

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Wednesday, October 23, 1985

Flag Salute

- 8:30 a.m. Continuation of Public Hearing to receive input regarding potential rules and procedures to be contained within a resolution or ordinance regarding the regulation of advisory ballots.
- 2:00 p.m. Work Session - 1986 Budget - Department Heads and Elected Officials.
- 3:00 p.m. Discussion - Flood Fight Exercise - Corps of Engineers.
- 4:00 p.m. Continuation of discussion regarding creation of a Skagit County Public Defender District.

The Skagit County Board of Commissioners met in regular session on Wednesday, October 23, 1985, with Commissioners Vaux, Walberg and Rohrer present.

CONTINUATION OF PUBLIC HEARING TO RECEIVE INPUT REGARDING POTENTIAL RULES AND PROCEDURES TO BE CONTAINED WITHIN A RESOLUTION OR ORDINANCE REGARDING THE REGULATION OF ADVISORY BALLOTS.

Discussion continued regarding potential rules and procedures to be contained within a resolution or ordinance regarding the regulation of advisory ballots.

As there were no comments from the public, Commissioner Walberg motioned to close the public hearing. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

The Board will draft a resolution containing rules and procedures regarding the regulation of advisory ballots. The resolution will be reviewed by the Prosecuting Attorney's Office prior to adoption.

DISCUSSION - FLOOD FIGHT EXERCISE - CORPS OF ENGINEERS.

Don Nelson, Flood Control Engineer, introduced Ernie Sabo, who is the Flood Fight Engineer for the Skagit River Basin of the Army Corps of Engineers.

Mr. Sabo introduced Colonel Roundtree, Deputy Commander, and Brian Appleberry, of the Emergency Management branch in Seattle.

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Mr. Nelson stated that the cooperation between the County and the Corps has been excellent.

Mr. Nelson, Mr. Sabo, Colonel Roundtree and Mr. Appleberry answered various questions from the Board.

Mr. Appleberry explained the extensions of their authority with regard to disaster preparedness and emergency operations. He also explained several proposed changes within the public law regarding the Corps which will possibly take effect January 1, 1986.

Mr. Nelson felt the changes in minimum standards would not tremendously affect Skagit County's future receipt of assistance.

Gene Sampley, Director of the Public Works Department, commended the Corps on their timely response to emergency situations.

Mr. Appleberry also explained the Corps' involvement with Upper Baker and Ross Dams. He commended the County on being the best organized of the counties with which he works.

Mr. Nelson explained the flood fight activities which would be taking place over the next several days.

The Board thanked everyone for their participation in this discussion.

CONTINUATION OF DISCUSSION REGARDING CREATION OF A SKAGIT COUNTY PUBLIC DEFENDER DISTRICT.

Judges Walter Deierlein and Harry Follman of Superior Court, and Judges Eugene Anderson and Larry Moller of District Court, were present for this discussion.

Chairman Vaux stated that the Board is interested in obtaining the necessary services for public defense at a price the County can afford.

Judge Deierlein urged the Board to check with other counties to find out what they are paying and what services they are receiving. He felt the creation of a department for public defense would grow beyond the Board's ability to provide funding for it.

Judge Follman stated that he has not personally had experience with the type of department being discussed. He hoped the Board would research the idea slowly and carefully before making a decision.

Judge Anderson stated that the Superior Court and District Court judges had not discussed this matter prior to this meeting. He stated that adequate

defense counsel must be provided in order for convictions to stand. He urged the Board to select public defense services in the same manner as they would choose counsel for themselves. He recommended the Board consider creating a Public Defender's Office on a trial one-year basis.

Discussion followed regarding the standards used to determine adequacy of defense. Among other items, the number of cases per attorney is a standard used to determine adequacy of defense.

Commissioner Walberg stated that the Board is also concerned with providing adequate defense. He noted that the Board is concerned regarding the possibility of paying more out for public defense than for prosecuting the accused.

Judge Moller pointed out that investigation costs should also be included when determining a budget for a Public Defender's Office.

Commissioner Walberg stated that the Board would like to see the Public Defender's Office operational on January 1, 1986, however, if it takes several months longer to fully research the matter, that would also be agreeable.

In answer to a question from Chairman Vaux, Judge Deierlein stated that the Washington State Judicial Administration Commission has recommended to the Legislature a partial funding program for public defense.

Anthony Meyers, of Kane & Meyers, stated that he submitted one of the proposals received for public defender services. He suggested the Board enter into a short term public defense contract with a firm, while investigating the idea of a Public Defender's Office.

Ken Kagen stated that he was a public defender in Seattle. He would be part of the Kane & Meyers proposal, should they be chosen to contract with Skagit County. He recommended the Board investigate the matter very carefully prior to making a decision to create a Public Defender's Office.

Chairman Vaux favored the idea of considering the matter additionally prior to making a decision. He stated that the proposals will continue on hold for several additional weeks, as determined previously. Commissioner Walberg and Commissioner Rohrer concurred.

The Board thanked everyone for attending this discussion.

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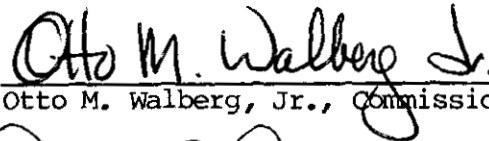
ADJOURNMENT

Commissioner Walberg motioned to adjourn the proceedings. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



W. W. Vaux, Chairman

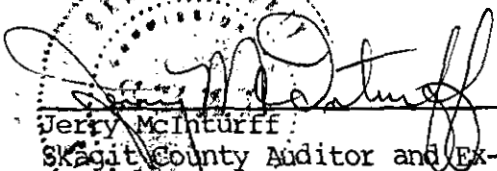
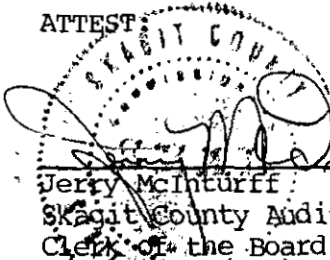


Otto M. Walberg, Jr., Commissioner



Dave Rohrer, Commissioner

ATTEST



Jerry McInturff
Skagit County Auditor and Ex-Officio
Clerk of the Board of Commissioners