

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
MONDAY, SEPTEMBER 23, 2002**

8:30 a.m. – 9:30 a.m.	Work Session – County Administrator
9:30 a.m. – 9:45 a.m.	Signature – Letters to Agencies Regarding the Rewrite of the Critical Areas Ordinance
10:00 a.m. – 10:45 a.m.	Department Head Meeting
11:00 a.m. – 11:30 a.m.	<b>Consent Agenda and Miscellaneous Items</b>
11:30 a.m. – 11:45 a.m.	Public Comment Period
2:00 p.m. – 4:00 p.m.	Executive Session – Personnel, Litigation, and Land Acquisition
6:30 p.m. – 8:30 p.m.	Public Informational Meeting Regarding the Rewrite of Skagit County Code Section 14.24.120, “Ongoing Agriculture on Agricultural Land.” (Skagit Valley College Cafeteria, 2405 E. College Way, Mount Vernon)

The Skagit County Board of Commissioners met in regular session on Monday, September 23, 2002, with Commissioners Don Munks, Kenneth A. Dahlstedt and Ted W. Anderson present.

**SIGNATURE – LETTERS TO AGENCIES REGARDING THE REWRITE OF THE CRITICAL AREAS ORDINANCE.**

Tom Karsh, Planning & Permit Center Director, presented five letters addressed various agencies soliciting input and assistance as the County continues work on a Critical Areas Ordinance that would apply to existing, ongoing agricultural operations on designated natural resource lands in Skagit County.

Commissioner Dahlstedt motioned to approve signing the letters as outlined by Mr. Karsh. Commissioner Anderson seconded the motion, which passed unanimously.

**DEPARTMENT HEAD MEETING.**

The Board of Skagit County Commissioners welcomed everyone to the Department Head meeting.

Mike Almvig, Information Services Director, spoke about the Information Technology Advisory Committee (ITAC). He thanked those members that participated on the committee for the 2001-2002 year. They were responsible for doing a lot of work on policies and actually implemented the first security policy for Information Technology of Skagit County. The committee also did a lot of groundwork for standards and guidelines in security, which have not yet been adopted. The Department of Information Services has an ITAC website where all of the notes and agendas for the committee meetings are available. According to Resolution, the committee membership expires on September 20, 2002, therefore, new members are being sought.

Brad Whaley, Finance Director, discussed unemployment insurance. He asked that anyone who has grants within their department report the unemployment insurance as part of their grant billings. He also stated that staff has been working on a structure for indirect cost allocations for 2002-2003. It will be slightly different than in the past and a manual will be developed based on the actual numbers for 2002, in which to do grant billings for 2003. Mr. Whaley said himself, Chris Stamey and Mike Edwards have continued to visit several departments with the intent of

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putting together a final budget recommendation. He welcomes any feedback as to how the system has worked thus far.

Chairman Munks introduced Dave Rohrer, former Skagit County Commissioner, who stopped by to listen to the proceedings.

Tom Verge, Prosecuting Attorney, announced that last week the Prosecutor's office was approved for a \$593,000 federal grant stemming from the Violence Against Women Act. It will allow the creation of a Domestic Violence Prosecution Unit and include approximately 600 misdemeanor or grossdemeanor domestic violence cases and between 50 to 75 felony domestic violence arrests.

Mr. Verge gave credit to Jim Dolan for initiating an audit that brought to light two primary issues of concern. Law enforcement, when responding to domestic violence, felt the information was not being gathered quickly enough from E911 personnel. The officers also noted that when they arrived at the scene, oftentimes protection orders were in place but they didn't know exactly what the most current protection orders were.

This is a 2-year grant that will pay for a deputy prosecutor, a legal assistant, a half-time grant administrator and a fulltime District Court Probation Officer to focus both on pretrial and post conviction of domestic violence cases. This grant does not require matching funds from the County. A quarter of a million dollars of it will be devoted strictly to training issues. The final portion will go to the Domestic Assault Response Team (DART). Under this program, Skagit Domestic Violence and Sexual Assault Services will be provided funding to allow victim's advocates to be able to respond to the scene of domestic violence arrests to further assist victims immediately after law enforcement officers have completed their investigation.

Mr. Verge noted that District Court has agreed to hold Domestic Violence Court on the second Wednesday of each month, beginning in November or December of 2002.

