

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, OCTOBER 21, 2002**

8:30 a.m. – 9:30 a.m.	Work Session – County Administrator
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.	Discussion/Possible Action – Resolution Accepting the Recommendations of the Economic Development Public Facilities Project Advisory Committee for the Mount Vernon/Burlington Fiber Optics Project, to be Funded From the Rural Distressed County Sales Tax in the Amount of \$750,000
11:30 a.m. – 11:45 a.m.	Discussion/Possible Action – Interlocal Cooperative Agreement with the City of Mount Vernon to Transfer Several Parcels of Land to Skagit County in Exchange for a Piece of Property Currently owned by the County for the Purpose of Developing a Multimodal Facility
11:45 a.m. – 12:00 p.m.	Public Comment Period
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, October 21, 2002, with Commissioners Don Munks, Kenneth A. Dahlstedt and Ted W. Anderson present.

DEPARTMENT HEAD MEETING.

Chairman Munks introduced Gary Rowe as the new Skagit County Administrator. Mr. Rowe hails from Jefferson County. He thanked everyone for the warm welcome.

Peter Browning advised that it is United Way time again. A video presentation will be shown every half an hour on October 31 and November 6 from 9:00 a.m. to 12:00 p.m. in Hearing Room B. United Way Pledge Forms will be given out at that time. He indicated that Dave Brookings will be taking the lead in presenting the program to Public Works employees.

A letter from the Skagit County Board of Commissioners will be sent out, which will explain the function United Way serves in the community.

Karen Parnell from the Skagit County Community Action Agency, gave an overview of the many programs that benefit from United Way funds. More than \$700,000 is raised annually to support needed health and human service agencies. Dollars raised in Skagit County stay in Skagit County. A group of community volunteers examine needs and determine allocations.

Ms. Parnell went on to explain the many services that Skagit County Community Action provides. A United Way video was shown, identifying the various programs that are funded.

Tom Karsh, Planning & Permit Center Director, asked if a pledge could be automatically extended from year to year without doing any extra paperwork. Mr. Browning replied that due to certain legal requirements, pledges must be requested each year.

Chal Martin, Director of Public Works, asked what the United Way goal is for this year. Mr. Browning indicated that it stands at \$750,000, however, if \$800,000 were received, it would be a grand accomplishment.

Mark Leander, Assessor, said on behalf of the Washington Association of County Officials (WACO), two awards are being presented to Phyllis Coole-McKeehen, Skagit County Clerk, and

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Ed Goodman, Skagit County Sheriff. They are both retiring this year and the honor that is being bestowed upon them today is for the many tireless years of service they have dedicated to their respective departments. Ms. Coole-McKeehen gladly accepted her award. Mr. Goodman was not available to accept his award therefore, it will be given out at a later date.

Mr. Rowe indicated that he and Brad Whaley, Finance Director, continue to work on the budget for Skagit County and will be meeting with the Commissioners on Tuesday, October 22, 2002. He also reminded everyone that there are several departments that have not provided their unfunded mandates information to Chris Stamey. He encouraged anyone that has yet to complete the task to do so in a timely manner.

CONSENT AGENDA.

Commissioner Dahlstedt motioned to approve all of the items on the Consent Agenda for Monday, October 21, 2002. Commissioner Anderson seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, October 14, 2002.
2. Record of the Proceedings for Tuesday, October 15, 2002.
3. Personal Services Agreement with Robert K. Weidner to serve as the Washington, D.C. government relation's advisor to Skagit County and other counties of the Rural Lands County Council (RLCC). He will report to and receive guidance from the Commissioners of participating counties in the RLCC. The Agreement shall commence on January 1, 2003 and continue until December 31, 2005. Compensation shall be \$17,500 per year for the term of the Agreement. **(Contract No. C20020369)**

BUDGET & FINANCE:

4. Amendment No. 1 to Interlocal Cooperative Agreement **No. 05220** with the City of Sedro-Woolley to extend the Agreement to February 27, 2004. The extension is needed to complete the Sedro-Woolley Gravity Sewer and Pump Stations project. All other terms and conditions shall remain the same. **(Amendment No. A20020123)**

CONSERVATION FUTURES:

5. Conservation Easement protecting farmland owned by Mark and Cynthia Wheeler. The easement will extinguish four development rights and permanently protect approximately 160.4 acres of farmland north of Edison at a cost of \$198,267.71. Half of the cost of this easement will be reimbursed by the Federal Farmland Protection Program grant. **(Contract No. C20020370)**

FACILITIES MANAGEMENT:

6. Vendor Services Agreement with Fire Extinguisher Service to perform annual maintenance inspections, hydrostatic tests, and recharge on approximately 211 extinguishers located throughout various County buildings. The Agreement shall commence upon the date of execution and continue until September 30, 2004. Total compensation shall not exceed \$8,000. **(Contract No. C20020371)**

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7. Vendor Services Agreement with Fire Extinguisher Service to perform annual backflow prevention assembly tests and repair work associated with the outcome of the backflow tests at various Skagit County building locations. The Agreement shall commence upon the date of execution and continue until September 30, 2004. Total compensation shall not exceed \$2,000. **(Contract No. C20020372)**
8. Vendor Services Agreement with Signal Systems to provide for the repair or replacement of the main control panel #CP-31 in Pyrotronics 3 fire alarm panel, located at 600 South 3rd Street, Mount Vernon. Also, test and verify for a complete and working system. The Agreement shall commence upon the date of execution and continue until September 30, 2003. Compensation shall be \$1,400, not including sales tax. **(Contract No. C20020373)**
9. Resolution to Call for Bids for the demolition of a Skagit County building at 220 Myrtle Street, commonly known as the Masonic Building and to construct a parking lot on the property. The bid opening will take place on November 18, 2002 at 10:45 a.m. **(Resolution No. R20020367)**

HEALTH DEPARTMENT:

10. Amendment No. 1 to Personal Services Agreement **No. 05407** with Island Hospital to provide a Registered Nurse Practitioner under the TAKE CHARGE program and to offer various family planning services at the Anacortes Teen Clinic. The amendment will extend the duration of the contract through September 30, 2002, after which date this contract will terminate. An additional \$1,500 is added to the compensation amount, for a total not to exceed \$9,500. **(Amendment No. A20020124)**
11. Amendment No. 5 to the Department of Social and Health Services Contract **No. 04993** for the Alternative Response System program, which is for families screened by Child Protective Services to be at a low to moderately low risk of abuse or neglect. The amendment extends the Contract to December 31, 2002 and increases the compensation by an additional \$4,446 for a total of \$45,131. All other terms and conditions shall remain the same. **(Amendment No. A20020125)**
12. County Program Agreement with the Department of Social and Health Services for WorkFirst services. This includes CHILDREN WITH SPECIAL NEEDS service, wherein in-home nursing evaluations of children with special medical, developmental or behavioral problems will be conducted by a Public Health Nurse to assist DSHS in determining a participant's level of ability to take part in WorkFirst activities. The Agreement shall commence on November 1, 2002 and continue until June 30, 2003. Compensation shall range from \$150 to \$250 for each child, with no maximum limit on the contract. **(Contract No. C20020374)**

HUMAN SERVICES:

13. Amendment No. 3 to a Personal Services Agreement **No. 04445** with Northwest Care Advocates, Inc. This amendment designates that the contract shall end on December 31, 2002 and the maximum amount to be paid in 2002 is \$57,000. As of October 1, 2002 through December 31, 2002, the hourly compensation rate shall increase from \$40 per hour to \$50 per hour for services during Monday through Friday, 8 a.m. to 5 p.m. and \$75 per hour for services provided Monday through Friday from 5 p.m. to 8 a.m. and on holidays and weekends. Psychiatric consultation shall remain at \$100 per hour for a maximum of one hour per week. All other terms and conditions of the original contract including its supplements shall remain in effect. **(Amendment No. A20020126)**

