

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Monday, December 6, 1999**

*T	9:30 a.m. – 11:00 a.m.	Public Hearing – To Consider Testimony regarding the Adoption of the 2000 Budget for Skagit County.
	11:00 a.m. – Noon	Public Hearing – To Consider Testimony regarding the Adoption of an Interim Ordinance for Short Conservation and Reserve Development (CaRD).
	1:30 p.m. – 1:45 p.m.	CONSENT AGENDA. MISCELLANEOUS.

The Skagit County Board of Commissioners met in regular session on Monday, December 6, 1999, with Commissioners Ted W. Anderson, Harvey Wolden, and Robert Hart present.

PUBLIC HEARING – TO CONSIDER TESTIMONY REGARDING THE ADOPTION OF THE 2000 BUDGET FOR SKAGIT COUNTY.

Alicia Huschka, Budget Director, highlighted some of the challenges that were faced in developing the 2000 Skagit County Budget. She noted that the budget process began in July and has been an ongoing process since that time. She briefly discussed some of the challenges encountered including compliance with the Clean Water Act, the Critical Area Ordinance, and reduced Motor Vehicle Excise Tax revenues to the County of approximately \$2,000,000. She commented on the careful, thoughtful and thorough review that was done to assess the needs of the County. Ms. Huschka stated that Clean Water Act Programs alone require \$900,000 of new expenditures that the County is mandated to provide. She noted that no fees or taxes have been increased for the Year 2000 Budget, except for the public health fee of charges. She detailed the cuts that were made due to the passage of I-695, including a 14% cut to the Historical Society, a 2% decrease to Youth & Family Services, and a 2% decrease to the Sheriff's Office. In this regard, she stated that the Sheriff's budget is 84% labor driven, so the choices were difficult and involved making decisions about people's jobs. Further affected by the passage of I-695 were the Noxious Weed Department, Fair, Public Health, Parks & Recreation and Senior Services. Ms. Huschka explained that these decreases in budget were accomplished as responsibly and fairly as possible, while retaining a good level of service to the citizens of Skagit County.

Ms. Huschka explained that the Board recently approved the property tax levies following a public hearing and took a 0% increase over 1999, leaving approximately \$900,000 of potential revenue not taken for the general levy. The Road Fund Levy was also left at a 0% increase over 1999 levels, which left approximately \$1.5 million of revenue on the table. The Emergency Medical Services levy also took no increase.

Ms. Huschka reviewed that the 2000 Budget for the Current Expense Fund is \$34,740,900 which is an increase over the 1999 adopted budget of about 12%. She stated that the entire County budget, which includes more than 30 different funds, is set at \$93,278,639. She explained that the \$1,500,000 increase to the Current Expense Fund is related to new grant programs, which include a Readiness to Learn Grant of \$575,000, to help prepare children for school, and a Drug Court Grant of over \$100,000. In addition, water quality grants and loan proceeds total approximately \$600,000.

Ms. Huschka displayed several charts from the proposed 2000 Budget detailing revenue sources in 2000 including the Distressed County Sales Tax Fund and Federal funds that are being held for the Cook Road project. She explained that certain revenue sources are dedicated to specific items only, and cannot be transferred to other needs of the County

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Ms. Huschka next reviewed the proposed increase of 13 Full-time equivalent (FTE) employees contained in the 2000 Budget. She explained that 7 of the FTE's have to do with the hiring of a custodial staff, which will bring custodial services back in-house at a reduced cost than contracted service. She explained that one full-time person would be added at the Information Services Help Desk, for which the Information Services Department reduced part-time salaries and decreased their equipment budget. Two Juvenile Correction Officers were added to the Youth & Family Services Department, an Environmental Health Specialist was added to the Health Department for the State-mandated Septic Operations and Maintenance Program. Further, an Assistant Fire Marshall was added to the Department of Emergency Management, and a Salmon Habitat Specialist was also added. She reported that there had been 37 positions requested by County Departments.

Chairman Anderson opened the public hearing for testimony.

