

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, DECEMBER 16, 2002**

MONDAY, DECEMBER 16, 2002:

- | | |
|---------------------------|---|
| 8:30 a.m. – 9:30 a.m. | Work Session – County Administrator |
| *T 9:30 a.m. – 9:45 a.m. | Public Hearing – Revised Fee Schedule for the Skagit County Health Department |
| *T 9:45 a.m. – 10:00 a.m. | Public Hearing – Property Taxes for 2003 Budget Year |
| 10:00 a.m. – 10:45 a.m. | Department Head Meeting |
| 11:00 a.m. – 11:30 a.m. | Consent Agenda and Miscellaneous Items |
| 11:30 a.m. – 11:45 a.m. | Public Comment Period |
| 1:30 p.m. – 2:30 p.m. | Public Hearing – Emergency Medical Services |
| 2:30 p.m. – 4:30 p.m. | Executive Session – Personnel, Litigation and Land Acquisition |

The Skagit County Board of Commissioners met in regular session on Monday, December 16, 2002, with Commissioners Don Munks, Kenneth A. Dahlstedt, and Ted W. Anderson present.

PUBLIC HEARING – REVISED FEE SCHEDULE FOR THE SKAGIT COUNTY HEALTH DEPARTMENT.

Commissioner Dahlstedt was absent for the public hearing, as he had an emergency he was called away for.

Peter Browning, Public Health Director, reviewed the revised fee schedule for the Skagit County Health Department. He indicated that the changes were consistent with the laws and the changes are minimal.

There being no public testimony forthcoming, Commissioner Anderson moved to close the public. Commissioner Munks seconded the motion, which passed. The public hearing was closed.

Commissioner Anderson motioned to adopt a Resolution to update the Skagit County Health Department Schedule of Charges, as outlined by Mr. Browning. Commissioner Munks seconded the motion, which passed unanimously. **(Resolution No. R20020425)**

PUBLIC HEARING – PROPERTY TAXES FOR 2003 BUDGET YEAR.

Commissioner Dahlstedt was absent for the public hearing, as he had an emergency he was called away for.

Brad Whaley, Budget/Finance Director, outlined the Resolutions authorizing the following:

- Resolution Authorizing a Property Tax Increase for 2003 Skagit County Conservation Futures Levy in the amount of \$535,000. **(Resolution No. R20020426)**
- Resolution Authorizing a Property Tax Increase for 2003 Emergency Medical Services Levy in the amount of \$2,139,600. **(Resolution No. R20020427)**
- Resolution Authorizing a Property Tax Increase for 2003 Skagit County Road Levy in the amount of \$9,206,300. **(Resolution No. R20020428)**

RECORD OF THE PROCEEDINGS
MONDAY, December 16, 2002
PAGE NO. 2

- Resolution Authorizing a Property Tax Increase for 2003 Skagit County Levy in the amount of \$14,355,900. **(Resolution No. R20020429)**
- Resolution Authorizing the Diversion of Road Tax Levy for Traffic Enforcement. **(Resolution No. R20020430)**
- Resolution Authorizing the Certification of Property Tax Levies. **(Resolution No. R20020431)**

Commissioner Anderson motioned to approve the Resolutions as outlined by Mr. Whaley. Commissioner Munks seconded the motion, which passed unanimously.

DEPARTMENT HEAD MEETING.

Chairman Munks thanked everyone for coming to the Department Head/Elected Officials Holiday party that was held at the home of he and his wife over the weekend.

Mr. Whaley reviewed 2002 Revenue and Expenditure information through November 30, 2002, for those in attendance.

Bob Vaux, Parks and Recreation Director, said the Winter Recreation Guide was distributed last week and proceeded to highlight a few of the activities that will be taking place in the coming months.

Mr. Browning reported that the United Way campaign is officially over and the County took in about \$2,000 less than it did last year. Pledge forms may still be turned in until the end of the day.

Gary Rowe, County Administrator, reminded everyone about the e-mail that was sent out last week addressing the problem of County employees parking in public spaces. He urged everyone to abide by the request of the downtown business owners and either use County designated lots or the city lot along side the railroad tracks. Roger Howard is the contact person if anyone has additional questions or concerns. Mr. Rowe also said he expects a change in the County Parking Policy after the first of the year. Those paying for parking would no longer be required to do so.

Mr. Rowe announced the departure of Tom Karsh, Director of the Planning & Permit Center. He will be moving to the Commissioner's Office in another capacity. Recruitment for a new director will begin soon. He also alerted everyone to the fact that the 2003 Budget Adoption, originally scheduled for 10:45 a.m. on Tuesday, December 17, 2002, has been changed to 3:30 instead. He also indicated that the Board will be approving a 2.5% Cost of Living increase for non-union employees. It is also anticipated that beginning in 2004, employees will be expected to cover 5% of their medical premiums.

