

**SKAGIT COUNTY COMMISSIONERS
RECORD OF THE PROCEEDINGS
TUESDAY, AUGUST 14, 2001**

9:00 a.m. – 10:00 a.m.	<u>Board of Health – Peter Browning, Director</u> 1) Introduction of new Public Health Nurses 2) 2001 Flu Vaccine Availability 3) Shellfish Closure Response 4) TAKE CHARGE Program 5) Request to Waive SCC 12.48.240 to allow Construction of a well with Insufficient Setbacks 6) Miscellaneous
10:00 a.m. – 10:30 a.m.	Parks, Recreation and Fair Update
*T 10:30 a.m. – 11:30 a.m.	Public Hearing – Formation of Skagit County Public Facilities District
12:00 p.m. – 1:30 p.m.	North Puget Sound Association of REALTORS 2001 Political Affairs Luncheon (Best Western CottonTree Inn – 2300 Market Street, Mount Vernon)
*T 1:30 p.m. – 2:00 p.m.	Presentation of Larry J. Russell Special Olympics Award
2:30 p.m. – 3:30 p.m.	Work Session – Fire Warden Issues

The Skagit county Board of Commissioners met in regular session on Tuesday, July 30, 2001, with Commissioners Ted W. Anderson, Kenneth A. Dahlstedt, and Don Munks present.

BOARD OF HEALTH

1. Introduction of New Public Health Nurses

Peter Browning, Health Department Director, reported that the Health Department is fully staffed for the first time in nearly a year. He introduced two new employees. Heidi Mitchell-Sanchez is from Anacortes and came to the department from SeaMar. She is bilingual, which will be a great asset for the County. Marjorie Reese has been hired to take Amy Tidrington's position. Linda Speck has retired and Ms. Tidrington was asked to fill her position.

2. 2001 Flu Vaccine Availability

Amy Tidrington, Immunization Clinic Coordinator, gave an update on flu shots. She said that last year there were delays and shortages. This year should bring a few delays but no shortages for the elderly and high-risk people. The Health Department immunizes those 65 and older first and then takes care of the high-risk people, as long as they have a note from their doctor. Influenza outbreaks usually occur January through March, so there is a lot of time to obtain a vaccine. Ms. Tidrington reports that there are five senior center flu clinics in Mount Vernon, Concrete, Anacortes, Sedro Woolley and Burlington. The schedules will be put on the immunization hotline starting in October. The number for the hotline is 360/419-3315. Friday, August 31st will be the last day to get school shots. Vaccines are available on Mondays, Wednesdays, and Fridays from 8 a.m. to 4:30 p.m., however the clinic will be closed Monday, September 3rd to observe the Labor Day holiday. The public may call 360/336-9477 with any questions they might have. Ms. Tidrington also mentioned that the Health Department is not competing with anyone else by providing flu shots, they are just filling in the gaps.

3. Shellfish Closure Response Strategy

Corinne Story, Environmental Health Supervisor, advised the Board that in response to a commercial shellfish downgrade, the Puget Sound Water Quality Management Plan required development of a "Shellfish Closure Response Strategy". This strategy is put into place to ensure that all possible contributing factors to a shellfish downgrade are addressed. Ms. Story presented the Commissioners a copy of the latest draft of the Closure Response Strategy for Similk Bay.

In July 2000, the State Department of Health downgraded the northwest corner of Similk Bay from 'approved' to 'prohibited'. Shoreline survey results demonstrated sewage contamination in ditches discharging onto the Similk Beach shoreline. The major source of sewage contamination in drainages is most probably failing on-site sewage disposal systems from a clearly defined residential neighborhood on the north shore of Similk Bay.

The Similk Beach area was platted in the 1920's. The community originally started out as summer dwellings, but over the years has grown to many year-round homes as well. Lots are small and soils and drainage are poor for on-site sewage disposal. This combination makes it difficult for a homeowner to have a properly functioning on-site sewage treatment and disposal system over the life of the home. There are 83 homes in the area of concern, all served by varying types of on-site sewage disposal systems. Since 1980, 18 of the 26 septic permits in the area were repairs to existing on-site sewage disposal systems.