Bill Shuler, Skagit County Community Action Agency, stated that his agency will be working in tandem with our grant if it is accepted. They have received a grant which allows the agency to hire an additional attorney to work exclusively on domestic violence issues.

Gary Gaer, Public Defender, expressed his concerns regarding the additional impact the domestic violence grant would have on the workload of his department.

Danny Weinberg, Auditor's office, advised that if the grant is accepted, the Auditor and the Budget Director will need to be notified.

Roy Atwood, County Administrator, informed everyone that four companies have responded to the Request for Proposals for the salary survey. Two firms have been narrowed down and interviews will take place on Tuesday, September 24, 2002.

Peter Browning, Health Department Director, said a \$20,000 grant was received to start an activity coalition about four years ago. An employee from the YMCA was hired to manage the coalition and it has been growing steadily ever since. Regence Blueshield has offered funds to activity coalitions in Skagit, San Juan, Whatcom and Island counties. Skagit County will be organizing and directing the other three counties to help them develop an activity coalition similar to ours. Mr. Browning indicated that Skagit County would be a great organization to become one of the pilot projects for a pedometer program. A web-based reporting mechanism would be put into place to track progress. He would like to know if this should be County-wide or departmental pilot project.

Mr. Browning next talked about the Health Insurance Portability & Accountability Act of 1993, which should be in full force right now. The Clinton administration decided that people's health insurance is their own and it needs to be monitored very carefully as it is transmitted across

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electronic waves, sent through the mail or faxed. The County itself is a liable organization. He will be applying for a one year extension that is guaranteed and will be sent in for the entire County.

He then spoke about the United Way drive that is currently underway in Skagit County. Mr. Browning, Bill Shuler and Karen Parnell from Community Action will be responsible for giving the United Way presentations. County hearing rooms will be available so County employees have a chance to filter through and gather information. United Way forms will be distributed at that time. He also stated that payroll deduction needs to be reauthorized every year.

Mr. Shuler noted that United Way supports over 20 agencies in Skagit County. It is a very important program and all the volunteer work that has been going on is greatly appreciated.

Mr. Browning said the campaign goal last year was \$725,000 with \$737,000 actually received. The goal this year is \$750,000.

Senior Services Director Tim Holloran asked the Board if the Wellness Program could be started again. It would definitely be proactive and could possibly impact health insurance premiums.

Dan Berentson, Communications Director, reminded everyone that Flood Awareness Week will take place October 21-25, 2002. The Public Works Department and the Department of Emergency Management will be working together to promote a number of training opportunities and activities with the main focus being public safety. More information will be available in the next few weeks.

**CONSENT AGENDA.**

Commissioner Dahlstedt motioned to approve the Consent Agenda for Monday, September 23, 2002, items 1 through 30. Commissioner Anderson seconded the motion, which passed unanimously.

**COMMISSIONERS' OFFICE:**

1. Record of the Proceedings for Monday, September 16, 2002.
2. Record of the Proceedings for Tuesday, September 17, 2002.
3. Resolution Regarding the Matter of the Election to Receive National Forest Related Safety-Net Payments Under P.L. 106-393. **(Resolution No. R20020336)**
4. Amendment No. 1 to Personal Services Agreement **No. C20020295** with Eugene Knapp to extend the payment of services of Paralegal Lynn McKinster, effective July 31, 2002. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20020118)**

**BUDGET/FINANCE DEPARTMENT:**

5. Interlocal Cooperative Agreement with the Town of Concrete for the "Town of Concrete Central Business District Water System Improvements" project for funding totaling \$200,000. **(Contract No. C20020340)**
6. Interlocal Cooperative Agreement with the City of Sedro-Woolley for the "City of Sedro-Woolley Curtis Street/Northwest Hardwood Extension" project for funding totaling \$75,000. **(Contract No. C20020341)**

**DISTRICT COURT PROBATION:**

7. Interlocal Cooperative Agreement with the City of Burlington regarding the provision of probation services to the City. The Skagit County District Court Probation Department has provided probation services to cities in past years based on their participation in the consolidated district/municipal court judicial services plan. The term of this Agreement shall be from January 1, 2002 through December 31, 2002. The City shall compensate the County \$92.17 per service unit. **(Contract No. C20020342)**

