

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, FEBRUARY 24, 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. – 10:30 a.m. | Parks & Recreation Project Priority Update |
| 10:30 a.m. – 10:45 a.m. | Bid Opening – Maintenance Materials With Purchases Expected to Exceed \$25,000 |
| 10:45 a.m. – 11:00 a.m. | Bid Opening – Two New Latest Model Tractors With Mower/Brushcutter Attachments |
| 11:00 a.m. – 11:30 a.m. | Consent Agenda and Miscellaneous Items |
| 11:30 a.m. – 11:45 a.m. | Public Comment Period |
| *T 11:45 a.m. – 12:00 p.m. | Proclamation – FFA Week in Skagit County, February 17-21, 2003 |
| 1:30 p.m. – 2:15 p.m. | Work Session – Skagit Upriver Water Rights |
| 2:15 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, February 24, 2003, with Commissioners Kenneth A. Dahlstedt, Ted W. Anderson, and Don Munks present.

PARKS & RECREATION PROJECT PRIORITY UPDATE.

Bob Vaux, Director, conducted the annual Parks and Recreation staff and Parks and Recreation Advisory Board joint presentation to the Board. Mr. Vaux cited recent accomplishments of the department, such as the completion of the Stan Poppe Field renovation; Howard Miller Steelhead Park playground equipment installation, including upgrades to the water and electrical systems; and the opening of the Swinomish Channel Boat Launch.

Mr. Vaux stated that current facilities that are in the process of being finished and renovated are the Howard Miller Steelhead Park Shelter replacement; Clear Lake Beach improvements; Custer Field renovations at Skagit Valley Playfields; and lighting repairs at the playfields, as well. He is also seeking support of the Board to move forward with a 2003 Real Estate Excise Tax request that includes: \$100,000 for the Clear Lake improvements and \$40,000 for the Skagit Valley Playfields lighting.

Patrik Dylan, Parks staff, listed other new, high priority facilities that are currently being considered, including the Northern State Recreation Area, reconveyance of Department of Natural Resources land for the Frailey Mountain Gun Range; Pressentin Park; Conway Park and Boat Launch; Skagit Valley Dream Field lights, restrooms and concession stand; and an indoor recreation center.

Mr. Vaux indicated that he will continue to work with the San Juan Preservation Trust in order to secure private property adjacent to Sharpe Park on Fidalgo Island. The 37 -acre site, known as the Sare's Bluff project, would become an addition to Sharpe Park. Mike Cooper of San Juan Preservation Trust reported that this piece of property is currently the largest piece of undeveloped waterfront property on Fidalgo Island. He stated that any contribution of County funds shall be contingent upon successful fund raising by the Trust and then a transfer of the Sare's Bluff property to Skagit County would take place, with acceptable easement conditions.

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Commissioner Munks motioned to approve the sum of \$57,000, which will be contributed by Skagit County through Fund 352 Park Acquisition, to fund raising efforts being done by San Juan Preservation Trust. Commissioner Anderson seconded the motion, which passed unanimously.

Keith Magee, newly elected Chairperson for the Parks & Recreation Advisory Board, introduced other Board members to the Commissioners. He indicated that the Advisory Board has worked with staff to develop the aforementioned priorities and is strongly supportive of them.

BID OPENING – MAINTENANCE MATERIALS WITH PURCHASES EXPECTED TO EXCEED \$25,000.

Dub Queen and Greg Davis opened bids for the 2003-2004 Spring/Summer Maintenance Material Eligibility List. (See Attachment "A")

The bids will be reviewed and a recommendation will be forthcoming within the next two weeks.

BID OPENING – TWO NEW LATEST MODEL TRACTORS WITH MOWER/BRUSHCUTTER ATTACHMENTS.

Mr. Queen and Mr. Davis then proceeded to open bids for two, new, latest model tractors with mower and brushcutter attachments. They are as follows:

Brim Tractor Co. Equipment
8074 Guide Meridian
Lynden, WA 98264
Bid Bond Enclosed
Total Bid Price: \$74,814.28

Coastline Ford Tractor
3512 Smith Avenue
Everett, WA 98201
Bid Bond Enclosed
Total Bid Price: \$71,120.61

Mr. Queen indicated that a bid award recommendation would be forwarded to the Board within the next few weeks.

