

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, NOVEMBER 12, 2002**

8:30 a.m. – 9:00 a.m. Work Session – Operations Division Manager/District Maintenance Supervisors

- \*T 9:00 a.m. – 10:00 a.m. **Public Works Department - Chal Martin, Director**
1. Discussion – Bayview Road and Marihugh Road Truck Traffic Restrictions
  2. Discussion – Guemes Island Ferry
  3. Update – Project Status of Morris Street Improvement Project
  4. Update – Skagit River Flood Protection/Salmon Restoration Project
  5. Miscellaneous

- \*T 10:00 a.m. – 11:00 a.m. **Planning & Permit Center – Tom Karsh, Director**
1. Set a Date and Time to Deliberate – Planning Commission’s Recorded Motion Recommending Adoption of Interim Ordinance No. O20020001 as a Permanent Ordinance, Which Amends SCC 14.32.040, the Drainage Ordinance, for Forest Practice Conversions and Conversion Option Harvest Plans (CoHPs) and the Definition of Development
  2. Miscellaneous

11:00 a.m. – 11:30 a.m. **Consent Agenda and Miscellaneous Items**

11:30 a.m. – 11:45 a.m. Public Comment Period

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 Tuesday, November 12, 2002, with Commissioners Don Munks and Ted W. Anderson present. Commissioner Kenneth A. Dahlstedt’s absence was excused as he was attending a meeting in New York.

**PUBLIC WORKS DEPARTMENT – Chal Martin, Director**

**1. Discussion – Bayview Road and Marihugh Road Truck Traffic Restrictions.**

Steve Flude, Assistant County Engineer, explained that in response to neighborhood concerns, signs were placed on Bayview and Marihugh Roads, thus restricting truck traffic. The signage would limit the weight on the roads to 10 tons, but would allow service vehicles on a temporary basis. The signs were erected approximately 2-3 weeks ago and they seem to have eliminated the problem.

Commissioner Anderson said that if a truck has a permit then they should be able to use the road. The County can’t be selective about who uses the road as everyone pays into the County Road Fund.

Chal Martin, Director, indicated that the signs would be removed after the haul is complete. He doesn’t anticipate a problem this spring as a new contract will be negotiated, which would include a specific haul route.

**2. Discussion – Guemes Island Ferry.**

Mr. Flude reported that there is currently passenger-only service for Guemes Island residents, Monday through Thursday on the 5:30 p.m. and 6:00 p.m. ferry runs. The service will most probably be extended into next week. Training is taking place for part-time employees, which includes a stiff regimen of 40 hours of training for deckhands and 80 hours of training for masters. He is hopeful that the new part-time employees and the existing part-time employees will be on board very soon, thereby eliminating the passenger-only ferry.

**3. Update – Project Status of Morris Street Improvement Project.**

Mr. Martin stated that the Contractor hired for this project is making a lot of progress. The goal is to complete the force main and install drainage vaults by the first week in December. He said an important item to remember is that there are no County funds being used for the project. Because of that, the county doesn't have the flexibility in the construction management of the project as they would have if it were a County project. It is basically grant funded with the Town of La Conner contributing approximately \$300,000.

Mr. Martin said the County has a lot of flexibility on the Morris Street extension project including the roundabout. He indicated that the department would be providing outreach programs throughout the community to let the public know the status of the project. Construction is not scheduled to begin until May of 2003.

Commissioner Munks said the biggest concerns mentioned to him have been what the impacts of the project might be to those who rely on the route on a daily basis.

**4. Update – Skagit River Flood Protection/Salmon Restoration Project.**

Dave Brookings, Public Works Administrator, provided a brief update on the feasibility study that is currently underway. The US Army Corps of Engineers continues to work on the Flood Damage Analysis Baseline Economic Report as well as modifying the current hydraulic model for the study. They are also doing legal research associated with the Padilla Bay Reserve to determine what effects the project may have on it. Those findings should be available prior to an executive committee meeting scheduled on November 22, 2002 in Seattle.

