

**SKAGIT COUNTY COMMISSIONERS
RECORD OF THE PROCEEDINGS
MONDAY, FEBRUARY 25, 2002**

- | | |
|----------------------------|---|
| 8:30 a.m. – 9:30 a.m. | Work Session – County Administrator |
| *T 9:30 a.m. – 10:00 a.m. | Public Hearing – To Consider Testimony Regarding an Application for Public Services Funding Through a Community Development Block Grant to Assist the Skagit County Community Action Agency |
| 10:00 a.m. – 11:00 a.m. | Department Head Meeting |
| 11:00 a.m. – 11:30 a.m. | Consent Agenda and Miscellaneous Items |
| *T 11:30 a.m. – 12:00 p.m. | Proclamation – Recognizing the Bicentennial Anniversary of the Founding of West Point |
| 1:30 p.m. – 2:00 p.m. | Work Session – Human Resource Director |
| 2:00 p.m. – 4:00 p.m. | Executive Session – Personnel, Litigation and Land Acquisition |
| 7:00 p.m. – 9:00 p.m. | Community Meeting Regarding McElroy Slough Drainage Project (Blanchard Community Hall) |

The Skagit County Board of Commissioners met in regular session on Monday, February 25, 2002, with Commissioners Don Munks, Kenneth A. Dahlstedt and Ted W. Anderson present.

PUBLIC HEARING – TO CONSIDER TESTIMONY REGARDING AN APPLICATION FOR PUBLIC SERVICES FUNDING THROUGH A COMMUNITY DEVELOPMENT BLOCK GRANT TO ASSIST THE SKAGIT COUNTY COMMUNITY ACTION AGENCY:

Chairman Don Munks opened the public hearing, introducing Karen Parnell of the Skagit County Community Action Agency.

Ms. Parnell explained to the Commissioners what the CDBG grant funding is about, stating that the plan is to continue with the kind of services they are providing in the same manner. A very small portion of the money actually goes toward administrative costs. Many programs benefit from CDBG funding, with some of them being low-income housing needs as well as the Chore program, which enables many seniors to stay in their homes. Ms. Parnell provided handouts, available in both English and Spanish. Maria Vivanco, a Spanish interpreter, translated the public hearing.

Ann Coalman, Skagit County Community Action Agency, said she appreciates all of the help that the block grant gives the people in Skagit County. It is amazing how far the money goes for various programs. She said the needy portion of the County could not be served without this money.

Consuelo Guarndique, Executive Director of the Opportunity Industrialization Center, Washington Farmworker Investment Program, said she does employment training for our area migrant farm workers, not only in Skagit County but Snohomish and Whatcom Counties as well. The idea is to turn seasonal employment into full time jobs for these people. Ms. Guarndique added that her office has a wonderful relationship with Community Action and uses them as their first resource.

RECORD OF THE PROCEEDINGS
MONDAY, FEBRUARY 25, 2002
PAGE NO. 2

Oscar Hernandez and Dan Gould, also a Board members for Community Action said the grant would enhance the community to continue helping those that are less fortunate.

Commissioner Anderson motioned to close the public hearing. Commissioner Dahlstedt seconded the motion, which passed unanimously. The public hearing was closed.

Commissioner Dahlstedt motioned to approve a Resolution authorizing the submittal of an Application for Public Services Funding through a Community Development Block Grant (CDBG) to assist the Community Action Agency. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution No. R20020057)**

DEPARTMENT HEAD MEETING:

Chairman Don Munks opened the meeting and thanked everyone for coming.

Tom Sheahan, Emergency Management, discussed the flood event that occurred Friday, February 22, 2002, on South Skagit Highway at Mill Creek as well as Concrete and the area East of there. He said the river rose very quickly and as a result there was a lot of flooding and several mud slides. Mr. Sheahan said the Board would be signing an evacuation order due to the mud slide at Cascade River Park this morning. It will cover that portion of the Plat of Cascade River Park located South of the Cascade River between the bridge over the Cascade River and Boulder Creek effective as of 3:00 p.m., Friday, February 22, 2002. It will remain in effect until further notice. Mr. Sheahan also thanked the Public Works Department and the Sheriff's Office for handling the situation quickly and efficiently.

Chairman Munks said he traveled in that direction on Sunday to see what kind of damage had occurred. He also commended the Public Works staff for doing a tremendous job in a short amount of time.

