

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, FEBRUARY 18, 2003**

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|----------------------------|--|
| 8:00 a.m. – 8:45 a.m.      | Work Session – Commissioners   |
| 8:45 a.m. – 9:30 a.m.      | Work Session – County Administrator  |
| *T 9:30 a.m. – 10:00 a.m.  | Public Hearing – Consideration of Proposed Speed Limit Revision on a Portion of Best Road, No. 44010                 |
| 10:00 a.m. – 10:45 a.m.    | Department Head Meeting  |
| *T 10:45 a.m. – 11:00 a.m. | Announcement – Conference on Dealing with Disabilities After High School   |
| 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  |
| 11:45 a.m. – 12:00 p.m.    | Discussion and Possible Action – Staffing Request for the Public Defender’s Office                                   |
| *T 1:30 p.m. – 2:30 p.m.   | Discussion of Proposals to Amend the Development Codes Related to Agricultural Process and Other Agricultural Issues |
| 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 Tuesday, February 18, 2003, with Commissioners Kenneth A. Dahlstedt, Ted W. Anderson, and Don Munks present.

**PUBLIC HEARING – CONSIDERATION OF PROPOSED SPEED LIMIT REVISION ON A PORTION OF BEST ROAD, NO. 44010.**

Chairman Dahlstedt called the public hearing to order at 9:30 a.m.

Steve Flude, Public Works Engineering, provided a background report on the proposal to lower the speed limit from 50 mph to 40 mph for the section of roadway approximately ½ mile west of Summers Drive and continuing southeast to the end of the road at milepost 6.37. The annual traffic average for the roadway is approximately 3900 vehicles per day. The 85<sup>th</sup> percentile speed limit is 58 mph. There have been eight accidents in the proposed area over the last three years. The Northfork Bridge has been upgraded with new railings, narrowing the span to 24-feet between guardrails. Mr. Flude also provided a list of people with formal concerns about the roadway.

Francessa von Zimmerman, 18772 Best Road, spoke in favor of lowering the speed limit stating that she would love to see a 40 mph speed limit for all of Best Road.

Kirby Johnson, 18488 Best Road, was opposed to lowering the speed limit. He stated that the speed limit used to be 60 mph and he was against having another speed trap on the north end of the road.

Commissioner Anderson stated he would like some more time to look over the information before making a decision. He commented about an area on the South Skagit where people complained about the speed limit. There was emphasis patrol resulting in over 100 tickets and people still continued to speed. Anderson stated he felt that controlling the speed limit does not necessarily mean that people will slow down.

Commissioner Munks asked for additional information on the location of the eight accidents.

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Given Kutz, Traffic Engineer, responded that four accidents were at the intersection at Summers Point, three were on the bridge, and one was on the crown of the hill.

The Commissioners were in agreement that more time was needed to consider the proposal and stated that they would render their decision on Tuesday, March 11, 2003.

**DEPARTMENT HEAD MEETING.**

Chairman Dahlstedt opened the Department Head meeting with the Pledge of Allegiance.

Gary Rowe, County Administrator, followed up on an email that was sent to the Department Heads and Elected Officials regarding an Employee Recognition Committee that he would like to form. Mr. Rowe stated that he does not want to duplicate department head programs. He is looking for people to work on a systemwide program to plan County events, and other ways to recognize employees on an equal basis, such as service pins.

Shelly Holt of H. R. Consulting provided an update on the status of the Compensation/Salary Survey. She is currently in the process of updating job descriptions. Employees were provided with a questionnaire and she has had a 98% response from the 300 employees that were surveyed. She will be scheduling appointments with department heads over the next two weeks to go over the employee feedback, and will schedule staff interviews through the department heads. Ms. Holt will then work with the Personnel Committee to get approval to conduct a market analysis/salary survey with comparable employers. A point count factor analysis will also be done. Ms. Holt anticipated that she would have a final report to present to the Commissioners by the end of May for review. Ms. Holt responded to questions about efforts to bring in departments that were not originally part of the process; budget planning; and compliance with the Americans with Disabilities Act (ADA). She stated that she is open to giving other groups an opportunity to participate, but she would need their information before the end of February in order to meet the timeline. Ms. Holt stated that the draft report will be available in May, but final approval may take some time. Any impacts on the budget would be at the discretion of the Commissioners. The revised job descriptions will comply with ADA.

