

**SKAGIT COUNTY COMMISSIONERS
RECORD OF THE PROCEEDINGS**

MONDAY, JULY 30, 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.	Consent Agenda and Miscellaneous Items
11:30 a.m. – 11:45 a.m.	Decision – Black Rock Cable Franchise
11:45 a.m. – 12:00 p.m.	Public Comment Period
1:30 p.m. – 2:30 p.m.	Executive Session – Personnel, Litigation and Land Acquisition
2:30 p.m. – 3:00 p.m.	1) Set Date and Time for Review of Planning Commission Recommendations on Western Washington Growth Management Hearings Board Case Nos. 00-2-0046c through 00-2-0060c 90-Day Compliance Issues. 2) Discussion and Possible Action on proposed Nielsen Annexation Request for the City of Burlington.

The Skagit County Board of Commissioners met in regular session on Monday, July 30, 2001, with Commissioners Kenneth A. Dahlstedt and Don Munks present. Commissioner Anderson's absence was excused.

DEPARTMENT HEAD MEETING

Bob Vaux, Parks & Recreation Director, introduced Earl Dierking as the new Assistant Parks & Recreation Director. He comes very well recommended with all kinds of experience in this kind of work. He has both National and State Parks employment history.

Mr. Vaux reminded everyone about the Skagit County Fair, which begins August 8 and runs through the 12th.

Mike Almvig, Information Services, spoke about the computer viruses that are currently plaguing computer systems worldwide. There are currently two viruses to be on the lookout for. They are the Sircam virus and the Code Red virus. Our Information Services Department has protection filters on our e-mail systems but it is hard to halt everything that comes through. Mr. Almvig told everyone that employee education is very valuable. If something doesn't look quite right, it usually isn't. Take a look at the subject line and proceed cautiously. He explained the steps that can be taken to rid yourself of material that you are receiving against your will.

Tim Holloran, Senior Services, asked if the proper procedure is to call the Help Desk if you have received an e-mail virus or unsolicited material.

Mr. Almvig agreed that this would be the correct route to take, as they would help you delete any potentially dangerous messages.

Roy Atwood, County Administrator, asked about using personal e-mail addresses on business cards. Mr. Almvig said they should use public addresses that each department recognizes.

Mike Hackett, Cooperative Extension, wondered if money might be budgeted to conduct classes on these subjects. Mr. Almvig replied that they would be happy to be present at staff meetings for any departments who asks, to education on viruses and e-mails.

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Mr. Almvig then gave an overview of the Information Technology Advisory Committee (ITAC). The roll of ITAC will be to advise the Information Services department on policy, budget, risk, and other technology related issues. The ITAC will work to form departmental consensus on technology issues on which the Board of County Commissioners may act. The definition of Committee Members are as follows:

- Representative of functional subdivisions.
- Any Skagit County employee that is determined by the Department Heads/Elected Officials of a functional subdivision to be their representative.
- Are responsible to communicate to other departments within their functional subdivision.

Mr. Almvig explained the term of a Committee Member would be from October 1st through September 30th of each year. Roy Atwood will represent the Board of County Commissioners in a non-voting capacity.

There are seven representatives for the five functional subdivisions. The subdivisions are Criminal Justice, Land Management, Health & Human Services, Finance and Administrative Services. Mr. Almvig then presented those in attendance a reference sheet outlining the suggested division of departments by functional subdivision.

Mr. Almvig would like to have people sign up for the ITAC as soon as possible, preferably by the end of the week. Each of the organizational areas could meet and pick whom they would like to represent their particular category.

Chris Stamey, Interim Budget Director, explained that the Board of County Commissioners have chosen to amend the 2001 budget to extract \$402,000 from departmental budgets retirement line items due to a decrease in the retirement rates effective July 1, 2001. Mr. Stamey explains that it is intended that this money will be banked to help cover anticipated benefit increases in the future. In additions, they will be looking at how the amendments affect the 3% increase for 2002 departmental budget requests. An amendment to the budget materials will be going out this week.

Geoff Almvig, Geographical Information Services, introduced Janice Baird, Software Director and Dr. Josh Greenberg, GIS Remote Sensing Specialist, from the department. He said the primary function of the GIS department is to efficiently and accurately compile County data (records) into a centralized computer system that provides quick information access and analytical processing capabilities. Their primary goals are as follows:

- Assist County departments by providing GIS support services for various projects.
- Reduce maintenance and improve data accuracy and integrity through sound GIS development practices.
- Improve services to the public through, standardization, data integrity, and information accessibility.
- Provide automation tools and services to County Departments to enhance productivity.

