

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
Monday, January 29, 2001**

9:00 a.m. – 9:30 a.m.	Work Session – County Administrator.
9:30 a.m. – 10:00 a.m.	Work Session – Commissioners' Staff Meeting.
10:00 a.m. – 11:00 a.m.	Department Head Meeting.
11:00 a.m. – 11:30 a.m.	<b>CONSENT AGENDA &amp; MISCELLANEOUS ITEMS.</b>
11:30 a.m. – 11:45 a.m.	Consideration of Annual Property Tax Refunds.
1:30 p.m. – 3:30 p.m.	Executive Session – Personnel, Litigation and Land Acquisition.
3:30 p.m. – 3:45 p.m.	Public Comment Period.

The Skagit County Board of Commissioners met in regular session on Monday, January 29, 2001, with Commissioners Ted W. Anderson, Don Munks and Kenneth A. Dahlstedt present.

**DEPARTMENT HEAD MEETING.**

Roy Atwood, County Administrator, reviewed the recent Agency Energy Curtailment Procedures suggested by Governor Locke. He distributed copies of these procedures to the Department Heads assembled.

Stephanie Wood, Personnel Director, addressed last week's questions about the summer hire program. She advised that the program would run the same as in previous years. Departments would need to let Personnel know how many students would be required, what tasks they would be asked to accomplish, and the desired qualifications of the students. She reported that last year we did not have large number of students apply. Consequently, a wage survey was completed and it has been recommended that we increase the wage from \$7.50 to at least \$8.25 per hour. Ms. Wood stated that the County does not do any advertising for these positions, and relies on "word of mouth." She reviewed that the students are required to be registered for college the following school term, and can only participate in the program for a maximum of two years. The program has been limited to kids living in Skagit County.

David Fair, Parks & Recreation Director, asked about increasing the eligibility for these students from two years to three years. He explained that the kids just get trained and are valuable in their jobs, and then they are not eligible to participate. Ms. Wood explained that in the past, the two year limitation was put in place to allow for as many youngsters as possible to participate in the program. Chairman Anderson commented that last year we did not fill all of the jobs available, so he would be amenable to extending the two-year limit under certain circumstances where such youngsters have been trained and are valuable to the County's summer maintenance programs. It was agreed that the two-year limitation rule would be maintained, but that exceptions would be allowed on a case-by-case basis.

Tom Sheahan, Director of Emergency Management, asked if the end-of-the-year program evaluations are connected to the applications for the following year. Ms. Wood assured him that the evaluations would be attached to the applications for the Board's review.

Commissioner Munks asked about opening the program to professions that only work nine months of the year and are looking for a part-time job.

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Alicia Huschka, Budget Director suggested that perhaps we might want to advertise if we do not get enough college student applications to fill the available positions.

Tim Holloran, Director of Senior Services, spoke regarding his concern for energy conservation throughout County facilities. He stated that the Senior Centers are experiencing huge increases in utility costs. He indicated that it is important, as Department Heads, to emphasize conservation in individual departments and to understand the impacts. He used the example that at the Mount Vernon Senior Center the natural gas bill was going up approximately 29% to almost \$1,000 per month. He stated that employees need to realize that they need to be concerned and to make conservation efforts in this regard. He reported that he had been in contact with Whatcom County to see what steps they were taking to conserve energy. Whatcom County is in the process of assessing their facilities, for both the short-term and long-term, making some major plans for replacement of roofs, installation of double-pane glass, changing out of light bulbs to more efficient lighting, and upgrading heating and air-conditioning systems. Whatcom County is also urging employees to change their behavior by dressing warmer, and has relaxed their dress code requirements. Whatcom County is placing thermostats at a lower setting. He gave other examples of reductions in energy usage being accomplished in some of the school districts. He indicated that Puget Sound Energy can perform energy audits and make recommendations for energy conservation.

Chairman Anderson suggested that Mr. Holloran, Roy Atwood and Roger Howard should review this situation and perhaps contact Puget Sound Energy for an assessment of County buildings.

Roger Howard, Facilities Director, indicated that many of these concerns have been addressed in the Jail, which is the biggest user of energy on the County campus. He urged Department Heads to reduce the use of space heaters and encourage employees to dress warmer.

Commissioner Munks reported that he attended a meeting with Pete Kremen, Whatcom County Executive, who had commented that their employees were acceptable to making the necessary changes to conserve energy. They enthusiastically embraced the reduction of space heater usage, and dressing in a warmer fashion. Commissioner Munks commented that, as a service organization, we need to be accountable to the taxpayer, and turn out lights and equipment when not in use.

Mr. Howard stated that it would be helpful for all departments to turn off their lights as they exit each evening, as the janitorial staff can turn them back on as needed.