CONSENT AGENDA.

After some discussion, the Board decided to pull three franchise agreements from the record, items 35, 36, and 37. These items will be considered on Monday, March 10, 2003 at 10:00 a.m.

Commissioner Anderson motioned to approve the Consent Agenda for Monday, February 24, 2003, items 1 through 34 and items 38 and 39. Commissioner Munks seconded the motion, which passed with a unanimous vote.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Tuesday, February 18, 2003.
2. Vendor Services Agreement with Jean Terry to provide transcription of correspondence and secretarial duties to assist the members of the Board of County Commissioners with legislative and special project correspondence. The agreement shall commence on January 31, 2003 and continue until December 31, 2003. Compensation shall not exceed a total of \$2,400. **(Contract No. C20030058)**

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3. Resolution amending Resolution **No. 18266** appointing new members to the Skagit County Law and Justice Counsel. **(Resolution No. R20030048)**

ADMINISTRATIVE SERVICES:

4. Agreement between the Skagit County Commissioners and Skagit County Juvenile Correction Employees and Teamsters Local #231 for the period January 1, 2002 through December 31, 2004. **(Contract No. C20030059)**
5. 2003 Agreement between Skagit County and Economic Development Association of Skagit County (EDASC) to proactively market Skagit County to potential business and industry; provide administrative and marketing services for special economic development or community development projects identified by EDASC or solicited by the County community, local governments, or associations; develop contracts within the State of Washington and the Federal Government with the appropriate national organizations, which will help EDASC to achieve its goals; represent the Skagit County region and participate in activities of the Washington State Office of Trade and Economic Development; update and distribute information; maintain an industrial site inventory for Skagit County; work with Skagit County businesses in expanding employment base and business retention efforts; establish and coordinate services, workshops, seminars, and technical assistance associated with business development, business retention, and international trade; and participate in the government procurement plan and organize and participate in efforts to recruit environmental industries to Skagit County. The agreement shall commence on January 1, 2003 and continue through December 31, 2003. The total County contribution during the term of this agreement shall not exceed \$38,000. **(Contract No. C20030060)**

BUDGET & FINANCE DEPARTMENT:

6. Memorandum of Agreement with the Sedro-Woolley Chamber of Commerce for the promotion of the "Founders Day" event, as well as advertising associated with other events the Chamber promotes. The agreement term is calendar year 2003, and the County will provide \$3,000 in funding. **(Contract No. C20030061)**
7. Memorandum of Agreement with the Anacortes Chamber of Commerce to continue to attract and serve visitors to Skagit County in 2003 with various forms of advertising. The Anacortes Chamber of Commerce continues to be the only Visitor Information Center in Skagit County approved by the State Tourism Division. The agreement term is calendar year 2003, and the County will provide \$3,000 in funding. **(Contract No. C20030062)**
8. Memorandum of Agreement with the Skagit Valley Tulip Festival to promote Skagit County's largest festival through the official 2003 Tulip Festival brochure. The agreement term is calendar year 2003, and the County will provide \$8,000 in funding. **(Contract No. C20030063)**
9. Memorandum of Agreement with the Upper Skagit Bald Eagle Festival to promote winter tourism activities on the upper Skagit through advertising of the Bald Eagle Interpretive Center and the 16th Annual Eagle Festival. The agreement term is for calendar year 2003, and the County will provide \$2,500 in funding. **(Contract No. C20030064)**
10. Memorandum of Agreement with the Mount Vernon Chamber of Commerce to continue to operate Skagit County's only Visitor Information Center on Interstate 5 that is sanctioned by the State of Washington. The agreement term is for calendar year 2003, and the County will provide \$3,000 in funding. **(Contract No. C20030065)**

