

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, JULY 21, 2003**

8:00 a.m. – 8:30 a.m.	Executive Session – Personnel, Litigation and Land Acquisition
8:30 a.m. – 9:00 a.m.	Work Session – County Administrator
9:00 a.m. – 9:05 a.m.	Decision – Land Purchase for Farmland Legacy
9:05 a.m. – 10:00 a.m.	Budget Briefing for 2004 Budget
10:00 a.m. – 10:30 a.m.	Bid Opening – Catered Frozen Meals for Senior Services
10:30 a.m. – 11:00 a.m.	Consideration of the Hearing Examiner’s Recommendation for Approval of: 1) Timber Open Space Application of David and Susette Roath for property located off of Shaw Road in the Alger Area (C/U TMB#1-2002) 2) Timber Open Space Application of John E. Oman (for the estate of Everett Oman) for property located in Fidalgo City Area Near Campbell Lake (C/U TMB#2-2002) 3) Timber Open Space Application of H. Donald and Vicki S. Parry for property located in Pleasant Ridge Area, East of LaConner (C/U TMB#3-2002) 4) Timber Open Space Application of Vicki Soderberg Parry for property located in Pleasant Ridge Area, East of LaConner (C/U TMB#4-2002) 5) Timber Open Space Application of John Mailhiot and Sarah Bishop for property located in the Colony Mountain Area of Bow (C/U TMB#5-2002) 6) Timber Open Space Application for Jerry and Donna Greenwell for property located on the Ershig Road in the Bow area (C/U TMB#6-2002) 7) Timber Open Space Application for Virgil and Thelma Dodge for property located on Colony Road in the Bow Area (C/U TMB#7-2002)
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 1:00 p.m. – 1:30 p.m.	Visitation - Irish Students from Cascade Job Corps
1:30 p.m. – 2:00 p.m.	Decision – Closed Record Appeal on Belleville Mine
2:00 p.m. – 4:00 p.m.	Executive Session – Personnel, Litigation, and Land Acquisition

DECISION - LAND PURCHASE FOR FARMLAND LEGACY

Tom Karsh, Natural Resource Policy Administrator, provided background regarding a resolution being presented for Board consideration, which would approve distribution of Housing and Urban Development (HUD) grant funds to purchase property. The County received a \$498,000 grant from HUD that would allow the County to purchase and transfer approximately 32 acres of farmland to Washington State University (WSU) for continued agriculture research. Commissioner Anderson moved approval of the resolution authorizing the distribution of HUD grant #B-01-SP-WA-0664 funds for the purchase, transfer

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of title to WSU and the placement of perpetual Conservation Easements. Commissioner Munks seconded the motion, which carried unanimously.

BUDGET BRIEFING FOR 2004 BUDGET

County Administrator Gary Rowe gave a presentation outlining the Skagit County budget goals for 2004. The County has an adequate budget reserve; however Mr. Rowe said that he anticipates a shortfall over the next five years due to tax caps and the depressed economy. Growth in salary and benefits are the biggest budgetary issue. Medical benefits are estimated to increase by at least 15% next year. He outlined several recommended goals and objective and fiscal objectives. Those included: a five-year budget forecast that maintains a 10% reserve fund; no cost of living adjustment (COLA) consideration for employees until final adoption of the budget in December; training and certification programs for County employees; a \$500,000 increase in law and justice funding to meet growing needs; consideration of adopting additional excise tax to fund facility needs; combining of information services, records management, and geographic information services departments; partnering with cities, towns, and other local governments for delivery of services; and privatization of services where long-term service goals can be met with competitive pricing.

BID OPENING – CATERED FROZEN MEALS FOR SENIOR SERVICES

Linda Carlson proceeded to open the bids to for catered frozen meals for Senior Services. Bids were received as follows:

GA Foods
32nd Ct N
St Petersburg, FL 33716
\$2.00 per meal; \$.22 per roll.

First Choice Foods
PO Box 1959
Airway Heights, WA 99001
\$1.75 per meal; \$.08 per roll.

Ms. Carlson indicated that a bid award recommendation would be forthcoming within the next few weeks.