CONSENT AGENDA.

Commissioner Dahlstedt motioned to approve items 1 through 22 on the Consent Agenda for Monday, December 16, 2002. Commissioner Anderson seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, December 9, 2002.
2. Record of the Proceedings for Tuesday, December 10, 2002.

RECORD OF THE PROCEEDINGS
MONDAY, December 16, 2002
PAGE NO. 3

AUDITOR'S OFFICE:

3. Out-of-State Travel Requests for Norma Brummett and Erica Kubischta to attend the Election Center Conference on Help American Vote Act. The conference will take place in Washington, D.C. on January 9 -11. 2003, with an approximate cost of \$1,471 per person. **(Approved)**

BEST PLACE:

4. Resolution to approve a sick leave transfer for Catherine Kelly. Ms. Kelly has been working for the department since September 2001 and has been suffering from a ruptured disk and is unable to perform her job duties. She has been unable to work since November 8, 2002 and did not have many sick leave hours to use as she had gall bladder surgery earlier in the year. **(Resolution No. R20020432)**

EMERGENCY MANAGEMENT:

5. Resolution authorizing Skagit County's participation in the development of a Multi-Jurisdictional All Hazard Mitigation Plan, formalizing the planning process, establishing a Hazard Mitigation Planning Committee and a Citizen's Hazard Mitigation Planning Committee, providing for a public involvement process and setting a schedule for completion, pursuant to the Disaster Mitigation Act of 2000 (44 CFR 201.6) and consistent with the Federal Emergency Management Agency's National Flood Insurance Program Community Rating System. **(Resolution No. R20020433)**

HEALTH DEPARTMENT:

6. Contract for Services between Washington State Migrant Council and Skagit County, by and through The Skagit County Health Department to allow Public Health Nurses to provide consulting services to the Mount Vernon, McLean, and Lynden MSHS sites. The Contract shall begin on March 1, 2003 and continue through October 31, 2003. The Contract amount will not exceed \$7,360. **(Contract No. C20020435)**
7. CY2003 Consolidated Contract with the Department of Health wherein the State will provide \$621,228 for various functions in calendar year 2003, including WIC, Immunizations, Child Death Review, Oral Health, Tobacco Youth Access, Shellfish Program, and others. **(Contract No. C20020436)**
8. Personal Services Agreement with Skagit County YMCA to fund the Skagit County Physical Activity Coalition for Skagit, Whatcom, Island and San Juan Counties. The Agreement shall commence on October 1, 2002 and continue until September 30, 2003. Regence Blue Shield is passing \$75,000 on to the Health Department to facilitate the Coalition. **(Contract No. C20020437)**

INFORMATION SERVICES:

9. Vendor Services Agreement with Ackermann Electric Company to provide parts and labor for a dedicated circuit and four receptacle outlets for the computer lab and one receptacle outlet in the computer cabinet at the Mount Vernon Senior Center. The Agreement shall commence on November 1, 2002 and continue until October 31, 2003. Compensation shall not exceed \$2,500. **(Contract No. C20020438)**
10. Resolution authorizing the transfer of surplus computer equipment to the Burlington-Edison School District for use in the Burlington-Edison High School. **(Resolution No. R20020434)**

RECORD OF THE PROCEEDINGS
MONDAY, December 16, 2002
PAGE NO. 4

PARKS AND RECREATION:

11. Memo of Understanding with Northwest Pipeline Corporation in which the Corporation shall pay \$83,920 for the wetland mitigation site, for amendments to the right-of-way easement contracts, a timber sale payment and a temporary working space agreement for the Northern State Recreation Area. The MOU shall commence on October 1, 2002 and continue until September 1, 2003. **(Contract No. C20020439)**
12. Supplement No. 1 to **Contract No. 04981** with Adolfsen Associates to provide additional work regarding the reflagging and field confirmation of wetlands previously delineated at the Northern State Recreation Area. The Amendment shall become effective on December 31, 2001 through December 31, 2003. Compensation will be an additional \$7,850 for a new contract total of \$44,850. **(Amendment No. A20020157)**
13. Out-of-State Travel Request for Ray Koenig to attend the Pisten Bully Service School in Reno, Nevada. Travel took place on August 27 -30, 2002. The State grant for the snowmobile program covered all expenses incurred. Due to an administrative error, the request is just now being submitted. **(Approved)**

PLANNING & PERMIT CENTER:

14. Resolution remanding the Non-motorized Transportation Plan back to the Planning Commission for additional considerations. **(Resolution No. R20020435)**
15. Resolution appointing members to the Agricultural Advisory Board as follows: Murray Benjamin, Dave Boon, Bob Finkbohner, Randy Good, Bob Hughes, Mike Hulbert, Larry Jensen, Roger Knutzen, Oscar Lagerlund, Rose Merritt, Beth C. Vander Veen, Lyle Wesen. The Skagit County Conservation Futures Program Director will assume administrative responsibilities, oversee the budget, provide support services and serve as the liaison between the Board of Commissioners and the Agricultural Advisory Board. The Skagit County Planning and Permit Center and the WSU Cooperative Extension Office will provide advisory and technical support as needed. **(Resolution No. R20020436)**

PROSECUTING ATTORNEY'S OFFICE:

16. Amendment No. 1 to Personal Services Agreement **Contract No. C20020028** with Rebecca Clark, which will provide an extension to her current contract. The effective date of this Amendment shall be January 1, 2003 and will continue until December 31, 2003. Compensation shall not exceed \$24,000 for this period. **(Amendment No. A20020158)**
17. Personal Services Agreement with Candace J. Ashbrook to provide child interview services as requested. The Agreement shall commence on January 1, 2003 and continue until December 31, 2003. Compensation shall not exceed \$10,000. **(Contract No. C20020440)**

SHERIFF'S DEPARTMENT:

18. Interlocal Cooperative Agreement, per Resolution No. 17921, with Whatcom County to provide transportation services for prisoners on the Northwest Mini-Chain van, for Skagit County. The Agreement shall commence on January 1, 2003 and continue through December 31, 2003. Annual compensation shall not exceed \$25,817.64. **(Contract No. C20020441)**

RECORD OF THE PROCEEDINGS
MONDAY, December 16, 2002
PAGE NO. 5

YOUTH & FAMILY SERVICES:

19. Amendment No. 1 to **Contract No. C20020091** with the Cambie Group International, Inc. to continue the evaluation of the Title V Delinquency Prevention Program through Washington State fiscal year 2002-2003. The effective date of this Amendment shall be December 23, 2002 and continue through December 31, 2003. Compensation shall not exceed \$5,600 for the one year service. **(Amendment No. A20020159)**
20. County Program Agreement 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 Agreement shall commence on September 1, 2002 and continue through August 31, 2003. Compensation shall total \$32,270. **(Contract No. C20020442)**
21. Two grant applications for submission to the Governor's Juvenile Justice Advisory Committee Challenge Activities Grant, which is a one-year \$79,000 grant with no local match required. One is titled Screening and Treatment for Detained Youth while the second is Positive Futures for Skagit Girls. Neither application involves hiring personnel, although Screening and Treatment for Detained Youth includes a 0.43 FTE contract Case Manager position. **(Approved)**

PUBLIC WORKS DEPARTMENT:

22. Personal Services Agreement with OTAK, Inc. to incorporate the Non-motorized Plan into a revised Transportation Systems Plan and remove all references to dikes and diking districts whenever practical. The Agreement shall commence on December 1, 2002 and continue until January 31, 2003. Compensation shall not exceed \$10,640. **(Contract No. C20020443)**

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, December 16, 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 133957 through 134372 from Clearing Fund 696 in the total dollar amount of \$2,665,196.15 (Transmittal No. C-106-02); and

Warrant number 134373 from Clearing Fund 696 in the total dollar amount of \$396.97 (Transmittal No. C-107-02); and

Payroll warrants numbered 958341 through 958417 in the total dollar amount of \$98,302.46 (Transmittal No. P-47-02).

2. John Moffat, Prosecuting Attorney's Office, notified the Board that Skagit County is a competitor with the Association of Washington Business (AWB) and other parties and is jointly represented by Perkins Coie LLP in a legal challenge to Shoreline Master Program Guidelines adopted by the Washington Department of Ecology in 2002. The AWB has determined that it will endorse and recommend a proposed stipulated settlement agreement ending the Shoreline Appeal. Mr. Moffat then presented the Board with a Settlement Decision Form.

RECORD OF THE PROCEEDINGS
MONDAY, December 16, 2002
PAGE NO. 6

- Commissioner Dahlstedt motioned to grant consent to Perkins Coie to sign the proposed stipulated settlement agreement, as outlined by Mr. Moffat. Commissioner Anderson seconded the motion, which passed unanimously. **(Approved)**
3. Staff presented a Resolution to establish 2003 salary increases and health and welfare benefits for non-union employees. Commissioner Dahlstedt made a motion to approve the Resolution as outlined, Commissioner Anderson seconded the motion, which was unanimously passed. **(Resolution No. R20020437)**

PUBLIC COMMENT PERIOD.

