

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, MAY 5, 2003**

- 8:00 a.m. – 8:45 a.m. Work Session – Commissioners
- 8:45 a.m. – 9:30 a.m. Work Session – County Administrator
- 10:00 a.m. – 10:45 a.m. Department Head Meeting
- 10:45 a.m. – 11:00 a.m. Public Hearing – To Consider Public Testimony Regarding the Disposal of County-Owned Real Property Located at 1111 Cleveland Street, 1129 Cleveland Street, 108 Broadway, and 1202 South Second Street, Mount Vernon
- 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 – “Skagit County SAFE KIDS Week” May 3 – 10, 2003
- 2:00 p.m. – 4:00 p.m. Executive Session – Personnel, Litigation, and Land Acquisition

The Skagit County Commissioners met in regular session on Monday, May 5, 2003, with Commissioners Kenneth A. Dahlstedt, Ted W. Anderson, and Don Munks present.

DEPARTMENT HEAD MEETING.

Karen Marshall, Skagit County Historical Museum Director, announced that the Museum will be hosting a “Swing Back to the ‘40’s USO Dinner Dance” this weekend in La Conner. It is their major fundraiser for the year and tickets are still available at \$35 per person.

She also presented the newest brochure titled “16 Fun Filled Family Museums in Skagit and Island Counties”. It explains the 12 museums throughout the two -county area and funding was provided by Skagit County, Island County, and the City of Anacortes.

Health Department Director, Peter Browning, spoke about efforts to revitalize the Wellness Committee. He said the Commissioners have asked to look into re-establishing the committee and now that the County is self-insured, we would have a real vested interest in it.

Mr. Browning also explained the Pedometer Program offered in Skagit County. Staff members buy a pedometer from the Health Department for \$15. The Department in turn would provide a tool to log in steps daily and after an employee has logged in 500,000 steps (250 miles), the County would reimburse that employee the \$15. Based on research, Skagit County should see up to an \$850 savings per person per year on our self-insurance rates.

Linda Eiford, Skagit County District Court Probation Director, invited everyone to attend their Open House, scheduled for Friday, May 9 from 2-4 p.m. Refreshments will be served.

Chairman Dahlstedt introduced David Blane to the audience. He is the new Director of the Planning and Permit Center. Mr. Blane explained that he was the Planning Director for Maui County in Hawaii. He said he hopes to see immediate improvement to customer service and would like to achieve a better and quicker turnaround for the planning process. Mr. Blane stated that he plans to improve the morale of the office, as well as the Department’s public image.

Chairman Dahlstedt also introduced Billie Kadrmas, Risk Manager, who has also assumed the role of Human Resource Director. Her efforts are greatly appreciated.

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Mr. Browning explained why the water has been smelling so bad lately in the County. He said it is due to an algae bloom in Judy Reservoir, however, it does not pose a health concern. Public Utility District No. 1 is unable to do anything about the problem until the blooming ends. At that time they will install a new screening device.

Commissioner Munks indicated that the House and the Senate will be reconvening soon to present their budgets. There are major differences between the two that could affect Skagit County. He encouraged everyone to contact their House members to explain how critical it is to continue funding for our health programs.

Chairman Dahlstedt discussed the fiber optics expansion issue. He said the Commissioners consider it extremely important Countywide and they are in the process of working out all of the issues.

PUBLIC HEARING – TO CONSIDER PUBLIC TESTIMONY REGARDING THE DISPOSAL OF COUNTY-OWNED REAL PROPERTY LOCATED AT 1111 CLEVELAND STREET, 1129 CLEVELAND STREET, 108 BROADWAY, AND 1202 SOUTH SECOND STREET, MOUNT VERNON.

Gary Rowe, Skagit County Administrator, provided an overview of real property the County wishes to dispose of. All four parcels would be declared surplus and the sale of said properties would provide a portion of the funds for purchase of property located at 1800 Continental Place, Mount Vernon. A portion of the funds would also be used for the construction of a Search & Rescue storage facility at the E911 Center. Minimum bids are as follows: 1111 Cleveland Avenue - \$1,190,000; 1129 Cleveland Avenue - \$160,000; 108 Broadway - \$375,000; and 1202 South Second Street - \$200,000.

Mr. Rowe said staff recommendation is to approve a resolution finding that the real properties are not necessary to the future foreseeable needs of the County and to request the County Treasurer to schedule a public auction for the purpose of disposing of the properties and set the minimum bids for the real properties, as described in the resolution.