The 2000 Puget Sound Water Quality Management Plan calls on the Departments of Ecology and Health and the Puget Sound Action Team to oversee the development of a closure response strategy to correct contamination of each shellfish bed that is downgraded. Appropriate state agencies, local and tribal governments, and other affected interests are expected to participate in developing and implementing the strategy to upgrade the classification of the shellfish bed.

The goal of the Shellfish Closure Response Strategy is to upgrade the Similk Bay shellfish growing area to 'approved'. The strategy to accomplish this goal includes:

- Identify pollution sources.
- Design and carry out an approach to solve the sewage problems in the Similk Beach community.
- Conduct water quality monitoring.
- Inform and educate the public.

The Skagit County Health Department is the lead for the Closure Response. They have been working with the Similk Beach community since August 2000. The community is actively pursuing a solution to the on-site sewage disposal problem. They are researching the feasibility of a community sewage treatment system and dye testing has just been completed, which would help determine the sources of contamination.

Ms. Story said the document will be submitted to the agencies that will be involved in any of the steps and 'letters of agreement' from said agencies will be the final piece of the strategy.

4. TAKE CHARGE Program

Heather Parker, Public Health Nurse, reported on the TAKE CHARGE Program. The program began on July 1, 2001 and is a five-year family planning demonstration program designed to help people "take charge" of their lives by preventing mistimed or unwanted pregnancies. More than 50% of the pregnancies that occur in Washington State each year are unintended, and many of them end in abortions. The program is available to any Washington State resident and United States citizen who lacks insurance coverage for family planning services and who is at or below the 200% federal poverty level for income.

Services that are included in the TAKE CHARGE Program are:

- Medical coupon issued for one full year of family planning service (renewable yearly).
- Annual health exam for both men and women.
- Family planning reproductive health education and counseling.
- All FDA approved prescription birth control methods, devices and supplies.
- Non-prescription, over-the-counter supplies.
- Sterilization.

Washington State was one of fifteen states chosen for this pilot program. Ms. Parker states that if we are preventing unplanned pregnancies, we could save three million state dollars and \$300,000 in our County alone. The Health Department has received 6,000 applications thus far. The program does not provide for maternity care, as this is a prevention program.

An added piece to the program is that significant research has been conducted and the Health Department along with Mt. Baker Planned Parenthood have been chosen as intervention sites for follow-up services. This means that additional research information will be gathered on the first 100 women, 18 and older. Initially, they will receive a survey upon entering the program and a follow-up survey will be conducted 18 months later. Ms. Parker noted that even though only 100 women have been mandated, all would receive intensive follow-up service.

For more information about family planning in Skagit County, please contact the Skagit County Health Department at 360/336-9477, Mt. Baker Planned Parenthood at 360/848-1744 or call the Family Planning Hot Line at 1-800-770-4334.

5. Request to Waive SCC 12.48.240 to allow Construction of a Well with Insufficient Setbacks

Ron Palmer, Environmental Health Specialist, spoke to the Board about a request by Evan and Ann Maxwell to waive SCC 12.48.240(5) to allow construction of an individual well less than 100 feet from property lines.

Mr. Palmer explained the Mr. and Mrs. Maxwell own an existing residence at 14114 Ervine Road, Anacortes, which is served by an unsatisfactory community water system. They wish to drill an individual well on their property but have insufficient property dimension to locate a well as far away from sea water as possible and meet the 100 feet of horizontal separation from property lines as required by the "Rules and Regulations of the Skagit County Board of Health Governing Individual and Public Drinking Water Systems", for a parcel that was created in 1992. The proposed location for the well will be 42 feet from the north property line, 66 feet from the east property line, and 97 feet from the south property line. The property to the east has a 30-foot road easement so the effective setback from this property line is 96 feet. Mr. Maxwell has spoken with his neighbors to see if they would be willing to sign a Restrictive Covenant, but while they expressed no objection to the drilling of the well at the proposed location, they do not wish to sign anything that will impose an encumbrance on their property title.

In addition to the proposed well location not meeting horizontal setbacks from property lines, the location is less than required for a setback from a non-perforated sewage system distribution line. The proposed setback will be 23 feet instead of the required 50 feet. The Water Resources section of the Washington State Department of Ecology has granted a waiver to drill the well mitigated with a 36-foot surface seal instead of the standard 18-foot seal.

