

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, DECEMBER 15, 2003**

8:00 a.m. – 8:45 a.m.	Work Session – Commissioners
8:45 a.m. – 9:30 a.m.	Work Session – County Administrator
9:45 a.m. – 10:00 a.m.	Decision Regarding Vacation of a Portion of Unopened County Right-of-Way known as Coots Cove Lane in Big Lake, off West Big Lake Boulevard Decision Regarding Vacation of Unopened County Right-of-Way known as Front Street and Short Street in Rockport, West of Railroad Avenue
10:00 a.m. – 10:45 a.m.	Budget/Finance Meeting
10:45 a.m. – 11:00 a.m.	Public Hearing to Consider Testimony Regarding a Proposed Amendment to Skagit County Code Chapter 3.16, Imposition of an Additional Two Percent (2%) Excise Tax on Lodging
11:00 a.m. – 11:30 a.m.	Consent Agenda and Miscellaneous
11:30 a.m. – 11:45 a.m.	Public Comment Period
1:30 p.m. – 1:45 p.m.	Consideration of Support and Sponsorship of Leadership Skagit
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, December 15, 2003, with Commissioners Kenneth A. Dahlstedt, Ted W. Anderson and Don Munks present.

DECISION REGARDING VACATION OF UNOPENED COUNTY RIGHT-OF-WAY KNOWN AS COOTS COVE LANE IN BIG LAKE

Steve Flude, Public Works, provided additional information about the Coots Cove Lane right-of-way in Big Lake, which included an illustration of the property lines. Mr. Flude confirmed that Public Works had checked the turning radius and County right-of-way needs, and vacating the property will not interfere with the County right-of-way.

Commissioner Anderson moved and Commissioner Munks seconded the motion to approve the vacation of the right-of-way known as Coots Cove Lane in Big Lake. The motion carried unanimously.

DECISION REGARDING VACATION OF UNOPENED COUNTY RIGHT-OF-WAY KNOWN AS FRONT STREET AND SHORT STREET IN ROCKPORT

Steve Flude reported that Public Works has gone back and talked with the individual requesting the vacation of the unopened County right-of-way on Front Street and Short Street in Rockport. The applicant only needs to vacate a small piece of property to allow access to his property. The Engineer's Report has been updated to reflect the change in the request. The Board agreed that since the original request was changed, a new public hearing will need to be held.

Commissioner Anderson moved to call for a public hearing on the updated request for January 13, at 9:00 a.m. Commissioner Munks seconded the motion, which carried unanimously. A resolution and legal notice will be forthcoming.

Commissioner Anderson moved to deny the request for the proposal to the request for vacation of the unopened County right-of-known as Front Street and Short Street due to the changes in the request.

**RECORD OF THE PROCEEDINGS
MONDAY, DECEMBER 15, 2003
PAGE NO. 2**

Commissioner Munks seconded the motion, which carried unanimously. The public hearing for the updated request is scheduled for January 13.

BUDGET/FINANCE MEETING

A budget and finance meeting was held to discuss the 2004 budget. A resolution to establish the goals and objective for the 2004 fiscal year budget is being presented for approval as part of today's Consent Agenda. Brad Whaley, Budget and Finance Director, highlighted the changes and went over the various fund balances.

County Administrator Gary Rowe stated that revenues are expected to be a little higher than projected for the General Fund. He said that unless there were objections, there will be no budget and finance meeting in January; however, the budget steering committee will meet in January.

**PUBLIC HEARING REGARDING A PROPOSED AMENDMENT TO SKAGIT COUNTY CODE
CHAPTER 3.16, IMPOSITION OF AN ADDITIONAL TWO PERCENT (2%) EXCISE TAX ON
LODGING**

The Board held a public hearing to consider testimony on a proposed amendment to Skagit County Code Chapter 3.16 to impose an additional 2% excise tax on lodging. Brad Whaley gave background information on the Lodging Tax Advisory Committee and their recommendations, which included the imposition of the additional 2% tax as allowed by law.

Dave Pickenpaugh of the North Cascades Chamber of Commerce presented a request for funds. He was advised that this hearing is regarding the implementation of the additional tax. His request will be submitted to the Lodging Tax Advisory Committee for consideration.

