

**SKAGIT COUNTY COMMISSIONERS
RECORD OF THE PROCEEDINGS
MONDAY, DECEMBER 10, 2001**

8:00 a.m. – 8:30 a.m.	Work Session – Staff Meeting
8:30 a.m. – 9:30 a.m.	Work Session – County Administrator
9:30 a.m. – 10:00 a.m.	Commissioners’ Work Break
*T 10:00 a.m. – 10:45 a.m.	Public Hearing – To Consider Testimony on the Amendment to Skagit County Code Title 7 Regarding Animal Control and Welfare
10:45 a.m. – 11:00 a.m.	Commissioners’ Work Break
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.	Commissioners’ Work Break
1:30 p.m. – 2:30 p.m.	Commissioners’ Work Break
2:30 p.m. – 3:00 p.m.	Executive Session – Personnel, Litigation and Land Acquisition

The Skagit County Board of Commissioners met in regular session on Monday, December 10, 2001, with Commissioners Ted W. Anderson, Kenneth A. Dahlstedt and Don Munks present.

PUBLIC HEARING – TO CONSIDER TESTIMONY ON THE AMENDMENT TO SKAGIT COUNTY CODE TITLE 7 REGARDING ANIMAL CONTROL AND WELFARE:

Hilary Thomas, Civil Prosecutor, presented the Board with a summary of the proposed amendments to Title 7 of the Skagit County Code which sets forth regulations regarding animal behavior and provides standards for the use, care and treatment of animals.

The proposed code changes reflect the following recommended actions:

1. To authorize the contracting for and appointment of animal control officers to assist in the enforcement of animal control and welfare laws and regulations.
2. To add wild and coyote hybrids to those animals considered to be “exotic or wild”.
3. To set forth the general administration and enforcement responsibilities and authority of the Sheriff and the County regarding animal control welfare.
4. To declare that certain acts of animals are public nuisances, including:
 - A. Frequent or habitual barking, crowing or other noise which unreasonably disturbs or annoys a person.
 - B. The Breeding, training or use of animals for the purpose of fighting other animals; and providing for the seizure and impoundment of any animal constituting a public nuisance.
5. To allow for the Board to designate an entity in its stead to issue exotic and wild animal permits.

**RECORD OF THE PROCEEDINGS
MONDAY, DECEMBER 10, 2001
PAGE NO. 2**

6. To require proof of liability insurance in the amount of \$1,000,000 for all wild or exotic animal permits.
7. To eliminate the provision for a committee on exotic or wild animals and the duties thereof.
8. To restructure Title 7 regarding animals.

Chairman Anderson opened the Public Hearing.

Several concerned citizens spoke about the need for leash laws. It was felt that if a leash law was to be put into effect, there would not be the problem of dogs running at large and posing a threat to the public.

Bud Kruse, 616 Shiloh Lane, Sedro Woolley, asked the Board when a noise ordinance would be approved. He has neighbors that play loud music at all times of the day.

There was also much concern about barking dogs and the impact they have on the neighbor's lives. If the animals can't be quieted or contained, the owners need to be fined, according to some.

Carol Ehlers, 3998 Wind Crest Lane, Anacortes, asked for clarification regarding some of the proposed code changes.

Sandy Nelson, Burlington, talked about what wasn't addressed in the animal ordinance, which is the Washington State Law version of animal cruelty. Ms. Nelson feels it needs to be defined with stronger language.

Commissioner Munks motioned to close the Public Hearing. Commissioner Dahlstedt seconded the motion and the hearing was closed.

Ms. Thomas said she has taken notes on the comments that have been made and will bring them before the Commissioners.

Chairman Anderson said it is his desire to have a comprehensive nuisance ordinance in Skagit County.

Commissioner Dahlstedt reminded everyone that the more rules that are developed for the ordinance, the harder it will be to enforce them due to lack of money and budget cuts in the Sheriff's office in the wake of I-747.