PLANNING & PERMIT CENTER:

14. Amendment No. 2 to Personal Services Agreement **No. C20020054** with Earth Tech, which will allow them permission to subcontract work to Mark Personius in connection with the Skagit County Growth Management Indicators Program. Mr. Personius will act as Project Manager for this contract. All other terms and conditions of the Agreement shall remain the same. **(Amendment No. A20020127)**
15. Amendment No. 7 to Personal Services Agreement **No. 04446** with Wheeler Consulting Group to add additional Scope of Services for work necessary for the preparation of the Final Environmental Impact Statement for the Belleville Sand and Gravel mines. Additional compensation shall be in the amount of \$29,844 for a new total contract amount of \$266,290. All amounts are to be reimbursed by Concrete Nor'West, per Dave Hough. **(Amendment No. A20020128)**
16. Resolution Re-Appointing Dave Hughes to the Skagit County Planning Commission for a period of four years, beginning November 4, 2002 and ending on November 3, 2006. **(Resolution No. R20020368)**

SENIOR SERVICES:

17. Interlocal Cooperative Agreement between Skagit County and Island Hospital, per Resolution No. R20020338, to prepare and deliver meals to the Skagit Nutrition Project site of the Anacortes Senior Center. The Agreement shall commence on January 1, 2003 and continue through December 31, 2003. Compensation is based on \$3.95 per bulk meal delivered, \$4.25 per hot home-delivered meal, and a transportation charge of \$7.50 per day. **(Contract No. C20020375)**

SHERIFF'S DEPARTMENT:

18. Amendment No. 2 to Interlocal Cooperative Agreement **No. 05245** with the Town of La Conner relating to Law Enforcement Services. The Agreement shall be extended until December 31, 2005. In consideration for the base level of service provided by the County, the Town promises to pay the County a yearly contract rate of \$398,700 for the calendar year 2005. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20020129)**

YOUTH & FAMILY SERVICES:

19. Personal Services Agreement with Ramon G. Ledesma, M.ED., to provide specialized child, adolescent, adult and family assessment, evaluation and treatment, consultation, education classes to group and/or individual and/or families. The Agreement shall commence on October 1, 2002 and continue until September 30, 2004. Compensation shall range from \$20 to \$70 per hour depending on the services being rendered, with a not-to-exceed annual amount of \$10,000. **(Contract No. C20020376)**
20. Amendment No. 2 to the County Program Agreement **No. 05514** with the Washington State Department of Social & Health Services for BECCA. This amendment will decrease the amount of the Agreement by \$3,766 for a new maximum program agreement amount of \$280,871. All other terms and conditions of the original contract shall remain in full force and effect. **(Amendment No. A20020130)**

PUBLIC WORKS DEPARTMENT:

21. Right-of-Entry Agreement with Roy S. Chapman, owner of Parcel No. P46181, to allow Skagit County to perform repairs on a flood damaged levee on the left bank of Jordon Creek above the County Bridge on the Rockport-Cascade Road. Zero compensation is being paid for the Agreement. **(Contract No. C20020377)**
22. Amendment No. 6 to Personal Services Agreement **No. 03914** with Semrau Engineering & Surveying to increase the compensation amount of \$87,375 to \$90,450.05. The additional amount was for work necessary to complete surveying and design work for the Snee-oosh Drainage Improvement Project. The over-run was not discovered until the project was being closed out. All other terms and conditions of the original contract remain unchanged. **(Amendment No. A20020131)**
23. Amendment No. 2 to Personal Services Agreement **No. C20020191** with Semrau Engineering & Surveying, which would extend the contract term to March 30, 2003. Additional time is needed to examine drainage problems along Emmanuel Lane and prepare design drawings and a drainage improvement plan. All other terms and conditions shall remain unchanged. **(Amendment No. A20020132)**
24. Vendor Services Agreement with Commercial Plumbing, Inc. to provide plumbing repair services to the Anacortes-Guemes Ferry Terminal facility drain and water supply system. The Agreement shall commence on September 7, 2002 and continue until September 19, 2002. Compensation shall not exceed \$806.34. **(Contract No. C20020378)**
25. Right-of-Entry Agreement with John Tenneson to enable Surface Water Management to improve drainage on his property located on Burmaster Road. The project will reduce localized drainage issues and reduce the threat these issues present to livestock and property. **(Contract No. C20020379)**
26. Amendment No. 4 to Professional Services Agreement **No. 05063** with Michelle McConnell, which will extend the contract end date through October 31, 2002 and increase the compensation by \$2,000. The extension is needed in order to finalize the Phase II report in support of Skagit County Marine Resources preliminary assessment of Marine Protected Areas for Rocky Reef bottom fish. **(Amendment No. A20020133)**
27. Vendor Services Agreement with CMI to mail a flood awareness brochure to every address in Skagit County, as part of Flood Awareness Week. The mailing fulfills a requirement of the Community Rating System (CRS) of which Skagit County is a participant. Our enrollment in the CRS program currently provides a 15% discount on flood insurance rates to private homeowners who purchase flood insurance. The Agreement shall commence on October 7, 2002 and continue until October 7, 2003. The County will compensate CMI \$1,086.33 and \$6,575.04 to the U.S. Postmaster, with a not-to-exceed total of \$7,661.37. **(Contract No. C20020380)**
28. Vendor Services Agreement with Island Transport, Inc. to transport machinery and supplies to Sinclair Island. The contract shall commence on October 7, 2002 and continue until October 7, 2003. Compensation shall total \$2,499. **(Contract No. C20020381)**
29. Resolution to reject all bids for the purchase of one new latest model Excavator. It was determined that a quick change capability for the bucket is required, therefore, twenty-four inch wide tracks with no provision for mounting rubber pads and standardized controls for operation of the Excavator need to be included in the bid specifications. It will be re-bid at a later date. **(Resolution No. R20020369)**

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30. A grant application to receive Washington State Department of Ecology Aquatic Weed Management Funds. The funds provide grants to reduce the spread of freshwater weeds and manage problems that these weeds cause. The goals of this project are to perform surveillance and aquatic mapping at Skagit County lakes, four of which have not had any mapping activities undertaken before. The total cost of the project is \$45,500. The grant funds will pay for 75% of the total cost. The 25% matching funds will come from a combination of special assessments collected from the three lake management districts and general funds. **(Approved)**
31. A grant application to receive Washington State Department of Ecology Aquatic Weed Management Funds. The goal of this project is to update the Integrated Aquatic Plant Management Plan for the Big Lake Management District. The total cost of this project is \$10,625. The grant funds will pay for 75% of the total cost. The 25% matching funds will come from annual special assessments raised to fund Lake Management District #1 for Big Lake. **(Approved)**

MISCELLANEOUS.

1. Vouchers audited and certified by the auditing officer as required by R.C.W. 42.24.080, and those expense reimbursement claims certified as required by R.C.W. 42.24.090, have been recorded on a listing, which has been made available to the Board.

As of this date, October 21, 2002, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrant number 130369 from Clearing Fund 696 in the total dollar amount of \$36,273.65 (Transmittal No. C-88-02); and

Warrants numbered 130370 through 130770 from Clearing Fund 696 in the total dollar amount of \$1,377,212.68 (Transmittal No. C-89-02).

2. Tom Karsh presented a Personal Services Agreement between Skagit County and the URS Corporation. The URS Corporation will provide an environmental consultant to produce a draft Environmental Impact Statement to support the selective and non-selective alternate to protect salmon and agriculture in Skagit County. The Agreement shall commence on October 21, 2002 and continue until September 30, 2003. Compensation shall be \$191,589.