Ginger M. Price, 7065 Ershig Road, Bow, expressed confusion over the six resolutions passed last week regarding property tax levies. Commissioner Hart explained that this means that if the assessments go up, the millage decreases. He stated that the Board passed a specific dollar amount that cannot be increased.

Richard Lundquist, 10134 Halloran Road, Bow, spoke regarding the mandated requirements of the Clean Water Act, and the penalties that would result if the County did not comply. He stated that \$900,000 for the implementation of these programs is a lot of money, and that cutting two deputies and adding eight people for clean water did not seem fair. He discussed with Ms. Huschka that the proposed budget is 10% over the CPI. She responded that 9% of the increase is explained by grant revenue and the \$900,000 required for Clean Water Act programs, which are mandated by the State. Mr. Lundquist complained that the taxpayer has had no voice in these expenditures. Commissioner Hart responded that the taxpayer has had a voice, as State elected officials determined that these programs should be mandated.

Chairman Anderson spoke briefly regarding the millage rate set last week. He noted that assessment levels are set by the State, and that the Commissioners can control the millage to try to alleviate the impact to the taxpayer, but the assessment level is controlled by the State. He also urged citizens to check the level of millage taken by small taxing districts, who often automatically take 106% every year.

Larry Stiles, 1227 Independence Boulevard, Sedro Woolley, asked the Board to continue the funding for the Cascade Trail, stating that it is an asset to the County.

Dave Towne, Britt Road, Mount Vernon, also spoke positively for the Cascade Trail, and urged the Board to maintain adequate funding in the budget. He also suggested that dike trails are being used throughout the County, even though illegally, and that perhaps a process can be started to negotiate with dike districts to allow for public use of levy-top trails. He urged the Board to further develop all types of recreational opportunities in Skagit County. He presented the Board with petitions signed by County residents in favor of the continued maintenance of the Cascade Trail.

Tom Solberg, 19019 Minnie Road, Alger, stated that he thought the clean water programs had been put to bed following the public hearing a few weeks ago, but that it appears the rural citizens are going to be taxed anyway. He stated he wanted people to know that this will just be a rural tax. He next commented on rural upland landowners having twice the buffer size of landowners in agricultural areas. He spoke regarding the unfairness of government.

Chairman Anderson responded that the clean water programs would be funded out of the general fund which is county-wide, not just the rural area. He explained that in order to be accurate and fair, it had been decided not to form a clean water district utility as proposed at the public hearing, but to pay for these programs from the general fund and not to place a separate tax on each parcel.

Mr. Solberg spoke to funding necessities and not luxuries, and stated that he would rather live in a County with roads full of potholes, and know he's a free man, than drive down beautiful interstate highways and know he has a short leash.

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Randy Good, 25512 Minkler Road, Sedro Woolley, spoke regarding the many wrongdoings of the County during the repair and maintenance of the Cascade Trail.

Jane Monroe, 2721 Firwood, No. 128, Mount Vernon, stated that she voted against 695 because she would like to see environmental, recreational, and senior projects continue. She expressed support for the Cascade Trail, and noted the need to see alternative modes of transportation promoted to help alleviate congestion on the highways.

Harriett Smith, 7690 Frederickson Road, Sedro Woolley, discussed the excess of County vehicles and the cost to taxpayers. She stated that she would like to see the trail between Sedro Woolley and Burlington completed.

Carol Ehlers, 3998 Windcrest Lane, Anacortes, raised several issues that need to be clarified in the 2000 Budget. She expressed the need to define the difference between hard money and soft money, and to clarify intergovernmental revenues. She indicated that people need to begin to see that grant money is not always constantly enlarging government. She further indicated the need to define who is responsible for each budget, and to explain the interrelationship of departments and responsibilities. There is also need for a clarification of a new employee and a replacement employee. She stated that many "new" employees are actually "replacement" employees. She noted that there is no place in the budget to show how the County would deal with a major flood. She further commented on the poor quality of the Capital Facilities Plan.

