

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
MONDAY, APRIL 14, 2003**

8:00 a.m. – 8:45 a.m.	Work Session – Commissioners
8:45 a.m. – 9:30 a.m.	Work Session – County Administrator
9:30 a.m. – 10:00 a.m.	Work Session – Mount Vernon Fiber Optics Contract
*T 10:00 a.m. – 10:15 a.m.	Proclamation – “Law Day 2003 in Skagit County”
*T 10:15 a.m. – 10:30 a.m.	Introduction – Howard Miller Steelhead Park Manager, Michael See
*T 10:30 a.m. – 11:00 a.m.	Discussion – Proposed Property Purchase
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
2:00 p.m. – 4:00 p.m.	Executive Session – Personnel, Litigation, and Land Acquisition
5:30 p.m. – 7:30 p.m.	Locals Night at Tulip Town (Bradshaw Road, Mount Vernon)

The Skagit County Board of Commissioners met in regular session on Monday, April 14, 2003, with Commissioners Kenneth A. Dahlstedt, Ted W. Anderson, and Don Munks present.

**WORK SESSION – MOUNT VERNON FIBER OPTICS CONTRACT.**

Budget and Finance Director Brad Whaley gave the background for the work session, which is to provide supporting evidence that this project will create jobs.

Chairman Dahlstedt stated that the Board had concerns about the funding and the creation of jobs. The Commissioners are here to discuss the project and to get public input.

Commissioner Anderson said that the legislation for distressed-county funding was designed to create jobs or fund existing jobs. One of the big reasons the money was given was due to large unemployment in the upriver area, and very few jobs have been created there. There must be some correlation between money spent and jobs created. If the County is going to proceed with this project, Mr. Anderson feels that all parties involved should have a governing body such as the Skagit Council of Governments (SCOG).

Commissioner Munks had questions about the funds. He stated that he had sat on the committee that understands the benefits to the County as well as to the City of Burlington, the Port of Skagit County, and the school districts. In reading through the agreement, Commissioner Munks stated that he saw nothing that laid out the mechanism of management. He asked for further clarification of the 15% management fee.

Skye Richenderfer, Mayor of Mount Vernon, said that the City had invested a considerable amount of funds in the project. No management fees will be charged for the public sector. The public sector will only be charged a one-time maintenance fee. After a complex process to find the company that will provide the fiber optics, SCS Communications from Bellingham was chosen. The City of Mount Vernon would get a 15% management fee from private companies to cover staffing costs and the significant investment from the general fund to get the project going. Some key groups that will benefit are Affiliated Health Services, Burlington-Edison School District, and the Port of Skagit County. Business will need these services to relocate here, and this project will create expansion in County.

Chairman Dahlstedt stated that while Mount Vernon has taken a leadership role in the project, the role of the County is to make sure that investment is protected because a considerable amount is coming from other sources. The County has provided funding for other City projects, such as the sewer project, which has created few jobs.

Jerry Heller, Port of Skagit County, is interested in the fiber optic link to get service to Port tenants. There are fifty different businesses located at the Port and at this point, they are on dial-up computer services. In today's world, fiber optics is standard infrastructure. All fees will be collected by CSS. The prices are not much different from the general market, however, nothing is available. Port tenants have explored other options without satisfaction.

Kim Kleppe, City of Mount Vernon, responded to the Board's questions regarding fees. Private customers would have a connection charge of \$1,000. Public entities would pay a \$10,000 maintenance fee over three years in case there are problems with the fiber. Private entities pay no maintenance fee.

Tom Sicklesteel, South Mount Vernon business owner, expressed his concerns about economic development funding. In the City's sewer project, the money was used to further expand the infrastructure rather than provide a reduction in fees. The only businesses that have moved in are those who wanted to relocate and Valley Electric has moved to Everett. On the high-tech side, he stated that he understands about being on the leading edge, but also suggests that prices come down over time.

Jon Arstad, Administrator for the City of Burlington, felt the project may not provide immediate job opportunities, but it will give a greater opportunity to sell our area to businesses. Businesses who are considering relocation are asking about the fiber line.