Mr. Brookings also indicated that a meeting was held last week with Pacific International Engineering. They provided an update on a project similar to ours that is being done in Chehalis. He said it was an interesting discussion about how their firm has been interacting with the Washington State Department of Transportation, the Corps and other agencies. Their suggestion was to have Skagit County begin communicating with the various agencies involved with our project to share the impacts that a flood might have on the I-5 corridor as well as Highway 20.

Commissioner Anderson stated that the public would need to vote on whatever plan was eventually brought forth. The public already feels they are being overtaxed so they would have to see the plan as being of a direct benefit to them. He also added that there is no money in the federal budget for the US Army Corps of Engineers other than for their general operations.

**5. Miscellaneous.**

- A. Mr. Brookings said there has been a lot of activity being conducted relative to the Baker Dam re-licensing project. It is a very important issue to the County and he feels that at some point the Board should be briefed on the elements of the project as well as the flood control aspect for the lower valley.
- B. Mr. Brookings spoke about the Riverside Bridge and the temporary structure as it correlates with a potential flood risk. He said the department is in close contact with Dan

Eisses of the City of Mount Vernon, which are in contact with the River Forecast Center as well as other agencies.

Commissioner Anderson said he would appreciate knowing if the Contractor is on schedule as the temporary bridge is due to be dismantled by November 17, 2002.

Mr. Brookings assured the Board that they would be kept aware of how the project is progressing.

- C. Mr. Martin spoke about the Metropolitan Planning Organization (MPO) that is meeting tomorrow with the Technical Advisory Committee. There was some discussion about the effects it would have on the Regional Transportation Planning Organization (RTPO). Staff will be attending the committee meeting and will continue to keep the Board updated with any new information.

- D. Mr. Martin reported that he had been in contact with a local developer that is interested in forming a Tax Increment Financing District for some road developments in the area of SR 20 off of Goldenrod Road. It would require 75% of the taxing districts located in that geographical area to agree that 25% of their property tax revenue would go toward the purchase of bonds to buy the road improvements or other infrastructure improvements.

Commissioner Anderson said he had met with the developer and his group is interested in funding any improvements if they were allowed to be involved with the design, beginning at the ground level. He also feels that the City of Burlington should perhaps take the lead on the proposal as it would stand to benefit them directly.

Mr. Martin assured the Board that he will continue to gather more information and would make a copy of the statute in question available to them.

- E. Mr. Martin updated the Board on the status of the Skagit River. It is presently at 10.5 feet and 15 feet at Concrete. Fortunately the County didn't see the brunt of the rainstorm that blew in last night. That is good news as far as the temporary bridge is concerned.
- F. Mr. Martin mentioned that he had read through the Phase Four Watershed Plan Implementation Committee Report. It's a plan that is being put together by a committee that was formed at the request of the legislature to follow-up on the 2514 watershed planning process. He has received several other draft reports and stated that it is hard to keep up with the volume of information that is being generated by these overlapping efforts.

#### **PLANNING & PERMIT CENTER – Tom Karsh, Director**

- 1. Set a Date and Time to Deliberate – Planning Commission's Recorded Motion Recommending Adoption of Interim Ordinance No. O20020001 as a Permanent Ordinance, Which Amends SCC 14.32.040, the Drainage Ordinance, for Forest Practice Conversions and Conversion Option Harvest Plans (CoHPs) and the Definition of Development.**

Tom Karsh, Planning Director, informed the Board that on Tuesday, November 26, 2002 at 10:00 a.m. deliberations will take place on the Planning Commission's Recorded Motion recommending adoption of Interim Ordinance No. O20020001, which is the drainage ordinance.

Commissioner Munks stated that he had read it through and sees it as being almost identical to what the Board of County Commissioners had agreed on.

**RECORD OF THE PROCEEDINGS  
TUESDAY, NOVEMBER 12, 2002  
PAGE NO. 4**

Commissioner Anderson thanked Kendra Smith, Assistant Planning Director, for all she has done in accomplishing this large and complicated task.