Howard Leibrand, MD, Skagit County health Officer, has reviewed the request and concluded that given the requirement for an increased surface seal on the well and adequate vertical and geological protection waiver of SCC 12.48.240(5) to allow construction of an individual well on the Maxwell property with a reduced horizontal protection zone is consistent with the intent of the regulation and will not create a health hazard or impact the aquifer.

Commissioner Munks mentioned that he had met with Mr. Maxwell last Friday in his office and is satisfied that what he has to comply with will not create a safety standard.

Commissioner Munks motioned to approve the Resolution to waiver the code requirement to maintain a 100-foot setback for a well from neighboring property lines on a lot platted after 1992. Commissioner Dahlstedt seconded the motion, which passed unanimously. **(Resolution No. 18362)**

6. Miscellaneous

There were no miscellaneous items to report.

PARKS, RECREATION AND FAIR UPDATE

Bob Vaux, Parks & Recreation Director, expressed a lot of pride and appreciation to the Parks Department and the Fair Operation employees. He is proud of the fact that we hosted a major baseball tournament along with the Skagit County Fair, without any problems.

Mr. Vaux also said the Northern State Citizens Advisory Committee has reached a consensus on the priority list for the Board to review. Earl Dierking, Assistant Parks Director, will be the lead person for this project along with Patrik Dylan, Project Coordinator.

Mr. Vaux said an adhoc committee has been assembled through the Fair Advisory Board. The committee will be revisiting the bylaws and will help establish how the Fair Advisory Board will work with him and the Fair employees to make the fairgrounds a solid year-round facility. They should have something for the Board to look at in December, which should help establish a new direction for the Advisory Board.

Patrick Dylan, Project Coordinator, said the bid opening for the Swinomish Boat Launch is scheduled for Tuesday, August 21st. If the bids come in low, the department will be able to add additional amenities such as restrooms.

Chairman Anderson told Mr. Dylan that he appreciated his perseverance on the project.

Mr. Dylan then gave an update on the Poppy Field upgrade, which is located at Skagit Playfields. The perimeter drain system has been replaced and new drain fields are being added. The Parks employees are doing all of the work, which is a real money saver. Mr. Dylan is finishing the bid documents on the on-field drain system. He had to start immediately as the project was awarded with a one-year grant cycle. The project is looking good and should be done by the middle of October.

Mr. Dylan thanked the Commissioners for meeting with the Northern State consultant.

Lori Anderson, Fair Operations Coordinator, explained to the Board the four-day Skagit County Fair went well. The weather being as hot as it was definitely affected the gate and food sales. Ms. Anderson also mentioned that there were a lot of other events taking place in the County the same time the Fair was being held. She said they have a lot of upcoming events, which could offset the lost revenue.

Commissioner Munks said he appreciated the water coolers and the big fans that were used in the areas housing small animals.

Chairman Anderson added that if the Fair Parade were continued, a route to the fairgrounds would need to be left open. That wasn't done this year, and many fair patrons were having a difficult time reaching the grounds.

Dennis Lind, Recreation Manager, told the Board that this year the Parks and Recreation Summer Guide was included in an issue of the Skagit Valley Herald. The response has been nothing but positive. He also stated that the Clear Lake Triathlon had close to an all-time high in the number of participants for the event. He said the summer leagues are almost finished and that the tournaments all had great reviews. Mr. Lind said that Clear Lake Beach had four \$1,000 days and the projected revenue for the summer months will be about \$26,000. He then mentioned an upcoming Mariner's trip that will take place on September 28, 2001. Updates on this trip will follow.

PUBLIC HEARING: FORMATION OF SKAGIT COUNTY PUBLIC FACILITIES DISTRICT

Roy Atwood, Skagit County Administrator, gave an introduction regarding the Public Facilities District. He said two weeks ago, The Board of County Commissioners requested a public hearing to determine whether a Resolution should be adopted authorizing the formation of a regional Public Facilities District (PFD).

