

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
MONDAY, NOVEMBER 24, 2003**

8:00 a.m. – 8:45 a.m.	Work Session – Commissioners
8:45 a.m. – 9:30 a.m.	Work Session – County Administrator
10:30 a.m. – 10:45 a.m.	Signature – Final Plat Approval PL01-0549 for Greg Leonard
*T 10:45 a.m. – 11:00 a.m.	Proclamation – Salvation Army Kettle Week, November 23-29, 2003
11:00 a.m. – 11:30 a.m.	Consent Agenda and Miscellaneous Items
11:30 a.m. – 11:45 a.m.	Public Comment Period
1:00 p.m. – 3:00 p.m.	Executive Session – Personnel, Litigation and Land Acquisition
3:00 p.m. – 4:00 p.m.	Reception – Washington State University, Skagit County Cooperative Extension Office's Out-Going Chairperson, Mike Hackett and Introduction to New Chairperson, Ned Zaugg

The Skagit County Board of Commissioners met in regular session on Monday, November 24, 2003, with Commissioners Kenneth A. Dahlstedt, Ted W. Anderson and Don Munks present.

**SIGNATURE – FINAL PLAT APPROVAL PL01-0549 FOR GREG LEONARD.**

Marge Swint, Associate Planner, stated that this public meeting is being held for Final Plat Approval on Administrative Long CaRD PL01-0549, submitted by Greg Leonard. This would allow for the re-division of approximately 20 acres into 4 lots for residential development. The 20 acres are part of a 4 lot Short Plat, No. PL00-0342. The proposal includes 3 one-acre parcels for residential development with the 4<sup>th</sup> lot having one acre designated for residential development and the remaining 16 acres as Open Space Recreation/Amenities. Ms. Swint said the development located on Cape Horn Road will be served by on-site septic and private wells.

Commissioner Anderson motioned to approve Final Plat PL01-0549, as outlined by Ms. Swint. Commissioner Munks seconded the motion, which passed unanimously. Ms Swint indicated that a resolution will be brought forth under a future Consent Agenda.

**PROCLAMATION – SALVATION ARMY KETTLE WEEK, NOVEMBER 23-29, 2003.**

Commissioner Anderson read and motioned to approve a proclamation proclaiming November 23-29, 2003 as Salvation Army Kettle Campaign Week in Skagit County. Commissioner Munks seconded the motion, which passed with a unanimous vote.

**CONSENT AGENDA.**

Commissioner Anderson motioned to approve the Consent Agenda for Monday, November 24, 2003, items 1 and 2, 4 through 17 and item 19. Commissioner Munks seconded the motion, which passed unanimously. Item 3 was removed from the Consent Agenda due to Chairman Dahlstedt having family ties to the property in question. It was voted on and under miscellaneous. Item 18 was removed for further discussion.

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**COMMISSIONERS' OFFICE:**

1. Record of the Proceedings for Monday, November 17, 2003.
2. Record of the Proceedings for Tuesday, November 18, 2003.
3. Resolution authorizing the annexation and consolidation of Skagit County Dike District No. 8 and Drainage District No. 8 by Skagit County Dike District No. 12. **(This item was removed from the Consent Agenda and voted on separately under miscellaneous)**

**ADMINISTRATIVE SERVICES:**

4. Resolution authorizing an Interlocal Cooperative Agreement with the City of Anacortes. **(Resolution No. R20030)**
5. Interlocal Cooperative Agreement with the City of Anacortes for the provision of Advanced Life Support Ambulance Services, pursuant to Ordinance No. O20030003. **(Contract No. C20030)**

**HUMAN RESOURCES:**

6. Resolution amending the Skagit County Personnel Policies and Procedures Manual, Section 6 – Employee Benefits. **(Resolution No. R20030)**
7. Resolution amending the Skagit County Personnel Policies and Procedures Manual, Section 5 – Pay, which will add Bilingual Pay Differential. **(Resolution No. R20030)**

**HUMAN SERVICES:**

8. Personal Services Agreement with Washington Vocation Services, to provide newly established Person-to-Person services to authorized Skagit County residents with a developmental disability who have been successful in maintaining stable independent employment for an extended period of time. The agreement shall commence on November 1, 2003 and continue through June 30, 2005. Compensation shall be reimbursed on a fee-for-service basis. **(Contract No. C20030)**
9. Amendment No. 1 to Personal Services Agreement **No. C20030354** with Skagit Recovery Center. This amendment extends the term of the agreement until June 30, 2005. It also adds language, which allows for new BRYNE Grant Drug Court services and continuance of Substance Abuse Treatment services in the community. The amendment is retroactive to July 1, 2003 and an additional amount of \$1,050,602 has been added to the original contract of \$342,735 for a new total of \$1,393,337. **(Amendment No. A20030)**

**PROSECUTING ATTORNEY:**

10. Joint Representation Agreement with National Association of Home Builders and Perkins Coie L.L.P. for the purpose of joining in intervention to defend the Federal Emergency Management Agency against claims asserted in a complaint filed on September 16, 2003 and captioned **National Wildlife Federation v. Federal Emergency Management Agency**, No. CV03-2824Z (S.D. Wash.) (the "Litigation") and for the purpose of asserting their mutual interests in any settlement process or Endangered Species Act ("ESA") consultation that results from the Litigation, the National Association of Home Builders ("NAHB"), the undersigned intervener co-defendant Skagit County ("Co-Defendant"), and all other Co-Defendants who sign an identical duplicate of this Agreement (collectively the "Parties"), hereby agree to the terms and conditions for joint legal representation by Perkins Coie L.L.P. **(Contract No. C20030)**
11. Resolution authorizing the filing of a Quiet Title action to obtain title to property adjacent to the old Rockport landfill. **(Resolution No. R20030)**

