

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, JUNE 23, 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. – 9:45 a.m. | Decision Following Public Hearing – Amended Draft Revision to Skagit County Code to Protect Critical Areas and Lands in On-Going Agriculture Under the Growth Management Act |
| 10:00 a.m. – 10:30 a.m. | Decision – Appeal of the Hearing Examiner’s Decision on the PUD Water Line as Submitted by Roger Pedersen |
| 10:30 a.m. – 10:45 a.m. | Consideration of the Hearing Examiner’s Recommendation for Approval for the Timber Open Space Application of Martin McNett for Property Located West of Shaw Road and Interstate 5 (C/U TMB #8-2002) |
| *T 10:45 a.m. – 11:00 a.m. | Presentation – Boy Scouts |
| 11:00 a.m. – 11:30 a.m. | Consent Agenda and Miscellaneous Items |
| 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 |

The Skagit County Board of Commissioners met in regular session on Monday, June 23, 2003, with Commissioners Kenneth A. Dahlstedt, Ted W. Anderson, and Don Munks present.

DECISION FOLLOWING PUBLIC HEARING – AMENDED DRAFT REVISION TO SKAGIT COUNTY CODE TO PROTECT CRITICAL AREAS AND LANDS IN ON-GOING AGRICULTURE UNDER THE GROWTH MANAGEMENT ACT.

Tom Karsh, Natural Resource Policy Administrator, provided documentation to address questions from the Board that were discussed during the June 20, 2003 work session. It is being recommended that actions to enforce the proposed Ordinance not begin until January 1, 2004, in order to allow the public and staff some time to become familiar with the requirements of the new regulations. Attorney Jay Derr spoke about a revision to the language in the proposed Resolution to change the habitat inventory date to October 2004 to insure a summer low-flow season to accommodate the inventory.

The Commissioners stated that they had read through the materials and were satisfied that their questions had been addressed.

Commissioner Anderson moved to approve Ordinance No. O20030020 an Ordinance repealing Skagit County Code (SCC) 14.24.120 as adopted in Ordinance No. 18060 and Interim Ordinance No. O20030010; adopting new SCC 14.24.120 relating to Critical Areas regulations on Lands in Ongoing Agriculture; amending portions of SCC 14.04.040 to add new definitions and amending some existing definitions; amending SCC 14.24.100(9) relating to diking and drainage activities allowed without Critical Areas review; amending SCC 14.44.010 and .080 relating to enforcement and adopting a new SCC 14.44.085 relating to enforcement concerning Critical Areas and Ongoing Agriculture. Commissioner Munks seconded the motion, which carried unanimously.

Commissioner Anderson further moved to approve Resolution 20030210 adopting a proposal relating to monitoring and adaptive management of Riparian Areas in conjunction with Skagit County Code (SCC) 14.24.120 (Critical Areas on Lands in Ongoing Agriculture). Commissioner Munks seconded the motion, which carried unanimously.

DECISION – APPEAL OF THE HEARING EXAMINER’S DECISION ON THE PUD WATER LINE AS SUBMITTED BY ROGER PEDERSEN.

Commissioner Anderson stated that he had read through the record, listened to comments by all parties, and did not see any way that he could overturn the Hearing Examiner's decision on this matter.

Commissioner Anderson moved that Appeal #PL-0362 by Roger Pederson of the Hearing Examiner's decision dated April 7, 2003, granting a Shoreline Substantial Development Permit/Conditional Use Permit/Variance and an Administrative Special Use Permit (Application Nos. PL 02-0425 and PL 02-0542) be denied and the Hearing Examiner's decision, including all conditions of approval, be affirmed. Commissioner Anderson further moved that one amendment be made on the Summary Sheet of the Hearing Examiner's decision in the paragraph entitled "Location" to correct the description of the location of the proposal. The location should be changed to read ". . . within the right-of-way of Bayview-Edison Road starting near the intersection of Farnham Street and Bayview-Edison Road and ending approximately 1300 feet north of the intersection of Persons Road and Bayview-Edison Road."

Commissioner Munks seconded the motion, stating that based on the facts as applied by the law, he could not find a reason to overturn the Hearing Examiner's decision. . The motion carried unanimously

CONSIDERATION OF THE HEARING EXAMINER'S RECOMMENDATION FOR APPROVAL FOR THE TIMBER OPEN SPACE APPLICATION OF MARTIN MCNETT FOR PROPERTY LOCATED WEST OF SHAW ROAD AND INTERSTATE 5 (C/U TMB #8-2002).

Linda White from Assessor's Office presented a resolution to approve the Hearing Examiner's recommendation to approve a Timber Open Space Application for Martin McNett. Commissioner Anderson moved and Commissioner Munks seconded the motion to approve the resolution for Application C/U TMB#8-2002. The motion carried unanimously. (**Resolution No. R20030211**)

PRESENTATION – BOY SCOUTS.

