Mrs. Kemp summarized from her written report under memorandum dated October 27, 1999, with regard to Claim for Damages, R99-033CD, Chad A. Bridgman. The claim was filed for the amount of $600,000.00 alleging that the County Sheriff and Jail Commander did not provide medical attention when needed. She recommended that the claim and file contents be submitted to the Risk Pool to assist the County in the disposition of the claim.

By unanimous motion, the Board referred Claim for Damages R99-033CD by Chad A. Bridgman to the Risk Pool to provide assistance to the County in the disposition of the claim.

DRAINAGE AGREEMENT/COVENANTS & DRAINAGE AND ACCESS EASEMENT – LAWRENCE J. GOGENOLA

Larry Kwarsick, Public Works/Community Development Director, presented a proposed Drainage Agreement/Covenants along with a Drainage and Access Easement from Lawrence J. Gogenola, Lots 44-47, Plat of Pebble Beach, West Camano Drive, proposed in satisfaction of an old outstanding drainage problem and some litigation.

By unanimous motion, the Board approved and signed the Drainage Agreement & Covenants #RM PW9920.16, along with the Drainage & Access Easement and Covenant #RM PW9920.16A, with Lawrence J. Gogenola.

PETITION FOR VACATION OF ABANDONED PORTION OF HUMPHREY RD RIGHT OF WAY CROSSING ASSESSOR'S PARCEL 019.456

The Board adopted a unanimous motion referring a Petition for Vacation of an abandoned portion of Humphrey Road right-of-way crossing Assessor's Parcel 019.456, located in SE, SE, Section 36-T29N-R3E; Petitioner D. Davie P. Sonnichsen, et.ux., to the County Engineer for report and recommendation back to the Board.

MEMO OF UNDERSTANDING ASSOCIATED WITH SR 532 CAMANO ISLAND PARK & RIDE LOT

Mr. Kwarsick presented for the Board's approval, a Memorandum of Understanding between the County and the Washington State Department of Transportation in implementation of the proposal to evaluate the suitability of a portion of Terry's Corner property on Camano Island as a proposed Park & Ride Lot, financed and funded by WSDOT to acquire land; the MOU provides that Island County Act as Lead for WSDOT. This also involves some agreement with Island Transit. Mr. Kwarsick recommended approval of the Agreement, and was comfortable with the percentage allowed for administrative overhead for the Public Works Department to act as Lead Agency, with both Lew Legat and Mike Morton on review of other agreements with WSDOT showing that 5% was fairly consistently used in terms of overhead.

Commissioner McDowell recognized that the percentage for overhead is similar to what has been used on other projects, but for one of this magnitude questioned if the administrative percent overhead enough to do the job. Mr. Kwarsick confirmed that all direct costs are paid by WSDOT, and will cover all of Island County's costs.

Mike Morton advised that although the Agreement was not signed by the Director of Island Transit, the Director actually approved the MOU, and after this meeting he will take the MOU to the Director for either her signature or presentation to the Transit Board if she had not already been given that authority. Island Transit and DOT negotiated exactly who would be responsible for what and both sides are comfortable with the language as it exists.

By unanimous motion, the Board approved and signed the MOU signed by Bob Josephson, WSDOT, dated October 26, 1999.

RESOLUTION #C-139-99 IN THE MATTER OF AMENDING THE ISLAND COUNTY FACILITIES MASTER PLAN

Next, Mr. Kwarsick presented proposed Resolution #C-139-99 to amend the Island County Facilities Master Plan phasing schedule as originally approved by the County and the Town of Coupeville. In the original Coupeville Courthouse Master Plan the Juvenile Detention Facility was shown as a Phase II construction project. As a result when Island County and the Town of Coupeville jointly addressed environmental impacts of the Master Plan, the detention facility expansion was not included. Subsequent to the Board's action to approve this amendment to the

Facilities Plan, the document will be referred to the Town of Coupeville to take the same action, subject to environmental review. He thought that this action would accelerate the environmental review by as much as 6 to 8 months and help facilitate the development of the project.

By unanimous motion, the Board approved Resolution #C-139-99 in the matter of amending the Island County Facilities Master Plan.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON**

IN THE MATTER OF AMENDING THE ISLAND COUNTY FACILITIES MASTER PLAN	)))	RESOLUTION C- 139-99

WHEREAS, the Board of Island County Commissioners conducted a Coupeville Courthouse needs assessment and facilities analysis in association with the preparation and adoption of the Island County Facilities Plan in 1995; and

WHEREAS, the Island County Facilities Plan identified proposed capital projects and scheduled them in two construction expansion phases, and

WHEREAS, the expansion of the County detention facility was identified in the adopted Island County Facilities Plan as a Phase 2, Long Term Expansion project; and

WHEREAS, RCW 13.04.135 requires Counties containing more than fifty thousand inhabitants provide and maintain a juvenile detention facility; and

WHEREAS, in November of 1998 the voters, pursuant to RCW 82.14.350, approved an additional sales and use tax for juvenile detention facilities. Moneys received are to be used solely for the purpose of providing funds for costs associated with financing, design, acquisition, construction, equipping, operating, maintaining, remodeling, repairing, reequipping, and improvement of juvenile detention facilities .

WHEREAS, it is imperative that the construction schedule for the juvenile detention facility be identified in the Island County Facilities Plan as a Phase 1 project and that the construction of the juvenile detention facility be accelerated to fulfill the mandates of RCW 13.04.135 and the electorate of Island County.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Island County Commissioners adopts the proposed amendment to the Island County Facilities Plan, attached hereto as Exhibit A, and further requests that the Town of Coupeville amend their previous actions and approve the amendment to the Island County Facilities Plan. Material underlined is added and material lined through is deleted.

Reviewed and approved this 1st day of November, 1999.

Board of County Commissioners
Island County, Washington
Mike Shelton, Chairman
Wm. L. McDowell, Member
William F. Thorn, Member

Attest: Margaret Rosenkranz
Clerk of the Board
BICC 99-609
[copy of Exhibit A placed on file with the Clerk of the Board]

HEARING SCHEDULED: ORDINANCE #C-138-99 (PLG-047-99)

By unanimous motion, the Board scheduled Ordinance #C-138-99 (PLG-047-99) Amending Island County Zoning Ordinance Chapter 17.03 ICC and Land Use Review Process Chapter 16.19 ICC to Implement the Adopted Langley Interlocal Agreement and to make Technical Amendments to Chapter 16.19 ICC for public hearing on **November 22, 1999 at 2:15 p.m.** *[GMA DOC. #5024]*

CORRECTION OF ORDINANCE #C-133-99 (PLG-040-99)

The Board considered the recommendation to correct Ordinance #C-133-99 (PLG-040-99) in the matter of amending the Comp Plan and Development Regulations to comply with the order of the WWGMHB relating to the Rural Forest Zone, Exhibit B-2, as recommended by the Prosecuting Attorney's review as Code Reviser in Memorandum dated October 22, 1999 *[GMA doc. #4998]*.