**CONSIDERATION OF HEARING EXAMERS RECOMMENDATION FOR OPEN SPACE
TIMBER APPLICATIONS.**

Linda White from Assessor's Office presented resolutions to grant the Hearing Examiner's recommendations to approval of seven Timber Open Space Applications. Commissioner Anderson moved and Commissioner Munks seconded the motion to approve the following applications:

- 1) Timber Open Space Application of David and Susette Roath for property located Off of Shaw Road in the Alger Area (C/U TMB#1-2002) **(Resolution No. R20030236)**
- 2) Timber Open Space Application of John E. Oman (for the Estate of Everett Oman) for property located in Fidalgo City Area Near Campbell Lake (C/U TMB#2-2002) **(Resolution No. R20030237)**
- 3) Timber Open Space Application of H. Donald and Vicki S. Parry for property located in Pleasant Ridge Area, East of LaConner (C/U TMB#3-2002) **(Resolution No. R20030238)**
- 4) Timber Open Space Application of Vicki Soderberg Parry for property located in Pleasant Ridge Area, East of LaConner (C/U TMB#4-2002) **(Resolution No. R20030239)**

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- 5) Timber Open Space Application of John Mailhiot and Sarah Bishop for property located in the Colony Mountain Area of Bow (C/U TMB#5-2002) (**Resolution No. R20030240**)
- 6) Timber Open Space Application for Jerry and Donna Greenwell for property located on the Ershig Road in the Bow area (C/U TMB#6-2002 (**Resolution No. R20030241**))
- 7) Timber Open Space Application for Virgil and Thelma Dodge for property located on Colony Road in the Bow Area (C/U TMB#7-2002) (**Resolution No. R20030242**)

The motion carried unanimously.

CONSENT AGENDA.

Commissioner Anderson motioned to approve the Consent Agenda for Monday, July 21, 2003, items number 1 though 45. Commissioner Munks seconded the motion, which passed with a unanimous vote.

COMMISSIONER'S OFFICE:

1. Record of the Proceedings for Friday, June 20, 2003.
2. Record of the Proceedings for Monday, July 7, 2003.
3. Record of the Proceedings for Tuesday, July 8, 2003.

BEST SELF:

4. Resolution authorizing the execution of an Interlocal Agreement with the Anacortes School District. (**Resolution No. R20030243**)
5. Interlocal Agreement with Anacortes School District #103 for program facilities for the summer Best SELF program. The agreement shall begin June 1, 2003, and continue through August 31, 2003. (**Contract No. C20030314**)
6. Resolution authorizing the execution of an Interlocal Agreement with the Mount Vernon School District and the Northwest Educational Service District. (**Resolution No. R20030244**)
7. Interlocal Agreement with Mount Vernon School District #320 and the Northwest Educational Service District #189 for program facilities for the summer Best SELF program. The agreement shall begin June 1, 2003, and continue through August 31, 2003. (**Contract No. C20030315**)
8. Resolution authorizing an Interlocal Agreement with the Sedro-Woolley School District and the Northwest Educational Service District. (**Resolution No. R20030245**)
9. Interlocal Agreement with Sedro-Woolley School District #101 and Northwest Educational Service District #189 for program facilities for the summer Best SELF program. The agreement shall begin June 1, 2003, and continue through August 31, 2003. (**Contract No. C20030316**)
10. Resolution authorizing the execution of an Interlocal Agreement with the Conway School District and the Northwest Educational Service District. (**Resolution No. R20030246**)
11. Interlocal Agreement with Conway School District #317 and Northwest Educational Service District #189 for program facilities for the summer Best SELF program. The terms of the agreement shall begin June 1, 2003, and continue through August 31, 2003. (**Contract No. C20030317**)

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12. Resolution authorizing the execution of an Interlocal Agreement with the Burlington-Edison School District and Northwest Educational Service District. **(Resolution No. R20030247)**
13. Interlocal Agreement with Burlington-Edison School District #100 and Northwest Educational Service District #189 for program facilities for the summer Best SELF program. The terms of the agreement shall begin June 1, 2003, and continue through August 31, 2003. **(Contract No. C20030318)**
14. Resolution authorizing the execution of an Interlocal Agreement with the Concrete School District. **(Resolution No. R20030248)**
15. Interlocal Agreement with Concrete School District #11 for program facilities for the summer Best SELF program. The terms of the agreement shall begin June 1, 2003, and continue through August 31, 2003. **(Contract No. C20030319)**