Brad Whaley, Finance Director, said he has been receiving questions regarding unemployment costs. He explained that Skagit County is a reimbursing employer, therefore we don't pay unemployment insurance. It has been decided to dispute some of the unemployment costs that have been incurred. Mr. Whaley said there are a fair amount of active part-time employees that are using unemployment benefits.

Commissioner Anderson asked if a part-time employee who works 20 hours can collect unemployment benefits simultaneously.

Mr. Whaley said that was correct. If an employee is hired at 20 hours but tell the agency they are seeking 40 hours, the agency will make up the difference. As long as they work under 40 hours per week, they can seek unemployment to compensate. Mr. Whaley said when unemployment claims are received, he will be working with the department managers to fill out the forms and tell their side of the story. There is a plus to doing this on a departmental level.

Mr. Whaley next discussed overtime vs. compensatory time. There has been some confusion as to how this is shown in the budget. When comp time is used, the overtime line item gets charged. In the future, there may be talk of creating a separate line item for compensatory time so that it doesn't show up under overtime.

Mr. Whaley then queried the audience about how they felt about summer hires. Everyone that spoke was in favor of this program. Mr. Whaley said there is a limited budget in the limited fund. Kathy Brown will send out the forms for the departments to fill out in the next week or two.

Dan Berentson, Skagit County Community Liaison, presented a flood video for the Department Heads and Elected Officials to see.

Chal Martin, Public Works Director, then provided a handout describing the flood project financing points. The handout reads as follows:

Background

1. We are currently in the feasibility study phase of the flood project. This phase is “pay as you go.” It will cost a total of \$8.4 million to complete the feasibility study and the Environmental Impact Statement. Goal: complete the EIS in time to gain Congressional authorization in the Water Resources Development Act of 2004. Of the \$8.4 million feasibility study / EIS work, the Corps of Engineers will pay \$4.2 million, the State Department of Ecology will pay about \$1 million through the Flood Control Assistance Account Program, and Skagit County will pay \$3.2 million, all over an 8-year period. The Skagit County money is coming primarily from the Road Fund through a transfer into the River Improvement Fund, and secondarily from the Drainage Utility Fund. That means the cost/risk of this investment is being borne by County residents only.
2. Once we see that the authorization will be achieved, the project will be at a go/no go decision point. We are planning for and expecting a county-wide vote to authorize financing for construction of the project. Taxpayers will be in the driver’s seat. No voted authorization, no project.
3. The Federal government will fund 65% of the project construction costs.

Financing Estimates

A. Flood Diversion Option: 35% of \$221 million = \$77 million. Assume \$17 million in funding from outside sources (I think this is conservative). That leaves \$60 million to finance. Assume \$40 million of this can be borrowed from the PWTF at 0.5 % interest, 20 year term. Payment = \$2.107 million. Assume borrow the remaining \$20 million at 5.5% interest, 20-year term. Payment = \$1.674 million. Total annual payment \$3.781 million. Cost for \$180,000 property = \$7.09 per month, \$85 per year, 47 cents/thousand.

B. Levee Setback Option: 35% of \$280 million = \$98 million. Assume \$10 million in funding from outside sources. That leaves \$88 million to finance. Assume \$40 million can be borrowed from PWTF as above, resulting in payment of \$2.107 million. Assume borrow the remaining \$48 million at 5.5%, 20 years, annual payment \$4.016 million. Total annual payment \$6.123 million. Cost for \$180,000 property = \$11.48 per month, \$138 per year, 77 cents/thousand.

Mr. Martin said the above assumptions have been obtained by using the 2001 tax base.

Commissioner Anderson said it is important that Mount Vernon and Burlington share in the costs of the Flood By-Pass Project, as it affects them as well.

Chairman Munks added that Anacortes also needs to share.

Commissioner Dahlstedt reiterated the fact that flooding in Skagit County is a significant problem that needs to be addressed sooner as opposed to later.