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, December 3, 2001.
2. Record of the Proceedings for Tuesday, December 4, 2001.

**RECORD OF THE PROCEEDINGS
MONDAY, DECEMBER 10, 2001
PAGE NO. 3**

FACILITIES:

3. Change Order No. 2 to Tender Agreement between Skagit County, Fidelity and Guaranty Insurance Company and Roosendaal-Honcoop Construction, Inc. to install underground conduit and pull boxes for the Park's maintenance shop currently being constructed in Burlington. This Agreement shall be increased \$10,107, from \$483,162 to \$493,269. The term of the Agreement shall remain unchanged. **(Contract No. 05368)**

HEALTH DEPARTMENT:

4. Amendment No. 3 to Public Health Nurse Program Agreement to provide services related to Child Protective Services referrals. This Agreement shall be increased \$20,011, from \$57,889 to \$77,900. The Amendment start date shall be October 1, 2001 and end on June 30, 2002. **(Contract No. 04485)**
5. Personal Services Agreement with Molly Pulido to translate Skagit County Community Health Survey questions into Spanish. The term of the Agreement shall commence on October 26, 2001 and continue until November 1, 2001. Compensation shall be a total sum of \$200. **(Contract No. 05535)**
6. Amendment No. 4 to the 2001 Consolidated Contract with the State of Washington Department of Health to extend the length of the Contract from December 31, 2001 to December 31, 2002. This Contract shall be increased \$439,848, from \$474,411 to \$914,259. **(Contract No. 05194)**
7. PIE Small Awards Letter of Agreement for the public service announcements in Skagit County. The objective of the project is to expose 23,800 people with educational information on the value of maintaining their on-site sewage systems. The term of the Agreement shall be November 5, 2001 through July 31, 2002. The Action Team will provide financial support in the amount of \$3,000 from the agency's Public Involvement and Education Small Awards funds. **(Contract No. 05536)**

HUMAN SERVICES:

8. Personal Services Agreement with Chinook Enterprises to provide developmental disabilities services. The Agreement shall be retroactive to July 1, 2001 and end on June 30, 2003. Total compensation shall be \$1,040,000. **Contract No. 05537)**
9. Program Agreement with the Department of Social and Health Services, Division of Developmental Disabilities for the 2001-2003 biennium. This Agreement shall be retroactive to July 1, 2001 and end on June 30, 2003. State funds in the amount of \$1,610,207 include a 2.1% increase and provide for continuation of developmental disabilities employment, community access and children's services in the community. **(Contract No. 05538)**
10. Personal Services Agreement with Rehabco Skagit, Inc. to provide developmental disabilities community access services. The Agreement shall be retroactive to July 1, 2001 and end on June 30, 2003. Total compensation shall be \$350,000. **(Contract No. 05539)**
11. Personal Services Agreement with Washington Vocational Services to provide developmental disabilities services. The Agreement shall be retroactive to July 1, 2001 and end on June 30, 2003. Total compensation shall be \$120,000. **(Contract No. 05540)**

RECORD OF THE PROCEEDINGS
MONDAY, DECEMBER 10, 2001
PAGE NO. 4

12. Personal Services Agreement with Skagit Preschool & Resource Center (SPARC) to provide developmental disabilities early childhood development services. The Agreement shall be retroactive to July 1, 2001 and end on June 30, 2003. Total compensation shall be \$165,000. **(Contract No. 05541)**

INFORMATION SERVICES:

13. Out-of-State Travel Requests for Tony Harrell and Tom Graham to attend the SQL Soft MS-1572 course on administering and implementing Microsoft Exchange 2000 in Beaverton, Oregon on December 10, 2001. This will enable them to learn how to administer the new e-mail system upgrade. The total cost will be \$477 each. **(Approved)**

PARKS DEPARTMENT:

