

**SKAGIT COUNTY COMMISSIONERS
RECORD OF THE PROCEEDINGS
TUESDAY, FEBRUARY 19, 2002**

- 8:30 a.m. – 9:00 a.m. Work Session – Operations Division Manager/District Maintenance Supervisors
- *T 9:00 a.m. – 10:00 a.m. Public Works Department – Chal Martin, Director
- 1) Presentation: Certificate of Commendation – Penny Harrison for Services Rendered to Skagit County from October 17, 1990 through March 1, 2002
 - 2) Discussion: Re-Establishment of Lake Management District #1 for Big Lake
 - 3) Discussion: Hazard Mitigation Grant Program
 - 4) Discussion: Submittal of Application for Centennial Clean Water Grant Funds for 2003 and 2004
 - 5) Signature: County Road Administration Board (CRAB) Amended Contract for Closeout of West Bow Hill Road Project, CRP ES 21180-1, RAP Project #2997-04
 - 6) Miscellaneous
- *T 10:00 a.m. – 11:00 a.m. Planning & Permit Center – Tom Karsh, Director
- 1) Discussion and Possible Approval: Personal Services Agreement with Earth Tech to Provide Professional Planning Consultation Services Regarding the Skagit County Growth Management Indicators Program
 - 2) Discussion and Possible Approval: Vendor Services Agreement with Strider Construction Regarding Installation of a Watertight Utility Vault and Flow Meter as Required by Washington State Department of Ecology for the Edison Sub-Area
 - 3) Signature: Resolution Upholding the Appeal of Meyer Sign & Advertising Co. on Behalf of Par Four Enterprises LLC (Cook Road Tesoro) and Reversing the Hearing Examiner’s Decision Granting a Variance Request
 - 4) Miscellaneous
- 11:00 a.m. – 11:30 a.m. **Consent Agenda and Miscellaneous Items**
- 11:30 a.m. – 11:45 a.m. Public Comment Period
- 1:30 p.m. – 3:30 p.m. Emergency Management Council Meeting – E911 Center (2911 E. College Way, Mount Vernon)

The Skagit County Board of Commissioners met in regular session on Tuesday, February 19, 2002, with Commissioners Don Munks and Kenneth A. Dahlstedt present. Commissioner Ted W. Anderson’s absence was excused.

PUBLIC WORKS DEPARTMENT – Chal Martin, Director

1. Presentation: Certificate of Commendation – Penny Harrison for Services Rendered to Skagit County from October 17, 1990 through March 1, 2002.

Dave Brookings, Public Works Administrator, explained that Penny Harrison has worked for Skagit County since 1990. She spent most of her time working for Senior Services and arrived in the Public Works Department in 1998. Mr. Brookings believes she is one of the best and most

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talented Administrative Assistants he has ever worked with. "The one thing that made Ms. Harrison stand out from all the rest is that she made everyone look professional", said Mr. Brookings. Since becoming a member of the Surface Water Management team, Ms. Harrison has been responsible for managing fifteen different grant funds and contracts in collaboration with the Accounting Department. She also developed salmon brochures as well as the Flood Fight book that was just distributed. Ms. Harrison also coordinated the Flood Awareness Week in addition to the Skagit County Community Rating System, which is used in determining flood insurance rates.

Tim Holloran, Senior Services, went on to say that when Ms. Harrison came to work for Senior Services in 1990, it was a lucky day for Skagit County. She was in charge of all the accounts receivable and payable, all of the grants and she was extremely proficient with the computer.

The Board presented Ms. Harrison with a framed certificate and commended her for her efforts and wished her the best of luck.

