

**SKAGIT COUNTY COMMISSIONERS
RECORD OF THE PROCEEDINGS
MONDAY, JANUARY 7, 2002**

	8:30 a.m. – 9:30 a.m.	Work Session – County Administrator
*T	10:00 a.m. – 10:30 a.m.	Public Hearing – Consideration of Confirmation and Approval of the Roll, Rates, and Charges for Lake Management District No. 3 for Lakes Erie and Campbell
	10:30 a.m. – 10:45 a.m.	Public Hearing – Consideration of Resolution to Lease County Owned Property at the Concrete Senior Center by the Saturday Community Market Association
	11:00 a.m. – 11:30 a.m.	Consent Agenda and Miscellaneous Items
	11:30 a.m. – 11:45 a.m.	Public Comment Period
*T	1:30 p.m. – 2:00 p.m.	Public Hearing – Consideration of Testimony Regarding Amending the 2001 Budget
	2:00 p.m. – 4:00 p.m.	Executive Session – Personnel, Litigation and Land Acquisition

The Skagit County Board of Commissioners met in regular session on Monday, January 7, 2002, with Commissioners Don Munks, Kenneth A. Dahlstedt and Ted Anderson present.

PUBLIC HEARING – CONSIDERATION OF CONFIRMATION AND APPROVAL OF THE ROLL, RATES, AND CHARGES FOR LAKE MANAGEMENT DISTRICT NO. 3 FOR LAKES ERIE AND CAMPBELL:

Lee First, Lake Management Technician for Public Works, gave an overview of what has taken place since the Lake Management District No. 3, for Lakes Erie and Campbell was formed in May of 2001. Ms. First said at the October 15th public hearing, the Board directed Staff to make several changes in the roll. One change that was directed was to include adjustments for a Senior Citizen Exemption Program. A Senior Citizen and Disabled Person Exemption Program is in place for Lake Management Districts 1 and 2. The roll was revised after the hearing and was sent to each affected property owner. Since the mailing, two issues have arisen regarding the directed changes. These are listed below:

- Senior Citizen/Disabled Person status is determined by the Assessor's office according to the requirements of RCW 84.36. Public Works staff cannot include these rates; instead they will be incorporated by the Assessor's office after the roll is finalized. If Staff included the discounted rate structure today, it would be subject to change based on fluctuating income levels or other criteria, which determine their status.
- At the October 15th hearing, the Washington State Department of Transportation (WSDOT) sent a letter (October 12, 2001) objecting to the \$48.75 yearly assessment for parcel P20052. The Board did not direct Staff to make any changes based on their objections. Staff has received additional correspondence from the WSDOT related to this issue and recommends that the assessment for the WSDOT parcel be eliminated. The deed for the WSDOT's parcel indicates that there is no acquisition to the private multiple-access parcel. The deed states that the interests in the multiple access parcel remained with the grantors of the deed (Mark J. Lunz and Cheryl A. Lunz). WSDOT acquired only those property rights necessary for SR 20 Highway purposes and did not acquire any lake access.

Ms. First said the homeowners with land adjacent to the lakes will pay \$195 per year for ten years, while owners of recreational parcels will pay \$390. Commercial landowners will pay \$975 a year, while owners of public multiuse parcels, such as the State Department of Fish and Wildlife, will

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pay \$3,900. The total amount raised each year will be \$12,870 for Lake Erie and \$16,136 for Lake Campbell with the combined total proposed to be collected over the ten-year duration of the district not exceed \$293,000. Four property owners will get reductions of 25 percent to 75 percent off their bills for the elderly and disabled.

Chairman Munks opened the public hearing for testimony.

Marsha Flowers, 1819 37th Street, Anacortes, Vice-Chairman of the Lake Erie/Campbell Advisory Committee said the committee had decided not to give exemptions for open-space parcels. "The more exemptions we give, the more at risk we are of falling short on our revenue," she said.