Dr. Greenberg introduced Skagit View and gave a demonstration that illustrated the basic abilities of the software. Below is a list of the benefits of the new software.

- Images can be imputed into PowerPoint.
- GIS software cost.
- GIS training is expensive.
- Learning traditional GIS software is complicated.
- Teaches a person to help themselves.

Mr. Almvig asked the Department Heads to provide a list of people they would like trained and GIS will provide training on August 14th at the County training facility to 11 students. This will continue depending on the number of people who need training. Upon graduation from the class, you will be granted access to the program. Advanced training will be provided in the future and a web page will be devoted to

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software update notices, bug reports, data update notices, tips and how to's, as well as feature maps and future developments.

CONSENT AGENDA

Commissioner Munks moved to approve the consent Agenda for Monday, July 30, 2001, items 1 through 26. Commissioner Dahlstedt seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, July 23, 2001.
2. Record of the Proceedings for Tuesday, July 24, 2001.

AUDITOR'S OFFICE:

3. Interlocal Agreement between Snohomish and Skagit Counties to allow distribution of Snohomish County's 2001 Primary and General Local Voters' Pamphlets within the portions of Darrington School District No. 330 and within portions of Fire Protection District No. 24 that lie within the boundaries of Skagit County. **(Contract No. 05384)**
4. Agreement with Skagit Auto Licensing, Inc., formerly known as Skagit Vehicle Licensing Agency, to reflect a name change. The Agreement shall commence on the date of signing and continue until terminated by either party. There is no money involved with the signing of this Agreement. **(Contract No. 05385)**

BEST PLACE:

5. Personal Services Agreement with The Firs Bible and Missionary Conference to provide the Firwood Challenge Course for Teens at the Burlington Best PLACE Teen Center. The term of this Agreement is July 9, 2001 through July, 2002, with compensation not-to-exceed \$800. **(Contract No. 05386)**

BUDGET & FINANCE:

6. Amendment B to Personal Services Agreement with Susan Musselman to provide additional services and guidance to the County in matters relating to the formation of a Public Facilities District. The term of the Agreement and compensation rates shall remain the same, as set forth in the original contract. **(Contract No. 04850)**
7. Resolution to Authorize a Budget Line Item Change for the Current Expense Fund No. 101 in the amount of \$101,000. **(Resolution No. 18340)**

CONSERVATION FUTURE PROGRAMS:

8. Cooperative Agreement between Skagit County and the United States Department of Agriculture's Commodity Credit Corporation and Natural Resources Conservation Service. Approval of this Agreement will allow the Farmland Legacy Program to match up to 50% of the purchase price of conservation easements on agricultural land with federal funds under the USDA's Farmland Protection Program. Upon execution of this Agreement, the Commodity Credit Corporation shall obligate the sum of \$429,633 for the acquisition of United States interests in conservation easements. **(Contract No. 05387)**
- 9) Grant Deed of Conservation Easement extinguishing three development rights and permanently protecting approximately 134 acres of farmland along Farm-to-Market Road and the Samish River at a cost of \$156,236.85. The current owner of the former Damon property is Skagit State Bank. The protected property will be retained forever for agricultural productivity and use. **(Contract No. 05388)**

FACILITIES:

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10) Abbreviated Form of Agreement with Marc L. Estvold Architect, Inc. to provide design services for the East County Community Resource Center. Compensation for basic services shall be billed on an hourly rate with total compensation not to exceed \$70,800. This Agreement shall commence on the date of signing and continue until July 1, 2003. **(Contract No. 05389)**

11) Resolution to issue a Call for Bids for the Skagit County Administration Building Parking Lot Resurfacing with a bid opening set for August 21, 2001 at 2:30 p.m. **(Resolution No. 18341)**

HUMAN SERVICES:

12) Personal Services Agreement with Sea Mar Community Health Centers to provide continuation of substance abuse treatment services to the Hispanic community. The program is funded by DSHS – Division of Alcohol and Substance Abuse (DASA) with both State and Federal funds. The term of this Agreement shall begin on July 1, 2001 and continue until June 30, 2003. Compensation shall be a not-to-exceed amount of \$45,000. **(Contract No. 05390)**

