

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
THURSDAY, SEPTEMBER 18, 2003**

9:00 a.m. – 9:30 a.m. Discussion/Possible Action – Proposed One-Tenth of One Percent Sales Tax Increase for Law and Justice as Authorized by RCW 82.14.350

The Skagit County Board of Commissioners met in special session on Thursday, September 18, 2003, with Commissioners Kenneth A. Dahlstedt, Ted W. Anderson, and Don Munks present.

DISCUSSION/POSSIBLE ACTION – PROPOSED ONE-TENTH OF ONE PERCENT SALES TAX INCREASE FOR LAW AND JUSTICE AS AUTHORIZED BY RCW 82.14.350.

Chairman Dahlstedt called the meeting to order to consider a resolution for a possible increase in sales tax for criminal justice funding.

County Administrator Gary Rowe provided background information on the proposed sales tax increase. He stated that five options were considered by the Board on Monday, September 15, during the work session on the law and justice budget for 2004. It was decided to consider the option of passing a one-tenth of one percent sales tax. Legislation, which was passed in 1995, authorizes counties to fix and impose a sales and use tax for the purpose of providing funds for juvenile detention facilities and jails. The ballot title would include those provisions, which are outlined in RCW 82.14.350. If passed by the voters, this revenue would free up funds for other needs that could be determined through the budget process. The legislation specifies that the money must be used to maintain and operate jails and juvenile detention centers. Skagit County currently spends approximately \$4 million to operate the jail and juvenile detention center. If approved, this tax would provide about \$1.9 million, not even half of the cost of operating those facilities.

Chairman Dahlstedt asked Mr. Rowe to address the issue that was raised as to why there was a problem with law and justice funding.

Mr. Rowe stated that it is a combination of increased costs associated with services, increases in caseloads and jail populations, and resources that have not kept up with costs for services. The state promised in 1989 to support criminal justice; however the money has not come through. In 2001 the state withdrew \$1 million in revenues when the motor vehicle excise tax was eliminated. Mr. Rowe stated that from 2001 to 2003 there has been a steady decline in resources.

Commissioner Anderson pointed out that the Sheriff's Office has used many innovative practices such as electronic home monitoring and the work release program to cut costs and keep the jail population manageable. He added that this is critical situation because if the County does not keep the jail population manageable, the federal government will step in.

Mr. Rowe said that 11 other counties in the state have passed the proposed tax. \$25.4 million was raised statewide in 2001. He also presented the following policies issues to consider regarding the overall needs of the jail if the sales tax is passed: Should a portion of the tax be ear-marked for jail expansion? and Should per day charges for other agencies be reduced by the taxes that offset jail operations?

Commissioner Munks commented that it was unfortunate that the true and accurate message is not being portrayed to the public. He shared a headline from a *Skagit Valley Herald* story about the law and justice budget that said money is needed to provide more County employees, which is not correct. That newspaper headline was also shared by the Mayor of Mount Vernon during a debate regarding the Charter government movement. Commissioner Munks said that in the last three years, the County has lost over \$2 million in law and justice funding. State funds for providing mandated services have decreased on a continuous basis. He stated that the tax is not about providing employees, it is about providing services.

Chairman Dahlstedt asked if members of the audience wished to speak.

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Gretchen VanPelt of the Prosecuting Attorney's office stated that she would like to see language in the resolution indicating that funds appropriated through this tax would free up funds for other law and justice departments. She read a prepared statement from legal assistants in her office that expressed their concerns that the safety of the community is being compromised because of lack of staffing. They feel their ability to give the necessary attention to cases and preparation of court documents has been reduced. The letter also stated that inadequate resources should not compromise meeting the needs of citizens to provide public safety.

Commissioner Anderson stated that he did not think the resolution could be amended due to the language of the RCW.

Mr. Rowe said that a statement could be added to clarify that moneys received could provide for redistribution of funds for law and justice needs.

Commissioner Munks commented that there are only limited opportunities to generate funds to offset costs. The County is at a point where additional funds need to be generated to help all departments.

Prosecuting Attorney Tom Seguine said that he agreed with Commissioner Munks that this issue should not be politicized. The Commissioners are being prudent in recognizing the challenges that we face and being responsible. He said that this is not a run at getting new employees; it is about maintaining the level of services provided to citizens of this County.

Sheriff Rick Grimstead said that his entire career in law enforcement has been focused on putting criminals behind bars. Now the focus is getting people out of jail as quickly as possible to make room for other inmates. He said that this money is needed just to maintain the level of services.

Chairman Dahlstedt spoke about County budget reserves. He said that recently the federal and state governments had trillions of dollars in reserves and now they are at a deficit. It has taken the County years to build up reserves. If we use this money and have nothing to fall back on, the County would be on the verge of collapse. A sales tax would be paid by everyone that is protected by the law enforcement system.

Commissioner Anderson said that this is his ninth year as Commissioner and he has always believed in safeguarding the budget reserves. Skagit County is located on one of the most dangerous rivers on the West Coast and there is the potential for a disaster. A taxable levy could have been assessed, but it wasn't. This will allow citizens to vote, and the citizens recognize the importance of law enforcement. He stated that the County would be remiss to just keep putting this problem off and letting it get larger. He added that he was proud of County employees who have helped to build the reserves by working hard and doing their jobs with less.

Mr. Rowe read the additional language to be added to the resolution "**WHEREAS**, moneys received from the tax, if approved by voters will provide the opportunity to redistribute discretionary revenues to address law and justice needs to continue to protect County citizens;"

Commissioner Anderson moved to adopt the 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 RCW 82.14.350 to be Used Solely for the Purpose of Providing Funds for Costs Associated with Juvenile Detention Facilities and Jails with the proposed amendment. Commissioner Munks seconded the motion, which carried unanimously.

Commissioner Munks said that he felt fortunate that past Commissioners did not spend money and held the line on the budget. He said that the current Commissioners have also held the line and that is why the County has the reserve money. Over one-third of the counties in the state are in financial straits. He also recognized the employees of the County for their hard word to keep everything going.

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