Don Munks, 9578 March Point Road, Anacortes, spoke to the need to prioritize budget items in the wake the passage of I-695. He stated that the capital expenditures budget is difficult to understand. He indicated that he is in favor of trails, but that they should be out in the open where people are not at risk. Further, trails are not essential to the citizens of Skagit County, and are a luxury compared to police and health items.

Ron Coakley, 23677 Lake Drive, Clear Lake, indicated that he is a Sargent in the Jail and that the budget cuts directly effect the safety of the personnel reporting to him. He stated that this is an intolerable situation and that the safety of the people of the County should be of paramount importance.

Ed Goodman, Skagit County Sheriff, spoke regarding the cuts in his department's budget, and the specific details of items that have been eliminated or substantially decreased. He stated that he is losing two people, while activity and responsibilities have increased. He indicated that the professional people in his department are working many hours of overtime and are burned out. He stated that the jail was built for 83 people, and that currently there are 145 people incarcerated. He stated that his department needs about \$100,000 more to maintain the people currently in the Department. He suggested that perhaps the Best SELF Program could be cut \$50,000 to help fund half of the required \$100,000. He further suggested that rather than hiring 7 new janitors, perhaps the County could hire 4 and put a work release program together for the remaining positions, utilizing inmates.

Richard Lundquist, 10134 Halloran Road, stated that in the State of Washington "salmon" has almost taken on as a religion. He stated that it is ridiculous on the amount of money being spent on these programs. He questioned how Skagit County can get some answers and clarification from the State of Washington.

There being no further public comment forthcoming, Commissioner Hart moved to close the public hearing. Commissioner Wolden seconded the motion, which passed with a unanimous vote. The public hearing was closed.

Mike Woodmansee, County Administrator, stated that on-going dialogue is needed throughout the year from Skagit County citizens. He reviewed that budget work sessions are held with the Board for each County Department, and that such sessions are published on the Board's agenda and are open to the public. He stated that these sessions are very informal and that he would encourage citizens to attend. He commented on the incredible job of putting the 2000 Budget together, with the threat of I-695 hovering. He stated that tough choices were discussed and decisions were made. He indicated that the Board refrained from raising fees and taxes, which many other local entities did. He reviewed that the one issue left is how to deal with the Sheriff's request,

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commenting on the respect for Sheriff Goodman and his Staff, even though there is not much wiggle room in the Sheriff's Budget or other County Department's budgets. Mr. Woodmansee stated that the fact is that the Sheriff's Office is a basic public service to the County and is very people oriented. He appreciated the suggestion regarding the Best SELF Program, noting that the program is a visionary program to help stem the tide of children eventually becoming a part of the criminal justice program. He noted that Best SELF has been nationally recognized, and is funded almost 50% by fees and grants. Mr. Woodmansee stated that the Board has the option of dipping into reserves, and could do so for \$75,000, with the Sheriff charged with reviewing his budget to come up with the balance of \$25,000. Mr. Woodmansee cautioned that that Board should be careful in drawing down reserves.

Chairman Anderson noted that this is one of the most difficult choices. He stated that the County is in the people business, and 84% of the Sheriff's budget is personnel. He stated that if you polled the public in Skagit County, the majority of them would say that they want to be safe on our streets and in our homes.

Commissioner Hart stated that with the County's union negotiated COLA and step increases, and with the Sheriff having the same number of employees, the increase is higher than inflation and is at 7%. He indicated that if there is a way to find additional resources, the Sheriff's Office is the first place the Board should consider backfilling with funding.

Mr. Woodmansee spoke briefly to the fluctuation in the general fund and the necessity for maintaining a healthy reserve balance.

Sheriff Goodman indicated that \$75,000 would certainly help alleviate this budgetary nightmare, and that he would scrape for the remaining \$25,000. Sheriff Goodman spoke to revenue producing programs such as the Tracker System and Home Monitoring.

Chairman Anderson stated that he is inclined to draw down reserves and give the Sheriff \$75,000 and challenge the Sheriff to find the \$25,000 balance. He stated that the Sheriff has been a team player with the Commissioners' Office, and has always tried to do an effective job of utilizing his budget.