Michael Broome of the Anacortes Chamber of Commerce and the President of Skagit County Chamber Executive Directors' Association (SCCEDA) spoke in support of the additional 2% tax. He said that all the other jurisdictions in the County have already implemented the additional 2%. Mr. Broome is also a member of the Lodging Tax Advisory Committee.

Cindy Verge, Executive Director of the Skagit Valley Tulip Festival, and a member of the Advisory Board urged the Board to pass the 2% increase in the lodging tax. She stated that his would provide additional funds to bring in tourism.

Jenny Scott, Executive Director of the LaConner Chamber of Commerce and member of SCCEDA spoke in favor of the tax increase.

Don Clark of the Lodging Tax Advisory Committee was in favor of the tax increase. He spoke about his concerns regarding the budget for the rural County area and the fact that the various Chambers of Commerce are receiving County lodging tax in addition to money that they receive from the cities. He wants to see the money used to promote events that will generate more support for the businesses that support this fund.

Kristin Whitener, Executive Director of the Mount Vernon Chamber of Commerce was supportive of the tax increase. She said that the Chambers market the entire County.

Commissioner Anderson moved and Commissioner Munks seconded the motion to close the public hearing. The motion carried unanimously.

Commissioner Anderson expressed his concerns about the funding for rural events, and the amount of money provided by the cities. He would like to see more emphasis on struggling rural businesses. Michael Broome said that SCCEDA promotes the entire Skagit Valley and act as a County visitor bureau.

**RECORD OF THE PROCEEDINGS
MONDAY, DECEMBER 15, 2003
PAGE NO. 3**

Commissioner Munks clarified that approval of the increase is a separate issue from the Lodging Tax budget. Mr. Rowe stated that the recommended list of projects funded by the Lodging tax was part of the budget process. It was approved contingent upon passage of the 2% increase; however, the Board can still modify the budget. If this tax is to take effect by April 1, it would need approval by January 15.

Commissioner Anderson moved to approve to amend Skagit County Code 3.16 to allow an additional 2% excise tax on lodging. Commissioner Munks seconded the motion, which carried unanimously. **(Ordinance No. O20030031)**

Don Clark would like to see the final recommended Lodging tax budget and asked that the Commissioners look at it again.

CONSENT AGENDA

Commissioner Anderson motioned to approve the Consent Agenda for Monday, December 15, 2003, items 1 through 4 and items 6 through 26. Commissioner Munks seconded the motion, which passed unanimously.

COMMISSIONER'S OFFICE:

1. Record of the Proceedings for Monday, December 8, 2003.
2. Record of the Proceedings for Tuesday, December 9, 2003.

ADMINISTRATIVE SERVICES

3. Resolution to Call for a Public Hearing to amend Chapter 3.12 of the Skagit County Code to add an additional one-quarter percent (1/4%) real estate excise tax. The hearing is scheduled for January 5, 2004 at 10:45 a.m. **(Resolution No. R20030411)**

BUDGET AND FINANCE:

4. Resolution establishing goals and objective for the 2004 fiscal year budget. **(Resolution No. R20030412)**

CONSERVATION FUTURES:

5. Conservation easement granted by Carl Austin Swanson to Skagit County. The easement will extinguish one development right and permanently protect approximately 31 acres of farmland near LaConner at a cost of \$31,034.53.

HUMAN RESOURCES:

6. Resolution to amend Section 5 of the Personnel Policies and Procedures Manual regarding compensation during a declared emergency. **(Resolution No. R20030413)**

HUMAN SERVICES:

7. Resolution appointing Bob Hart as an alternative member on the North Sound Mental Health Administration Advisory Board. His term will be from January 1, 2004 through December 31, 2006. **(Resolution No. R20030414)**
8. Resolution re-appointing Mary Good to the North Sound Mental Health Administration Advisory Board. Her term will be from January 1, 2004 through December 31, 2006. **(Resolution No. R20030415)**

**RECORD OF THE PROCEEDINGS
MONDAY, DECEMBER 15, 2003
PAGE NO. 4**

9. Resolution re-appointing Jim King to the North Sound Mental Health Administration Advisory Board. His term will be from January 1, 2004 through December 31, 2006. **(Resolution No. R20030416)**
10. Personal Services Agreement with NAMI Skagit to provide information and educational programs to mental health professionals, consumers, family members, and high school students. The agreement will be effective from January 1, 2004 through December 31, 2004. Compensation shall not exceed \$17,060. **(Contract No. C20030505)**