**EMERGENCY MANAGEMENT:**

8. Ordinance Amending Ordinance **No. 015129** and Chapter 12.60 of the Skagit County Code Regarding Burning Permits. **(Ordinance No. O20020005)**

**FACILITIES MANAGEMENT:**

9. Vendor Services Agreement with ORETEL Communications, Inc. to provide periodic repair and maintenance on the Skagit County phone system. The Agreement shall commence on the date of execution and continue until July 31, 2004. The compensation amount shall not exceed \$5,000. **(Contract No. C20020343)**

**FAIR:**

10. Rental Agreement between the Skagit County Fairgrounds and Don Powell as Caretaker. The Caretaker agrees to perform necessary routine maintenance tasks in exchange for occupancy of the residence located at 1410 Virginia Street, Mount Vernon. The house will have a rental value of \$850 and a total of 100% of the rent, \$850, will be deducted each month because of the benefits the Department receives by the Caretaker residing on the property. The Agreement shall commence on January 1, 2002 and continue until December 31, 2002. **(Contract No. C20020344)**

**HEALTH DEPARTMENT:**

11. Amendment No. 7 to Consolidated Contract **No. 05194** with the Washington State Department of Health to reduce funding for Childcare Capacity and Safe Drinking Water budgets and add an additional \$27,500 to Bio-terrorism funding. This Amendment reduces the contract by \$1,791 for a revised total maximum consideration not to exceed \$991,994. The effective date of this Amendment is October 1, 2001. All other terms and conditions of the original contract and any subsequent amendments hereto remain in full force and effect. **(Amendment No. A20020119)**

**HUMAN RESOURCES:**

12. Personal Services Agreement with Acordia (Wells Fargo & Company MAC N9305-144) to provide Benefit Broker Services to Skagit County. The term of this Agreement shall commence on September 1, 2002 and continue until September 1, 2004. Compensation shall not exceed \$48,000 per year. **(Contract No. C20020345)**

**HUMAN SERVICES:**

13. Resolution Re-Appointing Joan Lubbe to the Mental Health Advisory Board for the term effective October 1, 2002 and expiring on September 30, 2005. **(Resolution No. R20020337)**

**NOXIOUS WEEDS:**

14. Personal Services Agreement with John Koenig to provide professional services that consist of transporting County employees on the Sauk and Skagit Rivers for the eradication of noxious weeds and for the survey work on the waters of Skagit County. The term of this Agreement shall commence on July 15, 2002 and continue until October 15, 2002. Mr. Koenig will receive the sum of \$350 per day for services. **(Contract No. C20020346)**

**PROSECUTING ATTORNEY:**

15. Personal Services Agreement with Lynn Miner to provide representation for the Prosecutor's Office regarding assigned juvenile cases, including representation at any and all juvenile trials assigned. The Agreement shall commence on August 2, 2002 and continue until September 27, 2002. Compensation shall not exceed \$6,000. **(Contract No. C20020347)**

**SENIOR SERVICES:**

16. Resolution Authorizing Interlocal Agreements with Island Hospital and the Department of Corrections for the provision of meals, including congregate and home delivered meals for the Anacortes Nutrition Project and frozen meals County-wide for the Skagit County Nutrition Project. **(Resolution No. R20020338)**
17. Resolution Awarding a Bid to Lyndale Glass, Inc. of Mount Vernon for the window replacement at the Mount Vernon Senior Center. The total bid price is \$17,950. **(Resolution No. R20020339)**

**YOUTH & FAMILY SERVICES:**

18. Amendment No. 1 to Personal Services Agreement **No. 05455** with Community Mental Health to amend travel costs for training and treatment to the current County rate of \$.365 per mile and adding clarification under the Masters Level Therapists Service section for a group rate. All other terms and conditions shall remain the same. **(Amendment No. A20020120)**
19. Personal Services Agreement with Tom Haan, New Beginnings Counseling Service, to provide specialized child, adolescent, adult and family assessment, evaluation and treatment (group and/or individual and/or families), consultation, education classes, monitoring with written reports as required, and training . The term of the Agreement shall commence on September 1, 2002 and continue until August 31, 2004. Compensation shall range between \$20 to \$70 per hour, depending on the services being rendered. **(Contract No. C20020348)**
20. Amendment No. 1 to Personal Services Agreement **No. C20020204** with The Language Exchange to include Court Interpreter services as needed on a prearranged basis. Total annual compensation shall not exceed \$10,000. All other terms and conditions shall remain in effect. **(Amendment No. A20020121)**