Commissioner Dahlstedt spoke to the need as a County to regionally look at adequate sources of power, due to the concerns of salmon recovery and related programs. He stated that because we are charged with bearing the burdens of those programs, we need to protect our citizens to assure that we have adequate sources of power.

Mr. Sheahan stated that he had met with Puget Sound Energy to discuss this very item, including the possibility of "brown-outs" and the needed supply of energy to critical facilities. He spoke to the specifics of these conversations.

Mr. Sheahan also discussed a meeting with Olympic Pipeline regarding their start-up plan, noting that the Ovenell Station would not be utilized. The facility that would be affected is the Allen Station, a pump station that has always been utilized and assists with pumping from the refineries to Sea-Tac. He reported that of more concern is the staging of ships off of Samish Island and the potential for spills. This potential would be reduced with the renewed utilization of the pipeline and less need for ship transport of product.

Commissioner Dahlstedt urged Department Heads to be the "eyes and the ears" of the Board out in the community, and to keep them informed of community concerns.

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Mike Almvig, Director of Information Services, brought up the recent article in the newspaper regarding the plans for fiber optic networking in South Mount Vernon.

Chairman Anderson indicated that if the County is going to participate in the investment for a fiber optic network, we should receive some sort of benefit and not have a redundancy of service. He stated that he had been contacted by Verizon and AT&T indicating that they already have the necessary lines in place. He emphasized that when we are making or choosing an investment, we want it to benefit our County campus. Chairman Anderson stated that the County is not going to fund the project and then pay to use the system to the City of Mount Vernon's benefit. He also stated that government should not compete with private industry. A lengthy discussion ensued on the County's infrastructure in this regard.

Chairman Anderson indicated that the private providers are willing to make a televised presentation to the County that would allow for questions, answers, and observations by the Board and others.

Mr. Almvig stated that, oftentimes, private providers are not interested in working with government because it is not profitable.

Mr. Almvig advised that Paul Reilly of the Prosecuting Attorney's Office is the County's expert on telecommunications law. Mr. Almvig stated that it has been established in the past that fiber providers do not want to negotiate with the County, because there is no commercial infrastructure and rural Skagit County is not a profit-making venture for them. He reviewed some specifics of this observation.

Chairman Anderson suggested that Mr. Almvig and Mr. Reilly should work in conjunction with the cities to keep them apprised of the County's position that if the County invests money, we need to receive some benefit.

Mr. Almvig assured the Board that those conversations have been on-going and that the County's interests would be expressed. He indicated that he would work with the Board and Mr. Reilly to come up with a strategy in this regard.

Alicia Huschka, Budget Director, reviewed the history of the City of Mount Vernon's request for usage of the 8/10's of 1% fund, adding that there were many unanswered questions that the Committee wanted answered in the last review of submitted projects. Consequently, the City was allowed to re-submit their application for consideration in early 2001.

Mr. Almvig stressed that this is a community issue and that all those involved need to participate. Chairman Anderson responded that perhaps the appropriate venue for such discussions should be the Skagit Council of Governments meetings.

### **CONSENT AGENDA.**

Commissioner Munks moved to approve the Consent Agenda, items 1-14, with the removal of Item No. 11, the Amendments to the Interagency Committee for Outdoor Recreation Grants reallocating the entire \$150,000 from the Jackman Creek Acquisition Grant to the Acquisition of Key Salmon Habitat Grant.

Chal Martin, Public Works Department Director, explained that his reallocation would allow for the purchase of 7 or 8 parcels by the County with the ALEA grant, which is mentioned in the Critical Areas Ordinance (CAO). He stated that the Jackman Creek is another project specifically listed in the CAO, but is not moving along as fast as originally determined, so that the allocated monies could be diverted as requested in this amendment.

Chairman Anderson asked what happens once the parcels are purchased, noting potential land management nightmares in buying 600 acres in the flood plain and assuming responsibility for same.

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Mr. Martin explained that these parcels were identified with the help of the Skagit Watershed Council and that all of the sellers are willing sellers. He reviewed the funding for the purchase of these parcels. He indicated that the CAO is specific to these parcels of land.

The Board indicated that they would like to discuss this in more detail during the next Public Works agenda session.

Commissioner Dahlstedt seconded the motion to approve the Consent Agenda, items 1-10 and 12-14. The motion passed with a unanimous vote.

### COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, January 22, 2001.
2. Record of the Proceedings for Tuesday, January 23, 2001.
3. Community Development Block Grant Contract with the State Office of Community Development wherein \$122,135 of funds will be provided to the Skagit County Community Action Agency to provide public services in 2001 to low- and moderate-income persons within Skagit County in the areas of Education, Housing Emergency Assistance, Nutrition and Linkages work program categories. **(Contract No. 05181)**
4. Personal Services Agreement with Robert K. Weidner to lobby in Washington, D.C. on matters affecting public lands and other matters in which the County has interest. The contract term is January 1, 2001 through December 31, 2001 for a not-to-exceed amount of \$10,000. **(Contract No. 05182)**

### PARKS & RECREATION:

5. Notice of Call for Bids for removal of flood debris from the railroad bridge piers east of Highway 9, and to float the materials downstream as required. Bids will be opened on February 13, 2001 at 1:30 p.m. **(Resolution No. 18160)**
6. Temporary Easement granted to the State of Washington Department of Transportation on a portion of the Centennial Trail along Highway 9 north of Lake McMurray. This trail site is not developed at this time and it is not anticipated that it will be developed in the timeframe of the requested easement. The site is needed as a staging ground for road equipment. During the next two years the State plans to perform culvert replacements and repave approximately 12 miles of road. This temporary easement will terminate on September 30, 2003. **(Contract No. 05183)**

### YOUTH & FAMILY SERVICES:

7. Personal Services Agreement with Susan Miller, Certified Sex Offender Treatment Provider, to provide specialized child, adolescent, adult and family assessment, evaluation and treatment. Compensation ranges from \$900/evaluation for psycho-sexual evaluations, to \$20 per youth per hour for group therapy. The contract term is December 1, 2000 through December 31, 2001. **(Contract No. 05184)**
8. Addendum No. 1 to contract with Paul Douhan adding a new compensation page with rates ranging from \$900/evaluation for psycho-sexual evaluations to \$20 per youth per hour for group therapy. The rates are effective September 1, 2000 through December 31, 2001. **(Contract No. 04799)**

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### PROSECUTING ATTORNEY/PUBLIC WORKS:

9. Personal Services Agreement with Han Timmers and Timmers Appraisal Services to prepare a preliminary opinion of value and/or a full appraisal of the properties subject to the Cook Road condemnation action. Compensation is set at \$100 per hour for review, consultation and research, and \$125 per hour for deposition and court appearances. The contract term is January 1, 2001 through December 31, 2001. **(Contract No. 05185)**

### PUBLIC WORKS:

10. Out-of-State Travel Request for Derek Koellmann, Salmon Recovery Coordinator, to travel to Coeur d'Alene, Idaho to present on Skagit County's Fish Passage Culvert Program at the 52nd Annual Road Builder's Conference from March 5-9, 2001. Total cost to the County is \$150 for parking and meals, as the conference sponsors will pay for registration and lodging. **(Approved)**
11. Amendments to Interagency Committee for Outdoor Recreation (IAC) Grants reallocating the entire \$150,000 from the Jackman Creek Acquisition Grant to the Acquisition of Key Salmon Habitat grant. The reallocation is necessary to meet the match requirements for an existing grant from the Washington Department of Natural Resources Aquatic Lands Enhancement Account (ALEA). The Acquisition of Key Salmon Habitat grant will be utilized to purchase seven key flood plain parcels totaling over 600 acres located along the Skagit and Sauk Rivers. After the initial seven parcels are acquired, additional parcels will be sought based on a pre-established list of alternate parcels. **(REMOVED FROM CONSENT AGENDA)**
12. Amendment No. 1 to Samish Bay Watershed Centennial Clean Water Grant Contract with the State Department of Ecology, which raises the equipment cost allowance from \$28,000 to \$30,000 to incorporate additional equipment and sales tax, and the reimbursement percentage for equipment was raised from 50% to 75%. The total amount of this contract remains at \$250,000. The source of funds provided by the Department of Ecology is the Centennial Clean Water Fund. **(Contract No. 04845)**
13. Professional Services Agreement with Skagit River Steel & Recycling, Inc. for the processing of recyclable materials received at the Skagit County Transfer Station. This agreement will be effective through December 18, 2005 (five year contract). Processing rates for each recyclable material shall be based on fair market value, as determined by the Contractor. Transportation costs per trip are \$80 from the Recycling & Transfer Station, \$100 from the Clear Lake Compactor Site, and \$200 from the Sauk Transfer Station. **(Contract No. 05186)**
14. Vendor Services Agreement with Crane Consultants, Inc. to perform annual inspections on 7 cranes and quarterly inspections of one crane in compliance with OSHA requirements. One load test to a F.T. Crowe rail crane will also occur. The contract term is February 5, 2001 through July 31, 2002, with a not-to-exceed amount of \$3,900. **(Contract No. 05187)**

### MISCELLANEOUS.

1. 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, January 29, 2001, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Payroll warrants numbered 67527 through 68407 in the total dollar amount of \$853,203.42 (Transmittal No. P-03-01);

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Payroll warrants numbered 954443 through 954535 in the total dollar amount of \$81,787.94 (Transmittal No. P-04-01);

Warrants numbered 87923 through 88478 from Clearing Fund 696 in the total dollar amount of \$1,148,524.73 (Transmittal No. C-05-01);

Warrants numbered 88479 through 88479 from Clearing Fund 696 in the total dollar amount of \$902,500 (Transmittal No. C-06-01); and

Warrants numbered 88480 through 88647 from Clearing Fund 696 in the total dollar amount of \$973,688.90 (Transmittal No. C-07-01).