Brad Whaley, Finance Director, provided a summary statement of general fund revenues and expenditures and a budget status report as of January 31, 2003. Mr. Whaley announced that Mike Edwards, Budget Analyst, will be assisting departments with grant writing and monitoring of grant accounts. He asked departments to direct all communications regarding grants to Mr. Edwards. Mr. Whaley stated he had discovered some charges to incorrect line items. He stressed the importance of charging items correctly, and asked departments to call if they were unsure and get the proper line items. Also, the first meeting of the Budget Committee will be held on March 18, 2003, at 9:00 a.m. in the Commissioner's Hearing Room.

Commissioner Anderson commented about the obligation to provide legal notices, and stated that Communications Director Dan Berentson is putting together a letter for that purpose.

Commissioner Munks and Chairman Dahlstedt reported on the trip to Olympia last week in correlation with the Washington State Association of Counties Legislative Rally. The Commissioners, along with other Skagit County administrators and officials from Island and San Juan County hosted a dinner with state legislators from 10<sup>th</sup>, 39<sup>th</sup>, and 40<sup>th</sup> Districts.

**ANNOUNCEMENT – CONFERENCE ON DEALING WITH DISABILITIES AFTER HIGH SCHOOL**

David Wilder, President of People First of Skagit County, announced a conference for students with disabilities (ages 14 and older) that is being held at Skagit Valley College Cafeteria on February 27, 2003 from 3:30 – 7:00 p.m. Information will be provided to assist students with planning for housing, employment, recreation, and education after high school.

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**CONSENT AGENDA.**

Commissioner Anderson motioned to approve Items 1 through 17 of the Consent Agenda for Tuesday, February 18, 2003. Commissioner Munks seconded the motion, which passed with a unanimous vote.

**COMMISSIONERS' OFFICE:**

1. Record of the Proceedings for Monday, February 10, 2003.

**BUDGET & FINANCE DEPARTMENT:**

2. Resolution authorizing an Interfund Loan to Veteran's Relief Fund No. 107 to provide cash flow. (**Resolution No. R2003044**)
3. Resolution increasing the Revolving Imprest Fund for Veteran's Relief Fund No. 107 from \$7,500 to \$10,000. (**Resolution No. R20030045**)
4. Department of Social Services Debarment Form regarding Contract **No. 05151**, which covers the entire term of the current contract due to expire June 30, 2005. (**Amendment No A20030020**)

**DISTRICT COURT PROBATION:**

5. Interlocal Cooperative Agreement, per Resolution No. R20020210, between Skagit County and the City of Sedro-Woolley to provide probation services to the City. The agreement shall commence on January 1, 2003 and continue until December 31, 2003. Compensation shall be paid at \$92.17 per service unit. (**Contract No. C20030047**)

**INFORMATION SERVICES:**

6. Letter to West Group canceling an existing subscription service, which has been superseded by Contract No. C20020450 (**Approved**)

**PLANNING & PERMIT CENTER:**

7. Personal Services Agreement with Graham-Bunting & Associates to provide planning services and/or assist with the following as needed: Critical Areas Ordinance Development, Shoreline Master Program Development, Research and Development of Resource Protection and Mitigation Strategies, Mineral Resource Project Review, Critical Area Site Assessments Relating to Wetlands and Fish & Wildlife, Biological Evaluation Pursuant to ESA Compliance, Eelgrass and Macro-Algae Dive Surveys, Third Party Code Analysis, Group Dynamics and Facilitation. The Agreement shall begin on February 1, 2003 and continue through December 31, 2003. Compensation is not to exceed \$10,000. (**Contract No. C20030048**)

**RECORDS MANAGEMENT:**

8. Vendor Services Agreement with B & B Shredding, LLC to provide on-site shredding and disposal of paper material monthly. The contract shall commence on February 28, 2003 and continue until February 28, 2005. Compensation is not to exceed \$20,000. (**Contract No. C20030049**)

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**YOUTH & FAMILY SERVICES:**

9. Interlocal Cooperative Agreement, per Resolution No. 17300, between Skagit County and the Burlington School District to provide mental health services such as individual and family counseling, in addition to mentoring and recreational activities. The agreement shall become effective on January 1, 2003 and continue through December 31, 2003. Compensation will be in the amount of \$5,600. **(Contract No. C20030050)**