Don Wick, Executive Director of EDASC, agreed that the criteria and intent of the legislation was to create jobs in distressed counties. He supported this project because it runs to Port and is meant to run to schools and hospitals. It is not clear whether or not jobs will be created. He added that there may be a need to tighten up the information.

Commissioner Munks stated he has a problem with the 15% fee going back into the general fund of Mount Vernon, and about accounting for how that money is spent. He is also concerned about maintenance after the original maintenance funds are exhausted.

Mayor Richenderfer stated that private companies are now paying to CSS within the City of Mount Vernon. If the market does not continue to be competitive CSS may lower costs. That's up to them.

The Board will consider the fiber optics contract on Monday, April 21, at 11:20 a.m.

#### **PROCLAMATION – “LAW DAY 2003 IN SKAGIT COUNTY”.**

Attorney Brock Stiles, Law Day Co-Chair, announced that May 1 is Law Day in Skagit County. He personally invited the Commissioners to the annual Law Day Celebration and Liberty Bell Award Luncheon on May 1 at Cottontree Inn.

Commissioner Anderson read the proclamation and moved approval to declare May 1, 2003 as “Law Day in Skagit County.” Commissioner Munks seconded the motion, which carried unanimously.

#### **INTRODUCTION – HOWARD MILLER STEELHEAD PARK MANAGER, MICHAEL SEE.**

Director Bob Vaux thanked the Commissioners and the public for their support of the Park Ranger program. He introduced Ranger Lou Peterson who spoke about the program and introduced Michael See, Manager of Howard Miller Steelhead Park. Mr. See was hired in October and had excellent experience, but did not have all the law enforcement credentials. He graduated from the law enforcement program at Skagit Valley College in March. Mr. See thanked the Commissioners for their support and expressed his gratitude to the County for providing the law enforcement training.

## **DISCUSSION – PROPOSED PROPERTY PURCHASE.**

Roger Howard, Facilities Manager, reported that there has been a continuing effort to review ways to reduce the General Fund expenditures. The County is spending \$120,000 per month on lease payments, and is experiencing overcrowding. Parking continues to be an issue in the downtown area. Mr. Howard has been negotiating with a property owner at 1800 Continental place for a building that has 128 parking spaces and 25,000 sq. ft. of office space. Several departments that are now scattered downtown could be consolidated in that building. The purchase price is \$2,900,000. The proposal includes the sale of two existing properties, which would reduce capital outlay to \$1.5 million. The purchase agreement would be contingent on the sale of those properties. Mr. Howard stated he has compared the costs and it would be considerably more expensive to construct a new facility. He said two resolutions have been prepared, which will call for public hearings on the sale of the existing properties and will be considered today under Miscellaneous.

The three Commissioners all agreed that the purchase would make good business sense. Commissioner Anderson felt it would be beneficial to have Planning and Public Works in the same building. Commissioner Munks commented that the County is currently paying out more in leases than they would be paying in loan payments to purchase the property. Chairman Dahlstedt commented that it would provide relief to the downtown parking shortage.

Commissioner Anderson moved approval of the purchase and sale agreement contingent upon the sale of the two existing properties as outlined by Mr. Howard. Commissioner Munks seconded the motion, which carried unanimously.

## **CONSENT AGENDA.**

Commissioner Anderson motioned to approve the Consent Agenda for Monday, April 14, 2003, items 1 through 25. Commissioner Munks seconded the motion, which passed unanimously.

## **COMMISSIONER'S OFFICE:**

1. Record of the Proceedings for Monday, April 7, 2003.
2. Record of the Proceedings for Tuesday, April 8, 2003.
3. Record of the Proceedings for Thursday, April 10, 2003.
4. Resolution expressing a need for adoption by the Skagit County Commissioners the designation of Skagit 911 as Primary Public Safety Answering Point (PSAP) for the County. **(Resolution No. R20030119)**
5. Resolution expediting the payment of claims and amending Resolution No. 11927, which would authorize the County Auditor to issue manual warrants, early release warrants, ACH electronic payments, and electronic wire payments with the approval of the County Administrator after the Auditor has audited the claims and prior to the Board action to approve the claims in accordance with RCW 42.25.180. **(Resolution No. R20030120)**
6. Resolution re-appointing Phil Jennings to a three-year term on the Board of Equalization beginning January 1, 2003 through December 31, 2006. **(Resolution No. R20030121)**

