

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, MAY 20, 2002**

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| 8:30 a.m. – 9:30 a.m. | Work Session – County Administrator |
| 9:30 a.m. – 9:45 a.m. | Bid Opening – One New 10,000 lb. Fork Truck |
| 9:45 a.m. – 10:00 a.m. | Request for Continuation of Appeal Nos. PL#02-01691 and PL#02-0124 – Dena Blatt |
| 10:00 a.m. – 10:45 a.m. | Department Head Meeting |
| 10:45 a.m. – 11:15 a.m. | Consent Agenda and Miscellaneous Items |
| 11:15 a.m. – 11:30 a.m. | Public Comment Period |
| 11:30 a.m. – 12:00 p.m. | Executive Session – Personnel, Litigation and Land Acquisition |
| 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, May 20, 2002, with Chairman Don Munks and Commissioner Kenneth A. Dahlstedt present. Commissioner Ted W. Anderson's absence was excused.

BID OPENING – ONE NEW 10,000 lb. FORK TRUCK.

Dub Queen and Greg Dennis, Public Works Department, opened the following bids for one new 10,000 lb. Fork truck:

Rental Corporation
1301 E. College Way
Mount Vernon, WA 98273
No Bid Bond
No Bid Sheet
Total Bid: \$39,033.30
Alternate Bid: \$38,741.16
(Rental Corporation will be disqualified for not providing the necessary bid requirements)

Hyster Sales
9892 40th Avenue South
Seattle, WA 98118
Bid Bond Enclosed
Total Bid: \$35,023.00

Farmer's Equipment
P. O. Box 393
Lynden, WA 98264
Bid Bond Enclosed
Total Bid: \$32,048.46

Clarklift
1313 South 96th Street
Seattle, WA 98108
Bid Bond Enclosed
Total Bid: \$34,587.52
Alternate Bid: \$31,790.00

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Mr. Queen advised that the bids would be reviewed and a bid award recommendation would be brought forward within the next week or so.

REQUEST FOR CONTINUATION OF APPEAL NOS. PL#02-01691 AND PL#02-0124 – DENA BLATT.

Marge Swint, Associate Planner, advised the Board that the Planning and Permit Center staff does not believe this hearing should be postponed any longer than necessary.

Ms. Swint said this permit request was started in 1997 as a result of an enforcement action. There is a history of repeated requests for additional time to try and resolve the matter without further litigation. Those attempts have failed. In addition, there have been numerous delays because the applicant and/or her representative have been very slow in answering our requests for additional information.

Paul Taylor, Attorney At Law, explained that he has been retained by Dena Blatt, replacing John Schultz, to negotiate a settlement with the County with respect to the shoreline variance and critical areas decisions and attempt to avoid further litigation in what has already been a significantly lengthy process.

Mr. Taylor is requesting a sixty day continuance of the consolidated appeals to allow time to review the records and to negotiate a settlement. He said Ms. Blatt has waived the right to have a decision made within sixty days of filing of her shoreline variance appeal.

Ms. Swint advised Mr. Taylor that this is a closed record appeal and he cannot add any new information.

Commissioner Dahlstedt motioned to continue the appeal until Tuesday, July 23, 2002 at 2:00 p.m. Chairman Munks seconded the motion, which was carried.

DEPARTMENT HEAD MEETING.

Chairman Munks welcomed everyone to the Department Head meeting. He said the Commissioners will be attending a NACo Conference in Billings, Montana and will be in the office on Tuesday, May 28, 2002.

Chairman Munks also noted that the Board is finalizing the process for hiring a new County Administrator. Seven finalists will be interviewed on June 6, 2002. There were approximately sixty applicants scattered throughout the United States.

Dan Berentson, Community Liaison, said he met with the Skagit Valley Herald staff regarding the many advertising contracts the County currently has with them. These contracts will be consolidated, which should result in a savings of approximately 9%. Each department will continue to receive separate invoices. He will be contacting the departments that will be affected to answer any questions they may have.

Brad Whaley, Finance Director, reported that timber tax revenues have been coming in steadily. About \$650,000 has been received thus far, which is unbudgeted revenue that will help stabilize things for the rest of the year.

Mr. Whaley also spoke about the Capital Facilities Plan. The first plan was completed by a consulting firm in 1995. It was done again in 2000 by the previous administration, which covered the period 2001-2006. He would like to put together a steering committee to look at what is currently in place. The committee would be comprised of representatives from Finance, the Sheriff's office, Public Works and the Planning and Permit Center. Henderson, Young and

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Associates may also be hired to assist. The updated plan must be completed by September/October, 2002 in order to coincide with the County budget process.