**PUBLIC WORKS DEPARTMENT:**

10. Temporary Right-of-Entry Construction Easement Agreement between Skagit County and Brenton R. Davey, which will give the County and its assigns the right to enter upon land owned by Mr. Davey for the purpose of performing road construction improvements for the Morris Street Improvement Project, ES 9700-3. No compensation is being paid to the owner. **(Contract No. C20030051)**
11. Temporary Right-of-Entry Construction Easement Agreement between Skagit County and Donald and Joann Mulanax, which will give the County and its assigns the right to enter upon land owned by Mr. and Mrs. Mulanax for the purpose of performing road construction improvements for the Morris Street Improvement Project, ES 9700-3. No compensation is being paid to the owner. **(Contract No. C20030052)**
12. Temporary Right-of-Entry Construction Easement Agreement between Skagit County and Joan B. Musselman, which will give the County and its assigns the right to enter upon land owned by Ms. Musselman for the purpose of performing road construction improvements for the Morris Street Improvement Project, ES 9700-3. No compensation is being paid to the owner. **(Contract No. C20030053)**
13. Amendment No. 2 to Personal Services Agreement **No. C20020107** with David Evans & Associates, Inc. for right-of-way and easement acquisition activities supporting the Sneeoosh Drainage Improvement Project. The amendment extends the contract termination date to August 31, 2003 due to expansion of the scope of work, allowing the consultant to acquire right-of-way from the Sneeoosh Land Company for an area of land outside the County's existing right-of-way. The effective date of the amendment is December 30, 2002. The maximum amount payable remains at \$9,000. All other terms and conditions of the original contract remain unchanged. **(Amendment No. A20030021)**
14. Personal Services Agreement with Envirovision Corporation to conduct meetings to arrive at consensus on the future of lake treatment strategies. In addition, they will update and revise the Big Lake Integrated Aquatic Plant Management Plan in order to meet the requirements of the Department of Ecology's weed control permits. They will also conduct two aquatic plant surveys of Big Lake, which will include GPS mapping of the aquatic plant community and lake bathymetry. The agreement shall commence on January 1, 2003 and continue until January 1, 2005. Compensation shall be in the amount of \$24,995, which will be jointly funded by Lake Management District assessments and a Department of Ecology Weed Management Grant. **(Contract No C20030054)**
15. Resolution of support for the City of Anacortes' TEA -21 Reauthorization bill funding request for ferry terminal improvements for the Washington State Ferry operation. **(Resolution No. R20030046)**
16. Personal Services Agreement with Lissner & Associates, PLLC to provide land surveying services on an as needed basis. The first two tasks are to survey the line between lots 5 and 6, block 2 and lots 2 and 3, block 1 of the Town Plat of Edison. These two surveys are a component of the Edison Town Drainage Improvement Project. The agreement shall

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commence on January 27, 2003 and continue until December 31, 2003. Compensation shall not exceed \$10,000. **(Contract No C20030055)**

17. Temporary Right-of-Entry Construction Agreement between Skagit County and Steven J. and Ruth Sutton, which will give the County and its assigns the right to enter upon land owned by Mr. and Mrs. Sutton for the purpose of performing road construction improvements for the Morris Street Improvement Project, ES 9700-3. No compensation is being paid to the owner. **(Contract No C20030056)**

**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, February 18, 2003, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Purchase Card Electronic Payment to JP MORGAN CHASE from Clearing Fund 696 in the total dollar amount of \$34,048.15 (Transmittal No. C-11-03); and

ACH Transfer to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$40,233.05 (Transmittal No. C-12-03); and

Warrants 138040 through 138565 in the total dollar amount of \$1,450,354.32 (Transmittal No. C-13-03); and

ACH Transfer to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$62,537.05 (Transmittal No. C-14-03).