13) Personal Services Agreement with Community Mental Health Services to provide continuation of substance abuse treatment services and mental health services to clients with co-occurring disorders. The program is funded by DSHS – Division of Alcohol and Substance Abuse (DASA) with both State and Federal funds. The term of this Agreement shall begin on July 1, 2001 and continue until June 30, 2003. Compensation shall be a not-to-exceed amount of \$60,000. **(Contract No. 05391)**

INFORMATION SERVICES:

14) Addendum No. 1 to Vendor Services Agreement with Western Micro Services to add additional charge information in Conversion Services. The charge of filming 35mm images is .48/per sheet and scanning from film is .46/per sheet. This addendum shall be in effect for the complete term of the original Agreement. **(Contract No. 05335)**

MEDIATION SERVICES:

15) Program Agreement Amendment No. 1 with the Department of Social and Health Services to extend the term of the original Agreement from the end date of June 30, 2001 until December 31, 2001. The compensation rate is not being altered. **(Contact No. 05168)**

PARKS, RECREATION & FAIR:

16) 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. **(Contract No. 05392)**

17) Resolution to Call for Bids on the Swinomish Channel Boat Launch Facility Renovation, with a bid opening set for August 21, 2001, at 1:30 p.m. **(Resolution No. 18242)**

PLANNING & PERMIT CENTER:

18) Ordinance Adopting Year 2000 Comprehensive Plan and Zoning Map Amendments for Properties known as Ruble and adjoining, Engelson and adjoining, Palmer and adjoining, and Hall and adjoining. **(Resolution No. 18343)**

RISK MANAGEMENT:

19) Resolution to purchase commercial insurance policies with AON Risk Services, Wycoff Agency and Unity Group, for the period August 1, 2001 through July 31, 2002. **(Resolution No. 18344)**

SENIOR SERVICES:

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20) Vendor Services Agreement with Lyndale Glass, Inc. to furnish and install Insulate Industries almond vinyl windows with Low E Glass, Argon Gas and Screens in the Mount Vernon Senior Center. The term of the Agreement shall begin on July 20 2001 and continue until either party terminates. Total compensation shall be \$4,225.76. **(Contract No. 05393)**

PUBLIC WORKS:

21) Out-of-State Travel Request for Chal Martin, Public Works Director, to travel to Salt Lake City, Utah to attend the Western Systems Coordinating Council Workshop: Overview of System/Market Operations from October 16-17, 2001. With his attendance, Mr. Martin will gain current information on the state of electricity marketing in the western United States and to relay this information to Skagit County. Total costs to the County are \$388 for lodging and meals, with airfare costs to be determined.

(Approved)

22) Bid Award for the South Fork Bridge #40008 Seismic Retrofit Project ES40008-2, FA#BHS G292(002) TA-1751 to Concor Construction for a base bid of \$99,641. **(Resolution No. 18345)**

23) Summary of Offer for the Snee-Oosh Road Drainage Improvement Project. This summary covers temporary and permanent easements for eight parcels required for the project with initial offers being made totaling \$22,471. The project is scheduled to begin construction in Summer 2001. **(Contract No. 05394)**

24) Resolution to issue a Call for Bids for the Fredonia Business Park Street and Utility Development Project ES9700-0. The bid opening is set for Tuesday, August 21, 2001 at 2:00 p.m. **(Resolution No. 18346)**

25) Personal Services Agreement with Paul Schissler Associates, Inc. to provide grant-writing services in connection with the Morris Street Improvement Project, Skagit County Ag Buffer Program, Skagit River Flood Protection/Salmon Restoration Project, and other Public Works projects as needed. The term of this Agreement shall begin on July 30, 2001 and continue until July 30, 2003. Maximum compensation shall not exceed \$50,000 for the duration of the Agreement. **(Contract No. 05395)**

26) Personal Services Agreement with The Language Exchange, Inc. to provide interpreting services for Skagit County's Victim Impact Panel program. This Agreement shall commence on July 15, 2001 and continue until July 14, 2002. Total compensation shall not exceed \$1,000 for each calendar year. **(Contract No. 05396)**

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 30, 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 101626 through 101704 from Clearing Fund 696 in the total dollar amount of \$382,741.30 (Transmittal No. C-49-01);

Warrants numbered 101705 through 101863 from Clearing Fund 696 in the total dollar amount of \$680,593.07 (Transmittal No. C-50-01);

Warrant number 101864 from Clearing Fund 696 in the total dollar amount of \$3,488.43 (Transmittal No. C-51-01);

Payroll warrants numbered 955433 through 955528 in the total dollar amount of \$91,294.60 (Transmittal No. P-29-01);

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Payroll warrants numbered 79144 through 80563 in the total dollar amount of \$1,038,018.24 (Transmittal No. P-30-01).