CONSENT AGENDA:

Commissioner Dahlstedt moved to approve the Consent Agenda for Monday, February 25, 2002, items 1-18, with the removal of Item No. 7, a Resolution to Adopt the Skagit County Fair Advisory Board By-Laws. The Board asked to see a copy of the proposed changes. Commissioner Anderson seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Tuesday, February 19, 2002.
2. Ordinance to Establish the Boundaries of the Upper Rural Skagit Library District. **(Resolution No. R20020058)**
3. Amendment No. 3 to Interlocal Agreement **No. 03239** with the Skagit Conservation District to extend the Term of the Agreement to December 31, 2001 for the purpose of payment of an invoice. **(Resolution No. R20020029)**

ADMINISTRATIVE SERVICES:

4. Out-of-State Travel Request for Roy Atwood, County Administer, to attend the 2002 NACo Legislative Conference in Washington, D.C., March 1-5, 2002, for a total cost of \$2,023.00. It will provide an opportunity to attend workshops regarding issues important to Skagit County. **(Approved)**

BUDGET & FINANCE:

5. Amendment No. 1 to Personal Services Agreement with Northwest Family and Children's Services to add the following verbiage to the Compensation clause: "The total amount of the Agreement shall not exceed \$60,000. Upon the contract reaching the maximum amount, the parties agree to discuss the terms of compensation." All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20020030)**

HEALTH DEPARTMENT:

6. County Program Agreement with the State of Washington Department of Social and Health Services and the Skagit County Health Department to provide the mechanism to pay for invoices associated with Hepatitis B vaccinations given to DSHS staff. The Agreement shall commence on January 22, 2002 and continue until January 21, 2005. **(Contract No. C20020062)**

PARKS & RECREATION:

7. Resolution to Approve the Adoption of the Skagit County Fair Advisory Board By-Laws, as Revised. **(REMOVED FROM THE CONSENT AGENDA)**

PLANNING & PERMIT CENTER:

8. Vendor Services Agreement with Skagit Business Services to provide general office support, including but not limited to transcription, filing and photocopying. The Contract shall commence on January 1, 2002 and continue until either party terminates. Compensation shall vary depending on the services, with a not-to-exceed total of \$2,000. **(Contract No. C20020063)**

PUBLIC DEFENDER:

9. Out-of-State Travel Request for Keith Tyne, Chief Deputy, Public Defender's Office, to attend a Life in the Balance 2002 Conference in Kansas City, Mo., March 9-12, 2002, for a total cost of \$1,323.50. Upon completion, certification for death penalty litigation will be awarded. **(Approved)**

SENIOR SERVICES:

10. Amendment No. 1 to the RSVP Federal Grant from the Corporation for National Service, **No. 05444**. The Corporation has allocated additional money for this grant period: \$1,500 for travel to the national conference in Salt Lake City in June, and a 4% administrative cost increase of \$2,346. This brings the federal funding total to \$62,493. **(Amendment No. A20020031)**

YOUTH & FAMILY SERVICES:

11. Amendment No. 1 to Agreement **No. 00419** with the Swinomish Indian Tribal Community to change the daily detention rate to \$100 per day, effective October 1, 2002 as set out in Resolution **No. 18441**. All other terms and conditions of the original Contract shall remain in effect. **(Amendment No. A20020032)**
12. Amendment No. 1 to the County Program Agreement **No. 05192** with the Department of Social and Health Services – Child Welfare League of America Program, to extend the completion date from June 30, 2001 to June 30, 2002 and also increase the Contract amount from \$5,000 to \$10,539.58. **(Amendment No. A20020033)**

PUBLIC WORKS DEPARTMENT:

13. Resolution to Call for the Establishment of a Vendor List for Rental Equipment. **(Resolution No. R20020059)**
14. Resolution Calling for Bids for the Collins Road/SR 20 Signalization Project, CRP No. ES63310-1. **(Resolution No. R20020060)**
15. 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 149, Map of Fidalgo City. This is for the purpose of surveying, together with the right to cut brush as necessary for pedestrian paths to facilitate surveying. The Agreement also allows placement of personnel, machinery and equipment on the lands to perform those duties. **(Contract No. 20020064)**
16. Right-of-Entry Construction Easement Agreement with the Northwest Foot Clinic, Inc. to permit entry upon the Collins Road/SR 20 area. This is for the purpose of construction and installation of a hammerhead adjacent to the South leg of Collins Road. The hammerhead is required as part of the Collins Road/SR 20 Traffic Signalization Project. **(Contract No. 20020065)**
17. Right-of-Entry Construction Easement Agreement with Jack and Charlotte Mason to permit entry upon the Collins Road/SR 20 area. This is for the purpose of construction and installation of a hammerhead adjacent to the South leg of Collins Road. The hammerhead is required as part of the Collins Road/SR 20 Traffic Signalization Project. **(Contract No. 20020066)**
18. Memorandum of Understanding between Skagit County Public Works Department and Puget Sound Energy to provide a licensed program operated by Puget Sound Energy to teach school-age children about conservation, water, energy, air pollution, recycling and waste. This program is conducted in Western Washington schools with the cooperation of the school districts and other agencies. The Agreement shall begin March 19, 2002 and continue until June 30, 2002. The cost will be \$7 per student with a not-to-exceed limit of \$2,000 during the 2001-2002 school year. This expense is covered within the Recycling Education Budget. **(Contract No. 20020067)**