Chairman Munks said the Capital Facilities Plan is another unfunded mandate that helps identify all of the capital facility projects for the entire county. He said several eastern counties in Washington decided to document all unfunded mandates. After each one is completed, the State is billed for the work that has been done. If the State can reimburse the counties for the mandates, it would lessen the impact during the budget process. He encouraged each department to identify any unfunded mandate that effects them and forward the list to Mr. Whaley.

Mr. Whaley added that if the State decides they will not reimburse the counties for money spent, the mandates should be repealed.

Peter Browning, Health Department Director, reported that the first "Walk-N-Roll" event was a rousing success. More information will be available for the next date of June 21 to alert participants about prizes that will be awarded. Skagit County is the only county in the State that was awarded activity coalition funding in the amount of \$30,000.

Tim Holloran, Senior Services Director, asked the Board to look into the possibility of installing lighted crosswalks near the courthouse on Second Street as well as across Third Street leading to the Public Safety Building. With the multi-modal project taking shape, he feels it would be appropriate to obtain crosswalks that set off lights when the crosswalk button is pushed.

Mr. Holloran also spoke briefly about the 5th Annual Special Relays that were held Saturday at Burlington-Edison High School. Approximately 120 special athletes attended the event. He said Skagit County has the strongest community support of anyone on the west side.

Nancy Brown, Youth & Family Services Director, expressed confusion about the budget meeting scheduled for May 30, 2002. She would like to use it as a problem solving session instead of an open meeting with the three Commissioners.

Chairman Munks said only one Board member would be in attendance. He said this will be a brainstorming session to find ways to cutback, curtail or add revenue to the budget. Every department is different and everyone's participation is needed and appreciated.

Mr. Whaley said he is looking at the various departments to determine what can be done away with, what they need to keep, and what do we have to fund.

CONSENT AGENDA.

Commissioner Dahlstedt motioned to approve the Consent Agenda for Monday, May 20, 2002, items 1-32. Chairman Munks seconded the motion, which was carried.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, May 13, 2002.
2. Record of the Proceedings for Tuesday, May 14, 2002.
3. Resolution Adopting the Findings and Recommendations of the Hearing Examiner Approving a Timber Open Space Application of Terrence, Harlyn, James Meyer and Erin Deller, CU/TTR #1-2002. **(Resolution No. R20020164)**
4. Resolution Appointing Donald Mock as a County Designated Mental Health Professional beginning May 13, 2002. **(Resolution No. 20020165)**

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5. Resolution Appointing M. Zakova Thorsen as a County Designated Mental Health Professional beginning May 13, 2002. **(Resolution No. R20020166)**
6. Vendor Services Agreement with Kelly Services to provide temporary services on an "as needed" basis which might consist of reception duties, technical positions, mail handling assistant, etc...for the Commissioners' Office and the Department of Administrative Services. The Agreement shall commence on January 1, 2002 and continue until either party terminates. Compensation shall not exceed \$15,000. **(Contract No. C20020176)**

AUDITOR'S OFFICE:

7. Resolution Authorizing a Call for a Public Hearing to Review New and Amended Voting Precinct Boundaries, to be held on Monday, June 10, 2002 at 9:30 a.m. **(Resolution No. R20020167)**

BUDGET & FINANCE:

8. Interlocal Agreement with the Sedro Woolley School District for the construction of a covered play area at Big Lake Elementary School for the sum of \$10,000. **(Contract No. C20020177)**
9. Memorandum of Agreement with the La Conner Chamber of Commerce to promote Skagit County tourism, both locally and regionally, through a co-op ad in conjunction with other Skagit County Chambers.. The Agreement term is for calendar year 2002, and the County will provide \$1,500 in funding. **(Contract No. C20020178)**

CONSERVATION FUTURES:

10. Grant Deed of Conservation Easement with Thomas and Fay Shane extinguishing three development rights and permanently protecting approximately 40 acres of farmland along McLean Road for a payment of \$152,731.73. **(Contract No. C20020179)**
11. Grant Deed of Conservation Easement with Donald Kruse extinguishing one development right and permanently protecting approximately 45 acres of farmland along Polson Road on Fir Island for payment of \$38,059.24. **(Contract No. C20020180)**

INFORMATION SERVICES:

12. Personal Services Agreement with Serv-Link to perform software development, network analysis and design and also training. The term of the Agreement shall commence on April 1, 2002 and continue until March 31, 2003. Compensation shall not exceed \$80 per hour for services. **(Contract No. C20020181)**
13. Vendor Services Agreement with Right! Systems, Inc. to provide the set-up, configuration, implementation, and initial operation of Citrix MetalFrame Secure Gateway proof of concept project, including ongoing support and troubleshooting. The Agreement shall commence in May 2002 and continue until either party terminates. Compensation shall be \$1,800 with a not-to-exceed total of \$3,000. **(Contract No. C20020182)**