14. 2001-2002 Winter Recreation Program Cooperative/Collection Agreement with the Washington State Parks and Recreation Commission to provide services connected to the Snowmobile and Winter Recreation Programs in Skagit County. The Agreement shall commence on December 1, 2001 and continue until April 30, 2002. Compensation shall be \$37,357. **(Contract No. 05542)**

SENIOR SERVICES:

15. Interlocal Cooperative Agreement with the Department of Corrections Correctional Industries, DBA First Choice foods to prepare and deliver frozen meals and dinner rolls to the Burlington Community Center. The term of the Agreement shall be from January 1, 2002 through December 31, 2002. Compensation shall be \$1.72 per dinner and \$0.07 per dinner roll. **(Contract No. 05543)**

YOUTH AND FAMILY SERVICES:

16. Amendment No. 2 to Personal Services Agreement with Family Resources Northwest which will add the "Family Empowerment/Proyecto Empower" workshop to the Agreement. The workshop shall be based upon the Project Empower curriculum and shall be translated to Spanish and adapt the contents to assure cultural relevancy to the Latino community. The term of the Agreement shall remain the same and compensation shall range from \$30 to \$1,200 depending on the services provided. **(Contract No. 05177)**
17. County Program Agreement with the State of Washington Department of Social and Health Services for the Juvenile Accountability Incentive Block Grant to provide Intensive Diversion Program services to youth participating in the program. The Agreement shall commence on September 1, 2001 and end on August 31, 2002. Compensation shall total \$30,167. **(Contract No. 05544)**
18. Federal Grant for the Skagit Title V Delinquency Prevention Program. The project period is from August 1, 2001 through June 30, 2002. The grant amount shall be \$80,000. **(Contract No. 05545)**

PUBLIC WORKS DEPARTMENT:

19. Resolution Calling for a Public Hearing to Confirm and Approve the Roll, Rates and Charges for Skagit County Lake Management District No. 3 for Lakes Erie and Campbell. **(Resolution No. 18506)**

RECORD OF THE PROCEEDINGS
MONDAY, DECEMBER 10, 2001
PAGE NO. 5

20. Resolution Calling for a Public Hearing to Consider the Vacation of Unopened County Right-of-Way known as Sunrise Street. **(Resolution No. 18507)**
21. Out-of-State Travel Request for Roy Atwood and Chal Martin to attend a meeting with the Portland Regional Directors of the U.S. Fish and Wildlife Service and the National Marine Fisheries Service on December 21, 2001 in Portland Oregon. The meeting will provide those present with an informational overview of Skagit County's Flood Protection/Salmon Restoration Project. Representatives of the Portland and Seattle divisions of the U.S. Army Corps of Engineers will be present as well. **(Approved)**
22. Letter from the Board of County Commissioners to the Lake Tyee Board of Directors regarding direction to be given to the Public Works Department in providing technical assistance to Lake Tyee. **(Approved)**
23. Letter from the Board of County Commissioners to Tom Fitzsimmons, Department of Ecology Director, regarding a request for additional Flood Control Assistance Account Program funding for the Skagit River Feasibility Study. **(Approved)**
24. Letter from the Board of County Commissioners to Tom Fitzsimmons, Department of Ecology Director, regarding the Skagit River Instream Flow Rule. **(Approved)**
25. Letter from the Board of County Commissioners to Colonel Ralph Graves, District Engineer Corps of Engineers, regarding the Skagit River Feasibility Study. **(Approved)**
26. Lighting Services Agreement and Authorization with Puget Sound Energy to have Intolight Lighting Services install custom street/area lighting facilities at the Guemes Ferry/Anacortes Parking Lot Project and provide electric energy, servicing and maintenance necessary for their operation. The lighting facilities are required to meet the City of Anacortes permits as well as the project needs. Under the Agreement, Puget Sound Energy will own and maintain the lighting equipment and fixtures, at an estimated cost of \$14,055.40, and continuing electric power and maintenance, at an estimated monthly rate of \$59.79. **(Contract No. 05546)**
27. Assignment of Rights for the Hurn Field property, granted by Skagit County to the State of Washington. It is the final requirement of the Department of Natural Resources for Skagit County to receive the outstanding 10% retainage for the Aquatic Lands Enhancement Account Key Salmon Habitat Acquisition Grant (AL 99-16). DNR has already reimbursed Skagit County for all other costs associated with this grant. No additional property is being acquired as a result of recording the easements. **(Contract No. 05547)**
28. Cooperative/Collection Agreement with the Washington State Parks and Recreation Commission requesting Skagit County to perform maintenance by snow plowing, grading and leveling, and installing appropriate highway signs at Shadow of Sentinels Nature Trail and Rocky Creek. The Agreement shall commence on December 10, 2001 and end on April 30, 2002. Total compensation shall be \$1,700. **(Contract No. 05548)**
29. Supplement No. 1 to an Agreement with David Evans & Associates, Inc. for real estate acquisition services in connection with the Collins Road/SR 20 Traffic Signal Project ES63310-1. Additional funds in the amount of \$4,923.80 are requested to acquire a portion of parcel #37746. The acquisition is needed to construct a hammerhead on the south leg of Collins Road. The Contract expiration date remains unchanged. **(Contract No. 05418)**

