

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS**

**Monday, November 22, 1993**

9:00 a.m. - 10:00 a.m. Work Session - Proposed Ordinance Amending County Road Right-of-Way Descriptions.

10:00 a.m. - 11:00 a.m. Public Works Department - Rich Medved, Director:

- 1) Personal Services Agreement - Hydroseeding of Colony Road Ditch Modification Project - Greenshield Lawns.
- 2) Miscellaneous.

CONSENT AGENDA.

MISCELLANEOUS ITEMS.

1:30 p.m. - 2:00 p.m. Public Hearing - Lease/Purchase of County Property - 1202 South 2nd, Mount Vernon.

2:00 p.m. - 2:30 p.m. Presentation - Letter of Intent to Seek State Funding for Juvenile Offender Treatment Program.

2:30 p.m. - 3:30 p.m. Public Hearing - Amendment to Skagit County Code 3.08 Imposing Additional Sales and Use Tax of .1% to Fund Criminal Justice Services.

3:30 p.m. - 4:30 p.m. Executive Session - Personnel, Litigation, and Land Acquisition.

The Skagit County Board of Commissioners met in regular session on Monday, November 22, 1993, with Commissioners Robert Hart, Harvey Wolden and Robby Robinson present.

**PUBLIC WORKS DEPARTMENT - RICH MEDVED, DIRECTOR:**

- 1) Personal Services Agreement - Hydroseeding of Colony Road Ditch Modification Project - Greenshield Lawns.

Dan Tolliver, Flood and Drainage Engineering Technician, presented a contract which authorizes Greenshield Lawns of Anacortes to provide hydroseeding of a ditch on Colony Road which is being modified to handle water that is currently flowing through three cross-culverts. The ditch work has resulted in exposed cut and fill slopes which must be protected by hydroseeding. The company submitted a bid of \$300 per tank load (6,534 square feet) for a project cost of \$2,000.

Commissioner Robinson motioned to approve the contract with Greenshield Lawns in an amount not to exceed \$2,000 for the hydroseeding of a modified ditch located on Colony Road. Commissioner Wolden seconded the motion, which passed unanimously. (Contract #001823)

- 2) Miscellaneous.

A. Doug Barnet, County Engineer, stated that Public Works staff has been negotiating for some time for the gravel located next to the Public Works Eagle Hill gravel pit near Concrete. An agreement has now been reached and has been approved by legal council. In order to begin the process of extending the County's special use permit to include the adjacent property, Mr. Barnet asked that the Board approve the agreement.

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Mr. Barnet explained that special provisions in the agreement indicate that mineral, timber and water rights are transferred to the County; that the County agrees to participate in 1031 tax-deferred exchange; that the County must be able to obtain special use permit expansion and receive a DNR reclamation permit; the current easement for access to Three Rivers Timber property across Skagit County's pit will cease upon closing; and that if the County initiates withdrawal from the agreement, the owner shall receive all of the information the County has assembled for the permitting process. A purchase price of \$345,000 has been agreed upon.

Commissioner Robinson motioned to approve for signature the real estate purchase and sale agreement with James Cook, 3255 Hamilton Cemetery Road, Sedro Woolley for property adjacent to the County's Eagle Hill gravel pit near the Town of Concrete. Commissioner Wolden seconded the motion, which passed unanimously. (Contract #001824, Deed File #00030)

**CONSENT AGENDA:**

Commissioner Robinson motioned to approve the Consent Agenda for November 22, 1993, as submitted. Commissioner Wolden seconded the motion, which passed unanimously.

• **Public Works:**

1. Supplement to existing Personal Services Agreement with Preston, Thorgrimson, Shidler, Gates and Ells for legal advise on Solid Waste issues to increase their compensation from \$25,000 to \$40,000. (Contract #001689)
2. Bid award recommendation to purchase one late model spray unit on cab and chassis from Norstar Industries, Incorporated, at a total price of \$31,399.64. (Resolution #15120)
3. Ordinance amending Skagit County Code 10.06.010 for the purpose of renumbering and establishing Concrete Road as one-way. (Ordinance #15121)
4. Ordinance amending Skagit County Code 10.04.030 to establish a speed limit of 25 m.p.h. on the Concrete Road. (Ordinance #15122)

\* **District Court:**

5. Agreement with the Department of Social and Health Services to provide judicial services, secure legal counsel, medical and psychiatric exams for indigent clients of the Department's Pioneer North Alcoholism Treatment Facility beginning July 1, 1993, with a completion date of December 30, 1993, at a maximum reimbursement of \$10,000. (Contract #001825)
6. Addendum to the District Court Clerk Teamster Contract with changes to the Health and Welfare and Classification and Pay sections. (Contract #01414)

