

**SKAGIT COUNTY COMMISSIONERS
RECORD OF THE PROCEEDINGS
MONDAY, JULY 23, 2001**

- 9:00 a.m. – 9:30 a.m. Work Session – County Administrator
- 9:30 a.m. – 10:15 a.m. Work Session – Commissioners’ Staff Meeting
- 10:15 a.m. – 10:45 a.m. Consideration of Hearing Examiner’s Recommendation for Approval for the following Timber Open Space Applications:
- 1) W. B. Foresters, Inc. for property located east of Butler Creek Road, north of Parsons Creek Road and south of Alger Cain Lake Road (CU/TT #1-2001);
 - 2) Chris J. Johnson for property located east of Padilla Bay and Bayview Edison Road in the Bow Area (CU/TMB #2-2000);
 - 3) Erwin & LaDonna Herman for property lying northeasterly of Chuckanut Drive in the Chuckanut mountain area (CU/TTR #1-2000);
 - 4) Craig & Becky Hockett for property bordering the Skagit River lying East of Concrete and North of Thunderbird Lane (CU/TMB #1-2000);
 - 5) Joseph McConahey & Eileen Coan for property located west of Barrell Springs Road (OT99-0440);
 - 6) Christopher & Cheryl Rolfson for property located off of West Elk Run Drive, Lot 65, Bacus Hill (OT 99-0701);
 - 7) Luciguela E. King-Smith for property located along the South Skagit Highway between O’Toole Creek and Boyd Creek; Lots 1,2, and 3 of Skagit county Short Plat No. 23-75 (OT 99-0182).
- Consideration of Hearing Examiner’s Recommendation for Approval of Open Space Applications for:
- 1) Roger Wechsler for property located east of Samish Bay and west of Chuckanut Drive (OS 99-0059);
 - 2) Pintail Gun Club, LLC for property located southeast of Samish Island, fronting on Samish Bay, east of Samish Island Road, Bow (OS 99-0356);
 - 3) Ronald E. Rex for property located south of the Burlington Northern Rail Road Tracks and north of Utopia road, near Wiseman Creek, Sedro Woolley (OS 99-0350);
 - 4) Leland & Charlotte Fox for property located south of Kelleher Road, southeast of Avalon Golf Course, Burlington (OS 99-0727).
- 10:45 a.m. – 11:00 a.m. Facilities Update
- 11:00 a.m. – 11:30 a.m. **Consent Agenda and Miscellaneous Items**
- 11:30 a.m. – 11:45 a.m. Public Comment Period
- 11:45 a.m. – 12:00 p.m. Decision – Black Rock Cable Franchise
- 1:30 p.m. – 3:30 p.m. Executive Session – Personnel, Litigation and Land Acquisition

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3:30 pm. – 4:00 p.m.

Work Session – Baker River Dam Re-Licensing

The Skagit County Board of Commissioners met in regular session on Monday, July 23, 2001, with Commissioners Ted W. Anderson, Kenneth A. Dahlstedt and Don Munks present.

CONSIDERATION OF HEARING EXAMINER’S RECOMMENDATIONS FOR APPROVAL OF TIMBER OPEN SPACE APPLICATIONS

The Commissioners met to consider a number of Hearing Examiner Recommendations. Dan Cox and Brandon Black of the Planning and Permit Center were present to answer questions, as well as Linda White from the Assessor’s office.

- 1) W. B. Foresters, Inc. for property located east of Butler Creek Road, north of Parsons Creek Road and south of Alger Cain Lake Road (CU/TT #1-2001) **(Resolution No. 18317)**
- 2) Chris J. Johnson for property located east of Padilla Bay and Bayview Edison Road in the Bow Area (CU/TMB #2-2000) **(Resolution No. 18318)**
- 3) Erwin & LaDonna Herman for property lying northeasterly of Chuckanut Drive in the Chuckanut mountain area (CU/TTR #1-2000) **(Resolution No. 18319)**
- 4) Craig & Becky Hockett for property bordering the Skagit River lying East of Concrete and North of Thunderbird Lane (CU/TMB #1-2000) **(Resolution No. 18320)**
- 5) Joseph McConahey & Eileen Coan for property located west of Barrell Springs Road (OT99-0440) **(Resolution No. 18321)**
- 6) Christopher & Cheryl Rolfson for property located off of West Elk Run Drive, Lot 65, Bacus Hill (OT 99-0701) **(Resolution No. 18322)**
- 7) Luciguela E. King-Smith for property located along the South Skagit Highway between O’Toole Creek and Boyd Creek; Lots 1,2, and 3 of Skagit county Short Plat No. 23-75 (OT 99-0182) **(Resolution No. 18323)**

Commissioner Munks motioned to approve for signature Resolutions Concerning Timber Open Space Applications for the parties listed above. Commissioner Dahlstedt seconded the motion, which passed unanimously.