John Janicki and Bruce Karper, members of Boy Scout Troop 67 of Sedro-Woolley, interviewed the three Commissioners to meet their Boy Scout first class requirement to interview a government official. Commissioner Anderson presented the two Scouts with a Skagit County badge, and the Commissioners commended them on their poise and the quality of their questions.

CONSENT AGENDA.

Commissioner Anderson motioned to approve the Consent Agenda item numbers 2-15 and 17-26 for Monday, June 23, 2003. Commissioner Munks seconded the motion, which passed with a unanimous vote. The Commissioners requested additional information regarding Item 16, an Amendment to Professional Services Agreement **No. 03035** with Burns International Security Services. Brad Whaley Budget and Finance Director clarified that the amendment will not increase the budget for these services. The amendment reflects the subsequent costs that were not covered in the original contract. There is sufficient money in the budget, and the Sheriff's Office is in the process of putting these services out to bid. Commissioner Anderson motioned to approved Item 16. Commissioner Munks seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, June 16, 2003.
2. Record of the Proceedings for Tuesday, June 17, 2003.

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ASSESSOR'S OFFICE:

3. Out-of-State Travel Request for Mark Leander to attend the National Assessment Administration Conference in Nashville, Tennessee, September 13-18, 2003. Due to the fact that Mr. Leander is President of the State Assessor's Association, the Association will reimburse the Assessor's Office for the cost of the airfare, hotel and registration fee. Therefore, the cost for the Assessor's Office will be approximately \$210, which covers the cost of meals.

BUDGET & FINANCE:

4. Resolution setting statutory dates for the FY 2004 budget schedule. **(Resolution No. R20030212)**

EMERGENCY MANAGEMENT:

5. Vendor Services Agreement with J. M. Construction to teardown, remove and transport a modular building from the Burlington City Hall to the Skagit County E-911 Center and then reconnect the two halves and place the building on existing concrete slabs. The agreement shall commence on June 13, 2003 and continue until December 31, 2003. Compensation shall total \$4,294.90. **(Contract No. C20030271)**

FACILITIES MANAGEMENT:

6. Standard Form of Agreement Between Owner (Skagit County) and Architect (Tom Theisen) to provide space planning services for Public Works and the Planning & Permit Center in a new building at 1800 Continental Place, Mount Vernon. Also, Mr. Theisen will design, prepare construction documents and construction contract administration for the alterations of the same building. In addition, he will complete construction documents and construction contract administration of the new Search & Rescue building at 2911 East College Way, Mount Vernon. The agreement shall commence upon the date of execution and continue through December 31, 2005. Compensation shall be a total of \$73,000. **(Contract No. C20030272)**

HUMAN SERVICES:

7. Vendor Services Agreement with Frontline Office Cleaning Services to provide cleaning services to the Human Services Department located at 601 S. Second Street, Mount Vernon, for the low bid of \$155 per month for a maximum total of \$930. The agreement shall commence on July 1, 2003 and continue until December 31, 2003. **(Contract No. C20030273)**
8. Personal Services Agreement with People First of Skagit County. A total not to exceed \$2,000 was allotted by the Skagit County Developmental Disabilities Advisory Board from 2003 millage funds, which allows for reimbursement of approved expenses for activities and events, such as the Region 3 Legislative Reception, incurred by People First. The agreement shall commence on January 1, 2003 and continue through December 31, 2003. **(Contract No. C20030274)**

INFORMATION SERVICES:

9. Out-of-State Travel Request for Tony Harrell to attend the 2003 FrontRange Solutions User Conference in San Diego, California, August 3-10, 2003 for a total approximate cost of \$3,363.

PARKS AND RECREATION:

10. Land Lease Agreement between Skagit County and John Bates to lease Northern State Recreational area land for hay cutting. The agreement shall commence on June 16, 2003 and continue until October 31, 2003. Mr. Bates shall pay the County \$105 in rent for the use and occupation of said premises. **(Contract No. C20030275)**

PLANNING & PERMIT CENTER:

11. Amendment No. 3 to Washington State Water Pollution Control Revolving Fund Agreement **No. 04871** between Skagit County and the Department of Ecology. The amendment extends the completion date from June 30, 2003 to August 31, 2003. Also, the loan amount shall be revised from \$1,500,000 to \$1,575,000. **(Amendment No. A20030077)**

PROSECUTING ATTORNEY'S OFFICE:

12. Personal Services Agreement with Rachelle Eason to provide legal services for the Prosecuting Attorney, Family Support Division, in the absence of Staff Attorney, Gwen Halliday, for the period beginning June 16, 2003 until September 17, 2003. Compensation shall be at the hourly wage of \$28.23. **(Contract No. C20030276)**

SENIOR SERVICES:

13. Out-of-State Travel Request for Donna Sitts, RSVP Director, to attend the NW Network Conference 2003 in Portland, Oregon, August 4-6, 2003 for a total approximate cost of \$685.
14. Resolution calling for bids for the Countywide frozen meal program providing approximately 30,000 meals to housebound senior citizens in Skagit County. The bid opening will be held on Monday, July 21, 2003 at 10:00 a.m. **(Resolution No. R20030213)**
15. Amendment No. 1 to Contract **No. C20030001** with Northwest Regional Council, which allows for "Special Project" funds in the amount not to exceed \$27,498 for a walk-in freezer and installation and a steam jacketed kettle and installation at the Anacortes Senior Center. This amendment shall become effective on May 14, 2003. **(Amendment No. A20030078)**

SHERIFF'S DEPARTMENT:

16. Amendment No. D to Professional Services Agreement **No. 03035** with Burns International Security Services, which will increase the maximum consideration for the term of the agreement by an additional \$170,000 for a new contract total of \$375,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20030079)**

YOUTH & FAMILY SERVICES:

17. Amendment No. 1 to Interlocal Cooperative Agreement **No. C20030103** between Skagit County and the La Conner School District. This amendment extends the term of the agreement through May 31, 2004, effective May 31, 2003. In addition, reimbursement costs in the amount of \$46,452 shall be paid for the Amigos De La Familia Resource Coordinator and reimbursement costs in the amount of \$20,000 shall be paid for the Bilingual Tutoring Program located in the Kulshan Creek neighborhood. **(Amendment No. A20030080)**

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18. Personal Services Agreement with Diane J. Lowry to provide specialized child, adolescent, adult and family assessment, evaluation and treatment, individual, family or group therapy, consultation, education, classes, etc. as referred by the County and accepted for services by Ms. Lowry. The agreement shall commence on January 1, 2003 and continue through December 31, 2004. Annual compensation is not to exceed a total of \$10,000. **(Contract No. C20030277)**
19. Interlocal Cooperative Agreement, per Resolution **No. R20020406**, between the Swinomish Tribal Community and Skagit County Youth and Family Services, which would allow the Tribal Community to provide after-school cultural programming to Tribal children. The agreement shall commence on July 1, 2003 and continue until June 30, 2004. Reimbursement shall total \$38,572 for the term of the agreement. **(Contract No. C20030278)**

PUBLIC WORKS:

20. Supplement No. 1 to Local Agency Standard Consultant Agreement **No. C20020190** with HWA Geosciences, Inc., which extends the expiration date to June 30, 2003 and provides geotechnical work for the Main Street Road Improvement Project, Baker River Bridge Rehabilitation Project, the Town of Concrete and the Helmick Road Project. No additional compensation is being paid. **(Amendment No. A20030081)**
21. Resolution awarding the contract for the haulout and dry docking of the M/V Guemes to Foss Maritime. **(Resolution No. R20030214)**
22. Vendor Services Agreement with Foss Maritime for the haulout and dry docking of the M/V Guemes for the low bid of \$158,233.99. The agreement shall commence on July 8, 2003 and continue through July 18, 2003. **(Contract No. C20030279)**
23. Resolution authorizing the execution of an Interagency Agreement between the Skagit County Public Works Department and the Washington Traffic Safety Commission. **(Resolution No. R20030215)**
24. Interagency Agreement between the Skagit County Public Works Department and the Washington Traffic Safety Commission, which allow the Commission to fund a portion of the salary of Public Works employee Don McKeehen for work in the field of traffic safety. The agreement shall commence on July 1, 2003 and continue until June 30, 2005. **(Contract No. C20030280)**
25. Vendor Services Agreement with Martin Marietta Materials to provide rock and gravel products for the term beginning April 1, 2003 through March 31, 2004. The material purchases are expected to exceed \$25,000. **(Contract No. C20030281)**
26. Resolution calling for bids for 2003 bridge painters. The bid opening will be held on Tuesday, July 22, 2003 at 11:30 a.m. **(Resolution No. R20030216)**

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, June 23, 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 \$98,584.58 (Transmittal No. C-73-03); and

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Warrants numbered 146339 through 146975 from Clearing Fund 696 in the total dollar amount of \$1,046,158.55 (Transmittal No. C-74-03).

2. Commissioner Anderson moved and Commissioner Munks seconded the motion to approve reimbursement for Audrey Smith for the National Byways Conference that she attended on behalf of Skagit County as part of the Gateway Communities to Federal Lands Initiative by the National Association of Counties. The motion carried unanimously.
3. Commissioner Anderson moved to approve a Change Order of \$603 to Skagit County Parks **Contract No. C20030222** with Larry Brown Construction for paving at the Skagit County Fairgrounds. Commissioner Munks seconded the motion, which carried unanimously. **(Amendment No. A20030082)**
4. Commissioner Anderson moved and Commissioner Munks seconded the motion to approve a resolution to waive fees for construction for Joan Lee Brakken under Application No. BP03-0612. The motion carried unanimously. **(Resolution No. R20030217)**

PUBLIC COMMENT PERIOD.

Commissioner Anderson moved to close the public comment period as there was no one present to speak. Commissioner Munks seconded the motion, which carried unanimously.

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:

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