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 25, 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 115251 through 115754 in the total dollar amount of \$1,658,812.60 (Transmittal No. 16-02).

2. Chris Stamey, Financial Administrator, presented the Board with a Resolution Creating Skagit County's Insurance Cost Assessment Policy. He explained that on July 24, 1995, Resolution No. 15840 was adopted, which created the policy. The purpose of this fund is to cover all costs associated with Skagit County's future liabilities, payment of claims or judgments against the County, payment of insurance premiums and other risk management endeavors. The modification of this plan is now necessary to provide an equitable pro-ration of costs associated with the Insurance Services Fund #503.

Commissioner Dahlstedt moved to approve the Resolution as outlined by Mr. Stamey. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution No. R20020061)**

3. Brad Whaley, Finance Director, briefed the Board about the Best PLACE cost allocation. He said he will put together a Resolution for the Board's approval and signature in the near future.

4. Chal Martin, Public Works Director, presented a Resolution amending Resolution No. 18531 for the approval of sick leave transfer for Gary Casperson. Mr. Casperson has exhausted the 300 hours of allotted donated sick leave he received by virtue of Resolution No. 18531 and is in need of an additional 100 hours of donated sick leave, the total of which is still available to him by virtue of excess donated hours provided as a result of Resolution No. 18531.

Commissioner Dahlstedt moved to approve the amendment of the previous Resolution as outlined by Mr. Martin. Commissioner Anderson seconded the motion and it passed unanimously. **(Resolution No. R20020062)**

5. Mr. Martin reviewed the Biomass Power Plant Feasibility Study Grant with the Commissioners. He explained that on February 15, 2002, Ric Clarke of Energy Products of Idaho (EPI) met with Commissioner Dahlstedt, Don Wick from EDASC, and Gary Sorensen from Public Works to propose a partnership between EPI and Skagit County to apply for a Federal grant to fund a feasibility study that would determine whether it would be economically plausible to develop a biomass power plant in Skagit County.

EPI has developed 81 biomass power plant systems around the world since 1973. Their systems utilize EPI's fluidized bed combustion technology. According to EPI, their technology can consume virtually any organic material to produce steam/power in an environmentally friendly manner. The vast majority of plants utilizing their system uses various wood products for fuel; mostly categorized as wood waste. However, several plants use various sludges as fuel including that derived from sewage, paper, and wastewater treatment plants. Agricultural waste can also be an important fuel source.

EPI believe Skagit County is a good candidate for a biomass power plant due to its close proximity to timberlands from which overgrowth (“ladder fuels”) will be harvested and has other potential fuel sources to combine with the forest fuels. They estimate the cost for the feasibility study at \$50,000. If awarded, the grant would be used to fund 80% of the total, or \$40,000. A 20% local match (\$10,000) is required. However, of the local match, EPI would provide \$8,000 and Skagit County would provide \$2,000 of the match. Skagit County would serve as the grant applicant, while EPI would prepare the grant application at no cost to the County.

Commissioner Dahlstedt motioned to approve applying for the Biomass Power Plant Feasibility Study Grant as outlined by Mr. Martin. Commissioner Anderson seconded the motion, which passed unanimously.

6. Commissioner Dahlstedt made a motion to approve an Evacuation Order due to a mud slide at Cascade River Park. It reads as follows:

WHEREAS, there were unusually heavy rains in the Eastern portion of Skagit County on Friday, February 22, 2002, causing a large mud slide on the South side of the Cascade River within the Cascade River Park development; and

WHEREAS, this mud slide posed a serious threat to property and the residents of a portion of Cascade River Park; the Board of County Commissioners ordered an evacuation of that portion of the Plat of Cascade River Park located South of the Cascade River between the bridge over the Cascade River and Boulder Creek effective as of 3:00 p.m., Friday, February 22, 2002.