\* **Civil Service:**

7. Personal Service Agreement with Don Shank to perform interviews of the candidates for the position of Cook for the Skagit County Jail at a rate of \$188.00. (Contract #001826)
8. Personal Service Agreement with Dani Cox to perform interviews of the candidates for the position of Cook for the Skagit County Jail at a rate of \$188.00. (Contract #001827)

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\* Health:

9. Resolution updating the Skagit County Health Departments schedule of charges applicable to the water laboratory, environmental health, nursing, clinical laboratory and vital records fees. (Resolution #15123)

\* Emergency Management:

10. Intergovernmental Agreement with the Washington State Department of Community Development to assist, facilitate and fund the completion of the enhanced 911 implementation plan and budget throughout the State of Washington with the total funds of \$25,000 distributed to the County. (Contract #001828)

\* Planning and Community Development:

11. Resolution upholding the Hearing Examiner's decision to approve the special use permit #SPU-92-024 of Melvin Farnsworth. (Resolution #15124)

• Commissioner's Office:

12. Resolution declaring the legal paid holidays for all eligible County employees for the calendar year of 1994. (Resolution #15125)
13. Record of the proceedings from November 15, 1993.

**MISCELLANEOUS ITEMS.**

- A. Steve Colby, Project Manager for the County Parks Department, explained that in the continuing project of purchasing the abandoned Burlington Northern Railroad railway line from Sedro Woolley to Concrete for the purpose of constructing recreational trails, it is necessary to complete two transactions. An assignment of the interim trail use and trail banking, permitting the use of the railway by the National Rails to Trails Concervancy, and the escrow statement and closing document for the sales price of \$98,000, must be approved by the Board. Mr. Colby asked that the Board approve these documents.

Commissioner Robinson motioned to approve the documents provided by Mr. Colby. Commissioner Wolden seconded the motion, which passed unanimously. (Deed File #00031)

**PUBLIC HEARING - LEASE/PURCHASE OF COUNTY PROPERTY - 1202 SOUTH 2ND, MOUNT VERNON.**

Chairman Hart waived the reading of the Notice of Public Hearing, as published in The Skagit Argus, and opened the public hearing.

Bob Taylor, County Administrative Officer, explained that Skagit County has received a request to lease/purchase the Atkins Tire property owned by the County at 1202 South Second, in accordance with State law, from the Skagit Search and Rescue. Mr. Taylor stated that the County has properly advertised for today's hearing. He stated that the purpose of the public hearing today is to review the lease purchase proposal from Skagit Search and Rescue and to decide whether it is in the best interest of Skagit County to surplus said property.

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Tony Breckinridge, representing Skagit Search and Rescue, advanced the following proposal for the lease/purchase of the property: \$40,000 down payment, \$9,300 per year for 10 years, at which time the property would be transferred to the ownership of Skagit Search and Rescue. Skagit County would be responsible for utilities during the purchase period, and Skagit Search and Rescue would be responsible for purchasing liability insurance in the amount of \$500,000 for the term of the agreement.

No other proposals for the lease/purchase of the property were received.

There being no public comment, Commissioner Robinson motioned to close the public hearing. Commissioner Wolden seconded the motion, which passed unanimously.

Commissioner Wolden motioned to declare the Atkins Tire property surplus, and to authorize Bob Taylor to negotiate an agreement with Skagit Search and Rescue for the lease/purchase of the property. Commissioner Robinson seconded the motion, which passed unanimously.

**PRESENTATION - LETTER OF INTENT TO SEEK STATE FUNDING FOR JUVENILE OFFENDER TREATMENT PROGRAM.**

Craig Stoner, Assistant Director of Juvenile Probation, requested that the Board of Commissioners sign a letter of intent, which is required by statute, to seek State funding from the Department of Social and Health Services's Division of Juvenile Rehabilitation and its Consolidate Juvenile Services Programs. The letter of intent assures that funds received will be used solely to enhance existing services, and will not be used to supplant or replace existing funds. The letter of intent will be attached to a Block Grant Application submitted by the Juvenile Probation Department.

The Board approved the letter of intent for signature.

**MISCELLANEOUS ITEMS.**

A. Vouchers audited and certified by the auditing officer as required by R.C.W. 42.24.080, and those expense reimbursement claims certified as required by R.C.W. 42.24.090, have been recorded on a listing which has been made available to the Board.

As of this date, November 22, 1993, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

- 1) Vouchers #PDRAWNO04602 through PDRAWNO04764 (Warrants #40932 through #41094) in the amount of \$64,224.85. Transmittal #P-25-93.
- 2) Warrants #104348 through #104954 (Vouchers #3016461 through #3017304) in the amount of \$77,684.67. Transmittal #C-59-93.

B. The Board approved for signature the Plat of Cedar Downs.

**PUBLIC HEARING - AMENDMENT TO SKAGIT COUNTY CODE 3.08 IMPOSING ADDITIONAL SALES AND USE TAX OF .1% TO FUND CRIMINAL JUSTICE SERVICES.**

Chairman Hart waived the reading of the Notice of Public Hearing, as published in The Skagit Argus.

