

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, AUGUST 2, 2004**

8:00 a.m. – 8:45 a.m.	Work Session – Commissioners
8:45 a.m. – 9:30 a.m.	Work Session – County Administrator
10:00 a.m. – 10:45 a.m.	Department Head Meeting
10:45 a.m. – 11:00 a.m.	Update – Skagit County Triage System
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. – 1:30 p.m.	Consideration and Possible Action – Resolution to Establish Deadlines for Comprehensive Plan Amendment Proposals to be Considered as Part of Skagit County’s State-Mandated 2005 Comprehensive Plan Update
	Consideration and Possible Action – Resolution Approving a Work Program to Consider the Development and Adoption of a “Transfer of Development Rights” (TDR) Program in 2005
1:30 p.m. – 2:30 p.m.	Work Session – Mental Health Issues
2:30 p.m. – 3:00 p.m.	Presentation – Law and Justice Plan

The Skagit County Board of Commissioners met in regular session on Monday, August 2, 2004 with Commissioners Ted W. Anderson, Don Munks and Kenneth A. Dahlstedt present.

DEPARTMENT HEAD MEETING.

During the Department Head Meeting, Washington State University Cooperative Extension Director, Ned Zaugg, introduced John Matthews and Amanda Proudfoot. Mr. Matthews has been hired as the new Pest Control Coordinator and Ms. Proudfoot is the new 4-H Coordinator.

Sheriff, Rick Grimstead, spoke about campus security at the new Continental Place building and in Hearing Room A of the Administration Building. He indicated that perhaps an agreement with the City of Mount Vernon could be drafted, which would allow them to become first responders in the event of an emergency at Continental Place. Mr. Grimstead is concerned with Hearing Room A due to the fact that civil matters are being heard there and a security system does not exist. With this type of an arrangement, anyone could walk into one of the hearings causing a disturbance or bearing illegal weapons.

The Commissioners briefly discussed their recent National Association of Counties Conference, which was held in Phoenix, Arizona. Chairman Anderson is the Vice-Chairman of the Public Lands Steering Committee; Commissioner Munks is a member of the Environment, Energy and Land Use Steering Committee; and Commissioner Dahlstedt sits on the Agriculture and Rural Affairs Steering Committee. In addition, Mr. Rowe is a member of the Transportation Steering Committee. Chairman Anderson said Skagit County is the only county in the United States where all three Commissioners and the County Administrator serve on steering committees.

Mr. Rowe handed out lapel pins with the new County logo on them.

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UPDATE – SKAGIT COUNTY TRIAGE SYSTEM.

David Asia, Human Services, provided an update on the latest development with regard to the Behavioral Crisis Triage Center. He said negotiations are underway between Compass Health and Corky Hundahl, of Phoenix Recovery Services. She has purchased a new building on College Way and will be leasing it to Compass Health to be used as a 12-bed triage center. Mr. Asia said it should be suitable for occupation by November or December. He also noted that it will be the only program of its kind in the State of Washington.

CONSENT AGENDA.

Commissioner Munks motioned to approve the Consent Agenda for Monday, August 2, 2004, items 1 through 32. Commissioner Dahlstedt seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, July 26, 2004.
2. Resolution re-appointing Paul Koetje to the Skagit County Board of Equalization, effective January 5, 2004 through January 4, 2007. **(Resolution No. R20040262)**
3. Resolution appointing Dennis Edmonds and John Janicki to the Public Facilities District Board, effective August 14, 2004 through August 13, 2008. **(Resolution No. R20040263)**

ASSIGNED COUNSEL:

4. Personal Services Agreement with Jim Nelson, Attorney at Law, to provide indigent defense representation for conflict-of-interest cases. The agreement shall commence on July 1, 2004 and continue through July 30, 2005. Compensation shall vary from \$55 per hour to \$75 per hour, depending on the services being performed. **(Contract No. C20040338)**

FAIR:

5. Vendor Services Agreement with Dimensional Communications, Inc. to provide and install an 8-Zone Paging System in connection with the Skagit County Fair. The agreement shall commence on June 1, 2004 and continue through August 1, 2004. Compensation is not to exceed a total of \$23,997. **(Contract No. C20040339)**
6. Vendor Services Agreement with Davis Amusement Cascadia to provide carnival rides, games and food booths in connection with the Skagit County Fair. The agreement shall commence on August 9, 2004 and continue until August 15, 2004. The Contractor will compensate the County a \$12,000 fixed fee or 25% of the gross from rides and shows, whichever is greater. Contractor will also pay \$40 per game. **(Contract No. C20040340)**
7. Vendor Services Agreement with Pacific Party Canopies to provide tents and canopies in connection with the Skagit County Fair. The agreement shall commence on August 4, 2004 and continue through August 16, 2004. Compensation is not to exceed a total of \$8,883.49. **(Contract No. C20040341)**

HEALTH DEPARTMENT:

8. County Program Agreement with the Washington State Department of Social and Health Services, which is awarding \$48,504 to continue the Public Health Nursing Program, entitled "Foster Care Passport" during the period of January 1, 2004 through June 30, 2005. **(Contract No. C20040342)**

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9. Ordinance adopting revisions to the Skagit County Solid Waste Handling and Facilities, Skagit County Code 12.16. **(Ordinance No. O20040014)**

HUMAN SERVICES:

10. Amendment No. 2 to Personal Services Agreement **No. C20030442** with Skagit Recovery Center, which replaces the Mount Vernon Strengthening Families Prevention Program for children, ages 6-12, with the Strengthening Families Swinomish Indian Reservation Prevention Program. Funds in the amount of \$7,050 are reallocated to this program, which became effective May 1, 2004. All other terms and conditions of the original contract, including Amendment #1, shall remain in effect. **(Amendment No. A20040147)**
11. Amendment No. 2 to Personal Services Agreement **No. C20030354** with Skagit Recovery Center, which decreases Title XIX funds in the amount of \$4,457 that were set aside for Substance Abuse Innovative CJTA (Criminal Justice Treatment Act) services due to a change in the formula of the Medicaid reimbursement rate. All other terms and conditions of the original contract, including Amendment #1, shall remain in effect. **(Amendment No. A20040148)**
12. Personal Services Agreement with Skagit Domestic Violence & Sexual Assault Services to provide substance abuse prevention support and services to the Kulshan Creek Neighborhood Station Outreach Project located in Mount Vernon under the Community Coalition Support Initiative. The agreement commenced on January 1, 2004 and shall continue through December 31, 2004. Compensation is not to exceed a total sum of \$35,000. **(Contract No. C20040343)**
13. Amendment No. 2 to Personal Services Agreement **No. C20030348** with Washington Vocational Services, which deletes reference to Intensive Significant Needs under the Scope of Work and amends the Individual Client Minimum Direct Service Level. All other terms and conditions of the original contract, including Amendment #1, shall remain in effect. **(Amendment No. A20040149)**

INFORMATION SERVICES:

14. Resolution authorizing the transfer of surplus computer equipment to the Town of Lyman. **(Resolution No. R20040264)**
15. Resolution authorizing the transfer of surplus computer equipment to the Town of Concrete. **(Resolution No. R20040265)**
16. Resolution authorizing the transfer of surplus computer equipment to the Anacortes Housing Authority. **(Resolution No. R20040266)**
17. Resolution authorizing the transfer of surplus computer equipment to Dike District No. 12. **(Resolution No. R20040267)**
18. Resolution authorizing the transfer of surplus computer equipment to Dike District No. 17. **(Resolution No. R20040268)**
19. Agreement for Computer Access with Chicago Title Company of Anacortes, Mount Vernon and Burlington to provide computer screens to access public records. The agreement became effective on January 1, 2004 and will continue through December 31, 2004. Compensation shall be paid at the rate of \$90 per month, per site. **(Contract No. C20040344)**
20. Agreement for Computer Access with Land Title Company to provide computer screens to access public records. The agreement became effective on January 1, 2004 and will continue through December 31, 2004. Compensation shall be paid at the rate of \$90 per month. **(Contract No. C20040345)**