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11. Memorandum of Agreement with the North Cascades Chamber of Commerce to provide promotional materials in connection with events such as the Marblemount Eagle Fair, Highway Pass Opening, and Autumn in the Country, among other tourism efforts. The agreement term is for calendar year 2003, and the County will provide \$3,000 in funding. **(Contract No. C20030066)**
12. Memorandum of Agreement with the Burlington Chamber of Commerce to provide funds to promote the "Berry Dairy Days", as well as other festivals the Chamber promotes. The agreement term is for calendar year 2003, and the County will provide \$3,000 in funding. **(Contract No. C20030067)**
13. Memorandum of Agreement with the Concrete Chamber of Commerce for the promotion of tourism in the upper Skagit Valley of major upcoming and annual events through publications in several tourism guides and newspapers, as well as publications on the Internet. The agreement term is calendar year 2003, and the County will provide \$3,000 in funding. **(Contract No. C20030068)**
14. Memorandum of Agreement with the Northwest Children's Theater for the promotion of tourism by successfully marketing the shows through mailings and to advertise the shows through posters, press and other media. The agreement term is calendar year 2003, and the County will provide \$1,000 in funding. **(Contract No. C20030069)**
15. Memorandum of Agreement with the Children's Museum of Skagit County for the promotion of tourism through advertising and purchase of membership in two youth museum associations. The agreement term is calendar year 2003, and the County will provide \$1,000 in funding. **(Contract No. C20030070)**
16. Memorandum of Agreement with the Skagit County Historical Society for the promotion of tourism, both locally and regionally, with Museum exhibits, programs and services through printing and distribution of various publications. The agreement term is calendar year 2003, and the County will provide \$4,000 in funding. **(Contract No. C20030071)**
17. Memorandum of Agreement with the Skagit County Chamber Executive Directors for the promotion of tourism through advertising in the Washington State Visitor Guide. The agreement term is calendar year 2003, and the County will provide \$5,000 in funding. **(Contract No. C20030072)**
18. Memorandum of Agreement with the Lincoln Theatre Center Foundation for the promotion of tourism through promoting major events to cable viewers in Skagit, Whatcom, and Snohomish counties. The agreement term is calendar 2003, and the County will provide \$2,000 in funding. **(Contract No. C20030073)**
19. Memorandum of Agreement with the Anacortes Arts Festival for the promotion of tourism through advertising and promoting the summer Anacortes Arts Festival, which is the largest summertime event in Northwest Washington. The agreement term is calendar 2003, and the County will provide \$2,500 in funding. **(Contract No. C20030074)**

FACILITIES MANAGEMENT:

20. Standard Form of Agreement between Skagit County and Interwest Construction for the demolition of a County building commonly known as the "Masonic Building" located at 220 Myrtle Street and construction of a parking lot in the same location. The agreement shall begin upon the date of execution and continue until approximately May 19, 2003. Compensation shall be a total of \$121,213.00 plus tax and change orders, if required. **(Contract No. C20030075)**

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FAIR:

21. Vendor Services Agreement with Cascade Gutter Service, Inc. to install gutters and downspouts at the Fair Caretaker's house located at 1412 Walter Street, Mount Vernon. The agreement shall commence on January 21, 2003 and continue until February 21, 2003. Compensation shall not exceed a total of \$537. **(Contract No. C20030076)**

HUMAN SERVICES:

22. Resolution appointing Peter Browning to the Skagit County Substance Abuse Board for the term February 14, 2003 through February 13, 2006. **(Resolution No. R20030049)**
23. Resolution appointing Xanadu Daniells to the Skagit County Substance Abuse Board for the term February 4, 2003 through February 3, 2006. **(Resolution No. R20030050)**

INFORMATION SERVICES:

24. Agreement between Skagit County and Land Title Company which will allow title company access, via telephone line, into a County computer to view records held by the Skagit County Treasurer and Assessor's offices. These records are only for use by title companies. The agreement shall commence on January 1, 2003 and continue through December 31, 2003. Compensation shall be paid at the rate of \$70 per month. **(Contract No. C20030077)**
25. Agreement between Skagit County and First American Title Company, which will allow title company access, via telephone line, into a County computer to view records held by the Skagit County Treasurer and Assessor's offices. These records are only for use by title companies. The agreement shall commence on January 1, 2003 and continue through December 31, 2003. Compensation shall be paid at the rate of \$70 per month. **(Contract No. C20030078)**