BUDGET AND FINANCE

16. Interlocal Agreement per Resolution **No. R20030036** with the City of Sedro-Woolley to grant \$500,000 to the City from Distressed County Funds to assist with the design and construction of the Highway 20 Rhodes Road Improvement Project. **(Contract No. C20030320)**

FACILITIES MANAGEMENT:

17. Amendment No. 1 to Vendor Services Agreement **No. C20020160** with Thyssen Sound Elevator to perform State tests and repair work on seven County elevators. The amendment shall be effective upon signature and shall continue through April 14, 2004. Compensation shall be increased by \$19,050 for a new total of \$26,050. **(Amendment No. A20030095)**
18. Amendment No. 1 to Personal Services Agreement **No. 005389** with Marc Estvold, Architect for additional design and construction administrative services provided during the East County Community Resources Center Project. Compensation shall be \$20,000 for a new total of \$120,800. **(Amendment No. A20030096)**

HEALTH DEPARTMENT:

19. Amendment No. 6 to Contract **No. 004483** with the Department of Social and Health Services (DSHS). This amendment will extend that contract end date to September 30, 2003, and will increase the compensation by \$8,084 for a total of \$129,411. All other terms of this agreement remain the same. **(Amendment No. A20030097)**
20. Contract with DSHS for Alternative Response System Services for families screened by CPS to be at risk of abuse or neglect. The contract will be effective July 1, 2003 through December 31, 2003. Compensation shall be \$8,892. **(Contract No. C20030321)**
21. Amendment No. 6 to Contract **NO. 004485** with DSHS "Public Health Nurse." The amendment extends the contract end date to September 30, 2003 and increases the compensation by \$6,268 for a new total of \$109,481. **(Amendment No. A20030098)**

HUMAN SERVICES:

22. Resolution appointing Elizabeth M. Ibanez to serve a three-year term on the Skagit County Substance Abuse Board. The term will be from July 1, 2003 through June 30, 2006. **(Resolution No. R20030249)**

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23. Amendment No. 4 to Contract **No. 05361** with DSHS/DASA (Division of Alcohol and Substance Abuse) due to an increase in funding. The maximum compensation is increased by \$29,153 for a new total of \$1,717,245. **(Amendment No. A20030099)**
24. Personal Services Agreement with Rehabco for continuance of Development Disabilities Community Access Services. The agreement shall be effective July 1, 2003 and continue through October 31, 2003 or until a new 2003-04 biennial contract can be executed. The County shall reimburse the contractor on a fee-for-service basis not to exceed \$400 per month per client. **(Contract No. C20030322)**
25. Personal Services Agreement with Rehabco for continuance of Person-to-Person Community Access Services. The agreement shall be effective July 1, 2003 and continue through October 31, 2003 or until a new 2003-04 biennial contract can be executed. The County shall reimburse the contractor on a fee-for-service basis not to exceed \$500 per month per client. **(Contract No. C20030323)**
26. Amendment No. 1 to Interlocal Agreement with Burlington-Edison School District Contract **No. C20020078** for the INGITE Freshman Orientation Mentoring Program. The agreement is effective June 29, 2003, for the period January 1, 2002 and continuing through June 30, 2003. Compensation will be increased by \$1,000 for a new total of \$7,000. **(Amendment No. A20030100)**
27. Resolution to appoint Joan Lubbe to the Skagit County Substance Abuse Board for a three-year term effective July 10, 2003 through July 9, 2006. **(Resolution No. R20030250)**
28. Personal Services Agreement with Chinook Enterprises for continuance of Developmental Disabilities Individual Supported Employment, Group Supported Employment and Pre-Vocational Services. The agreement shall be effective July 1, 2003 and continue through October 31, 2003 or until a new 2003-04 biennial contract can be executed. The County shall reimburse the contractor on a fee-for-service basis not to exceed \$500 per month per client. **(Contract No. C20030324)**

INFORMATION SERVICES:

29. Resolution authorizing the transfer of Skagit County surplus computer equipment to the Burlington-Edison School District. **(Resolution No. R20030251)**

PARKS AND RECREATION:

30. Amendment No. 1 to Personal Services Agreement **No. C20030140** with Leanord, Boudinot and Skodje to provide engineering services during the construction of the main entrance road to the Skagit County Fairgrounds. Compensation shall be \$5,400 for a new total of \$13,400. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20030101)**