Chairman Hart noted that a public meeting was held two weeks ago, at which the Board received a request from local law enforcement and a large audience to consider the imposition of a .1% sales and use tax for the purpose of funding criminal justice services.

Chairman Hart reviewed recent legislation which authorizes the Board to impose this tax solely for the purpose of funding criminal justice services, the proceeds of which would be divided between the County and the cities of Skagit County. He explained that the imposition of the tax is subject to a citizens' referendum, according to the new legislation. Chairman Hart noted that cities should take care to use the proceeds from this tax wisely, as if the public does not find that it has been used to increase patrol services, the public may choose to exercise its right to referendum.

Chairman Hart then opened the meeting for public comment.

Norm Haig or Hayden, a resident of Mount Vernon, asked if this additional tax would go for a new police department or another building or more equipment, or more policemen. He also questioned whether there was another way to raise the money to support additional services. He felt that offenders should bear the brunt of the costs of criminal justice services. He noted that additional taxes hit senior citizens very hard.

Pat Beaty, Public Safety Director for the City of Anacortes, stated that the City expects to receive \$135,000 from the tax. Anacortes expects to place three new police officers in the patrol personnel of the City. The City will fund equipment, training and additional clerical support. He stated that the City of Anacortes feels that the additional of patrol officers is an issue of critical safety in the City of Anacortes.

Dan O'Donnell, 328 North Third, LaConner, Mayor of LaConner, stated that the City of LaConner supports this tax increase. He stated that the Town expects to receive \$28,000. The City Council, Mr. O'Donnell stated, has reviewed the legislation, knows the impact, and supports the proposal.

There being no further public comment, Commissioner Robinson motioned to close the public hearing. Commissioner Wolden seconded the motion, which passed unanimously.

Answering a question from Chairman Hart, Mike Woodmansee, Budget Finance Director, stated that the Department of Revenue has reviewed the proposed ordinance, and has asked only that a paragraph clarifying that the tax is subject to referendum be included within the proposal. Mr. Woodmansee also explained that by working with the Department of Revenue, the ability to impose the tax beginning January 1, 1994, has been assured.

Chairman Hart stated that anyone wishing to review the language of R.C.W. 82.14.036 regarding the referendum process may do so at the Office of the Board of County Commissioners.

Mr. Woodmansee reviewed the allocation of the proceeds of the tax with the representatives of the local cities that were present. Police Chiefs from Mount Vernon, Burlington, Sedro Woolley, LaConner and the Public Safety Director from the City of Anacortes were present, as was the Mayor of Mount Vernon and representatives from the Skagit County Sheriff's Office.

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Commissioner Robinson noted that in all of the many contacts he has had regarding the proposed tax, he has received only one negative comment; all others were very positive.

Commissioner Robinson then motioned to adopt the ordinance approving a .1% sales and use to be collected from those persons from whom the state sales and use tax is collected for the purpose of funding criminal justice services, and amending Skagit County Code Chapter 3.08. Commissioner Wolden seconded the motion, which passed unanimously. (Ordinance #15126)

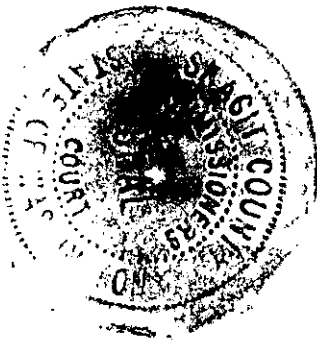
Chairman Hart explained that at the same time the legislature authorized the .1% sales tax, it required that each county establish a local law and justice council charged with the task of completing a local law and justice plan for the county. Chairman Hart reviewed those members who are statutorily required to be members of the Law and Justice Council, and those members whom Sheriff Gary Frazier has recommended be appointed. Chairman Hart asked for comments on the proposed appointments from the audience.

Seeing no comments from the audience were forthcoming, Commissioner Robinson motioned to approve the resolution establishing the Skagit County Law and Justice Council, setting the number of representatives, and appointing members. Commissioner Wolden seconded the motion, which passed unanimously. (Resolution #)

**ADJOURNMENT:**

Commissioner Robinson motioned to adjourn the proceedings. Commissioner Wolden seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON

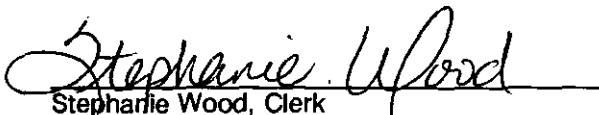


  
Robert Hart, Chairman

  
Robby Robinson, Commissioner

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Harvey Wolden, Commissioner

ATTEST:

  
Stephanie Wood, Clerk  
Skagit County Board of Commissioners