2. Discussion: Re-Establishment of Lake Management District No. 1 for Big Lake.

Don Dixon, Surface Water Management, provided the Board with a background of the formation of Lake Management District No. 1 for Big Lake. He said it was formed in December 1997 for a 5-year period. The period will end in December of this year, at which time the District expires. The primary project funded by lake resident assessments was a highly successful whole-lake herbicide treatment conducted in the summer of 1998. Additionally, annual educational programs have been held for lakeside residents on the prevention of aquatic weeds as well as other topics. The District has sufficient assessments to fund a smaller, second herbicide treatment to control aquatic weeds, which is planned for this summer. The Lake Management District No. 1 (LMD #1) Citizen Advisory Committee is in favor of reforming the district, and has already initiated steps towards this goal.

Lee First, Lake Management Technician, updated the Board of the steps and procedures necessary to re-establish LMD #1. They would like the Board's concurrence for professional assistance with the public outreach and participation process to involve the nearly 400 lakeside landowners affected. They would also like to see the Board's concurrence to pursue development of a task assignment with a public relations consultant under contract with the County, such as EnviroIssues, for assistance with the public outreach and public participation elements.

Ms. First said it is the intent of the LMD #1 Citizen Advisory Committee to determine the best role for EnviroIssues for establishing effective communication with the lakeside owners.

3. Discussion: Hazard Mitigation Grant Program.

Chal Martin, Public Works Director, said Skagit County has another opportunity to apply for Hazard Mitigation Grant Program funds from the Washington Emergency Management Division. As a result of the Nisqually earthquake that happened on February 28, 2001, Washington State is eligible for federal assistance. The Public Works Department would like to send in an application to receive a part of the money that is available but was told by the Federal Emergency Management Association that Skagit County is ineligible due to non-compliance with the Growth Management Act.

Mr. Martin said they plan to keep pursuing whatever funds that might be available. He will keep the Board updated.

4. Discussion: Submittal of Application for Centennial Clean Water Grant Funds for 2003 and 2004.

Mr. Brookings informed the Board that March 6, 2002 is the deadline for submittal of applications for Centennial Clean Water Grant funds for 2003 and 2004. He said a draft of the application they are planning to submit will not be ready for the Board to look at prior to their departure for the NACo Conference in Washington, D.C. Mr. Brookings would like the Board's approval to go ahead and apply for the \$250,000 and said they would provide additional information after the application process is complete.

The Commissioners gave their approval to submit an application for Centennial Clean Water Grant funds for 2003 and 2004.

5. Signature: County Road Administration Board (CRAB) Amended Contract for Closeout of West Bow Hill Road Project, CRP ES 21180-1, RAP Project #2997-04.

Steve Flude, Assistant Director of the Public Works Department, presented the Board with the County Road Administration Board Amended Contract for Closeout of West Bow Hill Road Project, ES 21180-1. It reflects the reduction in Rural Arterial Trust Account (RATA) funding as per the waiver of payback of RATA funds for West Bow Road, Rural Arterial Program project 2997-04. The contract must be amended to reflect the \$152,448.99 that was actually received for work on the project.

Commissioner Dahlstedt motioned to approve the amended project agreement as outlined by Mr. Flude and Chairman Munks seconded the motion, which was carried. **(Amendment No. A20020026)**

6. Miscellaneous.

Mr. Martin reported that the Baker Dam Re-licensing Project is entering a new, more substantial phase. A Public Works representative will be tied to that process and will be in attendance when discussions are held.

Mr. Brookings stated that in regards to the Management RFP, a contract is in the process of being signed and will be brought before the Board within the next 2-3 weeks for signature.

Mr. Martin informed the Board about a policy shift with the Coast Guard regarding work hours in regards to the ferry vessels. Steve Cox, Public Works, has scheduled a meeting with the Coast Guard to find out what the new rulings are about and will report back.

PLANNING & PERMIT CENTER – Tom Karsh, Director

1. Discussion and Possible Approval: Personal Services Agreement with Earth Tech to Provide Professional Planning Consultation Services Regarding the Skagit County Growth Management Indicators Program.

