

**SKAGIT COUNTY COMMISSIONERS
RECORD OF THE PROCEEDINGS
MONDAY, DECEMBER 3, 2001**

8:30 a.m. – 9:30 a.m.	Work Session – County Administrator
9:30 a.m. – 9:45 a.m.	Commissioners' Work Break
9:45 a.m. – 10:00 a.m.	Decision on Closed Record Appeal of a Level II Permit Review #PL01-0799 by Carlson Family Investments of the Hearing Examiner's Decision Denying a Variance Request #PLO1-0466 to Skagit County Code 14.24.530(2) Standard Riparian Buffers of the Critical Area Ordinance.
10:00 a.m. – 10:30 a.m.	Department Head Meeting
10:30 a.m. – 11:00 a.m.	Consent Agenda and Miscellaneous
*T 11:00 a.m. – 12:00 p.m.	Public Hearing – To Consider Testimony Regarding the Adoption of the 2002 Skagit County Budget.
*T 1:30 p.m. – 1:45 p.m.	Proclamation – Community Support Award
1:45 p.m. – 2:30 p.m.	Commissioners' Work Break
2:30 p.m. – 3:30 p.m.	Executive Session – Personnel, Litigation and Land Acquisition

The Skagit County Board of Commissioners met in regular session on Monday, December 3, 2001, with Commissioners Ted W. Anderson, Kenneth A. Dahlstedt and Don Munks present.

DECISION ON CLOSED RECORD APPEAL OF A LEVEL II PERMIT REVIEW #PL01-0799 BY CARLSON FAMILY INVESTMENTS OF THE HEARING EXAMINER'S DECISION DENYING A VARIANCE REQUEST #PL01-0466 TO SKAGIT COUNTY CODE 14.24.530(2) STANDARD RIPARIAN BUFFERS OF THE CRITICAL AREA ORDINANCE:

Commissioner Munks moved to uphold the Hearing Examiner's Finding of Fact, Conclusions of Law and Decision in Case Nos. PL01-0799 and PL01-0466 regarding a variance request from Carlson Family Investments. He stated that he found the Hearing Examiner's decisions were supported by substantial evidence in the record.

Commissioner Dahlstedt concurred and added that the Shoreline Master Program needs to be reorganized.

The motion was seconded by Commissioner Dahlstedt, and passed with a unanimous vote. **(Resolution to be provided by Staff at a later date).**

DEPARTMENT HEAD MEETING

Mike Hackett, WSU Cooperative Extension, spoke about the Master of Business Administration program currently being provided by Washington State University at the Skagit Valley College campus. Classes are taught through the Internet, live video and at SVC. Mr. Hackett reported

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that anyone with a bachelor's degree is welcome to apply, however, there are basic classes that must be taken before applying to the MBA Program. In two and a half years, it is possible to have a MBA without ever leaving Skagit County. Handouts containing more information on the program were distributed.

Roy Atwood, County Administrator, handed out pre-retreat surveys for the upcoming Department Head retreat being held on December 13, 2001 at the Baker Lake Lodge. He reminded everyone that the surveys need to be turned in prior to the retreat.

Tom Verge, Skagit County Prosecuting Attorney, next discussed public disclosure requests. There was a recent article in the Skagit Valley Herald that dealt with these requests. Several newspaper reporters were sent throughout the state to obtain public records. The results were negative . Because of this, policies and procedures have been developed for handling public disclosure requests.

Mr. Verge said that most of what will be requested will be very routine. Anything considered to be unique or privileged needs to be looked at by Hilary Thomas of the Prosecuting Attorney's office. The most important thing to do is assign a particular person in the office to respond to the request the day it is received. A backup person is also needed in case of illness. The response must be made within five working days. The requests should to be logged in and monitored.

Ms. Thomas added that the Public Disclosure Act only applies to public records that are in existence. It doesn't apply to a request for information, only records. There are three responses that may be given to the request. They are as follows:

- Gather the information and give it to the requestor.
- Additional information is needed
- Ask for additional time by indicating the request has been received and give a reasonable time period of when the documents will be available.

Ms. Thomas encouraged a telephone call to the requestor if it is not understood what records are being requested. Before copying the documents, call the requestor and ask them if they want them copied or if they would just like to inspect them. If copying, charge fifteen cents per page. Most County documents are disclosable, with very few exceptions.

Chal Martin, Public Works Director, asked if the requestor actually has to sign the form. Ms. Thomas said the decision would be made by the Department Head as to procedures for their offices.

Mr. Verge reminded everyone that they must keep a record of when documents are requested, the actions that were taken and when the response was given. If the request comes over the telephone, the person in charge needs to fill out the form and enter "per telephone request". You cannot charge the requestor employee time used to look up documents.

CONSENT AGENDA:

Commissioner Munks motioned to approve the Consent Agenda as listed. Commissioner Dahlstedt seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE

1. Record of the Proceedings for Monday, November 26, 2001
2. Resolution Reappointing Member to the Skagit County Developmental Disabilities Board. Howard Shapiro will be reappointed to serve a three-year term effective December 1, 2001 and expiring on November 30, 2004. **(Resolution No. 18500)**

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3. Letter of Reappointment to Howard Shapiro.
4. Appointment of James L. Shreffler as a County Designated Mental Health Professional as of December 3, 2001. **(Resolution No. 18501)**
5. Letter of Appointment to James L. Shreffler.
6. Resolution Partially Rescinding Resolution No. 17061 and Resolution No. 17939, and Establishing Salary Levels for Certain Skagit County Elected Officials. This resolution establishes the salaries for the Elected Officials for the year 2002. It was necessary to rescind Resolutions No. 17061 and Resolution No. 17939 in order to set the new salary levels recommended by the Skagit County Citizens' Commission on Salaries for Elected Officials. **(Resolution No. 18502)**