PARKS & RECREATION:

26. Vendor Services Agreement with Gateway Septic Service LLC to provide annual inspections of six septic systems at three locations. The agreement shall commence on January 1, 2003 and continue through December 31, 2003. Compensation shall not exceed a total of \$1,200. **(Contract No. C20030079)**
27. Request for Proposal and Qualifications for a Comprehensive Park and Recreation Plan Update for Skagit County. The Skagit County Commissioners have approved \$25,000 for this project. **(Resolution No. R20030051)**

YOUTH & FAMILY SERVICES:

28. Personal Services Agreement with Kerry Bartlett, PhD to provide specialized child, adolescent, adult and family assessment evaluation and treatment (group and/or individual and/or families), consultation, education classes, monitoring with written reports as required, and training for clients referred by Youth and Family Services staff. The agreement shall commence on January 1, 2003 and continue until December 31, 2004. Compensation shall not exceed a total of \$10,000 annually. **(Contract No. C20030080)**
29. Personal Services Agreement with Catholic Community Services to provide specialized child, adolescent, adult and family assessment evaluation and treatment (group and/or individual and/or families), consultation, education classes, monitoring with written reports as required, and training for clients referred by Youth and Family Services staff. The agreement shall commence on July 1, 2002 and continue through June 30, 2004. Compensation shall not exceed a total of \$10,000 annually. **(Contract No. C20030081)**

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30. Interlocal Cooperative Agreement, per Resolution No. 17300, between Skagit County and the Sedro-Woolley School District to provide mental health services such as counseling, mentoring, and recreational activities. The agreement shall become effective January 1, 2003 and continue through December 31, 2003. Compensation shall total \$7,400. **(Contract No. C20030082)**
31. Interlocal Cooperative Agreement, per Resolution No. 17300, between Skagit County and the Anacortes School District to provide mental health services such as counseling, mentoring, and recreational activities. The agreement shall become effective January 1, 2003 and continue through December 31, 2003. Compensation shall total \$8,000. **(Contract No. C20030083)**
32. Amendment No. 1 to Personal Services Agreement **No. C20020311** with Northwest Care Advocates to increase the maximum reimbursement amount to \$50,000, which will be provided by grant revenue. The increase is needed to provide a type of counseling called "Functional Family Therapy". All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20030022)**

PUBLIC WORKS DEPARTMENT:

33. Resolution calling for bids for the haul out and dry docking of the M/V Guemes. The bid opening will take place on March 25, 2003 at 11:00 a.m. **(Resolution No. R20030052)**
34. Resolution supporting Senate Bill 5344 to designate State Highway 9 as a highway of statewide significance. **(Resolution No. R20030053)**
35. Assignment and Transfer of Franchise Agreement No. 9884 to Wave Division Networks, LLC d/b/a Cedar Communication, LLC. Skagit County shall impose a 3% franchise fee based on gross annual basic subscriber revenues received for cable television operations in the County. **(This item was pulled from the agenda for further discussion.)**
36. Assignment and Transfer of Franchise Agreement No. 11069 to Wave Division Networks, LLC d/b/a Wave Division II, LLC. Skagit County shall impose a 3% franchise fee based on gross annual basic subscriber revenues received for cable television operations in the County. **This item was pulled from the agenda for further discussion.)**
37. Assignment and Transfer of Franchise Agreement No. 12896 to Wave Division Networks, LLC d/b/a Wave Division I, LLC. Skagit County shall impose a 3% franchise fee based on gross annual basic subscriber revenues received for cable television operations in the County. **(This item was pulled from the agenda for further discussion.)**
38. Personal Services Agreement with System Dividends to provide training on the Trimble GPS System, including appropriate fieldwork with the equipment and data manipulation in the TGO software, as well as the interface issues with the destination software such as Eagle Point. The agreement shall commence on March 1, 2003 and continue through April 30, 2003. Compensation shall not exceed \$7,500. **(Contract No. C20030084)**
39. Grant Agreement for Coastal Zone Management 310 Grant No. G0300127 between Skagit County and the State of Washington Department of Ecology for the "Northwest Straits Project: Skagit County Bays Initiative". This is a no-local-match grant that will fund various 2003 tasks and projects of the Skagit Marine Resources Committee. The agreement shall commence on March 1, 2003 and continue through February 28, 2004. **(Contract No. C20030085)**

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.