State law (R.C.W. 36.100) authorizes Skagit County to create a PFD in order to construct and operate a performing arts and conference center on the campus of Skagit Valley College. Formation of the PFD was proposed in order to qualify for a credit of sales taxes collected in the County that would otherwise be kept by the State in the general fund. The sales tax credit is specifically earmarked for regional facilities such as the Performing Arts and Conference Center, to be constructed by PFD's that meet specific criteria as set forth by state law.

In order for any PFD to qualify for the .033% sales tax credit, the intended project must meet certain criteria. The key criteria are:

- The facility must have a cost in excess of \$10 million dollars.
- Other funds must be available to the project, which must be at least equal to one-third of the sales tax credit expected during the life of the PFD.
- Construction must start by January 1, 2003.

The proposed Skagit PFD is expected to meet these key criteria. The PFD will sell bonds secured by a portion of the sales tax credit in order to provide funds for construction. Any sales taxes not required for debt service will be used to fund debt service and capital replacement reserves. Remaining funds may be used together with revenues from operation of the facility to pay operating expenses. In order to sell bonds secured by a portion of the sales tax credit, it is essential that investors and bond rating agencies have assurance that a competing PFD will not be formed in the county, which would reduce the sales tax credit to the Skagit PFD. Therefore, cities in the County are being asked to provide important support for the facility by entering into Interlocal Agreements with Skagit County agreeing that the city will not form its own competing PFD, which would qualify for the sales tax credit that is being relied upon by the Skagit PFD.

In addition to the estimated \$8 million dollars to be raised by the PFD over twenty-five years through the sales tax credit, the project will benefit from a very generous \$6 million dollar donation by the Shirley and M. J. McIntyre Foundation.

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Mr. Atwood said it has been a pleasure and a privilege to work with members of the McIntyre family, as well as Brian Clark, legal counsel for the McIntyre's. They have been instrumental behind the scenes in the proposed formation of the PFD. The PFD will also be looking for an additional \$4 million dollars in private donations, grants, and other public/private contributions. The project will also benefit from the willingness of Skagit Valley College to allow the facility to be built on their land and to operate the facility under a management agreement during the life of the PFD.

The PFD, when formed, will be a separate, independent entity governed by a Board of Commissioners appointed by the Skagit County Commissioners and operated by its own Charter. To date, the County has provided time and expertise to review the laws governing PFD's in general, and to ensure that any PFD formed in Skagit County be operated in a fiscally responsible manner. Mr. Atwood spoke about the enthusiasm regarding the project because it brings so many people and organizations together for a common goal without requiring funding from the County's general revenues.

Chairman Anderson opened the public hearing.

Joan Penney, Skagit County Performing Arts Council, fully endorses the project and states that everyone is here for the intense climb to generate more money. Energy, time and donations are fully needed and she then thanked the Commissioners for their support.

Alex McDougle, 16387 Calhoun Road, Mount Vernon, Secretary of the Board of Directors of the Anacortes Community Theater, said thousands of thespians have presented over 2,000 performances at the theater and he is here to encourage the Board to sign the Resolution. He feels the facility would provide a venue for many people to enjoy more fine performances. Creation of a PFD and a performing arts center would be a true blessing for Skagit County.

Susan Cooper, former owner of Susan Cooper School of Dance, states that she started her dance studio in 1967 and feels the need for more facilities that are centrally located. Her business has been purchased by two of her students and she is here to represent the dance world today, which very much supports the project.

David Bricka, 9343 Claybrook Road, Sedro Woolley, Executive Director of the Skagit Symphony, said he respectfully requests the Board to support creating the PFD. He had worked closely with Jack McIntyre beginning in 1996 and thanks Shirley and Sara McIntyre for their wonderful gift. Mr. Bricka hopes the County will go forward to provide a world-class performing arts center.

Wally Funk, 11633 Pointe Place, Anacortes, is present today to represent the entire County on this issue. He is a life long advocate of Anacortes and has contributed to the arts and is one of the founders of the Anacortes Community Theater. Mr. Funk feels this is an important project and a great opportunity for all of Skagit County. He said the McIntyre family has done a great thing in promoting a center for the performing arts. Mr. Funk stated that Commissioner Dahlstedt was present at the Anacortes City Council work session the previous evening and he did an excellent job of informing everyone present about the PFD.