**2. Miscellaneous.**

Mr. Karsh also recommended that at the same time and date, Tuesday, November 6, 2002 at 10:00 a.m., deliberations take place on the Skagit County Planning Commission's Recorded Motion and Findings of Fact on amending Chapter 14.34, Flood Damage Prevention, and 14.04, Definitions of the Skagit County Code.

Commissioner Ted W. Anderson and Commissioner Don Munks approved the recommendation as outlined by Mr. Karsh.

**CONSENT AGENDA.**

Commissioner Anderson motioned to approve all of the items on the Consent Agenda. Commissioner Munks seconded the motion, which passed with a unanimous vote.

**COMMISSIONERS' OFFICE:**

1. Record of the Proceedings for Monday, November 4, 2002.

**AUDITOR'S OFFICE:**

2. Resolution to approve closing the Auditor's Revolving Fund in the amount of \$200 and Establishing a Petty Cash Fund in the amount of \$60. **(Resolution No. R20020386)**

**BUDGET & FINANCE:**

3. Resolution to Call for a Public Hearing regarding the application for Public Service Grant component of the Community Development Block Grant. The hearing will be held on Monday, November 25, 2002 at 10:00 a.m. **(Resolution No. R20020387)**
4. Interlocal Cooperative Agreement with Public Utility District No. 1 of Skagit County, (per Resolution No. R20020328), for the "Public Utility District #1 Water Improvement Project" for a total of \$96,000 to be funded from the Rural Distressed County sales tax. **(Contract No. C20020399)**
5. Interlocal Cooperative Agreement with the City of Anacortes for Public Facility Project Funding in the sum of \$165,000 for the "Port of Anacortes - March Point Property Infrastructure Improvements". **(Contract No. C20020400)**
6. Amendment No. 1 to Interlocal Cooperative Agreement **No. 05096** with the Town of Hamilton, which would appropriate additional monies in the amount of \$166,000 for the Hamilton Water System Improvements Project. The Agreement would also be extended from January 6, 2002 to January 6, 2004. **(Amendment No. A20020137)**

**HEALTH DEPARTMENT:**

7. Out-of-State Travel Request for Steve Olsen to attend a workshop on "Decentralized Water Resources National Capacity Development Project" in Welches, Oregon from November 20-23, 2002 for an approximate cost of \$30-\$40. Other costs associated with the workshop are being paid by the Environmental Protection Agency and Green Mountain Institute. **(Approved)**

**HUMAN RESOURCES:**

8. Resolution approving the purchase of annual commercial insurance coverage for the period January 1, 2003 through December 31, 2003. **(Resolution No. R20020388)**
9. Personal Services Agreement with Holt Human Resource Consulting to provide a Classification and Compensation Survey for Skagit County. The Agreement shall commence on October 14, 2002 and continue until December 31, 2003. Compensation shall not exceed \$54,210. **(Contract No. C20020401)**

**HUMAN SERVICES:**

10. Amendment No. 1 to Personal Services Agreement **No. 03809** with Sharon M. Robinson. The original contract was issued as an open-ended contract, which began on January 1, 1998. This amendment designates that the contract shall end on June 30, 2003 and the hourly compensation rate shall increase from \$40 per hour to \$50 per hour for program monitoring services. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20020138)**

**MISCELLANEOUS:**

11. Signature on a Proof of Claim form regarding a class action lawsuit against the Federal Express Corporation for charging allegedly illegal surcharges over a 5-month period in 1997. **(Approved)**
12. Signature on a letter from Robert A. Carmichael, representing the law offices of Visser, Zender & Thurston, regarding representation of the Skagit County Commissioners in the gun range appeal. **(Approved)**

**PARKS & RECREATION:**

13. 2002-2003 Winter Recreation Program Cooperative/Collection Agreement with the Washington State Parks and Recreation Commission to provide services connected to the Snowmobile and Winter Recreation Programs in Skagit County. The Agreement shall commence on December 1, 2002 and continue until April 30, 2003. Compensation shall be \$35,857. **(Contract No. C20020402)**