INFORMATION SERVICES:

11. Amendment No. 3 to **Contract No. C20020235** with ImageSource, Inc. to provide continued support of the County Clerk Imaging System through September 29, 2004. Compensation will be increased by \$21,624 for a new total of \$268,871.10. **(Amendment No. A20030167)**
12. Amendment No. 4 to **Contract No. 04487** with the City of Mount Vernon. This is a Supplemental Agreement for the City of Mount Vernon to provide NetMotion services on behalf of Skagit County as required for wireless communication for Sheriff patrol cars. The agreement shall commence upon execution. Compensation shall be \$10,000. **(Amendment No. A20030168)**

PARKS AND RECREATION:

13. Resolution authorizing an Interlocal Agreement between Skagit County Parks and Recreation and the Anacortes School District. **(Resolution No. R20030417)**
14. Interlocal Agreement with the Anacortes School District. The agreement allows Skagit County Parks and Recreation to develop a community trail on the Fidalgo Elementary School grounds. In exchange Skagit County will receive programming opportunities at the Fidalgo School Gymnasium. **(Contract No. C20030506)**

PLANNING & PERMIT CENTER:

15. Resolution approving the final Long CaRD plat (PC01-0549) for Leonard Long. **(Resolution No. R20030418)**

PROSECUTING ATTORNEY:

16. Amendment No. 2 to **Contract No. 05559** with Preston Gates and Ellis to provide legal counsel, representation, and negotiation services with the Bureau of Indian Affairs. The amendment will extend the agreement to March 31, 2004 and amend the rate of compensation for Bart Freedman and Theodore Angelis. **(Amendment No. A20030169)**
17. Partial Satisfaction and Release of Judgment in the Halverson, et. al v. Skagit County as it relates to Sam (Charles) and Mary Dodge, which will pay \$1,409.32 for said release. **Approved**
18. Personal Services Agreement with Buck and Gordon, LLP to provide consultation, legal services and litigation support on selected legal issues relating to the Growth Management Act and other land use and environmental issues. The agreement shall begin on January 1, 2004, and continue through December 31, 2004. Compensation shall not exceed \$180,000. **(Contract No. C20030507)**

**RECORD OF THE PROCEEDINGS
MONDAY, DECEMBER 15, 2003
PAGE NO. 5**

SENIOR SERVICES:

19. Amendment No. 3 to **Contract No. C2003001** with Northwest Regional Council to provide congregate/home delivered meals and Title V senior employment services. The amendment reflects various changes in costs and budget for the project. **(Amendment No. A20030170)**

SUPERIOR COURT:

20. Personal Services Agreement with Northwest Family & Children's Services for Guardian ad Litem services required for dependency cases filed and heard in Skagit County Superior Court. The agreement shall begin on January 1, 2004, and continue through December 31, 2004. Compensation shall not exceed \$90,000. **(Contract No. C20030508)**

YOUTH & FAMILY SERVICES:

21. Personal Services Agreement with The Center, Inc. to provide specialized child, adolescent, adult and family assessment, evaluation and treatment (group and/or individual and/or families) consultation, education classes, monitoring with written reports as required, and training as referred by the County. The agreement shall begin on January 1, 2004, and continue through December 31, 2005. Compensation will vary depending on the service provided and will not exceed \$10,000. **(Contract No. C20030509)**

PUBLIC WORKS:

22. Amendment No. 1 to **Contract No. C20030424** with Leonard, Boudinot & Skodje, Inc. to provide engineering, permitting, and construction services related to the Britt Slough Trunk Storm Sewer Project. The amendment will begin on October 30, 2003 and will extend the terms of the agreement to December 31, 2004. Compensation will increase by \$10,000 for a new total of \$20,000. **(Amendment No. A20030171)**
23. Amendment No. 2 to Task Assignment #2 of **Contract No. C20030036** Personal Services Agreement with Pacific International, PLLC. The amendment will allow the contractor to perform additional work on the Burlington Northern Santa Fe Project as part of the Skagit River Flood Protection/Salmon Restoration Project. The amendment is effective November 1, 2003 and will increase compensation by \$26,000 for a new total of \$159,000. **(Amendment No. A20030172)**
24. Amendment No.2 to Task Assignment #3 of **Contract No. C20030036** Personal Services Agreement with Pacific International, PLLC. The amendment will allow the contractor to provide hydraulic engineering expertise for an evaluation of flood storage for Lower and Upper Baker Dams as part of the Skagit River Flood Protection/Salmon Restoration Project. The effective date of the amendment is November 1, 2003. Compensation will be increased by \$95,000 for a new total of \$384,220. **(Amendment No. A20030173)**
25. Amendment No. 2 to Task Assignment #4 of **Contract No. C20030036** Personal Services Agreement with Pacific International, PLLC. The amendment will allow the contractor to provide additional hydraulic modeling of the Skagit mainstem and overbank areas calibrated to the October 2003 high water marks as part of the Skagit River Flood Protection/Salmon Restoration Project. The effective date of the amendment is November 1, 2003. Compensation will be increased by \$34,100 for a new total of \$145,100. **(Amendment No. A20030174)**

**RECORD OF THE PROCEEDINGS
MONDAY, DECEMBER 15, 2003
PAGE NO. 6**

26. Amendment No. 4 to **Contract No. C20030036** Personal Services Agreement with Pacific International, PLLC. The amendment will allow the contractor to perform additional work on the Burlington Northern Santa Fe Project, hydraulic engineering and modeling of the Skagit mainstem and overbank areas as part of the River Flood Protection/Salmon Restoration Project. The amendment is effective November 1, 2003 and will increase compensation by \$155,100 for a new total of \$777,320. **Amendment No. A20030175**

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, December 15, 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 \$90,374.12 (Transmittal No. C-143-03); and

Warrants numbered 158215 through 158347 from Clearing Fund 696 in the total dollar amount of \$444,175.35 (Transmittal No. C-144-03); and

Purchase Card Electronic Payment to JP Morgan Chase from Clearing Fund 696 in the total dollar amount of \$25,410.42 (Transmittal No. C-145-03); and

Warrants numbered 15838 through 159147 from Clearing Fund 696 in the total dollar amount of \$1,141,752.18 (Transmittal No. C146-03); and

Warrants number 136410 through 137263 from Clearing Fund 695 in the total dollar amount of \$960,882.16 (Transmittal No. P-45-03); and

Warrants number 961283 through 961425 from Clearing Fund 695 in the total dollar amount of \$161,468.04 (Transmittal No. P-46-03).

2. The Board received an Emergency Resolution to declare that an emergency exists effective 11:00 a.m. on Thursday, December 4, 2003 due to damages caused by heavy rains and wind storms in October and November 2003. Commissioner Anderson moved to approve the resolution to authorize the expenditure of funds as required. Commissioner Munks seconded the motion, which carried unanimously. **(Resolution No. R20030419)**
3. Public Works staff presented Amendment No. 1 a Change Order to **Contract No. C20030253** with One-Way Construction for the Baker River Bridge Rehabilitation Project. Commissioner Anderson moved to approve the amendment as outlined. Commissioner Munks seconded the motion, which carried unanimously. **(Amendment No. A20030176)**

PUBLIC COMMENT PERIOD.

Jerry LaFollette of the Associate Provider Network gave an update on crisis and mental health responses in the County during the October flood event.

Don Bockelman, 30623 South Skagit Highway, Sedro-Woolley, spoke about his ongoing frustration with the County permitting process related to dividing his property in Day Creek.

CONSIDERATION OF SUPPORT AND SPONSORSHIP OF LEADERSHIP SKAGIT

Don Wick of the Economic Development Association of Skagit County read the mission statement of Leadership Skagit. He said that the group is a community leadership association that provides experience and knowledge of the community and development of leadership skills. Debra Lancaster of Skagit Valley College spoke about the program and the membership. County Administrator Gary Rowe has been participating in Leadership Skagit this year, and he has discussed County support of the program individually with the Commissioners.

Commissioner Anderson moved and Commissioner Munks seconded the motion to support and provide sponsorship to Leadership Skagit through a contribution of \$4,000 from the 2003 budget and to support County employees who wish to pursue leadership roles in Skagit County. The motion carried unanimously. (**Resolution No. R20030420**)

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