Jim Matthews, 4224 Apache Drive, Mount Vernon, says he is here representing the 130 members of the Skagit Valley Chorale. He states that whenever the Chorale puts on a performance, they have nowhere that is large enough to accommodate all the people who want to attend. It forces them to conduct three performances in order to satisfy everyone. Mr. Matthews is very appreciative of the McIntyre gift and the Chorale strongly urges the County to form the PFD and "get the show on the road".

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Skye Richendrfer, Mayor of the City of Mount Vernon, spoke on behalf of the City. He stated that the future is not a gift but an achievement. "There is not a clearer or better example than the project being considered here today."

John Janicki, 13563 Keith Lane, Mount Vernon, says that he has a brother who is very supportive of sports and he will be the brother that will be supportive of the arts, so there is a proper balance.

Mary Bingham, 2414 North La Venture, Mount Vernon, Secretary of the Skagit Community Art Theater, as well as the Skagit Performing Arts Council, thinks it is wonderful that all the energies are coming together at the same time and the same place. She states that it is important to the performing arts community to have a state of the art facility. "Please let the project go forward and let the arts shine in Skagit County".

Lydia Leedsma-Reece, President of Skagit Valley College, said she and the college are very supportive and the College is proud to have been chosen for the site. She thanked the McIntyre family, as well as Brian Clark for his support and for working with the Commissioners. Ms. Leedsma-Reece states that the performing arts along with the visual arts people are very anxious for this project to happen. She appreciates the leadership that has been shown and thanked the SPAC group for their passion, desire, and for hanging in there for so long.

Theodore Anderson spoke about the need for the children in Skagit County to become involved in the Performing Arts Center. He feels there are too many kids who have nothing to do but get into trouble in the County. If they are bused from the schools to all of the events being held at the Center, it would give them something to look forward to, in addition to a better appreciation of the arts.

Brian Clark, attorney for the McIntyre family, said he is pleased to be here today for the potential formation of the PFD. Mr. Clark said that when Jack and Shirley McIntyre considered the project, they thought there should be a board with representation from the arts and the greater Skagit community and it should be the vehicle for the construction and operation of the Center. He is pleased with all of the support from the college and the performing arts community.

Chairman Anderson introduced the board members to the audience. They are Cheryl Bishop, Mike Crawford, Rick Epting, John Janicki and Bud Moore.

Commissioner Dahlstedt moved to approve the Resolution to form the Public Facilities District. Commissioner Munks seconded the motion, which passed unanimously. (**Resolution No. 18364**)

PRESENTATION: J. LARRY RUSSELL SPECIAL OLYMPICS AWARD

Chairman Anderson explained to everyone present that they are all here today to recognize outstanding support and dedication to our County's Special Olympics Program through the presentation of the 5th annual J. Larry Russell Commemorative Award. He introduced Tim Holloran who voluntarily serves as the Coordinator for Skagit County's Special Olympics Program.

Tim Holloran reviewed the activities of the Special Olympics Program. He said it is a year-round program of sports training and athletic competition in a variety of Olympic-type sports for children and adults with developmental disabilities.

Skagit County's community-based Special Olympics Program celebrates its 21st year of sharing skills and friendship throughout the valley. Currently there are well over 150 special athletes participating in our County's program. The program has a reputation of being one of the best in the west and is due largely to the tremendous support that is given from residents and service organizations.

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Mr. Holloran said he would like to take this opportunity to introduce one of their very special athletes, Terry Hall. Terry is 40 years old, a 1979 graduate of Sedro Woolley High School and has worked almost fifteen years at Skagit Valley Gardens. He is an original member of Skagit Valley's Special Olympics Program, and trains and competes in the sports of volleyball, basketball, bowling and cycling. Terry competed at the International Games at Notre Dame and has a huge drawer full of medals. He is a true friend to many and never forgets to honor you with an annual birthday or Christmas card. Terry has a knack for remembering dates and always knows the score. He also holds the unofficial record for the most consecutive victories in the board game of Aggrevation.