Tom Solberg, 19019 Minnie Lane, Alger, spoke about the Samish River Watershed Plan. He was in attendance during last week's meeting with the Public Works Department and said the draft proposal that was given out is totally unacceptable. He feels Public Utility District No. 1 is acting as though they only have a money issue interest in the plan. When questioned about a sewer line along Highway 9, it was stated that they are only in the business of selling water. Mr. Solberg said it would only be acceptable if PUD provided sewer along with water and then cut the rural density down to ¼ acre lots. It is understood how the Memorandum of Agreement occurred, however, rural well users should have water rights. "If Anacortes call sell water to Oak Harbor and someone who lives on the river can't get water, something's wrong."

Jim Hinton, 1639 Gunderson Road, speaking on behalf of the Noxious Weed Board, spoke to the need of a particular piece of equipment requested by staff. He asked for Board for their approval in support of purchasing the equipment. Commissioner Dahlstedt asked where the money would be coming from. Mr. Hinton said it would be coming out of a state grant for the spartina program.

Chairman Munks advised Mr. Hinton to meet with Mr. Rowe to iron out the details of the transaction.

PUBLIC HEARING – EMERGENCY MEDICAL SERVICES.

Hilary Thomas, Attorney for the Prosecutor's Office, provided some background as to what has taken place with the proposed ordinance to create the Skagit County Emergency Medical Services Commission. The proposed ordinance was mailed to all interested parties last week. After the Call for Public Hearing and the ordinance was published in the newspaper, conversations took place and revisions were made.

Ms. Thomas said there are three areas of contention that need to be worked out. They include the submittal of invoices, payroll, and requests for disbursements to the Skagit County Auditor for payment; contracting for ambulance services; and the budget process. She said the one item on the proposal presented today that wasn't on the proposed ordinance that was published is Section 15 – Year 2003 Transition language.

Commissioner Dahlstedt said it may not be a perfect document but as issues arise, it can be modified or amended. What is being provided in the ordinance is the overall structure of the EMS Commission.

Chairman Munks opened the public hearing.

Dean Maxwell, Mayor of Anacortes, spoke about the concerns the City of Anacortes has with the draft proposals that have been studied. For the record, he then read a letter from himself and Mayor Pro-Tem Ray Sizemore addressed to the Skagit County Board of Commissioners. He stated that the EMS Commission should be open to anyone in Skagit County that wishes to serve. He realizes that there are state conflict of interest laws that preclude some from serving.

RECORD OF THE PROCEEDINGS
MONDAY, December 16, 2002
PAGE NO. 7

Brad Cattle, an attorney representing Emergency Medical Services, spoke about the language he added to the proposed ordinance, which changes the underlying language. He thinks all parties are quite close to reaching something acceptable and he then proceeded to outline those changes.

Jim Allen, President of the Skagit County Fire Chief's Association, stated that he is proud to have participated with EMS as their level of service is exemplary. Skagit County was the first to have such a program, however, he is disappointed that negotiations are still being continued after over six months of discussions. "These are complex issues that deal with a complex organization." He urged the Board to bring a conclusion to the process and let them get on.

Skye Richendyfer, Mayor of the City of Mount Vernon, spoke to the fact that the Skagit County Board of Commissioners' authority is critical to the success of the EMS Commission.

Sharon Dillon, Mayor of Sedro Woolley, echoed Mayor Richendyfer's comments. She strongly believes in an oversight committee and believes the Board as a body can serve as that oversight committee. Ms. Dillon said she has faith in the staff, the ordinance, and feels Ms. Thomas has done a fantastic job in putting it together. She also urged the Board to pass the ordinance, including the few revisions that Ms. Thomas might have.

Ray Sizemore, Mayor Pro-Tem for the City of Anacortes, said he also serves as the Community Chair of the Public Safety Committee. He agreed with everything said in the letter from the City of Anacortes and reminded everyone that the contract with Anacortes expires at the end of the year. There is nothing in the proposed ordinance that even mentions Anacortes. Mr. Sizemore stated that it is ironic that the system worked so well for so long. It is important to continue to make it work for everyone's benefit.

Ms. Thomas then spoke to the issues brought up by Mr. Cattle.

There being no further public testimony forthcoming, Commissioner Anderson motioned to close the public hearing. Commissioner Dahlstedt seconded the motion, and the public hearing was closed.

Chairman Munks said he would like to see staff from EMS, the City of Anacortes, Ms. Thomas, Mr. Rowe and the Board gather for another work session to discuss what has transpired during this public hearing.

Ms. Thomas outlined the process that needs to happen in order to make the proposed Ordinance effective by January 1, 2003.

Commissioner Anderson indicated that this is the first he has seen of the EMS changes. He said he would review the proposal this evening.

Commissioner Dahlstedt said he feels the same. The service needs to begin on January 1, 2003 no matter what. The ordinance may not be perfect right now but it needs to move forward.

Chairman Munks said he would like to see the issues regarding the Anacortes contract addressed.

RECORD OF THE PROCEEDINGS
MONDAY, December 16, 2002
PAGE NO. 8

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