This proclamation is to remain in effect until further notice.

Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution No. R20020063)**

7. Commissioner Dahlstedt read an emergency Resolution that was verbally approved on Friday, February 22, 2002.

WHEREAS, the rains on Thursday, February 21, and Friday, February 22, 2002, were extremely heavy, and snow melt was excessive due to the warming trend; and

WHEREAS, the Skagit and Sauk Rivers are higher than normal and due to the intensity of the rain, there are slides, damage to property, public and private, and various streams and creeks are out of their banks causing general flooding throughout Skagit County; and

WHEREAS, damage has and is still occurring to roads and bridges, private roads, homes, businesses and farmlands; and

WHEREAS, persons and property are and will be damaged unless further efforts are taken to reduce the threat to life and property; and

WHEREAS, there is an emergency present, which necessitates activation of the Skagit County Emergency Management Plan.

NOW, THEREFORE, BE IT RESOLVED that the Board of Skagit County Commissioners hereby declare that an emergency exists effective 1:00 a.m., Friday, February 22, 2002, and hereby authorize the expenditure of funds as required to meet the emergency. This action is in accordance with RCW 36.40.180 and 38.52.070.

Commissioner Dahlstedt motioned to approve the emergency Resolution as outlined. Commissioner Anderson seconded the motion, which passed unanimously. (**Resolution No. R20020064**)

PROCLAMATION – RECOGNIZING THE BICENTENNIAL ANNIVERSARY OF THE FOUNDING OF WEST POINT:

Retired Army Colonel Paul Schweikert, West Point graduate, Class of 1954, thanked the Commissioners for recognizing the bicentennial of the prestigious U.S. Military Academy at West Point, located about 35 miles North of New York City on the Hudson River.

West Point graduates were a crucial part of Washington's rise to statehood. During the 1840's and 1850's when white settlers began pouring into the Pacific Northwest, West Point was the only engineering school in the country. So, most of the surveyors and engineers appointed to explore the territory were graduates of the military academy. One of those men was Isaac I. Stevens, a decorated war hero who became Washington's first territorial governor in 1853.

Bruce McBane, another former cadet who graduated from West Point in 1969, is now the director of public affairs at Skagit Valley College. Mr. McBane and Mr. Schweikert are part of the West Point Society of the Puget Sound. As part of the 200th anniversary celebration, the group is donating copies of the book "West Pointers and Early Washington" to city and school libraries in Skagit County. The book is also going to the Skagit County Historical Museum in La Conner.

Monday, March 4, 2002, Mr. Schweikert and Mr. McBane will visit Sedro Woolley High School, where a current senior, Kurt Goodell, has been accepted to West Point and will be leaving in June. Another former Sedro Woolley resident and graduate from West Point Class of 1999, is Travis Rayfield. He is currently stationed in Washington and will taking a leave from his current military duties to attend next Monday's proclamation in Sedro Woolley

Commissioner Dahlstedt read the proclamation proclaiming the period of February 1, 2002 through March 16, 2002 as the Bicentennial of the United States Military Academy in Skagit County.

WHEREAS, the United States Military Academy has achieved 200 years of leadership and service to the United States of America and to the principles of "Duty, Honor, Country"; and

WHEREAS, Distinguished Graduates of the United States Military Academy have led our Nation's Armed forces in peace and war, many of them giving their lives in the performance of duty to maintain our freedoms; and

WHEREAS, Graduates of West Point played a major role in developing the State of Washington, including Isaac Ingalls Stevens, USMC Class of 1938, the first Territorial Governor; and

WHEREAS, Graduates continue to serve Skagit County in business, industry, government, security and support for our community; and

WHEREAS, Graduates from our community who are currently serving in the Armed Forces are deployed worldwide protecting and defending our Country now and into the future; and

WHEREAS, Our sons and daughters who are Cadets of the united States Corps of Cadets are being trained and educated to be our Nation's next leaders as West Point moves into its Third Century of service.

Commissioner Dahlstedt motioned to approve the proclamation that February 1, 2002 through March 16, 2002 be designated as the Bicentennial of the United States Military Academy in Skagit County. Commissioner Anderson seconded the motion, which passed unanimously.

ADJOURNMENT:

Commissioner Dahlstedt made a motion to adjourn the proceedings. Commissioner Anderson 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