Tom Karsh, Director of the Planning & Permit Center, presented a Personal Services Agreement with Earth Tech, which would provide for the review and assess of existing documents and information that would provide the foundation for preparation of the Skagit County Growth Management Indicators (GMI) Program (e.g., the Skagit County Comprehensive Plan, the County-wide Planning Policies for Skagit County, GIS data, and background research previously completed by the County on GMIs). This review will allow identification of any significant additional issues that must be addressed prior to formulation of substantive elements of the GMI program for County and public review. Additionally, this review will help to identify practical data limitations and the legal and policy context for establishing the GMI program.

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The Agreement shall commence on February 1, 2002 and continue until September 1, 2002 for a total cost of \$20,000.

Commissioner Dahlstedt motioned to approve the Personal Services Agreement with Earth Tech and Chairman Munks seconded the motion, which was carried. **(Contract No. C20020054)**

2. Discussion and Possible Approval: Vendor Services Agreement with Strider Construction Regarding Installation of a Watertight Utility Vault and Flow Meter as Required by Washington State Department of Ecology for the Edison Sub-Area.

Mr. Karsh next presented a Vendor Services Agreement with Strider Construction to install a watertight utility vault and flow meter as required by the Washington State Department of Ecology.

Allison Mohns, Planning & Permit Center, outlined the proposal for the Edison large on-site septic system. Due to differences in use, the Department of Ecology has requested that the County place a monitoring meter, for flow and sampling, on the side of the system that only contributes residential strength effluent. The contract shall commence on February 19, 2002 and continue until March 31, 2002. Compensation shall not exceed a total of \$7,367.05.

Commissioner Dahlstedt made a motion to approve the Agreement as outlined by Ms. Mohns and Chairman Munks seconded the motion, which was carried. **(Contract No. C20020055)**

3. Signature: Resolution Upholding the Appeal of Meyer Sign & Advertising Co. on Behalf of Par Four Enterprises LLC (Cook Road Tesoro) and Reversing the Hearing Examiner's Decision Granting a Variance Request.

Mr. Karsh presented a Resolution upholding the appeal of Meyer Sign and Advertising Company on behalf of Par Four Enterprises LLC (Cook Road Tesoro) and reversing the Hearing Examiner's decision granting a variance request. Commissioner Dahlstedt moved to approve the Resolution and Chairman Munks seconded and the motion was carried. **(Resolution No. R20020047)**

4. Miscellaneous.

Mr. Karsh discussed the need for some Planning Commission candidates. He reported that they had received a resignation from Mary Coker, which is effective immediately, as well as one from Louie Requa. In addition, the terms of Bobbi Krebs-McMullen and Bill Stiles have expired. The Planning Commission is made up of nine members and is currently down to five. He encouraged the Board to get the word out to help fill the vacancies. Mr. Karsh suggested that perhaps a public service announcement would be in order.

CONSENT AGENDA:

Commissioner Dahlstedt moved to approve the Consent Agenda for Tuesday, February 19, 2002. Chairman Munks seconded the motion, which passed unanimously, and the Consent Agenda was approved.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, February 11, 2002.
2. Record of the Proceedings for Tuesday, February 12, 2002.

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3. Resolution Amending the Charter of the Skagit Regional Facilities District, to add language in Section 5.2(H) and add Section 5.2(K) **(Resolution No. R20020048)**
4. Resolution Appointing Mr. Mitchell D. Sydnam to serve as a County Designated Mental Health Professional beginning March 1, 2002. **(Resolution No. R20020049)**
5. Resolution Appointing Michael D. Rattray, Ph.D. to serve as a County Designated Mental Health Professional beginning March 1, 2002. **(Resolution No. R20020050)**

BUDGET AND FINANCE:

6. Resolution Establishing 2001 Cost Allocation to County Funds. **(Resolution No. R20020051)**

EMERGENCY MANAGEMENT:

7. Contract between Skagit County Department of Emergency Management and the Washington State Military Department – Emergency Management Division for State and Local Assistance funds, which are awarded by Contract to support local Emergency Management Programs. These funds, in the amount of \$27,794, are provided by the Federal Emergency Management Agency and Skagit County must perform required tasks, which is part of this Contract, in order to be eligible for these funds. The Contract dates reflect the federal fiscal year, which starts on October 1, 2001 and ends on September 30, 2002. **(Contract No. C20020056)**

FACILITIES MANAGEMENT:

8. Resolution to Call for Bids for the Skagit County “Larry E. Moller” Public Safety Building alterations. The alterations will consist of enlarging and improving the laundry and kitchen facilities and increase the area for inmate bed space. The bid opening will be held on March 19, 2002 at 11:00 a.m. **(Resolution No. R20020052)**

INFORMATION SERVICES:

9. Addendum No. 4 to Agreement **No. 00484** with Spillman Data Systems, Inc. to allow a Spillman technician to create a custom Prosecutor Report that makes a data export file that would be used to import data into the Damion prosecution management system. Compensation shall be \$4,375. **(Amendment No. A20020027)**

PUBLIC DEFENDER:

10. Out-of-State Travel Requests for Mary Cambron and Lana Stephenson to attend the National Defender Investigator Conference in Portland, Oregon, April 17-19, 2002. This is national conference for investigators to receive intense training in the areas vital to defense. The total cost will be \$424 per person. **(Approved)**

SHERIFF'S OFFICE:

11. Interlocal Cooperative Agreement for the Northwest Minichain to provide transportation services between Skagit and Whatcom Counties for prisoners, for a period beginning on January 1, 2002 and ending on December 31, 2002. Annual compensation shall be \$31,523.80. **(Contract No. C20020057)**

TREASURER:

12. Resolution Approving the 2001 Property Tax Refunds as listed. **(Resolution No. R20020053)**

YOUTH & FAMILY SERVICES:

13. Personal Services Agreement with Ann Muno to present a workshop entitled "Gearing Up to Work With Girls" on February 22, 2002 from 9 a.m. to 12:00 p.m. This Agreement shall begin and end on the date of the presentation. Compensation shall total \$850. **(Contract No. C20020058)**
14. County Program Agreement with the State of Washington, Department of Social and Health Services – Juvenile Rehabilitation, Division of Community Programs. This Agreement includes Consolidated Juvenile Services projects, At-Risk, Special Sex Offender Disposition Alternative, Community Juvenile Accountability Act, and Chemical Dependency Disposition Alternative. This Agreement shall commence on July 1, 2001 and continue until June 30, 2003. The maximum program agreement amount shall be \$475,341. **(Contract No. C20020059)**

PUBLIC WORKS DEPARTMENT:

15. Summary of Offer for the Morris Street Improvement Project, Town of La Conner. This summary offer covers temporary and permanent easements for four parcels that are required for the project with initial offers being made totaling \$10,741.65. **(Contract No. C20020060)**
16. Resolution Approving the Notice of Road Closure of Garden of Eden Road, #63440 at the railroad grade crossing for the purpose of repair and maintenance by Burlington Northern Santa Fe from February 26 to February 27, 2002. **(Resolution No. R20020054)**
17. Resolution Approving a Call for Bids for Maintenance Materials with annual purchases expected to exceed \$25,000. The bid opening will take place on March 12, 2002 at 11:00 a.m. **(Resolution No. R20020055)**
18. Resolution Approving a Call to Establish a Vendor List for the Procurement of Maintenance Materials. Purchasing decisions will be based on price, quality and availability of the product. **(Resolution No. R20020056)**
19. Task Order No. 1 under the Professional Services Agreement **No. C20020019** with Timmers Appraisal Services to conduct an appraisal of the Knudson property that is currently listed for sale. The acquisition of this property could benefit the following County programs: 1) Skagit River Flood Reduction Feasibility Study; 2) Evaluation Areas per the Critical Areas Ordinance (SCC Title 14); 3) Salmon Recovery Projects. Total compensation will not exceed \$7,000. **(Amendment No. A20020028)**
20. Right-of-Entry Agreement between the State of Washington and Skagit County to permit entry upon State Route 20, Deception Pass to Gibraltar Road Vicinity, which is a portion of Block 3. This is for the purpose of surveying, together with the right to cut brush, as necessary, for pedestrian paths to facilitate surveying. This Agreement also allows placement of personnel, machinery and equipment on the lands to perform those duties. **(Contract No. C20020061)**