**PLANNING & PERMIT CENTER:**

14. Personal Services Agreement with Lisser and Associates to provide surveying services for the Edison Area Boundary Line Adjustment. The survey work will allow the Edison Subarea to continue to finalize the work in Edison for the community drainfield and will clarify the title and ownership of said property. The Agreement shall commence on October 1, 2002 and continue until December 31, 2002. Compensation shall not exceed \$5,000. **(Contract No. C20020403)**
15. Amendment Nos. 1 and 2 to Coastal Zone Management Grant Application **No. C20020367** for Phase 1 of the Shoreline Master Program Update. The Washington State Department of Ecology inadvertently omitted the "Ineligibility" form and the "Minority" form from the application. **(Amendment Nos. A20020139 AND A20020140)**

**SENIOR SERVICES:**

16. Vendor Services Agreement with Lyndale Glass for the removal and replacement of twenty windows at the Mount Vernon Senior Center. The Agreement shall commence on

**RECORD OF THE PROCEEDINGS  
TUESDAY, NOVEMBER 12, 2002  
PAGE NO. 6**

- November 1, 2002 and continue until December 31, 2002. Compensation is not to exceed \$19,350.10. **(Contract No. C20020404)**
17. Interlocal Cooperative Agreement with the Department of Corrections to prepare and deliver frozen meals and dinner rolls to the Burlington Community Center. The Agreement shall commence on January 1, 2003 and continue through December 31, 2003. The County shall pay \$1.74 per frozen dinner meal and \$0.08 per dinner roll. **(Contract No. C20020405)**
18. Out-of-State Travel Request for Christine Carlson to attend the "Certificate of Training in Adult Weight Management Program" in Denver, Colorado from February 2-8, 2003 for an approximate cost of \$1,228. **(Approved)**

**TREASURER'S OFFICE:**

19. Amendment No. 2 to License Agreement **No. 04743** with Balanced Action, Inc. to add an SFG Financial System module to the CASHTAX 2000/INVESTMENTMGR2000 License. This module will allow the transfer of Fund 695 and Fund 696 warrants redeemed from CASHTAX to SFG, which will automate the redemption of payroll and accounts payable warrants for Skagit County and the Junior Districts issued by the Skagit County Auditor's Office. Additional compensation will be \$2,000. **(Amendment No. A20020141)**

**YOUTH & FAMILY SERVICES:**

20. Amendment No. 2 to Personal Services Agreement **No. C20020204** with The Language Exchange to add Interpreter services and Court Testimony Interpreter services. Annual compensation shall not exceed \$10,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20020142)**
21. Interlocal Cooperative Agreement, (per Resolution No. 17300), with the La Conner School District to increase outreach services to Hispanic families in Kulshan Creek Neighborhood through assigning a bilingual/bicultural staff person to this high need area of the community. The term of the Agreement shall commence on January 1, 2003 and continue through May 1, 2003. A contract extension for June 1, 2003 through December 31, 2003 will be committed at 100% based on the 21<sup>st</sup> Century Learning Centers grant extension. La Conner School District will reimburse Skagit County for 100% of the documented salary and benefit costs of the Resource Coordinator. **(Contract No. C20020406)**
22. Amendment No. 2 to County Program Agreement **No. 05544** with the State of Washington Department of Social and Health Services for the Juvenile Accountability Incentive Block Grant to provide Intensive Diversion Program services to youth participating in the program. The amendments occur in Exhibit A - Scope of Work, Sections 3 and 5; and Exhibit C - Approved Budget and Summary Budget Page. The contract amount shall remain at \$30,167. **(Amendment No. A20020143)**

**PUBLIC WORKS DEPARTMENT:**

23. Resolution to issue a Request for Qualifications for the establishment of a Professional Services Roster in the areas of Engineering and Land Surveying. **(Resolution No. R20020389)**
24. Amendment No. 2 to Personal Services Agreement **No. 05428** with Inter-fluve, Inc., which extends the contract completion date to December 31, 2002. The effective date of this amendment is September 27, 2002. **(Amendment No. A20020144)**