2. Chal Martin, Public Works Director, presented a Resolution that would allow sick leave transfer to a Public Works employee. Dan Taylor wanted to donate his sick leave to a fellow employee before his retirement on July 31, 2001. The employee doesn't need the sick leave at this time, but will be going into surgery in October and would need it then.

The Commissioners decided not to sign the Resolution but will consider a sick leave transfer in the future, if needed.

3. Roy Atwood, County Administrator, presented a Resolution to the Board for signature calling for a public hearing on August 14, 2001 at 10:30 a.m. for the formation of a public facilities district. Commissioner Munks motioned to approve the Resolution and Commissioner Dahlstedt seconded the motion, which passed unanimously. **(Resolution No. 18347)**

DECISION – BLACK ROCK CABLE FRANCHISE

Commissioner Munks made a motion to approve the Franchise Agreement with Black Rock Cable and Commissioner Dahlstedt seconded the motion, which passed unanimously. **(Contract No. 05397)**

PUBLIC COMMENT PERIOD

Martin Boer, 2608 Highway 99 South, Mount Vernon, owner of Meyer Sign & Advertising Company, Inc., explained to the Board that it had recently come to his attention that the Planning Commission had revamped the Skagit County sign code without any input from the businesses that would be impacted or from the sign industry itself. He presented a packet of information to help the Board understand the severe impact this code would have on existing businesses.

Mr. Boer requested the Board to consider the information presented in the packet and remand the sign code back to the Planning Commission for more study review and input. He feels that the code as written, is not fair nor does it adequately address the real needs of the tax paying businesses. He is prepared to give input that will strengthen the code, address the needs of the business community and protect the rural areas.

Tonnie Boer, wife of Martin, also spoke of her concerns about the new sign code and agrees that it should warrant another look from the Planning Commission.

George Theodoratus, 37921 State Route 20, Concrete, expressed his concerns about getting a building permit to expand a bedroom at his home which he has owned for over forty years. He has been told by the Planning Department that in order to receive the permit, he would have to sign his rights away because his home is within 500 feet of a natural resource.

Commissioner Munks asked Mr. Theodoratus to put his concerns in writing and give them to the Board for review.

PLANNING DEPARTMENT

1. **SET DATE AND TIME FOR REVIEW OF PLANNING COMMISSION RECOMMENDATIONS ON WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD CASE NOS. 00-2-0046c, 00-2-0049c, and 00-2-0050c.**

Kirk Johnson, Senior Planner at the Planning and Permit Center, said that on Tuesday, July 24, the Planning Commission completed its deliberations and recommendations on the 90-Day Compliance Issues. It was decided that the review and possible action would be on Tuesday, August 7 at 10:00 a.m.

2. **DISCUSSION AND POSSIBLE ACTION ON PROPOSED NIELSEN ANNEXATION REQUEST FOR THE CITY OF BURLINGTON**

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Tom Karsh, Director of the Planning & Permit Center, provided a copy of the pending annexation request for the Nielson site, which is now on file with the Washington State Boundary Review Board for Skagit county. The subject property is approximately 4 acres in size. The property owners have petitioned the City of Burlington for annexation to be able to short plat the property for residential purposes and to gain access to public sewer.

Margaret Fleek, Planner for the City of Burlington, spoke. She said Burlington tried to annex the entire area in 1998 and there were 17 petitions in opposition. They have tried to be accommodating and did not aggressively pursue annexation. There is no industrial/commercial land out there, although there are a couple of five-acre pieces.

Commissioner Dahlstedt asked if Ms. Fleek was saying that in these annexations there is too much jumping back and forth in a piecemeal fashion.

Ms. Fleek said they have actually cleaned up the boundaries in the last ten years. During that time, they have done a large number of annexations. The big ones are no longer out there. She suggested that if areas need cleaning up, it would be a good idea to invoke jurisdiction and take the whole thing. One of the reasons for this annexation is because of the low rent received for farmland.