## **INFORMATION SERVICES:**

7. Resolution to surplus laptop computers to the City of Mount Vernon for use by the Drug Task Force, which will enable them to work within their own offices that are located off-site. **(Resolution No. R20030122)**

**PARKS AND RECREATION:**

8. Resolution to adopt revised user fees for Skagit Valley Playfields Park effective March 1, 2003. **(Resolution No. R20030123)**

**PROSECUTING ATTORNEY:**

9. Personal Services Agreement with the law firm of Groen, Stephens and Klinge, LLP, to prepare and file an amicus brief on behalf of Skagit County in support Snohomish County's petition for certiorari before the United States Supreme Court in Gobin v. Snohomish County. The agreement shall commence on December 13, 2002 and continue through December 31, 2003. Compensation shall not exceed \$5,000 and costs are not to exceed \$1,000. **(Contract No. C20030159)**

**RISK MANAGEMENT**

10. Personal Services Agreement with Evergreen Safety Council to provide mandatory health and safety training as requested by the Risk Management Department. The agreement shall commence on March 1, 2003 and continue through March 1, 2004. Compensation shall not exceed a total of \$5,000. **(Contract No. C20030160)**

**YOUTH AND FAMILY SERVICES:**

11. Re-application of grant to continue funding of the Swinomish After-School Cultural Program by the Governor's Juvenile Justice Advisory Committee. The grant is for the period of June 1, 2003 to June 30, 2004 and will include \$42,857 in grant review reimbursement for program expenses. A 25% match will be provided by the Swinomish Tribal Community. **(Contract No. C20030161)**
12. Amendment No. 2 to Personal Services Agreement **No C20020146** to change language under "Exhibit B Independent Living Skills Project". The effective date of the amendment is January 1, 2003. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20030038)**
13. Re-application of grant to continue funding of the Skagit County Title V Delinquency Prevention Program by the Governor's Juvenile Justice Advisory Committee. The grant is for the period of July 1, 2003 to June 30, 2004 and will include \$80,000 in grant review reimbursement for program expenses. A 50% match may be in-kind and is included within the current budget. **(Contract No. C20030162)**

**PUBLIC WORKS:**

14. Two resolutions to support the Skagit Watershed Council and the Skagit Fisheries Enhancement Group. Each resolution authorizes Skagit County to provide \$15,000 (total \$30,000) to the respective group for the continued support of salmon recovery efforts. **(Resolution Nos. R20030124 and R20030125)**
15. Amendment #2 to Contract **No. C20020193** with Michelle McConnell for education and outreach, project coordination, and finding partner groups related to removal of derelict fishing gear. The amendment reduces the scope of work and the total compensation from the original amount of \$12,000 for a new total of \$5,275. All other terms and conditions of the original contract and Amendment #1 shall remain in effect. **(Amendment No. A20030039)**
16. Vendor Services Agreement with McAsphalt Industries Limited to provide Liquid Asphalt products. The agreement shall commence on April 1, 2003 and continue until March 31 2004. Compensation is expected to exceed \$25,000. **(Contract No. C20030163)**