As no public testimony was forthcoming, Commissioner Anderson motioned to close the public hearing. Commissioner Munks seconded the motion and the public hearing was closed.

Commissioner Anderson then moved to approve a Resolution regarding the disposal of real property, as outlined by Mr. Rowe. Commissioner Munks seconded and the motion was carried. **(Resolution No. R20030153)**

CONSENT AGENDA.

Commissioner Anderson motioned to approve the Consent Agenda for Monday, May 5, 2003, items 1 through 32. Commissioner Munks seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, April 28, 2003.
2. Record of the Proceedings for Tuesday, April 29, 2003.

ADMINISTRATIVE SERVICES:

3. Resolution authorizing the execution of an Interlocal Agreement with the Northwest Regional Council (NWRC) to provide support for the Skagit County Law and Justice Council. **(Resolution No. R20030154)**

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4. Interlocal Cooperative Agreement between Skagit County and Northwest Regional Council, which will allow NWRC to provide support for the Skagit County Law and Justice Council. **(Contract No. C20030200)**
5. Amendment No. 2 to Professional Services Agreement **No. C20020382** with URS Corporation to complete the final Environmental Impact Statement as part of the County's proposal to amend the County's Critical Areas Ordinance to protect on-going agriculture and fish and wildlife habitat in the Ag-NRL and Rural Resource-NRL zones. Compensation shall total of \$89,107. **(Amendment No. A20030049)**

CONSERVATION FUTURES:

6. Conservation Easement protecting farmland owned by Dirk and Olga Vander Kooy. The easement will extinguish two development rights and approximately 80.58 acres of farmland west of Bradshaw Road, adjacent to an existing protected property, at a cost of \$87,977.09. Half of the cost of this easement will be reimbursed by the Federal Farmland Protection Program grant. **(Contract No. C20030201)**
7. Conservation Easement protecting farmland owned by Dirk and Olga Vander Kooy. The easement will extinguish one development right and approximately 80.74 acres of farmland located south of Young Road at a cost of \$50,825.43. Half of the cost of this easement will be reimbursed by the Federal Farmland Protection Program grant. **(Contract No. C20030202)**
8. Conservation Easement protecting farmland owned by Douglas and Debra Wedin. The easement will extinguish two development rights and permanently protect approximately 69 acres of farmland south of Sedro-Woolley at a cost of \$114,256.39. Half of the cost of this easement will be reimbursed by the Federal Farmland Protection Program grant. **(Contract No. C20030203)**

EMERGENCY MANAGEMENT:

9. Interlocal Cooperative Agreement between Skagit County Diking District No. 12, Skagit County, and the City of Burlington, per Resolution Nos. R20020191 and R20020433, which will provide for the development of a Skagit County Multi-Jurisdictional Natural Hazards Plan. Dike District No. 12 is the grant holder of this project, but the County and other jurisdictions will incur minor expenses. The agreement shall commence on August 1, 2002 and continue through November 1, 2003. **(Contract No. C20030204)**

HEALTH DEPARTMENT:

10. Amendment No. 2 to 2003-2004 Consolidated Agreement **No. C20020436** between the Skagit County Health Department and Washington State Department of Health, which will provide an additional \$43,818 for the implementation of a bio-terrorism plan and for epidemiology activities. **(Amendment No. A20030050)**
11. Personal Services Agreement with Dave Waddell to audit the science lab facilities of schools within Skagit County and identify hazardous chemical conditions and practices, document hazardous conditions found, list chemicals to be removed or recycled, and recommend changes to conditions and/or practices as needed. The agreement shall commence on May 1, 2003 and continue until December 31, 2003. Compensation is not to exceed a total of \$4,800. **(Contract No. C20030205)**

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INFORMATION SERVICES:

12. Agreement with Efficiency, Inc. for the installation and support of a Digital Audio system for the Skagit County Commissioners' Hearing Room. The agreement shall commence on April 30, 2003 and is non-terminating. Compensation shall total approximately \$10,000 - \$15,000. **(Contract No. C20030206)**
13. Resolution authorizing the transfer of surplus computer equipment to the City of Sedro-Woolley. **(Resolution No. R20030155)**

PARKS, RECREATION, AND FAIR:

14. Resolution awarding the bid of the Skagit County Fairgrounds Road Improvements project to Larry Brown Construction, Inc. for the low bid of \$80,493.78. **(Resolution No. R20030156)**
15. Resolution calling for bids to lease County-owned land for hay cutting. The bid opening shall occur on Tuesday, May 27, 2003 at 11:45 a.m. **(Resolution No. R20030157)**
16. Vendor Services Agreement with Aquatechnex to provide application of herbicide to the Clear Lake swimming area to control milfoil, a noxious weed. The agreement shall commence on June 1, 2003 and continue through September 1, 2003. Compensation is not to exceed a total of \$750. **(Contract No. C20030207)**