CONSIDERATION OF HEARING EXAMINER’S RECOMMENDATIONS FOR APPROVAL OF OPEN SPACE APPLICATIONS

- 1) Roger Wechsler for property located east of Samish Bay and west of Chuckanut Drive (OS 99-0059) **(Resolution No. 18324)**
- 2) Pintail Gun Club, LLC for property located southeast of Samish Island, fronting on Samish Bay, east of Samish Island Road, Bow (OS 99-0356) **(Resolution No. 18325)**
- 3) Ronald E. Rex for property located south of the Burlington Northern Rail Road Tracks and north of Utopia road, near Wiseman Creek, Sedro Woolley (OS 99-0350) **(Resolution No. 18326)**
- 4) Leland & Charlotte Fox for property located south of Kelleher Road, southeast of Avalon Golf Course, Burlington (OS 99-0727) **(Resolution No. 18327)**

Commissioner Munks motioned to approve for signature Resolutions Concerning Open Space Applications for the parties listed above. Commissioner Dahlstedt seconded the motion, which passed unanimously.

FACILITIES PROJECTS UPDATE

Roger Howard, Facilities Director, presented the Board with an update on several projects that are currently being worked on.

1) Park's Maintenance Shop

After several weeks of difficult negotiations with the bonding company for Structures West Construction, Inc., the contractor that defaulted on their contract, an agreement has been made that provides full financial relief to Skagit County. The bonding company has obtained bids from other contractors and with our approval, has chosen Roosendaal-Honcoop Construction, Inc., of Bellingham, Washington to construct the facility. The bonding company will pay Skagit County the difference in cost between the original contract amount and the new contractor's price for the work.

Commissioner Dahlstedt moved to approve the Tender Agreement between Skagit County, Fidelity and Guaranty Insurance Company and Roosendaah-Honcoop Construction, Inc. Commissioner Anderson seconded the motion, which passed unanimously. **(Contract No. 05368)**

2) East County Community Resource Center

Earlier this year a selection committee made up of members of the agencies that will occupy space in the new facility, interviewed architectural firms to provide design services for the East County Community Resource Center. The committee unanimously selected Marc L. Estvold Architect, Inc. for the project. The County is now able to proceed with the project as the grant agency has just recently given their approval of the NEPA/SEPA. A contract with Mr. Estvold will be forthcoming.

3) First Floor Courthouse East End Remodel

Upon review of the bids, Mr. Howard recommended awarding the project to the lowest bidder, Ebenal General, Inc. of Bellingham, Washington.

Commissioner Munks motioned to approve the Resolution and Commissioner Dahlstedt seconded the motion, which passed unanimously. **(Resolution No. 18328)**

4) Jail Laundry and Kitchen Remodel

Mr. Howard told the Board that Tom Theisen, Architect, was selected for the jail laundry and kitchen remodel. He said Mr. Theisen has done previous work in the jail and has many of the drawings already entered into his computer CAD system that provides a significant cost savings to the County and allows for a shorter construction document production time.

Commissioner Munks moved to approve an Abbreviated Standard Form of Agreement with Mr. Theisen. Commissioner Dahlstedt seconded the motion, which passed unanimously. **(Contract No. 05369)**

5) Miscellaneous

Mr. Howard informed the Board that he interviewed several other architects for other projects included in this year's budget. Carletti Architects will be providing services for the several small miscellaneous projects such as the Public Defender's office remodel, District Court Probation's office remodel, Information Services' Operations Room electrical additions and the Assessor's Office HVAC improvements. A contract will be presented to the Board at a later date.