17. Vendor Services Agreement with Lakeside Industries Limited to provide mixed asphalt, rock, and gravel products. This agreement shall commence on April 1, 2003 and continue until March 31, 2004. Compensation is expected to exceed \$25,000. **(Contract No. 2003164)**
18. Vendor Services Agreement with Concrete Nor'west to provide road maintenance materials consisting of gravel products. This agreement shall commence on April 1, 2003 and continue through March 31, 2004. Compensation is expected to exceed \$25,000. **(Contract No. C20030165)**
19. Vendor Services Agreement with Farmers Equipment Company, Inc. to provide equipment rental for various projects. The agreement shall become effective April 1, 2003 and continue through March 31, 2004. **(Contract No. C20030166)**
20. Temporary Right-of-Entry Construction Easement Agreement between Skagit County and Gary & Keike Nelson, owners of Parcel No. P 74157. This will give the County and its assigns the right to enter upon the land for the purpose of performing road construction improvements for Morris Street in La Conner. **(Contract No. C20030167)**
21. Temporary Right-of-Entry Construction Easement Agreement between Skagit County and Keith H. & Catherine Wyman, owners of Parcel No. P 74115. This will give the County and its assigns the right to enter upon the land for the purpose of performing road construction and improvements for Morris Street in La Conner. **(Contract No. C20030168)**
22. Temporary Right-of-Entry Construction Easement Agreement between Skagit County and Pamela Johnson, owner of Parcel No s. P 744230 & P74235. This will give the County and its assigns the right to enter upon the land for the purpose of performing road construction and improvements for Morris Street in La Conner. **(Contract No. C20030169)**
23. Temporary Right-of-Entry Construction Easement Agreement between Skagit County and Audrey M. Pentz, owner of Parcel No. P 74139. This will give the County and its assigns the right to enter upon the land for the purpose of performing road construction and improvements for Morris Street in La Conner. **(Contract No. C20030170)**
24. Temporary Right-of-Entry Construction Easement Agreement between Skagit County and Arberta M. Lammers, Brian C. Scheuch, and Ronald Ernest Taylor, owners of Parcel No. P 74236. This will give the County and its assigns the right to enter upon the land for the purpose of performing road construction and improvements for Morris Street in La Conner. **(Contract No. C20030171)**
25. Temporary Right-of-Entry Construction Easement Agreement between Skagit County and David Hedlin, Mary Baker, and Carol Ottesen, owners of Parcel No. P 22973. This will give the County and its assigns the right to enter upon the land for the purpose of performing road construction and improvements for Morris Street in La Conner. **(Contract No. C20030172)**

#### **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, April 14, 2003, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrants numbered 142053 through 142160 from Clearing Fund 696 in the total dollar amount of \$230,030.91 (Transmittal No. C-40-03); and

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$90,146.57 (Transmittal No. C-41-03); and

Warrants numbered 142161 through 142266 from Clearing Fund 696 in the total dollar amount of \$306,972.90 (Transmittal No. C-42-03); and

Payroll warrants numbered 959065 through 959137 in the total dollar amount of \$88,997.79 (Transmittal No. P-13-03); and

Payroll warrants numbered 120809 through 121691 in the total dollar amount of \$970,720.08 (Transmittal No. P-14-03).

2. Staff presented two Resolutions to Call for Public Hearings Regarding Disposal of Skagit County Real Property. The purpose of the hearings is to consider public testimony to dispose of the following County-owned real property :

Property located at 1111 Cleveland Street, and 1129 Cleveland Street, Mount Vernon, Washington (**Resolution No. R20030126**); and

Property located at 108 Broadway, and 1202 S. 2<sup>nd</sup>. Street, Mount Vernon, Washington. (**Resolution No. R20030127**)

Commissioner Anderson moved and Commissioner Munks seconded the motion to approve the two resolutions to call for the public hearings for disposal of property . The motion carried unanimously. The public hearings will be held on May 5, 2003, at 10:45 a.m.

### **PUBLIC COMMENT .**

Rick Smith, Director of Skagit County 911, thanked the Commissioners for passing the resolution declaring Skagit 911 as the public single answering point (PSAP). The Legislature passed a recent ballot issue that allows a 1/10 of 1% sales tax upon local voter approval to assist with 911 issues. Skagit 911 prepared a presentation that outlines \$2 million in necessary changes. Mr. Smith stated that the local newspaper suggested that local money won't go through the center, and that is just simply not true. The Emergency Management Council (EMC) has a responsibility to identify how the money is spent.

The Commissioners stated that \$2 million is needed and it is unfortunate about the misconceptions in the newspaper.

Kevin Sullivan, 7818 Coal Creek Lane in Sedro-Woolley , questioned how recommendations for comprehensive plans that are being considered during tomorrow's agenda session with the Planning Department.

The Commissioners explained the process, stating that they would be reviewing the applications individually. They invited Mr. Sullivan to sit in on tomorrow's Planning session.

**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

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Ted W. Anderson, Commissioner

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Don Munks, Commissioner

ATTEST:

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Shirley Knapp, Acting Clerk of the Board for  
JoAnne Giesbrecht  
Skagit County Board of Commissioners