PLANNING AND PERMIT CENTER:

31. Resolution to award the bid for Skagit County Clean Water District: Edison Subarea Sewer Improvements to Interwest Construction, Inc. **(Resolution No. R20030252)**
32. Personal Services Agreement with Interwest Construction, Inc. for Edison Subarea Sewer Clean Water drain field and associated accessories. The agreement is effective July 14, 2003, and will continue through August 31, 2004. Compensation shall not exceed \$167,059.28. **(Contract No. C20030325)**

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PROSECUTING ATTORNEY:

33. Personal Services Agreement with Craig Gannett and Davis Wright Tremain, LLP to provide consultation relating to the relicensing of the Baker Dam Project. The agreement is effective from May, 1, 2003 through December 31, 2003. Compensation rates shall not exceed a total of \$30,000. **(Contract No. C20030326)**
34. Quit Claim Deed and Excise Tax Affidavit between Skagit County and Malcolm and Victoria Bishop whereby the County releases any interest in Parcel P 72989 and P72995 in Edison, Washington for the purpose of a boundary adjustment. There is no monetary consideration and the Assessor's Office and the Public Works Department concur with the transfer.

RISK MANAGEMENT:

35. Resolution to purchase County property insurance policies, including earthquake and flood, and the Employee Blanket Bond for the period of August 1, 2003 through July 31, 2003. **(Resolution No. R20030253)**
36. Personal Services Agreement with Spartan, Ltd. to provide safety audit consulting for the Guemes Ferry. The agreement is effective March 1, 2003, through March 1, 2004. Compensation shall not exceed \$5,000. **(Contract No. C20030327)**

YOUTH AND FAMILY SERVICES:

37. Amendment No. 4 to Contract **No. C20020146** with Youthnet to provide academic outings during Emerson High School Summer School 2003. The compensation shall be \$50 per student per outing, not to exceed \$750. **(Amendment No. A20030102)**

PUBLIC WORKS:

38. Resolution to call for a public hearing on August 12, 2003, at 9:00 a.m., on the proposed 2004-2009 Six-Year Transportation Improvement Program (TIP). **(Resolution No. R20030254)**
39. Resolution to call for a public hearing on August 12, 2003, at 9:00 a.m., regarding the consideration of a road name change of North East Capehorn Road, No. 95010, to Elliott Road, No. 95010. **(Resolution No. R20030255)**
40. Personal Services Agreement with GeoTest Services, Inc. to provide laboratory testing and inspection services in accordance with the plans and specification and the 1997 U.B.C. for the Baker River Rehabilitation Project. The agreement is effective June 2, 2003, and continues through June 30, 2004. Compensation shall not exceed \$11,640. **(Contract No. C20030328)**
41. Local Agency Standard Consultant Agreement with Widener & Associates to provide environmental services for the Goldenrod Bridge and Road Improvement Project (City of Burlington), ES-9700-4. (The County's management of the project was approved through Interlocal Agreement **No. 005121.**) The consultant agreement is effective July 1, 2003, through December 31, 2005. Compensation shall not exceed \$40,000. **(Contract No. 20030329)**
42. Resolution authorizing the execution of an Interlocal Agreement with Skagit Transit (SKAT). **(Resolution No. R20030256)**
43. Interlocal Cooperative Agreement with SKAT to provide transportation services during the Guemes Ferry Haul Out and Dry Docking on July 12-13, 2003, and possibly July 19-20, 2003 from 10:30 a.m. – 6 p.m. The agreement shall be effective July 12, 2003, and continue through July 20, 2003. Compensation shall be \$75 per hour. **(Contract No. 20030330)**

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44. Right-of-Entry documents to allow Skagit County to perform survey work for the Samish Island Dike Repair. **(Contract No. 20030331); (Contract No. 20030332); (Contract No. 20030333)**
45. Grant Agreement with the Washington State Department of Ecology to support the Marine Resources Committee Administration related to the Northwest Straits Project. Compensation shall be \$10,000. The agreement is effective July 1, 2003 through June 30, 2004.

MISCELLANEOUS.