**PUBLIC WORKS DEPARTMENT:**

21. Resolution Calling for a Public Hearing to Authorize the Road Name Change of a County Road Known as Jackson Road #19900 to Munnings Road #19910. The Public Hearing will take place on Tuesday, October 15, 2002 at 9:00 a.m. **(Resolution No. R20020340)**

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22. Vendor Services Agreement with Kamps Painting Company to install pavement markings. The term of the Agreement shall commence on September 9, 2002 and continue to September 9, 2003. Compensation shall not exceed a total of \$8,500. **(Contract No. C20020349)**
23. Right-of-Entry Agreement with Keith Taxdahl to allow Skagit County to collect soil samples from Parcel #P111523, Lot #2, on Emmanuel Lane. **(Contract No. C20020350)**
24. Right-of-Entry Agreement with Tony Taxdahl to allow Skagit County to collect soil samples from Parcel #P111121, Lot #1, on Emmanuel Lane. **(Contract No. C20020351)**
25. Skagit County Guest Speaker Contract with Mary Appelhof to do a presentation on "Worms Bins to Compost Tea" on October 16, 2002. Compensation shall be paid at \$1,000 per presentation. The duration of the Contract is from October 1, 2002 to December 1, 2002. **(Approved)**
26. Personal Services Agreement with Skagit Fisheries Enhancement Group to provide fencing of .344-acre County easement on the South side of the Concrete-Sauk Valley Road near Aldon Creek. Plants will be installed within the fenced area. The term of this Agreement shall commence on June 1, 2002 and continue until October 31, 2002. Total compensation will not exceed \$4,799.98. **(Contract No. C20020352)**
27. Personal Services Agreement with The Language Exchange, Inc. to provide Interpreting Services for Skagit County's Victim Impact Panel Program. The Agreement shall commence on July 15, 2002 and continue until July 15, 2004. Compensation shall not exceed \$1,000 for each calendar year. **(Contract No. C20020353)**
28. Right-of-Entry Agreement with Roland Johnson to allow Skagit County to allow access to Parcel #P74664 to improve an existing drainage system located on the east Shore of Big Lake. **(Contract No. C20020354)**  
  
Perpetual Easement for Storm Drainage on property owned by Roland Johnson, Parcel #P74664. **(Contract No. C20020354)**
29. Right-of-Entry Agreement with Beverly Macken, Parcel #P111521, for the removal of accumulated sediment in and around two parallel culverts crossing under Colony Mountain Road, adjacent to Colony Creek. **(Contract No. C20020355)**
30. Vendor Services Agreement with P & H Morris Material Handling for the manufacture and installation of a new Crane Operator's Chair at the Transfer Station located on Ovenell Road in Mount Vernon. The Contract shall commence on September 30, 2002 and continue until January 31, 2003. Compensation shall not exceed a total of \$30,000. **(Resolution No. R20020356)**

**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, September 23, 2002, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

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Warrant number 128636 from Clearing Fund 696 in the total dollar amount of \$2,068.63 (Transmittal No. C-79-02); and

Warrants numbered 128637 through 129081 from Clearing Fund 696 in the total dollar amount of \$1,542,135.92 (Transmittal No. C-80-02).

2. Chal Martin, Public Works Director, presented a Resolution regarding waiving competitive bidding requirements for the purchase of drainage utility vaults for the La Conner Morris Street Improvement Project. This would enable the Contractor to meet the critical path construction window for this project. The cost of the vaults shall not exceed \$45,000. Commissioner Dahlstedt motioned to approve the Resolution as outlined by Mr. Martin. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution No R20020341)**
3. Brad Whaley, Finance Director, presented a Resolution accepting recommendations for Economic Development projects submitted in July, 2002. He explained that the Town of Hamilton will receive \$166,000 funded from the Rural Distressed County sales tax as authorized by the State of Washington and Skagit County Ordinances and Resolutions. Commissioner Dahlstedt made a motion to approve the Resolution as outlined by Mr. Whaley. Commissioner Anderson seconded the motion, which passed with a unanimous vote. **(Resolution No. R20020342)**
4. The Board reviewed several personnel additions and changes and approved refilling the following open positions:

Geographic Information Services  
District Court  
Information Services

Youth & Family Services

GIS Specialist II, Salary Range 11  
Court Services Asst. III, Salary Range 8  
Software Engineer, Salary Range 31 or below  
Juvenile Corrections Officer, Salary Range 9

**PUBLIC COMMENT PERIOD.**

Chairman Munks opened the public comment period. Commissioner Dahlstedt was unable to be present for the public comment period and was excused.