There being no further public comment forthcoming, Chairman Munks moved to close the public hearing. Commissioner Anderson seconded the motion, which passed unanimously. The public hearing was closed.

Ms. First said she is unclear about what the Board would like to do with the Lunz property. Mr. Lunz sent a letter to the Board on January 3, 2002. Commissioner Dahlstedt asked if the Lunz family had contacted the advisory committee. Ms. Flowers said they had not. Ms. Lee said there has been several inspectors sent to the property in question and they have concluded that the residence is not inhabited at this point, but could be in the future.

Commissioner Anderson said if the residence could be lived in then it needs to be assessed.

Commissioner Anderson moved to authorize a Resolution confirming and approving the roll, rates and charges for the Skagit County Lake Management District No. 3 for Lakes Erie and Campbell pursuant to RCW 36.61.120, to fund lake treatment activities. Commissioner Dahlstedt seconded the motion and it passed unanimously. **(Resolution No.R20020002)**

PUBLIC HEARING – CONSIDERATION OF RESOLUTION TO LEASE COUNTY OWNED PROPERTY AT THE CONCRETE SENIOR CENTER BY THE SATURDAY COMMUNITY MARKET ASSOCIATION:

Commissioner Munks opened the public hearing.

Tim Holloran, Senior Services Director, said he endorses the continued use of the Concrete Senior Center by the Saturday Community Market Association. He feels it is good for the local economy. The market will run from May 18 through August 25 for the year 2002.

Sara Pritchard, Coordinator of the Concrete Senior Center, spoke of the good relationships that have been built over the years with the seniors and the vendors participating in the Saturday Community Market.

Commissioner Anderson moved to approve a Resolution regarding the lease of County owned property at Concrete Senior Center by the Saturday Community Market Association. Commissioner Dahlstedt seconded the motion, which passed unanimously. **(The Resolution to be provided by Staff at a later date.)**

CONSENT AGENDA:

Commissioner Anderson moved to approve the Consent Agenda for Monday, January 2, 2002, items 1 through 10. Commissioner Dahlstedt seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, December 31, 2001.
2. Record of the Proceedings for Wednesday, January 2, 2002.
3. Interlocal Agreement with Washington State University to provide funding to assist in the costs to start up the Skagit Veg Trials Program. Washington State University shall be solely responsible for the establishment of the Veg Trials, which has been approved for joint funding by the Northwest Agricultural Research Foundation for \$10,000, which is contingent upon a \$10,000 matching grant from Skagit County. **(Contract No. C20020001)**

ADMINISTRATIVE SERVICES:

4. Advertising Agreement with the Skagit Valley Herald for placement of personnel advertisements on Sundays in the Skagit Valley Herald for the period December 1, 2001 through November 30, 2002. Compensation is not to exceed \$4,600. **(Contract No. C20020002)**

PROSECUTING ATTORNEY:

5. Amendment No. 1 to Personal Services Agreement with Preston Gates & Ellis to add S. J. Skinner to the list of attorneys providing legal counsel, representation and negotiation services in connection with Cook Road condemnation action. Compensation shall be paid at \$270 per hour. All other terms and conditions of the original contract shall remain in effect. **(Contract No. 05005 in conjunction with Resolution No. 15946)**
6. Amendment No. 2 to Personal Services Agreement with Preston Gates & Ellis to add Shirli A. Simmons to the list of attorneys providing legal counsel, representation and negotiation services in connection with Cook Road condemnation action. Compensation shall be paid at \$100 per hour. All other terms and conditions of the original contract shall remain in effect. **(Contract No. 05005 in conjunction with Resolution No. 15946)**

YOUTH & FAMILY SERVICES:

7. Federal Grant Final Application for the Skagit County Youth Services Team Project. This grant will establish a multi-system approach of integrating resources by developing Youth Services Teams to serve suspended and expelled youth, as well as students who are at risk of being expelled or suspended. The grant totals \$82,000 and there is no local match. It will include 1 FTE Project Manager position, which will be a grant dependent position that will end at the conclusion of the one year funding cycle. **(Contract No. C20020003)**
8. Federal Grant Final Application for Positive Futures for Skagit Girls. This grant will create a continuum of community-based resources, delivered directly to girls in their neighborhoods, schools and workplaces.. The grant totals \$82,000 and has no local match. It does not include any personnel, utilizing contracted professional services instead and will limited to one year. **(Contract No. C20020004)**

PUBLIC WORKS DEPARTMENT:

9. Amendment No. 1 to Interlocal Agreement with the Skagit Conservation District, which will make the following changes to the original Agreement:
- Extend the deadline for the County-funded CREP signing bonus from November 7, 2001 to the new deadline for eligible landowners to select a buffer option, May 24, 2002.
 - Reduce the total County-funded CREP signing bonus not-to-exceed amount from \$2 million to a \$1 million not-to-exceed amount for the entire Agreement.
 - Extend the termination date of the Agreement from November 30, 2002 to September 30, 2003.
 - Include a clause whereby prior-enrolled CREP participants are eligible to County compensation in exchange for participating in a County-conducted CREP Monitoring Program. These participants must qualify for the buffer options under SCC 14.24.120 and have signed a CREP contract prior to September 24, 2001, the effective date of the County-funded CREP signing bonus.

By these actions, the original amount of the Agreement will be reduced by \$1 million dollars for a new total of \$1 million dollars. **(Contract No. 05457)**

10. Letters to the City and Town Mayors of Anacortes, Burlington, La Conner and Sedro Woolley to request support for the Skagit River Flood Protection/Salmon Recovery Project in response to recent County presentations to the City or Town Councils of same. The letters specifically request that they pass a Resolution in support of the project. **(Approved)**

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, January 7, 2002, the Board, by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrants numbered 112270 through 112559 from Clearing Fund 696 in the total dollar amount of \$694,543.57 (Transmittal No. C-01-02)

2. A Resolution was presented by Staff authorizing a budget line item change for the Current Expense Fund #001 in the amount of \$39,983. Commissioner Anderson motioned to approve the Resolution and Commissioner Dahlstedt seconded the motion, which passed unanimously. **(Resolution No. R20020003)**
3. A Resolution was presented by Staff authorizing a call for a Public Hearing regarding an increase in property taxes for the 2002 budget year. The Public Hearing will be held on Tuesday, January 22, 2002 at 2:00 p.m. in the Commissioners' Hearing Room. Commissioner Anderson motioned to approve the Resolution and Commissioner Dahlstedt seconded the motion, which passed unanimously. **(Resolution No. R20020004)**

PUBLIC COMMENT PERIOD:

Bud Norris, 3780 College Way, Mount Vernon, spoke of his concerns regarding the planned multi-modal center in downtown Mount Vernon. He presented the Board with petitions of 387

citizens who also oppose the location. Mr. Norris said there are many reasons why this type of facility should be located somewhere other than the downtown site. The reasons are as follows:

- SKAT has recommended against building the center downtown;
- The overall project is too expensive;
- There is not ample room for the project;
- The elimination of 135 County parking spaces does not make sense;
- Traffic congestion at or near the site is overwhelming at times and the addition of a project of this magnitude would make it unacceptable.

Mr. Norris prefers a site on College Way, where the Amtrak rail station already is located. He asked how a project of this magnitude could be proposed when in fact, Amtrak is close to bankruptcy and SKAT is having financial troubles as well.