1. The Board unanimously approved two quit claim deeds between Skagit County and the Burlington-Edison School District presented by Allison Mohns of the Permit and Planning Department. The documents were related to the final phase of the Edison Subarea Sewer Clean Water drain field project.
2. 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, July 21, 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 \$30, 259.47 (Transmittal C-81-03); and

Warrants numbered 147999 through 148390 from Clearing Fund 696 in the total dollar amount of \$3,784,570.86 (Transmittal No. C-82-03); and

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$45,958.53 (Transmittal No. C-83-03); and

Warrants numbered 148391 through 148705 from Clearing Fund 696 in the total dollar amount of \$333, 025.82 (Transmittal No. C-84-03); and

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$44,170.62 (Transmittal No. C-85-03); and

Payroll warrants numbered 148706 through 148934 in the total dollar amount of \$1,195,730.00 (Transmittal No. P-86-03); and

Payroll warrants numbered 959866 through 96002 in the total dollar amount of \$155,532.87 (Transmittal No. 25-03); and

Payroll warrants numbered 126153 through 127456 in the total dollar amount of \$1,088,596.03 (Transmittal No. 26-03).

3. Commissioner Anderson moved approval of a resolution to authorize extension of the loan to Best PLACE from June 30, 2003 to December 31, 2003 due to an extension by the granting agency. Commissioner Munks seconded the motion, which carried unanimously. **(Resolution No. R20030257)**
4. Commissioner Anderson moved and Commissioner Munks seconded the motion to approve a resolution to accept the recommendation of the Public Facility Project Committee to fund the City of Anacortes, Snow Mountain Hill Expansion Project at 74% of the total cost up to \$72,000. The motion carried unanimously. **(Resolution No. R20030258)**

PUBLIC COMMENT PERIOD.

Carol Ehlers of West Fidalgo Island addressed the Board concerning the Fidalgo Subarea Plan. She had concerns about inaccurate data related to traffic and mapping and also felt that some residents were not represented on the citizen committees.

Tom Solberg of Alger spoke about several issues including the Conservation Futures Fund and citizen initiatives.

VISITATION – IRISH STUDENTS FROM CASCADE JOB CORPS.

Brian Hurst, Community Liaison with Cascade Job Corps, introduced high school students and their advisors who are visiting the area from Northern Ireland. The young people are part of the Spirit of Enniskillen Exchange Program, which encourages young people to visit other countries to learn firsthand about how people from a variety of cultures and religions live together. The students introduced themselves, spoke about their reasons for joining the group and reflected upon their experiences while visiting the United States.

DECISION – CLOSED RECORD APPEAL ON BELLEVILLE MINE.

The Board met to render their decision on Appeal #PL-03-0375 of the Hearing Examiner's decision to approve Special Use Permit #99-0132; Shorelines Substantial Development and Variance #PL-99-0130; and Critical Areas Variance #PL99-0131 regarding the Belleville Sand and Gravel Mine.

Commissioner Anderson indicated that County procedure was followed in the issuance of the Special Use Permit. He said that his biggest issue was related to the road being built by the Samish River, and he questioned the equity of this variance relative to other requests that had been denied by the Department of Ecology (DOE).

David Hough, Special Projects Consultant, gave an overview of the proposed road access, which is off of Old 99, going north of Thomas Creek across the Samish River and curving into the site. Mr. Hough stated that the proposed site would not change the current traffic pattern or move truck traffic into the rural area. He added that any drainage would be collected and funneled into the pit for treatment.

Commissioner Munks said he also was concerned about the proximity of the road to the Samish River and also about the wells in the area. He felt the issue of wells was addressed in the condition of approval, which called for monitoring, and that there were enough mitigating conditions to uphold the Hearing Examiner's decision.

Commissioner Munks said that it was his belief that the Appellant in this closed record hearing failed to sustain its burden of showing that the Hearing Examiner's decision was clearly erroneous. He moved to affirm the Hearing Examiner's findings, conclusions, and decision in this matter dated April 4, 2003, as amended by subsequent orders on consideration dated April 21 and 25, including all conditions of approval. Commissioner Dahlstedt seconded the motion, which carried 2-1 with Commissioner Anderson opposing.

Commissioner Anderson stated he was opposed due to his belief that special privilege was granted allowing the road to be built down the side of the Skagit River. He added that he had no problems with the rest of the project.

Commissioner Munks stated that in the future he will expect DOE to hold to the standard that they have met in this project.

Commissioner Dahlstedt said that there were protections and precautions being taken that addressed his concerns about water.

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