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CONSENT AGENDA

Commissioner Munks moved to approve the Consent Agenda for Monday, July 23, 2001, items 1 through 23 and items 25 through 39. Item No. 24 was removed from the Agenda for clarification purposes. Commissioner Dahlstedt seconded the motion, which passed with a unanimous vote.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Friday, June 29, 2001.
2. Record of the Proceedings for Monday, July 2, 2001.
3. Record of the Proceedings for Monday, July 9, 2001.
4. Record of the Proceedings for Tuesday, July 10, 2001.
5. Record of the Proceedings for Wednesday, July 11, 2001.
6. Resolution regarding the Northwest Economic Adjustment Initiative approving Prioritization of Projects for Skagit to the Washington Community Economic Revitalization Team. **(Resolution No. 18329)**

BEST PLACE:

7. Amendment No. 1 to Personal Services Contract with Volunteers of America to extend the term of the Agreement from May 1, 2001 through June 1, 2002. The Contractor will also be compensated a total of \$6,000 to provide training in STARS for child care employees as required for child care licensing. **(Contract No. 05104)**
8. Personal Services Agreement with Julie Montague to provide staff training and parent training in a variety of areas as needed and determined by the Best PLACE Program Director. The term of this Agreement shall commence on June 20, 2001 and continue until June 1, 2002. Consultation service rates are \$20 per hour, not to exceed \$5,000. **(Contract No. 05370)**

BUDGET & FINANCE:

9. Interlocal Agreement with the Port of Anacortes for Public Facility Project Funding pursuant to R.C.W. 82.14.370 for the March Point Property Water and Sewer Line Extension. This Agreement shall become effective on February 1, 2001 and shall expire upon the completion of the project, which should be substantially complete by December 31, 2001. Total compensation shall be \$65,000. **(Contract No. 05371)**
10. Interlocal Agreement with the City of Anacortes for Public Facility Project Funding pursuant to R.C.W. 82.14.370 for the Anacortes Downtown Streetscape Improvements. This Agreement shall become effective on full execution hereof, and shall expire upon completion of the project. Total compensation shall be \$50,000. **(Contract No. 05372)**

DISTRICT COURT:

11. Resolution to approve sick leave transfer for Deblynn Whittlesey. **(Resolution No. 18330)**

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HEALTH DEPARTMENT:

12. Agreement with the State of Washington Department of Health for the expansion of "Healthy Child Care Washington" to conduct child care consultations for children with special health care needs during the period July 1, 2001 through September 30, 2001. The County will be paid \$5,000 in Federal funds for providing the services required under the contract. **(Contract No. 05373)**
13. Personal Services Agreement with Sharon Schell of Schell Design Group for ad development and market planning for the Environmental Health Program in regard to liquid waste operations and maintenance. The term of this Agreement shall commence on July 1, 2001 and continue until December 31, 2001. Total compensation shall be \$918. **(Contract No. 05374)**
14. Amendment No. 2 for the County Program Agreement with the Department of Social and Health Services which extends the term of the Agreement from June 30, 2001 until September 30, 2001. The maximum Program Agreement amount shall be increased by \$6,489 for a total of \$57,889. **(Contract No. 04485)**
15. Amendment No. 1 for the County Program Agreement Alternative Response System with the Department of Social and Health Services which extends the term of the Agreement from June 30, 2001 until December 31, 2001. The maximum Program Agreement amount shall be increased by \$9,360 for a total of \$28,080. **(Contract No. 04993)**
16. Amendment No. 2 for the County Program Agreement Passport with the Department of Social and Health Services which extends the term of the Agreement from June 30, 2001 until September 30, 2001. The maximum Program Agreement amount shall be increased by \$7,525 for a total of \$67,135. **(Contract No. 04483)**

HUMAN SERVICES:

17. Personal Services Agreement with Skagit Recovery Center to provide Substance Abuse Services for the period July 1, 2001 through June 30, 2002. Total compensation shall not exceed \$1,235,000.00. **(Contract No. 05375)**
18. Amendment No. 2 with the North Sound Regional Support Network (NSRSN), which extends the original biennial Contract six months through December 31, 2001 with additional funding in the amount of \$39,757. **(Contract No. 04499)**
19. Amendment No. 1 with Washington Vocational Services which would allow the sub-contractor to continue to provide services to developmentally disabled adults in the Individual Employment Program for another four months commencing on July 1, 2001 through October 31, 2001. Maximum consideration of this Amendment shall not exceed \$10,180, with total maximum consideration not to exceed \$38,180. **(Contract No. 05044)**
20. Amendment No. 1 with Skagit Preschool & Resource Center (SPARC) to continue to provide services to developmentally disabled children for an additional four months beginning July 1, 2001 through October 31, 2001. Maximum consideration of this Amendment shall not exceed \$26,700 with a total maximum consideration not to exceed \$106,700. **(Contract No. 05012)**