PROSECUTING ATTORNEY'S OFFICE:

17. Quit Claim Deed and Excise Tax Affidavit between Skagit County and Kurt and Lori Keller, whereby the County releases any interest in property located in the plat "Map of Fidalgo City" in Anacortes for the purpose of a boundary line adjustment. There is no monetary consideration, and the Assessor's Office and the Public Works Department concur with the transfer. **(Approved)**

TREASURER'S OFFICE:

18. Amendment No. 3 to License Agreement **No. 04743** with Balanced Action, Inc., which will provide the addition of a bonds management module to the CASHTAX2000/INVESTMENTMGR 2000 license, for a total cost of approximately \$30,000. **(Amendment No. A20030052)**

YOUTH & FAMILY SERVICES:

19. Personal Services Agreement with David V. McNeill, MPI-McNeill Polygraph and Investigation to perform polygraph examinations upon the request of the Department. The agreement shall begin February 23, 2003 and continue through February 28, 2005. Compensation shall not exceed a total of \$5,000 annually. **(Contract No. C20030209)**
20. Personal Services Agreement with Puget Sound Polygraph Examiners to perform polygraph examinations on juvenile offenders as referred by the Department. These examinations will verify and encourage offender compliance with court orders. The agreement shall commence on March 3, 2003 and continue through February 28, 2005. Compensation is not to exceed \$5,000 annually. **(Contract No. C20030210)**
21. Personal Services Agreement with Carol R. Hundahl dba Phoenix Recovery Services, which will provide substance abuse services necessary to promote health and well being of youth and prevent recidivism of juvenile offenders. The agreement shall commence on April 1, 2003 and continue until February 28, 2005. Compensation shall not exceed \$5,000 annually. **(Contract No. C20030211)**

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PUBLIC WORKS DEPARTMENT:

22. Letter to Puget Sound Energy requesting them to include a study of additional flood storage in the current Federal Energy Regulatory Commission relicensing study. **(Approved)**
23. Letter to the Washington State Department of Ecology expressing the Board's concern regarding limitations of using the Instream Flow Incremental Methodology as the sole basis for setting instream flows in the Samish sub-basin and further requests that Ecology and the Washington State Department of Fish and Wildlife implement their own guidance policies that outline the use of additional factors in the consideration of setting instream flow rules. **(Approved)**
24. Vendor Services Agreement with Northwest Vegetation Control to mow and maintain areas in the Britt Slough, Blanchard, and Brickyard Creek Sub-Flood Control Zones. The agreement shall commence on May 1, 2003 and continue through December 31 2003. Total compensation shall not exceed \$20,000. **(Contract No. C20030212)**
25. Vendor Services Agreement with Pacific Style Lawn Maintenance to provide landscape maintenance around the Public Works Department building at 1111 Cleveland Avenue until the building is vacated by the Department. The agreement shall commence on March 1, 2003 and continue through August 30, 2003. Compensation shall total \$291.06 per month, not to exceed \$1,746.36 for six months. **(Contract No. C20030213)**
26. Vendor Services Agreement with M and M Road Recycling, Inc. to pulverize various roads throughout Skagit County. The agreement shall commence on April 28, 2003 and continue until April 28, 2004. Compensation shall not exceed \$24,999. **(Contract No. C20030214)**
27. Resolution authorizing an Interlocal Agreement between Skagit County and the City of Burlington. **(Resolution No. R20030158)**
28. Interlocal Cooperative Agreement between Skagit County and the City of Burlington, which will allow the City to contribute \$50,000 from their 2003 budget in support of the Skagit River Feasibility Study. The agreement shall commence on January 1, 2003 and continue through December 31, 2003. **(Contract No. C20030215)**
29. Amendment No. 1 to Personal Services Agreement **No. C20030038** with HydroLogic Services, which will increase the amount of compensation an additional \$15,000, for a new total of \$25,000. All other provisions to the original contract shall remain the same. **(Amendment No. A20030051)**
30. Right-of-Entry Agreement between Skagit County and Scott MacMurchie, owner of Parcel Nos. P47977 and P113090 located in the Blanchard area, which will give the County the right to enter upon the property for the purpose of spreading and leveling ditch spoils. The agreement shall commence on April 16, 2003. **(Contract No. C20030216)**
31. Storm Drainage Easement between Skagit County and Ernie Ostrin, authorized signatory for the Quaker Cove Corporation, owners of Parcel No. P68175 located in the Quaker Cove area, which gives the County the right to enter upon the property for the purpose of installing a public storm drain on the owner's property. The agreement shall commence on April 17, 2003. **(Contract No. C20030217)**
32. Storm Drainage Agreement and Storm Drainage Easement between Skagit County and Harold N. Foss, owner of property located in the Lake Cavanaugh area, which will allow the Public Works Department to furnish materials, engineer and prepare plans and construct a storm drain on the owner's land to intercept offsite and roadway runoff and convey it to Lake Cavanaugh. The owner agrees to accept the storm drain and provide all future maintenance. The easement gives the County the right to enter upon said property and shall commence on April 15, 2003. The