Tom Karsh said the County has Interlocal Agreements with all of the cities with UGA's. The wording varies slightly from city to city. On one page out of the Interlocal with Burlington it says the county will not oppose annexations in urban growth areas. There is a fine line here. He questioned, "Is invoking the Boundary Review Board the same as opposing the annexation"?

Commissioner Munks said he was concerned that the County has five different agreements with five different cities, which creates a huge dilemma for the County. There is a UGA, and then there are piecemeal annexations. There needs to be a meeting for everyone to sit down and decide what to do with the annexation issues and how to progress with them.

Mr. Karsh said that next Tuesday, August 7, as part of the 90-day package that comes to the Commissioners, they will be recommending taking out of the Comp Plan those additions that were added the last time the plan was modified that included some of the wording that is in the current State law that the Boundary Review Board has to consider, such as irregular boundaries. The Growth Hearings Board has said that counties should be making it easier for cities to annex, not harder.

Mr. Karsh continued, saying that this subject was discussed with the Planning Commission where the commission shared many of their concerns. He said that in this case, he would recommend that the Commissioners not invoke the Boundary Review Board. Seventy-five percent of the people within this area say they want to be part of the annexation.

Commissioner Dahlstedt asked John Moffat for his opinion. Mr. Moffat said that Mr. Karsh had "said it all".

Ms. Fleek added, if they do need sewer and have a failing septic, they must sign the annexation petition.

Commissioner Dahlstedt said the goal is to mutually cooperate and to not waste taxpayer dollars.

Ms. Fleek agreed that they do need to look at the whole picture.

Mr. Karsh mentioned that staff had made arrangements to have a study session, which would have included staff, city council, mayors and the commissioners to discuss this topic. The Commissioners thought they would rather handle this as elected officials. He said he thinks there is still a need to have this discussion between the county and the cities. I.e., if an annexation borders a county/city road, on which side is the annexation.

After discussing this matter further, Commissioner Dahlstedt went on the record that he is renting some farmland from Mrs. Nielsen.

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Mr. Moffat said that is fine if Commissioner Dahlstedt participates in the discussion as long as he is able to be impartial.

Commissioner Munks said his major concern is that the County has five different agreements with five different cities, which creates a huge confusion with the County because each of them is different. Then it gets back into the UGA created for expansion of the cities and becomes a piecemeal situation. He said he was involved in the annexation with Anacortes, which became very contentious. He said he had been opposed to that annexation, which was before he became an elected official.

He went on to say that there needs to be a meeting with all parties concerned to decide where to go with these annexations.

Commissioner Dahlstedt said he thinks that the good thing about this particular annexation is the fact that more of Fairhaven is being picked up.

Mr. Karsh said, for the record, he received a note from Commissioner Anderson expressing his desire to invoke and have staff present. He expressed his regret that Commissioner Anderson was not present to listen to why the Planning Department thinks it is inappropriate to invoke the Boundary Review Board.

Commissioner Dahlstedt said, in this case, "We are at least moving a line over and absorbing part of the UGA and assuming the road".

Commissioner Munks said he agrees with Commissioner Dahlstedt. The biggest issue that has been discussed here for the last few months on annexation is, who takes control of repairing the roads, etc.

Mr. Karsh said, over the course of time the other reason for the County to invoke has been on behalf of property owners who may object to the proposal one way or the other. He said he was not aware of a property owner invoking; usually the County does the invoking.

Ms. Fleek said part of the reason boundaries are so cockeyed is because of trying to be responsive to some of the residents out there.

Commissioner Dahlstedt asked Mr. Karsh for his recommendation relative to the Nielsen request for annexation.

Mr. Karsh said the staff recommendation is that the County not invoke in this particular matter.

Commissioner Dahlstedt asked John Moffat if there should be a motion to not invoke the Boundary Review Board?

Mr. Moffat said the direction of staff needs to be clear, that's all.

Commissioner Munks said, from his perspective, he doesn't have a problem with the annexation of this property.

Commissioner Dahlstedt agreed with Commissioner Munks.

ADJOURNMENT

Commissioner Munks motioned to adjourn the proceedings. Commissioner Dahlstedt seconded the motion, which passed unanimously.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

Ted W. Anderson, Chairman

Kenneth A. Dahlstedt, Commissioner

Don Munks, Commissioner

ATTEST:

JoAnne Giesbrecht
Clerk of the Board