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21. Amendment No. 1 with Chinook Enterprises to continue to provide services to developmentally disabled adults in Individual, Pre-Vocational and Group Supported Employment programs for an additional four months beginning July 1, 2001 through October 31, 2001. Maximum consideration of this Amendment shall not exceed \$167,000, with a total maximum consideration not to exceed \$667,000. **(Contract No. 05004)**

INFORMATION SERVICES:

22. Out-of-State Travel Request for David Anderson to attend the ASP Connections Conference, September 18-21, 2001 in Orlando, Florida to learn the new Microsoft Visual Studio.NET platform for development of web-enabled applications, September 18-21, 2001 in Orlando, Florida. Total cost is estimated at \$3,303. **(Approved)**

NOXIOUS WEEDS:

23. Amendment "A" to the Personal Services Agreement with Industrial Mowing and Spraying to provide professional services for the treatment, eradication and/or control of noxious weeds in the amount of \$47.50 per hour, up from \$45. per hour) not to exceed a total of \$1,500. **(Contract No. 04566)**

PARKS & RECREATION:

24. Professional Services Agreement with Construction Calc, Inc. to provide structural design, drawings, analysis and inspections for the Skagit Valley Dream Field complex and baseball fields. The term of this Agreement shall commence on January 1, 2001 and continue until terminated. The total amount of compensation is not to exceed \$2,500. **(Item removed for clarification purposes)**
25. Resolution to establish a petty cash fund for the Skagit County Parks Department, Recreation Division, in the sum of \$200 to provide cash for field trips, special events, day camps and miscellaneous items. **(Resolution No. 18331)**
26. Personal Services Agreement with Economics Research Association (ERA) to hire an economic consultant to determine the economic feasibility for a Multi-Use event center at Northern State Recreation Area. The contract begins June 1, 2001 and continues through December 31, 2001. Compensation is at the rate of \$5,000. **(Contract No. 05376)**
27. Vendor Services Agreement with Catapult Construction, Inc. to demolish and remove a 30'x100' wooden lean-to structure with a metal roof. The contract shall commence on Monday, July 16, 2001 and continue until either party terminates with a not-to-exceed amount of \$8,074.22. **(Contract No. 05377)**

PROSECUTING ATTORNEY:

28. Partial Satisfaction and Release of Judgment in the Halverson, et al. v. Skagit County as it relates to Art Gadbois. Mr. Gadbois will pay Skagit County \$711.19 for said Release. **(Approved)**

SENIOR SERVICES:

29. Award of Bid for Senior Citizen Meals – Skagit Nutrition Project, awarding Bid No. 1 from Island Hospital for the Congregate and Hot Home-Delivered Meals for the Anacortes Nutrition Site, and Bid No. 2 for Frozen Meals from First Choice Foods. **(Resolution No. 18332 and No. 18333)**

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YOUTH & FAMILY SERVICES:

30. Personal Services Agreement with Eddyline Watersports Center to provide individual and group sea kayak tours along with sea kayak instruction. Compensation shall range from \$55.00 per person for individual sea kayak tours to a rate not to exceed \$250 per person for "Extended Basic" sea kayak instruction. The term of this Agreement shall commence on June 1, 2001 and continue until May 31, 2002. **(Contract No. 05378)**
31. Amendment No. 2 to Personal Services Agreement with Youthnet to provide summer school for ARIS clients at Emerson School for the period of June 25 through August 3, 2001 with compensation not to exceed \$125. per .5 credit per student for tuition. **(Contract No. 04874)**

PUBLIC WORKS DEPARTMENT:

32. Resolution approving sick leave transfer for Wes Haight. **(Resolution No. 18334)**
33. Final Order of Vacation of unopened County Right-of-Way located north of Snee-Oosh Road and .36 miles North of Dan Street. **(Resolution No. 18335)**
34. Resolution to allow the Skagit County Public Works Department to perform maintenance services on Burpee Hill for the Town of Concrete. The cost of the road maintenance to the Town of Concrete will be one dollar. **(Resolution No. 18336)**
35. Resolution calling for a public hearing regarding the Six-Year Transportation Improvement Program, 2002-2007. **(Resolution No. 18337)**
36. Right-of-Entry/Construction Agreement with Travis Burney, Fred Nelson Chevrolet, Inc., for access across his property to allow the construction of the Aldon Creek Fish Passage Project. The project will require the installation of a series of log weirs on the property owned by Fred Nelson Chevrolet and the owner of this dealership, Travis Barney, is willing to grant the right-of-entry or temporary easement for the construction of the project for compensation in the amount of \$2,500 for a two-year agreement. **(Contract No. 05379)**
37. Supplement No. 1 to Professional Services Agreement with Alta Transportation Consulting to extend the expiration date of the Agreement from April 30, 2001 to December 31, 2001. All other terms of the agreement remain unchanged. **(Contract No. 05090)**
38. Supplemental Agreement No. 1 with Phillips Scale Co., Inc., to add Sauk Transfer Station to the list of sites that Phillips Scale Co. conducts licensing calibration and maintenance on in regard to the scale and associated equipment. **(Contract No. 03436)**
39. Vendor Services Agreement with Cascade Gutter Service, Inc. to replace gutters and downspouts on two buildings at the Road Maintenance Department in Burlington. The Contract shall commence on July 23, 2001 and continue until either party terminates. Compensation shall be \$975 and a not-to-exceed total of \$5,000 if unforeseen repairs are needed and pre-approved by County personnel. **(Contract No. 05380)**

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, July 23, 2001, the Board, by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrants numbered 100667 through 100927 from Clearing Fund 696 in the total dollar amount of \$1,008,926.20 (Transmittal No. C-47-01)

Warrants numbered 100928 through 101625 from Clearing Fund 696 in the total dollar amount of \$1,557,296.97 (Transmittal No. C-48-01)

2. Staff presented an Interim Ordinance Readopting and Renewing the Provisions of Interim Ordinance No 17945, Which Adopted Town of Concrete Development Standards on an Interim Basis for the Unincorporated Portion of the Town's Urban Growth Area.

Commissioner Munks motioned to approve the Ordinance and Commissioner Dahlstedt seconded the motion, which passed unanimously. **(Resolution No. 18338)**

PUBLIC COMMENT PERIOD

Thomas Jensen, 11338 Walker Road in Mount Vernon, spoke to the Board regarding an article he read in the newspaper, which mentioned that Fire District 6 had applied for grant money to build a fire station. Mr. Jensen is the Fire Chief for District 12 and queried the Board as to who was responsible for approving the grants. He as well as several other Fire Commissioners are against this decision. As it currently stands, every time a Fire District needs equipment, it has to go before the public for a vote. No one can set the level of service except for the citizens in the taxing district. "If you want a new fire truck, you take it to the people to vote on. If they vote no, then you don't get a new truck. It's that simple".

Chairman Anderson explained that it is the Economic Development Committee that votes on the projects that will be awarded the money. The projects are funded by Skagit County's Economic Development Public Facilities Distressed/Rural County Sales and Use Tax. Applications are made and the Committee decides what to fund. Ultimately, the Board of Commissioners has the final say.

Commissioner Munks stated that this is an important issue that the Board is looking at very seriously. The law states that you can only do what people vote in. If the County approves Fire District No. 6 for grant money, it would be setting a precedent. That is not the County's intention.

Mr. Jensen suggested raising the Skagit County sales tax by another one-tenth percent. By accomplishing that, residents outside certain taxing districts would not be responsible for what goes on in other districts.

Mr. Jensen asked the Board what the County's position was in regards to the shooting range.

Chairman Anderson said it is moving forward at a slow and steady grind. "It is hard to forge ahead when there are numerous environmental permits that must be obtained." As soon as David Hough gives the Board his synopsis of the issue, they will share it with the public.

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DECISION – BLACK ROCK CABLE FRANCHISE

This decision was tabled for further discussion. Because the Agreement was not signed by the Prosecuting Attorney's office prior to being presented before the Board, they were advised not to make a motion on it. A decision will be rendered on Monday, July 30, 2001 at 11:30 a.m.

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**

Ted W. Anderson, Chairman

Kenneth A. Dahlstedt, Commissioner

Don Munks, Commissioner

ATTEST:

JoAnne Giesbrecht, Clerk of the Board
Skagit County Board of Commissioners