Don Bockelman, 30623 South Skagit Highway, reported that on September 12 and 13 he had opportunity to fly over Skagit County. He counted 87 gravel bars that are threaded and "if we don't begin the process of removing the gravel from the main stem the result will be disastrous". "There is a high possibility that the gravel in the main stem will come down and unload in front of the bypass and block it." He has spoken to the Corps of Engineers about this and said that it wouldn't cost anything to take care of the problem. "Whether it meets the fish standards requirements is irrelevant because if it continues there will be thousands and thousands of fish stranded. We need to begin this process on an emergency basis." He asked the Commissioners to fly over the County to see what he is talking about.

Mike Jones, 23404 Prairie Road, Sedro Woolley, spoke about the \$1,000,000 liability insurance requirements written into the recently passed exotic animal ordinance. He said they are unable to comply with the requirements for liability insurance because this insurance is not attainable. He said he spoke to the Prosecutor's office who told him they would not back down on this requirement. He said they merely want a permit. The cats are in Snohomish County at this time and there has never been a question, complaint or problem. He said they do have cats now that were purchased prior to the ordinance that are residing in Skagit County.

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In response to a question from Commissioner Anderson, Mr. Jones said that \$100,000 is the normal amount required. He cited New York where the industry standard is \$100,000. There is no ordinance or requirement in many states. Skagit County is about \$900,000 higher than anyone else in the United States. He said they exceed both USDA and ACA requirements. The Sheriff came to the site and made some recommendations, which they have no problem complying with. There has never been a complaint or problem in the five years they have had these animals. They would like to comply with the ordinance but a stipulation is in there that no one at this time could possibly meet. Mr. Jones provided his telephone number to Commissioner Anderson who indicated that he would contact him with any new information.

William David Coburn, 6128 Parkside Drive, Anacortes stated that in the past he has carried \$1,000,000 and \$2,000,000 on his animals, but now it is increasingly hard to get insurance. They have never had an injury and are in a lot of schools and in crowds of people. If public safety is the concern, the chance of getting bit by a dog is much lower than being killed in a car crash. To drive a car, only \$50,000 in liability is required. He informed the Sheriff's office that they can have full access to his property and that they will do everything they can to comply. His animals are kept in double caging and are USDA inspected. He urged the Commissioners to look at the one issue of liability insurance requirements. Mr. Coburn also provided his telephone number to the Board.

Tom Solberg, 19019 Minnie Road, Alger, stated that he has had a week to mull over what he spoke about the previous week. He was unable to attend the Planning Department budget hearing, but a lot of promises were made last year and he was hoping "we could go forward this year on the sub-area plan". He is concerned not only about his property but also about Don Clark and Ken Howard's properties. He is not going to give up. "Our property has been devalued considerably. It seems like there is money available for everything else. People have received wage increases and more people have been hired at the County." "There are lots and lots of disappointed people."

Commissioner Anderson expressed sympathy, speaking about the financial impacts of I-647 and I-695 and how this legislation has had an effect on getting this work done.

Mr. Solberg said he thinks there really needs to be a change at the planning level. He is in total favor of reorganizing the Planning Department.

Commissioner Munks said he understands Mr. Solberg's frustration, but the Planning Department is under direction from the Commissioners that growth hearings board decisions must be a priority. There is a deadline for being in compliance relative to Critical Areas. Guemes Island has moved ahead with the idea of applying for grants and bringing in their own consultant. Other groups are also talking about doing this.

Mr. Solberg said he knows there is a full plate but he has been working on this for ten years. He said he just wants to move on.

Commissioner Anderson agreed that he wants to move on, too. He knows Mr. Solberg is frustrated and suggested that his frustration needs to be directed at the State. "Every time we take a step forward, the Growth Management Hearings Board sends it back to us."

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**ADJOURNMENT.**

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

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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Don Munks, Chairman

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Kenneth A. Dahlstedt, Commissioner

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Ted W. Anderson, Commissioner

ATTEST:

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