MISCELLANEOUS:

14. Personal Services Agreement with Mary Dumas to plan for and facilitate a retreat to develop a Law and Justice Plan for Skagit County. The work of the contractor includes pre-retreat preparation and planning as well as written materials to be presented at the retreat. The term of this Agreement shall begin and end on January 23, 2002. The contractor shall be compensated at the rate of \$1,000 for the one-day retreat. **(Contract No. C20020183)**

PARKS & RECREATION:

15. Personal Services Agreement with Douglas Consulting to prepare a final environmental assessment for NEPA approval for approximately 40 acres of property in Marblemount, WA known as Pressentin Park. This property is proposed to be developed as a park and recreation facility with a significant area set aside as a Native Growth Protection Area. The Agreement shall commence on March 25, 2002 and continue until March 1, 2003. Compensation shall not exceed \$4,950. **(Contract No. C20020184)**

PLANNING & PERMIT CENTER:

16. Interim Ordinance Amending Ordinance **No. R20020135** Relating to Sections of the Critical Areas Ordinance, Specifically SCC 14.24.120(3)(g) and (4)(e), to Extend the Deadline for Choosing a Buffer Option and Extend the Timeline for Compliance for Implementation of Site-Specific Plans and Referring the Matter to the Planning Commission for a Public Hearing. **(Resolution No. R20020168)**
17. Personal Services Agreement with Berryman & Henigar, Inc. to perform plan review services outside of the Planning Department's expertise, primarily for review of building sprinkler systems. The work is performed only at the Department's request and the cost of the service is billed to the permit holder as required in the fee schedule adopted by **Resolution No. 16819**. The Agreement shall commence on May 1, 2002 and continue until May 1, 2004. Total compensation shall not exceed \$10,000. **(Contract No. C20020185)**
18. Amendment No. 1 to Loan Agreement **No. 05147** with the State of Washington Department of Ecology for the Subsurface Effluent Disposal Field Design Project. This Amendment increases the loan amount by \$16,100 and extends the project completion date to December 31, 2002. **(Amendment No. A20020058)**

RISK MANAGEMENT:

19. Personal Services Agreement with Anderson Vocational Services to assist in the development of an Early Return to Work Program, which will include identifying specific job tasks available for temporary work assignments for injured workers; develop and write job descriptions for the identified tasks in a format to be submitted to the treating physician for review and approval; participate in training of the Early Return to Work Program, which includes written and verbal materials; various other elements of development as requested by the Risk Manager. The term of this Agreement shall commence on May 1, 2002 and continue until May 1, 2003. Compensation shall be at a rate of \$75 per hour with a not-to-exceed amount of \$5,000. **(Contract No. C20020186)**

SHERIFF'S DEPARTMENT:

20. Out-of-State Travel Request for Detective Dean E. Miller to attend the Northwest Polygraph Examiner's Association annual training in Newport, Oregon from June 24-28, 2002. The total cost would be \$485.15. The annual training provides needed hours to remain certified in polygraph that is not available unless attending a national training event in Albuquerque, New Mexico by A.P.A. **(Approved)**

YOUTH & FAMILY SERVICES:

21. Resolution Amending **Resolution No. 17371** on Policies Regarding the Mentorship Program. The Resolution will increase the amount a mentor can spend per month on a child to \$35 per month per child, not to exceed \$420 per year per child, which includes money spent on the cost of activities for both the mentor and the child combined. **(Resolution No. R20020169)**
22. Interlocal Cooperative Agreement with the Anacortes School District. The Anacortes School District will share financial support with Skagit County to provide services to children, such as counseling, mentoring and recreational activities. This Agreement shall commence on January 1, 2002 and continue until December 31, 2002. Compensation shall be \$8,000 and Skagit County will provide any additional support cost for this service. **Resolution No. 17300** approved the Interlocal Cooperative Agreement between Skagit County and all County School Districts. **(Contract No. 20020187)**
23. Personal Services Agreement with Julian Byrd to provide specialized child, adolescent, adult and family assessment, evaluation and treatment for group and/or individual and/or families as requested. The Agreement shall commence on July 1, 2002 and continue until June 30, 2004. Compensation shall vary from \$20 to \$70 per hour, depending upon the services, which shall not exceed \$10,000. **(Contract No. 20020188)**
24. Amendment No. 2 to Personal Services Agreement **No. 05293** with Child Welfare League of America, which would extend the contract period performance to June 30, 2003 and add an additional \$15,000 to the Contract. **(Amendment No. A20020059)**