FACILITY MANAGEMENT

7. Contract between Skagit County through the Department of Facility Management and Carpet Exchange to repair water damaged vinyl tile in the men's restroom and replace lobby vinyl tile to match new. The cost is \$2,845.92. **(Contract No. 05531)**
8. Contract between Skagit County through the Department of Facility Management and Abbey Carpet/Expert Floors for carpeting and installation of carpeting in the Prosecuting Attorney's Office. The cost will be \$18,245.89. **(Contract No. 05532)**
9. Contract between Skagit County through the Department of Facility Management and Northwest Painting to paint the interior of the Prosecuting Attorney's Office. The cost will be \$2,965.00. **(Contract No. 05533)**

PLANNING AND PERMIT CENTER

10. Resolution Upholding the Hearing Examiner's Decision in Case No. PL 01-0404, Donald Caldwell's Appeal of the Hearing Examiner's Decision. The Board of County Commissioners held a closed record appeal hearing on November 6, 2001 and voted to uphold the Hearing Examiner's decision. Commissioner Ken Dahlstedt was away on other County business. **(Resolution No. 18503)**

PUBLIC WORKS DEPARTMENT

11. Final Order of Vacation of a County right-of-way known as East Lake Drive #06750. The Board of County Commissioners waived the land charges on November 27 when approving this vacation, therefore, no land costs are shown on the Final Order. **(Contract No. 05534)**
12. Resolution Calling for a Public Hearing to consider changing Skagit County Code to reflect the currently posted maximum speed limit on Bow Hill Road #21200, from MP 0.00 to MP 0.95, to 35 miles per hour. This action is the result of a review of the roadway and road files by Traffic Engineering Staff. **(Resolution No. 18504)**

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, December 3, 2001, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrants numbered 109951 through 110282 from Clearing Fund 696 in the total dollar amount of \$269,217.23 (Transmittal No. C-82-01); and

Payroll warrant numbered 89150 in the total dollar amount of \$101.00 (Transmittal No. P-48-01).

2. On behalf of the Prosecuting Attorney's Office, Staff presented a Dismissal and Release Agreement relating to the Nersten & Goodman v. Skagit County lawsuit. **(Approved)**

PUBLIC HEARING – TO CONSIDER TESTIMONY REGARDING THE ADOPTION OF THE 2002 SKAGIT COUNTY BUDGET:

Brad Whaley, Budget & Finance Director, reviewed the substance of the proposed \$37 million 2002 Skagit County Budget, reporting that the document is a conservative and business-smart document. The budget calls for dipping into the County's reserves for about \$70,000. However, that number will grow as contracts with seven labor unions are settled and the resulting salary increases are added to the budget. In addition, the County is facing a 40 percent increase in health insurance premiums that haven't been included because other alternatives are being researched. Initiative 747 has been incorporated into the budget and it looks as though the County may not receive backfill money derived from Initiative 695. Mr. Whaley also noted that Administration this year will put into place a method of monitoring each department and tempering any new hiring for the next twelve months. He also encouraged the Department Heads to take a look at their own staff and decide if current staffing levels are adequate.

Chairman Anderson opened the public hearing.

Several members of the audience spoke on behalf of the Skagit County library districts. Library supporters told the Skagit County Commissioners they want the County to reinstate \$100,000 to subsidize rural residents who use city libraries. Rural residents who use city libraries pay a nonresident fee in lieu of paying property taxes. However, the fee often doesn't cover the cost of the services. As a result, libraries in Skagit County may have to consider cutting services to people who don't live in the cities.

Skagit County used to earmark \$100,000 for city libraries. That money was eliminated two years ago, after the car-tab Initiative 695 passed and cut thousands of dollars from city and County budgets.

The Board agreed that a County-wide library system is needed, although voters rejected such a plan twice, in 1997 and 1998.

Mount Vernon Mayor Skye Richendrfer presented the Commissioners with a petition signed by over 600 people who use the Mount Vernon library. He said he was familiar with budget challenges and sympathizes with the Commissioners. "But your choice not to support library services isn't just a city issue, it's a County issue as well," said Mayor. Richendrfer.

Doug Everhart, Anacortes Library Director, said that taxpayers often support libraries, even when they don't support the way other taxes are being used.

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Commissioner Ken Dahlstedt suggested that city residents urge their local governments to use revenue from annexed areas to help pay for library services. There should be a united effort between Skagit County and the cities to find a solution to the money problem.

There being no further public testimony forthcoming, Commissioner Munks moved to close the public hearing. The motion was seconded by Commissioner Dahlstedt and passed with a unanimous vote. The public hearing was closed.

Chairman Anderson said a decision would be made on December 11, 2001.

PROCLAMATION – COMMUNITY SUPPORT AWARD:

Brian Hurst, Community Liaison for Cascades Job Corps, on behalf of Management and Training Corporation (MTC), presented Chairman Anderson with the Community Support Award for 2001.

Kim Shillinger, Center Director of Cascades Job Corps, said the award being presented represents twenty-four other MTC centers throughout the nation. He added that Chairman Anderson has always been a Job Corps supporter and has been instrumental in trying to extend the lease of the property where the center is currently located. Cascades Job Corps is ranked number 5 out of 118 Job Corps centers in the United States.

Chairman Anderson said it goes without saying how easy it is to do things that you enjoy doing. He said the students are extremely important as they do so much for the communities. He doesn't want to lose the students, the jobs or the affiliations that have been built.

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 Commissioners