Commissioner Dahlstedt asked if the money had been budgeted for. Mr. Karsh said it had and added that the amount is consistent with the type of work that is expected.

Commissioner Dahlstedt moved to approve the Agreement with URS Corporation as outlined by Mr. Karsh. Commissioner Anderson seconded the motion, which passed unanimously. **(Contract No. C20020382)**

3. Mr. Karsh next presented an Ordinance repealing SCC 14.24.130, the Strategic Plan for Protecting Wild Salmonids, and amending Section 14.24.120(3) of the Critical Areas Ordinance.

Commissioner Dahlstedt motioned to approve the Ordinance as outlined by Mr. Karsh. Commissioner Anderson seconded the motion, which passed unanimously. **(Ordinance No. O20020007)**

4. Staff presented a Resolution with the Burlington-Edison School District to transfer surplus computer equipment for use in the Burlington-Edison High School.

Commissioner Dahlstedt made a motion to approve the transfer of the surplus computer equipment. Commissioner Anderson seconded the motion, which passed with a unanimous vote. **(Resolution No. R20020370)**

5. Chal Martin presented a letter addressed to Terry Lee Kyle of the Samish River Homeowners Association. The letter is a follow-up to concerns expressed by Mr. Kyle regarding the existing log jam across the Samish River located adjacent to the Samish River Park.

Commissioner Dahlstedt motioned to approve signing the letter as outlined by Mr. Martin, Commissioner Anderson seconded the motion. The motion passed with a unanimous vote. **(Approved)**

6. Mr. Martin reviewed an Emergency Resolution for the removal of woody debris from an abandoned bridge trestle crossing the Skagit River at river mile 22.4. The immediate removal of this debris will minimize and reduce the potential damages that will likely occur as a result of future flood events that are anticipated in the upcoming flood season (November – March) on the Skagit River.

Commissioner Dahlstedt motioned to approve the Emergency Resolution as outlined by Mr. Martin. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution No. R20020371)**

7. Amendment No. 2 of Resolution **No. 18266** re-establishing the Skagit County Law and Justice Council was presented for approval. The amendment would approve the appointment of one additional member to the Council. Tom Sebastian, Clinical Director of Community Mental Health Services, has agreed to serve on the Law and Justice Council.

Commissioner Dahlstedt made a motion to appoint Mr. Sebastian to the Council. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution No. R20020372)**

8. The Skagit County Commissioners gave their approval of the following personnel changes and additions: A request from the Public Works Department to refill an Engineering Tech II position and an Office Assistant II position.
9. Commissioner Dahlstedt motioned to approve a Resolution regarding the appointment of Jerry Jewett to the Skagit County Planning Commission. The said appointment shall be effective October 21, 2002 and shall expire on October 20, 2006. Commissioner Anderson seconded the motion, which passed with a unanimous vote. **(Resolution No. R20020373)**

DISCUSSION/POSSIBLE ACTION – RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE ECONOMIC DEVELOPMENT PUBLIC FACILITIES PROJECT ADVISORY COMMITTEE FOR THE MOUNT VERNON/BURLINGTON FIBER OPTICS PROJECT, TO BE FUNDED FROM THE RURAL DISTRESSED COUNTY SALES TAX IN THE AMOUNT OF \$750,000.

Brad Whaley, Finance Director, said the proposal being considered would extend fiber optics from Mount Vernon to the Port of Skagit County, Burlington and up Highway 20 to United General Hospital.

Commissioner Anderson asked who the facility would belong to once the project is complete. It was indicated that Mount Vernon would be the lead on the facility.

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Elizabeth Sjostrom, City of Mount Vernon, stated that Mount Vernon needed to have the facility incorporated into their city limits for various reasons. A discussion ensued regarding a proposed rate schedule.

Commissioner Anderson said the purpose of the funding is to create jobs. Ms. Sjostrom advised that the infrastructure is needed in order to get companies to locate here, who might otherwise choose not to. When the fiber optics project is complete, it will allow many companies to locate here, which will in turn promote jobs.