The presentation of this award is an ongoing celebration of a very special person's life and a tribute to the impact he made in our community and our lives. Five years ago, Jimmy Larry Russell passed away at the age of 40. His leadership and advocacy for the Special Olympics Program is to be remembered. Larry Russell was also one of the original members of Special Olympics in our valley and was a self-imposed ambassador for the program. Larry always took it upon himself to inform everyone about Special Olympics. He had many special qualities and served as a role modal for many, living his life through strong values and beliefs. Larry touched many lives in our valley.

Chairman Anderson introduced Gladys Buhrow, Larry Russell's mother. He went on to say that the J. Larry Russell Award is presented as our community's appreciation of an individual's or organizations outstanding support of Special Olympics in Skagit County.

Honored recipients of past J. Larry Russell Commemorative Awards have been:

- 1997 – Ben and Elsie Bourmes
- 1998 – Skagit Bicycle Club
- 1999 – Skagit Valley Eagles No. 3242
- 2000 – Pauli Mickelson

Mr. Holloran said that this year's presentation of the J. Larry Russell Commemorative Award is made in appreciation and recognition of the work of a couple of hard working guys from Mount Vernon Safeway. They are Bill Silves and Carlos Hall. These two unsung hero's have worked behind the scenes for many years to support Skagit County's Special Olympics Program. They are the epitome of a grassroots effort – they see a need, organize and get results. Whether it's mobilizing co-workers at Safeway to conduct in-store fundraisers, tapping vendors for donations or sponsoring annual region wide Safeway softball tournaments. These two men single-handedly raised thousands of dollars each year to support our local program.

Their efforts through the store also raised community awareness resulting in the recruitment of new volunteers and athletes to the program. Carlos is the proud father of Terry Hall. He has been a key organizer, volunteer and coach of numerous sports over the years.

Bill and Carlos have gotten to know many of the athletes and have established countless friendships. The athletes know they care. These two men have been known to be compassionate, honest, enthusiastic, straightforward and reliable. They prefer to carry out their work without fanfare or recognition. Today is the time to publicly recognize them for their inspiring contributions to Special Olympics.

Mr. Silves and Mr. Hall then came forward to accept the J. Larry Russell Award for 2001. Chairman Anderson said the Board would like to acknowledge their outstanding support of our local Special Olympics Program.

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Bill Silves told the audience that for the last week he has been to the playfields during the tournaments and has been telling everyone how lucky we are to live in the most beautiful valley in the world. He said the more people he helps, the more things seem to come his way. Mr. Silves said "you can't get any better with Special Olympics". He said the kids give you hugs, appreciate you and feels that all he ever did was help a couple hundred of them. Mr. Silves appreciates the award and plans on putting it on a wall that he looks at every day. It will be a reminder of what the award means to him.

Chairman Anderson said that as the Skagit County Board of Commissioners who are representing the citizens of Skagit County, they are proud to present the award and will give it prominence by displaying it in the hallway of the Administration Building. He said it serves as a tribute to Larry's life and the leadership he provided. "It further exemplifies the quality and depth of our community as it demonstrates our respect and admiration for our special people". "This award is a wonderful legacy to Larry and truly honors the achievements of a Special Olympian".

Chairman Anderson once again sincerely thanked everyone for attending the award presentation. He told the audience that their presence here is a tribute to Larry and demonstrates the high regard they have for the Special Olympics Program. He again congratulated Mr. Silves and Mr. Hall and told them the Board sincerely appreciates their hard work and dedication to the program and the athletes.

The Board of County Commissioners said it is always a pleasure to be a part of this ceremony and they look forward to next year's presentation of the J. Larry Russell Commemorative Award.

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, August 14, 2001, the Board, by majority vote, did approve for payment vouchers included in the above-mentioned list and further described as follows:

Warrant number 10287 from Clearing Fund 696 in the total dollar amount of \$8,000
(Transmittal No. C-54-01)

2. Staff presented a Resolution before the Board, which approves the voluntary donation of accrued sick leave from the account of any employee of the Skagit County District Court office to DebLynne Whittlesey, subject to several conditions.

Commissioner Munks moved to approve the Resolution and Commissioner Dahlstedt seconded the motion, which passed unanimously. **(Resolution No. 18363)**

ADJOURNMENT

Commissioner Munks made a motion to adjourn the proceedings. Commissioner Dahlstedt 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 County Commissioners