2. Kendra Smith, Planning & Permit Center Assistant Director, asked the Board to consider a Resolution Amending Resolution No. 18082 regarding the appointment of a Science Advisory Panel ("SAP").

Commissioner Munks cautioned that he would like to avoid this Panel becoming a "one-man team," and is hopeful that someone on the Panel will have the backbone to stand up and question what is being proposed.

Ms. Smith assured the Board that the language forming the SAP stated that there needed to be a variety of people with varying interests and that the Panel would create their own mechanism for operation and would appoint their own chair. She suggested that a mediator could be appointed if necessary.

Commissioner Munks stated that the current make-up of this Panel would move it in a specific direction. He stated that it would be difficult to involve a County employee as mediator as they would then be tied to any animosity forthcoming. He stressed the need to find someone with expertise and fortitude.

Chairman Anderson stated that we would need to hire someone with background and credentials to move this forward. He cautioned that we are just laying a trap for ourselves with this Panel that will create criteria as an advisory group that may end up being detrimental to the County. He stated that this is a one-dimensional group and is a huge error in judgment which will result in appeals. He stated that the intent contains admirable goals, but will not be the end product. He stated that he voted against this piece of the Critical Areas Ordinance. He stated that everyone on the panel has a political agenda.

Commissioner Munks moved to adopt a resolution amending Resolution No. 18082 regarding appointments to the Science Advisory Panel. Commissioner Dahlstedt seconded the motion. Chairman Anderson explained that he would vote for this motion under protest, but would do so to support his fellow commissioners. The motion passed with a unanimous vote. (**Resolution No. 18161**)

Commissioner Munks stated that if the panel makes a recommendation against the best interests of Skagit County and the Board turns such recommendation down, the County will be closely scrutinized. He stated that he does not want to see this panel get far to the "left" because of the assertiveness of a few on the Panel.

3. Staff presented, on behalf of the Personnel Department, a Resolution Amending Skagit County Personnel Policies and Procedures Manual, which would add per diem meal reimbursement for high cost areas. Commissioner Munks moved to approve the Resolution as presented, and

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Commissioner Dahlstedt seconded the motion. The motion passed unanimously. **(Resolution No. 18162)**

4. Staff presented for the Board's consideration a Dance Hall License Application for the Pleasant View Inn Tavern in Rockport. It was reported that the Sheriff had been queried, and had no problem with re-issuing this Dance Hall Permit for February 1, 2001 through January 31, 2002. Commissioner Munks moved to approve the Dance Hall Permit. Commissioner Dahlstedt seconded the motion, which passed with a unanimous vote. **(Approved)**

**CONSIDERATION OF ANNUAL PROPERTY TAX REFUNDS.**

Katie Jungquist, Skagit County Treasurer, reviewed a comprehensive list of all of the property tax refunds made in 2000. These totaled \$176,9764.96. After a brief discussion on the different types of refunds, Commissioner Munks moved to approve the 2000 Property Tax Refunds as presented by Ms. Jungquist. Commissioner Dahlstedt seconded the motion, which passed unanimously. **(Resolution No. 18163)**

**PUBLIC COMMENT PERIOD.**

Commissioner Anderson was absent for the Public Comment Period.

Tom Solberg, 19019 Minnie Road, Alger, greeted the new Board members. He distributed a tape of the Commissioners' Budget Hearing for Commissioner Dahlstedt's viewing, advising that he should review the portion dealing with the Best Place Program. He commented that he felt there may be irregularities and more money in this program than thought, and recommended a full audit of this program.

Mr. Solberg asked that the monthly meetings of SKAT, RTPO and SCOG be returned to the courthouse where more citizens would participate. He urged the Board to take the politics out of these meetings. He spoke regarding the multi-modal train depot and the numerous drawbacks to the chosen location.

Marianne Manville-Ailes, Skagit Surveyors, 806 Metcalf Street, Sedro Woolley, expressed concern about the interim guidelines that the Department of Fish & Wildlife have imposed for HPAs on projects concerning storm water runoff. She stated that this is an issue that not only affects people in the private sector, but County projects also. She reviewed some of the particular difficulties with these guidelines and her efforts to explain them to Fish & Wildlife.

**ADJOURNMENT.**

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

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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Ted W. Anderson, Chairman

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Kenneth A. Dahlstedt, Commissioner

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Don Munks, Commissioner

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ATTEST:

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