Chairman Munks said originally there were two proposals put before the committee. One proposal requested \$500,000, which would have extended fiber optics only to the City of Burlington. The second request was for \$750,000, which would provide infrastructure so fiber optic services could be provided not only to Burlington, but to all of the present and future businesses at the Port of Skagit County as well.

Commissioner Dahlstedt asked if United General Hospital would be included in the project. He was assured that it would be.

Mr. Rowe asked if the 15% of funds that would be returned to the City of Mount Vernon in the form of user fees would be used for the expansion of the system. Skye Richendrfer, Mayor of Mount Vernon, indicated the 15% would be deposited directly into the General Fund.

Commissioner Dahlstedt made a motion to approve the recommendation of the Economic Development Public Facilities Project Advisory Committee for the Mount Vernon/Burlington Fiber Optics Project. Commissioner Anderson seconded the motion, which passed with a unanimous vote. **(Resolution No. R20020374)**

DISCUSSION/POSSIBLE ACTION – INTERLOCAL COOPERATIVE AGREEMENT WITH THE CITY OF MOUNT VERNON TO TRANSFER SEVERAL PARCELS OF LAND TO SKAGIT COUNTY IN EXCHANGE FOR A PIECE OF PROPERTY CURRENTLY OWNED BY THE COUNTY, FOR THE PURPOSE OF DEVELOPING A MULTIMODAL FACILITY.

Roger Howard, Facilities Management Director, presented an overview of the Interlocal Cooperative Agreement. He said the City of Mount Vernon desires to develop an efficient and safe regional transportation hub to accommodate various forms of transportation in the City and County, to provide convenient access to County facilities, shopping, and encourage tourism within Skagit County. The proposed location for such a transportation facility is partially owned and occupied by Skagit County and is used by the County to provide parking for County employees.

The portion of the site that the County owns has located on it 65 parking spaces, which Mount Vernon has agreed to replace in consideration of Skagit County's agreement to transfer its interests in the site to the City. Skagit County also leases a portion of the site for additional parking, which will be partially replaced by: 1) twelve new parking spaces to be achieved by landscaping modifications to Skagit County's parking lot located at the Southeast corner of Third and Kincaid Street, which modifications are acceptable to the City; and 2) six additional parking spaces in the City's parking lot at the Southeast corner of Second and Broadway. In addition, several other properties owned by the City will be exchanged with the County.

Mr. Howard stated that after several months of working with City of Mount Vernon staff, he thinks this is a fair and equitable exchange.

Commissioner Anderson asked if appraisals had been done on all of the property discussed in the proposal. Mr. Howard said there were no appraisals done. Commissioner Anderson said he felt the parcel currently owned by the County is worth much more than the fragmented pieces being offered by the City. He thinks the jury is still out on the Multimodal facility.

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Commissioner Dahlstedt moved to approve the Interlocal Cooperative Agreement with the City of Mount Vernon, as outlined by Mr. Howard. Commissioner Munks seconded the motion, which was carried. Commissioner Anderson voted against the motion. **(Contract No. C20020383)**

PUBLIC COMMENT PERIOD.

Tom Solberg, 19019 Minnie Lane in Alger, asked the Board if they have found the funds necessary to carry out several sub-area plans in Skagit County.

Chairman Munks said perhaps Mr. Solberg should apply for some grant money like Guemes Island is doing. He said he would be glad to find out the name of the person responsible for writing the grant and would make the information available to Mr. Solberg.

Bud Norris, Mount Vernon, asked to Board to reconsider their position relating to the Multimodal Facility site. He then provided some history on the project. His feeling is that the site is too small for such a large operation.

Chairman Munks indicated that the exchange in parking spaces with be good for the County.

Mr. Norris said there is a lot of concern with members of the Mount Vernon City Council. Many think the idea should be abandoned.

Commissioner Anderson said he voted against the exchange due to the fact that there were no appraisals done on the properties.

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