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, February 19, 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 114743 through 114744 from Clearing Fund 696 in the total dollar amount of \$10,750 (Transmittal No. C-14-02);

Warrants numbered 114745 through 115250 from Clearing Fund 696 in the total dollar amount of \$576,416.93 (Transmittal No. C-15-02).

2. Brad Whaley, Budget Director, reviewed a monthly report of activity within the General fund for the month of January. He explained that there are three tabs to the report and they are as follows:
 - Departments: This report shows revenues and expenditures for the month. The first column is their budget. That amount will display the their amended budget throughout the year rather than the initial adopted budget. The next two columns are the monthly and cumulative activity for the period, and the fourth column is the remaining budget. The final column shows the percent earned/expended for the year. If a department is highlighted Bold, this indicates that either their YTD revenues are ahead of the benchmark for the year , or their expenditures exceed the benchmark. For the month of January, that benchmark is 8.33% (1 month divided by 12 months).
 - Graph: This is a graph of the cumulative YTD performance of the entire fund. There are four components including a budget line, a revenue line, expenditure line, and a fourth line, which is the combination of revenues and the fund balance reserve as of December 31.
 - January: This is a cumulative report for the entire General Fund that shows monthly and cumulative performance of actual expenditures against the budget and comparative information for the prior year. It is important to note the performance of the entire organization at the bottom of the report. This is also where you can locate benchmark information.

Mr. Whaley said this information will be used to monitor activity during the year and to inform the Board of the status each month.

PUBLIC COMMENT PERIOD:

Paul LeCroix, Manager of the Western Washington Agricultural Association, spoke of his concerns regarding the Critical Areas Ordinance map that was presented at the Science Advisory Panel meeting last Monday. The map was requested by the parties who are working on the ordinance to determine what waterways are included in the evaluation areas. Mr. LaCroix said it was the Planning Commission's intent to look at the problem site by site and this particular map was not endorsed by them.

Chal Martin, Public Works Director, offered that his Department plans on sending material out to all of the dike and drainage districts to gather concerns and to make sure those concerns are addressed.

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Carol Ehlers, West Fidalgo Island, discussed the memorandum she received from the Planning and Permit Center. It had to do with the materials that were presented at the public hearing that was held regarding the adoption of Interim Ordinance No. 18499 for Section 14.24.120 in the Critical Area Ordinance. The memorandum states "Due to financial constraints, the Planning Department is unable to copy (large amount of written correspondence) these for each of you. However, the documents are available for your review in the Department should you wish to review them".

Ms. Ehlers objected to being denied the entire record for deliberations as it in direct violation of John Moffat's directions. He told the Planning Commission members that in order to make a decision, they would have to read the entire record. When she asked Gary Christensen about Mr. Moffat's recommendation, he replied that they did not need to follow legal advise from the County's attorneys. Ms. Ehlers said she would not be a party to an illegal act.

Commissioner Dahlstedt stated that if the Board had known that the materials were not being distributed, they certainly would have looked into it.

Ms. Ehlers replied that the memorandum was not received until Friday, February 15th.

Ms. Ehlers also spoke about height requirements for flooring in manufactured homes that is contained in the Skagit County flood ordinance.

Commissioner Dahlstedt said the Board may have to revisit the flood ordinance and look into raising the height requirements.

ADJOURNMENT:

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

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Don Munks, Chairman

Kenneth A. Dahlstedt, Commissioner

Ted W. Anderson

ATTEST:

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