RECORD OF THE PROCEEDINGS
MONDAY, DECEMBER 10, 2001
PAGE NO. 6

30. Grant Amendment No. 5 to the Acquisition of Key Salmon Habitat Grant (IAC #99-1917A), between the Interagency Committee for Outdoor Recreation and Skagit County for the purchase of parcels with existing key salmon habitat. The grant amendment will reduce Skagit County's match requirement from \$607,500 to \$212,421 and reduce the overall project cost from \$1,177,500 to \$782,421. The new match requirement reflects the match amount that has already been provided by Skagit County through the Aquatic Lands Enhancement Account Grant Program and the Skagit County Salmon Recovery Fund. When the amendment is signed, Skagit County will not be obligated to provide any additional matching funds for future acquisitions associated with this grant. **(Contract No. 04581)**

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 10, 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 110283 through 110690 from Clearing Fund 696 in the total dollar amount of \$4,957,550.44 (Transmittal No. C-83-01);

Warrants numbered 110691 through 110707 from Clearing Fund 696 in the total dollar amount of \$4,276.10 (Transmittal No. C-84-01);

Payroll warrants numbered 956198 through 956284 in the total dollar amount of \$92,588.99 (Transmittal No. P-49-01) and;

Payroll warrants numbered 89151 through 90099 in the total dollar amount of \$938,473.35 (Transmittal No. P-50-01).

2. Staff presented a Resolution upholding the Hearing Examiner's findings of fact, conclusions of law and decision regarding application by Carlson Family Investments, File Nos. VAR #PLO1-0466 and APPEAL #plo1-0799. Commissioner Munks motioned to approve the Resolution as presented by Staff, and Commissioner Dahlstedt seconded the motion. The motion passed with a unanimous vote. **(Resolution No. 18508)**

PUBLIC COMMENT PERIOD:

Neil Ingram, President of the Humane Society Board of Directors, gave the Board a list of facts and figures that have been compiled that do not support the figures that were turned brought forward by the Skagit County Sheriff's Office. The information being presented contains a draft contract for the Board's review. Issues that were not addressed are stray cats. There was only a provision for dogs. Mr. Ingram would like the Board to take another look at the definition of "animal shelter" in the proposed ordinance.

Carol Ehlers, 3998 Wind Crest Lane, Anacortes, brought forth concerns regarding the Department of Ecology's Storm Water Manual as well as the Skagit County plumbing code.

**RECORD OF THE PROCEEDINGS
MONDAY, DECEMBER 10, 2001
PAGE NO. 7**

ADJOURNMENT:

Commissioner Munks made a motion to adjourn the proceedings. Commissioner Dahlstedt seconded the motion, which 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