICC 9.40 TO PROHIBIT USE OF MOTORBOATS & PERSONAL WATERCRAFT WITHIN DESIGNATED SWIMMING AREAS IN ALL ISLAND COUNTY PARKS AREAS

The Board met in Special Session at 1:15 p.m., for the purpose of conducting a public hearing on proposed Ordinance #C-70-93, to amend existing Island County Code 9.04.020 by changing the term "Jet Skis" which are prohibited from operation on Lone Lake and Deer Lake, to "Personal Watercraft" as defined by State law contained in RCW 88.12.080(2)(c), and to amend ICC 9.04 to prohibit the use of motorboats and personal watercraft within designated swimming areas in all Island County parks areas.

Betty Kemp, Director, GSA, and Lee McFarland, Parks Superintendent, were present to support adoption of the Ordinance; noted it became apparent that although the County prohibited jet skis on Deer and Lone lakes, the Code did not cover single personal watercraft. Concerns were reported about people operating too close to swimming areas. At this time, there is only one designated swimming area, Deer Lake, and the swimming area is separated from the boat launching area.