**RECORD OF THE PROCEEDINGS  
TUESDAY, NOVEMBER 12, 2002  
PAGE NO. 7**

25. Personal Services Agreement with Semrau Engineering and Surveying to conduct a watershed study for the Bayview area including an inventory of existing stormwater facilities, hydraulic modeling, and preparation of a master drainage plan. The Agreement shall commence on October 21, 2002 and continue until December 31, 2003. Compensation shall not exceed \$84,541. **(Contract No. C20020407)**
26. Right-of-Entry Agreement between Skagit County and A. W. Dynes, which would allow the County to remove a log jam in the Samish River. A Hydraulic Project Approval has been granted by the Washington State Department of Fish and Wildlife for this project. No compensation is being paid for this Right-of-Way. **(Contract No. C20020408)**
27. Amendment No. 1 to Personal Services Agreement **No. C20020193** with Michelle McConnell, which modifies the schedule of work and deliverables as it pertains to the development of educational materials to inform the public about derelict gear and the dangers they pose to people and marine resources. No additional compensation is being paid for the work being done. **(Amendment No. A20020145)**
28. Personal Services Agreement with Larry E. Halvorson to provide assistance and advice in negotiating a new bargaining agreement with the Inland Boatmen's Union of the Pacific (IBU). The IBU represents employees of Skagit County that work in the Guemes Ferry operation. The Agreement shall commence on October 1, 2002 and continue until October 1, 2004. The maximum allowable compensation is not to exceed \$50,000. **(Contract No. C20020409)**

**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, November 12, 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 131649 through 132100 from Clearing Fund 696 in the total dollar amount of \$4,013,774.93 (Transmittal No. C-95-02); and

Purchase Card Electronic Payment to JP MORGAN CHASE from Clearing Fund 696 in the total dollar amount of \$19,824.84 (Transmittal No. C-96-02); and

Warrants numbered 132101 through 132116 from Clearing Fund 696 in the total amount of \$97,128.39 (Transmittal No. C-97-02); and

Payroll warrants numbered 958172 through 958242 in the total dollar amount of \$85,150.06 (Transmittal No. P-41-02); and

Payroll warrants numbered 111799 through 112680 in the total dollar amount of \$971,865.15 (Transmittal No. P-42-02).

2. Staff presented a Resolution to postpone a bid opening for the removal of a two-story building at 220 Myrtle Street, Mount Vernon, commonly known as the Masonic Building, and construct a parking lot on the property. The postponement is due to the fact that not all potential bidders received notice as to the date of the mandatory pre-bid conference. Therefore, the bid opening will be held on Monday, December 9, 2002 at 9:45 a.m.

Commissioner Anderson motioned to approve the Resolution as outlined. Commissioner Munks seconded the motion, which was carried. **(Resolution No. R20020390)**

**RECORD OF THE PROCEEDINGS  
TUESDAY, NOVEMBER 12, 2002  
PAGE NO. 8**

3. Staff presented an amendment to the Donor Agreement **No. 05423** regarding the Skagit Regional Public Facilities District. The amendment would allow contributions by the M. J. McIntyre and Shirley McIntyre Charitable Foundation (Donor), in the amount of \$125,000, to the Foundation's Hodson Hall Campaign to apply as a reduction to the \$6,000,000 referred to in the Donor Agreement as the "Donation." In addition, the Donor's schedule for contributing to the Project Fund shall be modified as set forth in Exhibit "A". Except as expressly provided herein, all provisions of the Donor Agreement shall remain in full force and effect.

Commissioner Anderson made a motion to approve the Amendment as outlined. Commissioner Munks seconded the motion, which was carried. **(Amendment No. A20020146)**

**PUBLIC COMMENT PERIOD.**

No one was present for the public comment period.

**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