2. Commissioner Anderson moved and Commissioner Munks seconded a motion to approve the Resolution for appointment of members to the Skagit County Emergency Medical Services Commission as presented to the Board. The motion carried unanimously. **(Resolution No. R20030047)**
3. Tom Karsh, Natural Resources Policy Administrator, presented a Hold Harmless Agreement from Skagit PUD for Board approval. The agreement is required by Skagit PUD in order for the County to use the Aqua Room for a meeting on February 19. Commissioner Anderson moved to approve the Hold Harmless Agreement; Commissioner Munks seconded. The motion carried unanimously. **(Contract No. C20030057)**

**PUBLIC COMMENT PERIOD.**

Tom Solberg, 1090 Minnie Road, Alger, spoke in opposition of the train station in Mount Vernon. He also expressed his concerns about the Belleville Pit. He stated that he is aware that there is a need for gravel, but is worried that the pit might jeopardize the ground water. Finally, he spoke about the subarea plan and the effects of zoning on property that he purchased as an investment.

Chester James, 9440 Prospect Rd, Sedro-Woolley addressed the Board regarding his property off Hoogdal Branch Road. The property is on County right-of-way and Mr. James feels he should not have to continue maintaining the road, as originally agreed. Mr. James stated he was told by Public Works that if he puts in four more feet of roadway the County will maintain the road. The road is already twenty feet long and adding four feet would be very expensive.

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Commissioner Anderson asked Mr. James to leave his phone number with Gary Rowe. He will ask Chal Martin, Director of Public Works, to review his concern and either Commissioner Anderson or Mr. Rowe will contact Mr. James.

**DISCUSSION AND POSSIBLE ACTION – STAFFING REQUEST FOR THE PUBLIC DEFENDER’S OFFICE.**

Gary Gaer, Public Defender, provided information on the increased caseload in the Public Defender’s office. Due to accelerated enforcement by the Washington State Patrol (WSP), and the domestic violence grant, the average cases per attorney have increased from 35 per month to 50-60 per month. He stated that his office is also covering for one unfilled position in Superior Court. Mr. Gaer requested the Board’s approval for an additional attorney in the Public Defender’s office.

Commissioner Anderson stated that he would like to see some information on the WSP impact. He added that criminal justice makes up the largest percentage of the County’s budget, and he is concerned about taking any more from the budget reserves.

Mr. Rowe stated that he had met with the Law and Justice Committee a month ago and had asked that they wait. The Committee met again last week and he is now recommending approval of the request, stressing that approval for the remainder of this year would not mean continuance of the staffing for 2004.

The Commissioners agreed to give an answer next week and would like some questions answered about reimbursement levels from the State and would also like to see a criminal justice plan.

**DISCUSSION OF PROPOSALS TO AMEND THE DEVELOPMENT CODES RELATED TO AGRICULTURAL PROCESS AND OTHER AGRICULTURAL ISSUES.**

Gary Christensen, Interim Planning Director, opened the discussion. He provided background information about the process.

Linda Kuller, Senior Planner, described two alternatives being presented for consideration:

Alternative 1 – Draft an Interim Ordinance making amendments to the Rural Reserve Zone (and others). This would be followed by the issuance of SEPA threshold determinations. Although not required, it was recommended that a public hearing be held prior to adoption. The projected timeframe for this alternative is 90 days.

Alternative 2 – Draft a comprehensive set of code amendments. Research would be done to review Growth Management Hearing Board cases and orders, Comprehensive Plan policies and goals, consultation with the Skagit County Agricultural Advisory, public notice, SEPA, and a public hearing before the Planning Commission. The estimate timeframe is 180 days.

Commissioner Anderson and Commissioner Munks both commented that they would be more comfortable waiting to make a decision. Commissioner Munks mentioned the possibility of an interim ordinance to get through the planting season. He also stated that he wants to be proactive and that a change in codes will affect a lot of people. Commissioner Anderson stated he does not want the process challenged, and if passed this will put more emphasis on the County process. He also wants to deal with the land mass scope and to be flexible based on size.

Chairman Dahlstedt added that time is everything for agriculture and dairy framers.

Commissioner Anderson stated that Alternative 2 makes more sense if it could be accomplished more quickly.

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Mr. Christensen stated that he understands the importance of moving quickly and that a minimum turnaround could shorten the time window on Alternative 2.

Commissioner Anderson moved and Commissioner Munks seconded the motion to place this item on the Planning agenda for Tuesday, February 25, at 10:00 a.m.

**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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Kenneth A. Dahlstedt, Chairman

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Ted W. Anderson, Commissioner

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Don Munks, Commissioner

ATTEST:

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