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estimated project cost is \$15,000, which will benefit two property owners. **(Contract Nos. C20030218 and C20030219)**

MISCELLANEOUS.

1. Commissioner Anderson moved to approve a Resolution awarding the bid for the Baker River Bridge Rehabilitation Project No. ES9700-6 to One Way Construction, for the low bid of \$1,289,410. Commissioner Munks seconded the motion, which passed unanimously. **(Resolution No. R20030159)**
2. Commissioner Anderson motioned to approve a Personal Services Agreement with David Hough to provide land use planning services for calendar year 2003. Compensation shall range from \$80-\$85 per hour, plus reimbursable expenses. Commissioner Munks seconded and the motion passed with a unanimous vote. **(Contract No. C20030220)**
3. Commissioner Munks read a proclamation welcoming home the USS Abraham Lincoln Carrier Strike Group. They are returning home after nearly ten months on deployment in support of Operation Iraqi Freedom, Enduring Freedom, and Southern Watch.
4. 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, May 5, 2003, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$55,531.59 (Transmittal No. C-51-03); and

Warrants numbered 143208 through 143684 from Clearing Fund 696 in the total dollar amount of \$850,450.82 (Transmittal No. C-52-02); and

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$40,686.02 (Transmittal No. C-53-02).

PUBLIC COMMENT PERIOD.

Pete Vander Meulen, 3917 Montgo mery Court, Mount Vernon, said two weeks ago when the Board deferred the decision to approve grant monies to Mount Vernon, several people had the chance to express their views, their support and to offer insight into fiber optics in general. Mr. Vander Meulen stated that he is here this morning to include his perspective to the discussion. He also thanked the Board for wrestling with this issue.

It is his opinion that Skagit County public agencies do not need to build a network. They should let the private sector take the lead. As Chief Executive Officer with Diversint, Mr. Vander Meulen indicated that his company will offer high speed service that connects the City of Burlington, the City of Sedro-Woolley, the Burlington-Edison Administration Building, and Janicki Machinery to its system by September 30, 2003, if the County were to move ahead with a private service arrangement. For an additional sum, the Port of Skagit County, Bayview School, and Allen school would also be connected. With that allocation of service dollars, the County would still have an additional ¼ million dollars to utilize for other economic development opportunities before the amount presently allocated is completely spent.

He also stated that the Diversint service model includes community participation incentives, a set-aside to non-profits and/or EDASC and keeps the availability of additional services open to other entities.

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Carol Ehlers, 3998 Wind Crest Lane, Anacortes, spoke about the 410 acres of industrial acreage that the Growth Management Hearings Board decided not to allow Skagit County to have. She said the Planning Commission has agreed with their decision.

Ms. Ehlers also expressed her disappointment in learning that the County has been deliberately throwing away old records. Apparently, at some point, the Planning Department was actually required to discard their plats. She encouraged the new director to keep all records.

Tom Solberg, 19019 Minnie Lane, Alger, presented the Board with a copy of a tape from a hearing in 1997 that has to do with Conservation Futures, which he would like them to look at. He also talked about the Conservation Futures fund and expressed his opinion about looking for a new director for the program.

Mr. Solberg also feels that the new facilitator for the 2514 Samish water rights issue is great and thinks an agreement can be reached that is fair.

PROCLAMATION – “SKAGIT COUNTY SAFE KIDS WEEK” MAY 3 -10, 2003.

Jody Monroe, Executive Director of the Countywide Emergency Management Commission, stated that a number of entities have come together to promote “Safe Kids”. She then presented the Board with helmets and challenged them to wear them to their next meeting and then pass it along to a child who may not have one.

Commissioner Munks then read the proclamation declaring May 3-10, 2003 as “Skagit County Safe Kids Week.”

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