Commissioner Hart concurred with Chairman Anderson's comments, commenting on Electronic Monitoring and Inmate Crews.

Commissioner Wolden concurred with the remarks of the other two commissioners, and indicated that he was sure the Sheriff could come up with the additional \$25,000, perhaps through utilizing vehicles for a longer period of time before purchasing new ones.

Commissioner Hart moved to increase the Sheriff's line item by \$75,000, and to adopt the rest of the budget as presented by Ms. Huschka. Commissioner Wolden seconded the motion, which passed with a unanimous vote. **(Resolution No. 17678)**

PUBLIC HEARING – TO CONSIDER TESTIMONY REGARDING THE ADOPTION OF AN INTERIM ORDINANCE FOR SHORT CONSERVATION AND RESERVE DEVELOPMENT (CaRD).

Kendra Smith, Planning & Permit Center Assistant Director, explained that the interim ordinance in this regard expires on December 29, so this public hearing is necessary in order to re-adopt the interim ordinance for another 6-month period or until the appropriate development regulations are adopted

Marianne Manville-Ailes, Skagit Surveyors & Engineers, 806 Metcalf Street, Sedro Woolley, stated that Skagit Surveyors continues to be frustrated with this ordinance and its lack of flexibility. She reviewed the specific sections regarding clustering that prove to be the most difficult and result in undesirable development in a number of cases. She commented that the final ordinance as proposed in the development regulations does not address their concerns.

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Chairman Anderson responded that the Planning Commission would be reviewing the proposal in the final adoption of the Development Code.

Bill Vaux, 5108 Heather Court, Anacortes, asked the Board questions about a five year time limit for a Short CaRD. Commissioner Wolden explained the reason there is no five-year limit to Mr. Vaux' satisfaction.

A discussion ensued regarding the various alternatives of the proposed Short CARD .

There being no further public testimony forthcoming, Commissioner Hart moved to close the public hearing. Commissioner Wolden seconded the motion, which passed with a unanimous vote. The public hearing was closed.

Commissioner Hart moved to readopt the Short CARD ordinance for another six months or until it is superseded by the adopted Development Code. Commissioner Wolden seconded the motion. The motion passed unanimously. **(Ordinance No. 17679)**

CONSENT AGENDA.

Staff advised that the Public Works Department had asked to remove Item No. 12 from this week's Consent Agenda. Commissioner Hart moved to approve the Consent Agenda for Monday, December 6, 1999, items 1-11 and 13 through 15. Commissioner Wolden seconded the motion, which passed with a unanimous vote.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, November 29, 1999.
2. Record of the Proceedings for Tuesday, November 30, 1999.
3. Re-Appointment of Joan Lubbe to the Substance Abuse Administrative Board for the term November 30, 1999 through November 29, 2002. **(Resolution No. 17680)**

HEALTH DEPARTMENT:

4. Personal Services Agreement with Beverly Conn to provide Medicaid Outreach services under the direction of the Skagit County Medicaid Outreach Coordinator. Contractor will be paid at the rate of \$11 per hour, plus a \$15 bonus for each client Contractor successfully enrolls in Healthy Options, for a total not-to-exceed amount of \$3,000. There is no mileage reimbursement. The agreement begins on November 29, 1999 and continues until terminated by either party. **(Contract No. 04674)**

SHERIFF'S OFFICE:

5. Personal Services Agreement with James Tracy, PhD, to provide pre-employment psychological consultations at the rate of \$250 per such consultations, \$125 per hour for fitness for duty evaluations, and \$125 per hour for additional consultations as necessary. The Agreement begins November 1, 1999 and terminates on November 1, 2000. **(Contract No. 04675)**
6. Interlocal Agreement with Whatcom County to provide transportation services for prisoners beginning January 1, 2000 and ending December 31, 2000. Skagit County shall pay to Whatcom County the sum of \$30,000 for all transported inmates for the calendar year 2000. **(Contract No. 04676)**