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12. Quit Claim Deed and Real Estate Excise Affidavit between Skagit County and Irwin B. and Gladys A. Anderson. The Andersons wish to clear title for areas of an unopened County road that adjoins their property. **(Approved)**

**RISK MANAGEMENT:**

13. Personal Services Agreement with Allied Pacific Adjusting Group to provide professional claims adjustment services for property and casualty claims against Skagit County. The agreement shall commence on December 1, 2003 and continue through December 31, 2004. Compensation shall not exceed a total of \$20,000. **(Contract No. C20030)**

**SHERIFF'S DEPARTMENT:**

14. Resolution calling for bids for jail laundry, food and commissary services. The bid opening will be held on Tuesday, December 9, 2003 at 11:15 a.m. **(Resolution No. R20030)**

**PUBLIC WORKS DEPARTMENT:**

15. Resolution requesting a Statement of Qualifications for Skagit River Flood Damage Reduction Study Engineering Services. **(Resolution No. R20030)**
16. Resolution awarding the bid for the "Guemes Ferry/Anacortes Parking Lot Demolition Project, Project No. ESMC 001-1" to Advanced Construction, Inc. for the low bid of \$28,040. **(Resolution No. R20030)**
17. Resolution awarding the bid for the "Abandoned BNRR Bridge Debris Removal, Project No. ESMP 1-5" to Northwest Logging and Excavation for the low bid of \$88,000, plus applicable sales tax. **(Resolution No. R20030)**
18. Resolution regarding the matter of Flood Disaster Event Roles and Responsibilities. **(This item was removed pending further discussion)**
19. Resolution amending Resolution No. R20030335, regarding Flood Disaster Event Roles and Responsibilities of the Skagit County Department of Public Works. Mr. Steve Flude will be designated as Flood Fight Coordinator to replace Mr. Don Dixon, who died on November 14, 2003, for the 2003/2004 flood season. **(Resolution No. R20030)**

**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, November 24, 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 \$127,106.17 (Transmittal No. C-134-03); and

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$108,878.30 (Transmittal No. C-135-03); and

2. John Schultz, Attorney for Dike District 12, submitted a resolution authorizing the annexation and consolidation of Skagit County Dike District No. 8 and Drainage District No. 8 by Skagit County Dike District No. 12.

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Chairman Dahlstedt stated that his parents own land in both dike districts, therefore he will not be voting.

Commissioner Anderson moved to approve the resolution, as outlined by Mr. Schultz. Commissioner Munks seconded the motion, which carried. Chairman Dahlstedt abstained. **(Resolution No. R20030)**

3. Staff presented a resolution, which would establish a Citizen Advisory Committee to address the review of Skagit County's Forest Natural Resource Lands Designation, Policies and Development Regulations. Commissioner Anderson moved to approve the resolution and Commissioner Munks seconded the motion. The motion carried with a unanimous vote. **(Resolution No. 20030)**
  
4. Commissioner Anderson motioned to approve an emergency resolution, which authorizes the expenditure of funds as required for a rock slide that occurred on Highway 20 east of Rockport on November 14, 2003. The potential remains for additional major sliding to occur that may block the flow of the Skagit River. In addition, excessive rains fell throughout Skagit County starting on November 17, 2003 causing creeks, ditches, lakes and rivers to over-top their banks thereby causing flooding in several areas throughout the County. Persons and property have and will be damaged unless further efforts are taken to reduce the threat to life and property.  
  
Commissioner Munks seconded the emergency resolution, as outlined by Commissioner Anderson and the motion passed unanimously. **(Resolution No. R20030)**
  
5. The Board approved a Certificate of Appreciation to Skylar Anderson, a member of the Skagit County Search and Rescue team, for his tireless efforts given during the recent flood event.

**PUBLIC COMMENT PERIOD.**

During the public comment period, James Neff of 10901 Peterson-Anderson Road in Burlington, expressed his concerns regarding a dike that was heightened without the proper permits on property owned by his neighbor, John Sandell. He said Mr. Sandell's actions have had an adverse effect for those property owners on the east and south side of the Samish River. Mr. Neff was told to file a complaint, which he did, however, he feels no one is willing to address the problem.

The Board agreed that this is a code enforcement issue that obviously hasn't been taken care of. Commissioner Anderson said he would talk with Prosecuting Attorney, Tom Seguire, to see if code enforcement action was ever filed with the Department against Mr. Sandell.

Mr. Neff also asked about construction plans on Green Road. Commissioner Anderson said the project was added to the 6-year Transportation Improvement Plan (TIP). Commissioner Munks thought the road was going to be fixed in two phases. Chairman Dahlstedt said he remembered voting on fixing Dahlstedt Road to Kelleher Road. Commissioner Anderson said he would obtain a copy of the 6-year TIP and get back with Mr. Neff. He also stated that the entire road should be fixed as it is unsafe and presents a huge liability for the County.

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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**

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Kenneth A. Dahlstedt, Chairman

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Ted W. Anderson, Commissioner

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Don Munks, Commissioner

ATTEST:

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