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As of this date, February 24, 2003, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrant number 138566 from Clearing Fund 696 in the total dollar amount of \$5,600. (Transmittal No. C-15-03); and

Warrants numbered 138567 through 139016 from Clearing Fund 696 in the total dollar amount of \$757,390.44 (Transmittal No. C-16-03); and

ACH Transfer Request to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$11,814.37 (Transmittal No. C-17-03); and

Warrants numbered 139017 through 139145 from Clearing Fund 696 in the total dollar amount of \$187,261.51 (Transmittal No. C-18-03); and

Payroll warrants numbered 958779 through 958875 in the total dollar amount of \$97,419.57 (Transmittal No. P-07-03); and

Payroll warrants numbered 118214 through 119077 in the total dollar amount of \$905,888.85 (Transmittal No. P-08-03).

2. Staff presented a Resolution Submitting an Authorizing Proposition to the Voters of Skagit County to Fix and Impose a Sales and Use Tax of One-Tenth of One Percent Pursuant to Chapter 82.14 RCW to be Used Solely for the Purpose of Providing Funds for Costs Associated with the Operation of Enhanced 9-1-1 Emergency Communications Systems and Facilities. The special election will be held on Tuesday, April 22, 2003. The Skagit County Auditor has been requested to conduct the election by mail-in ballot. Commissioner Anderson motioned to approve the Resolution, as outlined. Commissioner Munks seconded the motion, which passed unanimously. **(Resolution No. R20030054)**

PUBLIC COMMENT PERIOD.

Robert Lakey, Seattle, handed the Board a copy of an email he had recently sent them regarding his property at Lake Cavanaugh. It involves the Department of Natural Resources' efforts to log property above him. He said he is not against logging, however, he would like to see it done in a sensible manner to make sure all stormwater concerns are addressed. DNR states that the logging area is County trust lands and indicated to Mr. Lakey that the Board of County Commissioners are the only ones that have a say as to what is done on the property. He asked for the Board's support on this matter.

Several members of the audience spoke out against a proposed lot aggregation rule that was supposedly leaked to the public after it was presented to the County's Hearing Examiner. The Board assured everyone that lot aggregation discussions are ongoing and before anything is approved, everyone will be able to voice their opinions during a public hearing.

PROCLAMATION – FFA WEEK IN SKAGIT COUNTY, FEBRUARY 17 -21, 2003.

Chairman Dahlstedt opened the meeting.

Michael Kannely, President of the Mount Vernon Chapter of Future Farmers of America, spoke about activities that his chapter participates in. He is on the Parliamentary Procedures team, as well as being involved in many other projects.

Other members of the Mount Vernon and Burlington chapters introduced themselves to the Commissioners and described various projects and areas that they are active in.

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Chairman Dahlstedt thanked everyone for coming and expressed his support for FFA, explaining that he too had been a member, serving as president and treasurer at one time. He said many of his abilities come from that experience and he is very proud of the young people present today.

Commissioner Munks stated that FFA was always a major component in his life as his four daughters were in FFA and he and his wife were leaders. It is a great organization and feels these programs are important to many people.

Commissioner Anderson concurred and said he has always been impressed with the poise and intelligence that the participants show when coming before the Board. He thanked them for their attendance.

Chairman Dahlstedt then read the proclamation declaring February 17-22, 2003 FFA Week in Skagit County and presented the document to the members present.

ADJOURNMENT.

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

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Kenneth A. Dahlstedt, Chairman

Ted W. Anderson, Commissioner

Don Munks, Commissioner

ATTEST:

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