PROSECUTING ATTORNEY:

7. Personal Services Agreement with P. Stephen DiJulio and Foster Pepper & Shefelman PLLC to provide legal counsel, representation and negotiation services in connection with the Cook Road condemnation

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action, including the services of Steve DiJulio and Steve Jones as special deputies for the Skagit County Prosecuting Attorney's Office. Hourly rates range from \$260 per hour for Mr. DiJulio's services to paralegal services of \$85 to \$95 per hour. **(Contract No. 04677)**

CLERK'S OFFICE:

8. Appointment and Oath of Office of Selma J. Albee as a Deputy County Clerk. **(Approved)**

PUBLIC WORKS DEPARTMENT:

9. Resolution Requesting Letters of Interest and Proposals for on-call real estate services for 200-2001 Real Estate Service Program. A minimum of three "on call" consultant contracts is desired, and such contracts will have not-to-exceed limits of \$150,000. The proposal closing is December 27, 1999, at 4:30 p.m. **(Resolution No. 17681)**
10. Resolution Appointing Members to the Skagit County Marine Resource Committee (MRC), whose purpose is to discuss marine resource issues and determine action items related to enhancing and protecting local marine habitat. Skagit County received a grant for \$10,000 from Washington State Department of Ecology to establish and organize the MRC. The members include: Gordon Bell of the City of LaConner, Jim Brandvold, a sport fisherman, Mike Cawrse of Skagit County Public Works, Scott Cooper of the Samish Indian Nation, Paul Dinnel, a marine scientist, Mike Hackett of WSU Cooperative Extension, Jason Joseph of the Sauk-Suiattle Tribe, Larry Larsen, a concerned citizen, Judy Moorad of the Equilon Refinery, Charles O'Hara of the Swinomish Tribe, Mike Sato of People for Puget Sound, an unnamed individual from the Port of Anacortes/City of Anacortes, Kendra Smith of Skagit County Planning & Permitting, Paul Stannert, a commercial fisherman, and Don Semrau of the Recreational Boaters Association of Washington. **(Resolution No. 17682)**
11. Final Order of Vacation for the Unused County Right-of-Way known as Jigger Street, #15409, as approved at public hearing on November 16, 1999. **(Resolution No. 17683)**
12. Summary of Offer for the Cook Road Improvement Project. **(REMOVED FROM THE CONSENT AGENDA AT THE REQUEST OF THE PUBLIC WORKS DEPARTMENT)**.
13. Professional Services Agreement with Rodihan & Keane to provide legal council for solid waste issues as requested. The agreement begins November 1, 1999 and will continue through December 31, 2000 at the hourly rates of \$195 for partners (Ian Rodihan) and \$85 for legal assistants. **(Contract No. 04678)**
14. Vendor Services Agreement with First American Title Company to provide owner policies (preliminary commitment with subsequent policy of title insurance after recording) based on County supplied parcel numbers. Reimbursement will be at a minimum per parcel rate of \$190 plus sales tax with a not-to-exceed amount of \$7,000. The contract begins on November 29, 1999 and will continue until terminated. **(Contract No. 04679)**

PLANNING & PERMIT CENTER:

15. Final Short Plat for James and Terri Cook, Short Plat No. 96-032. **(Approved)**

MISCELLANEOUS.

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.

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As of this date, December 6, 1999, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrants numbered 58575 through 58576 from Clearing Fund 696 in the total dollar amount of \$111,900.67 (Transmittal No. C-88-99); and

Warrants numbered 58577 through 58889 from Clearing Fund 696 in the total dollar amount of \$596,284.75 (Transmittal No. C-89-99).

ADJOURNMENT.

Chairman Anderson made a motion to adjourn the proceedings. Commissioner Wolden seconded the motion and it passed unanimously.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ted W. Anderson, Chairman

Harvey Wolden, Commissioner

Robert Hart, Commissioner

ATTEST:

Patti J. Chambers, Clerk of the Board
Skagit County Board of Commissioners