PUBLIC WORKS DEPARTMENT:

25. Amendment No. 1 to Vendor Services Agreement **No. 05303** with Land Title Company to extend the expiration date of the Agreement to May 1, 2003. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20020060)**
26. Local Agency Standard Consultant Agreement with GeoTest Services, Inc. for the Morris Street Improvement Project No. ES9700-3. The scope of work for this Agreement will provide geotechnical engineering services for the storm water pump station site location. The maximum amount payable is \$5,800 with work to be completed by December 31, 2002. **(Contract No. C20020189)**
27. Amendment No. 3 to Professional Services Agreement **No. 05063** with Michelle McConnell, who was hired by the County to assist in the development of educational materials to inform the public about the Skagit MRC, its mission, and its early focus on bottomfish resources. The changes to the Agreement will change the effective start date of this Amendment to April 15, 2002 continuing through to August 30, 2002. Also, a public meeting will be conducted by June 1, 2002, a draft report will be due by July 15, 2002 and the final report will be due by August 30, 2002. It will also add \$750 to the contract. **(Amendment No. A20020061)**

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28. Local Agency Standard Consultant Agreement with HWA Geosciences, Inc. to provide professional geotechnical work for the Main Street Road Improvement Project; Baker River Bridge Rehabilitation Project; Town of Concrete and Helmick Road Project – Skagit County. The maximum amount payable is \$33,401, with a completion date of August 31, 2002. **(Contract No. C20020190)**
29. Personal Services Agreement with Semrau Engineering and Surveying to examine the drainage problems at Emanuel Lane and advise the Public Works Department regarding correction options. The information will be used to select the best possible solution to alleviate the problems that residents currently are experiencing. The consultant will prepare plans for the selected corrections and Public Works will consider and undertake construction, either by outside contractors or Skagit County Operations crews. The term of this Agreement shall commence on April 1, 2002 and continue until September 30, 2002. Compensation shall not exceed \$19,350. **(Contract No. C20020191)**
30. Resolution to Approve a Construction Contract with Rinker Materials for the 2002 Aggregate Crushing Project No. CCP 122-8. **(Resolution No. R20020170)**
31. Construction Contract with Rinker Materials for the 2002 Aggregate Crushing Project No CCP 122-8 for the amount of \$627,342. The Contract shall commence May of 2002 and be completed within 90 working days. **(Contract No. C20020192)**
32. Personal Services Agreement with Michelle McConnell to assist in the development of educational materials to inform the public about derelict gear and the dangers they pose to people and marine resources. The Agreement shall commence on April 15, 2002 and continue until July 31, 2003. Compensation shall not exceed \$12,000. **(Contract No. C20020193)**

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, May 20, 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 120841 through 121268 from Clearing Fund 696 in the total amount of \$437,874.49 (Transmittal No. C-42-02).

2. Brandon Black, Associate Planner, brought before the Board a land division request (long CaRD #PLO1-0763) for the creation of six single-family lots on approximately 30.74 acres. The project proposal is to create six lots ranging in size from approximately .65 acres to approximately 26.63 acres in size. It is located within a Rural Reserve zoning/comprehensive plan designated area as indicated in the Skagit County Comprehensive Plan and associated maps as adopted July 24, 2000. Mr. Black also indicated that a Public Meeting is needed for the signing of the Mylar. It will take place on Tuesday, May 28, 2002 at 11:45 a.m.

Commissioner Dahlstedt moved to approve a Public Meeting for the purposes as outlined by Mr. Black. Chairman Munks seconded the motion, which carried.

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PUBLIC COMMENT PERIOD.

Tom Solberg, 19019 Minnie Road, Alger, spoke about his disappointment with the Commissioners over decisions made at the Skagit County Planning & Permit Center's work session regarding planning and growth management budgeted tasks for 2002. In 1997, Mr. Solberg brought forward a Subarea plan for the Alger area. He brought the Subarea plan to the Board several times after that. To date, 87 families in Alger have agreed to the plan. There is worry that the Tribe will build a huge complex in that area of which the property owners will have no say in the matter. He asked the Commissioners to find money for Subarea projects to at least get them started.

Chairman Munks said they have been working at ways to fund the projects. He indicated that the cities, the Tribe and environmentalists are all suing the County and therefore, any Subarea plan would have been challenged. The second obstacle is the fact that unless different people are elected at the State level, the County will be unable to make any headway with the current elected officials.

ADJOURNMENT.

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

**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