Bill Taylor, Citizen's Advisory Committee member for Skagit Transit presented a bit of history on what has transpired over the years. He said in the 70's, the elected officials of Mount Vernon moved the existing rail station to a location north of College Way because traffic and parking were becoming a problem. In 1995, the site for a rail station was reconsidered by using a point system. The College Way site received the most points. The committee making this decision was the Public Transit Benefit Area (PTBA) Board, whose leading members were the County Commissioners at that time. Officials from Burlington Northern were also in attendance. Three years later the same PTBA Board voted to change the site of the rail station after being presented with a concept to move the rail station back to downtown Mount Vernon. Public input was limited. Mr. Taylor said the original concept presented to the Citizen's Advisory Committee (CAC) and the PTBA has been changed many times to be able to meet government standards as well as safety and traffic regulations. These changes were never presented to the CAC or the PTBA. The former County Commissioners were the leaders in the moving of the rail depot to the downtown site.

The present County Commissioners are concerned because this site is now used as a parking lot for County employees and approximately 136 parking spaces would be lost if the area is converted to a train depot. There is also a safety factor as all vehicles will have to cross the railroad tracks, as well as people on foot including the elderly and the disabled.

The Burlington Northern employees who maintain the signals have stated that there are many safety features built into the system, but because they are controlled by electrical and mechanical equipment they are not completely failsafe and require constant maintenance to keep them working properly.

Mr. Taylor said in order to correct the current impasse it is suggested that the County Commissioners, along with legal counsel, meet with city officials to work out an agreement that is agreeable to both agencies and one that will benefit the whole County in the future.

The State Department of Transportation has not approved the downtown site for the rail depot but has not openly opposed it, as this was a local issue and they did not want to be involved. This has been expressed by both state and local officials. Interstate 5 is expected to someday be expanded to the west, cutting into the site.

Commissioner Dahlstedt suggested that Mr. Norris and the Citizen's Advisory Committee present their concerns before the Mount Vernon City Council.

Mr. Norris asked the Commissioners, who are three of the nine Skagit Transit board members, to bring the location up for more discussion.

Don Bockelman, 30623 South Skagit Highway, queried the Board as to why there was never a public hearing to discuss the Commissioners' and Elected Officials pay raises.

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Commissioner Anderson said there is no legal requirement and then outlined how the members of the Salary Committee were chosen. After the committee reaches their decision, the Commissioners' have no say in the matter.

Jamie Lanning, 13084 SR 9, Mount Vernon, expressed concern about when the resurfacing project in Clear Lake would be completed as well as the eyesore of railroad ties and cement blocks that are presently sitting on County property and County right-of-ways.

Commissioner Anderson said the resurfacing will take place this summer when the Public Works Department begins their normal chip-sealing process. He told Mr. Lanning he would look into the matter of removing the railroad ties and concrete blocks that are presenting a problem in Clear Lake.

Mr. Bockelman encouraged the Board to take the action needed to de-rail the multi-model project.

PUBLIC HEARING – CONSIDERATION OF TESTIMONY REGARDING AMENDING THE 2001 BUDGET:

Chris Stamey, Budget and Finance Department, presented information to the Board regarding the supplemental budget being proposed for 2001. Mr. Stamey said Skagit County had secured additional grant funds for Youth and Family Services and Public Health, after the budget was adopted. These additional funds need to be incorporated into the 2001 budget. Due to the fact that the Current Expense Fund, Public Health, County Fair, Law Library, Solid Waste and Equipment Rental Fund will incur unanticipated expenditures that must be budgeted, it is recommended that the Board sign a Resolution authorizing a supplemental budget for the funds mentioned above.

Chairman Munks opened the public hearing for testimony.

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

Commissioner Dahlstedt moved to approve the Resolution authorizing the amendment of the 2001 budget. Commissioner Anderson seconded the motion, which passed unanimously.
(Resolution No. R20020005)

ADJOURNMENT:

Commissioner Anderson made a motion to adjourn the proceedings. Commissioner Dahlstedt seconded the motion, which passed unanimously.

BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

Don Munks, Chairman

Kenneth A. Dahlstedt, Commissioner

Ted W. Anderson, Commissioner

ATTEST:

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