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PARKS AND RECREATION:

21. Resolution AND Interlocal Cooperative Agreement with Anacortes School District #103 to sustain the preventative summer enrichment program called Best SELF at Mount Erie Elementary School. The agreement shall commence on June 1, 2004 and continue through August 31, 2004. **(Resolution No. R20040269 AND Contract No. C20040346)**
22. Resolution AND Interlocal Cooperative Agreement with Mount Vernon School District #320 and Northwest Education Service District #189 to sustain the preventative summer enrichment program called Best SELF at Madison Elementary School. The agreement shall commence on June 1, 2004 and continue through August 31, 2004. **(Resolution No. R20040270 AND Contract No. C20040347)**
23. Resolution AND Interlocal Cooperative Agreement with Concrete School District #11 to sustain the preventative summer enrichment program called Best SELF at Concrete Elementary School. The agreement shall commence on June 1, 2004 and continue through August 31, 2004. **(Resolution No. R20040271 AND Contract No. C20040348)**

PLANNING & PERMIT CENTER:

24. Resolution remanding the Hearing Examiner's decision of denial for the Lucille Dodd Critical Areas Variance request, PL03-0663, to the Hearing Examiner for consideration of the Reasonable Use exception, pursuant to SCC 14.24.150. **(Resolution No. R20040272)**

YOUTH & FAMILY SERVICES:

25. Personal Services Agreement with Susan Gardner, MSW, to provide specialized child, adolescent, adult and/or family assessment, evaluation, and treatment for those youth that are referred by the Department. The agreement shall commence on July 1, 2004 and continue through June 30, 2006. Compensation is not to exceed a total of \$10,000 annually. **(Contract No. C20040349)**
26. Personal Services Agreement with Charlotte Underwood to provide specialized child, adolescent, adult and/or family assessment, evaluation, and treatment for those youth that are referred by the Department. The agreement shall commence on July 1, 2004 and continue through June 30, 2006. Compensation is not to exceed a total of \$20,000. **(Contract No. C20040350)**
27. Personal Services Agreement with Thomas L. Haan, New Beginnings Counseling Services, to provide specialized child, adolescent, adult and/or family assessment, evaluation, and treatment for those youth that are referred by the Department. The agreement shall commence on September 1, 2004 and continue through August 31, 2006. Compensation is not to exceed a total of \$10,000. **(Contract No. C20040351)**
28. Amendment No. 1 to Personal Services Agreement **No. C20040102** with the Skagit Valley YMCA, which will add Camp Anderson Day Camp, Kinder Camp and other programs to the Scope of Services. Additional costs for these services shall be added to the compensation amount. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20040150)**

PUBLIC WORKS:

29. Local Agency Standard Consultant Agreement with Water and Energy Services Corporation (WESCORP) to provide technical assistance for the Skagit River Feasibility Study and the Baker River Relicensing effort. The agreement shall commence on August 1, 2004 and continue through July 31, 2005. Compensation is not to exceed a total of \$150,000. **(Contract No. C20040352)**

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30. Right-of-Entry Agreement with the Washington State Department of Transportation, which allows the Contractor to conduct work, needed near SR 20 and the Swinomish Slough. **(Contract No. C20040353)**
31. Amendment No. 1 to Joint Funding Agreement **No. C20030422** with the United States Department of the Interior, which authorizes the County to contribute an additional \$21,650 towards the existing United States Geological Survey (USGS) Water Resources Investigations Joint Funding Agreement with the understanding that the USGS's contribution will be an additional \$13,250 as a match. This will increase Skagit County's contribution to \$60,940 and the USGS's contribution to \$31,675. The additional funds will pay for data logger/satellite telemetry upgrades at the Skagit River gage above Whitechuck River, the Skagit River gage at Concrete, the installation and maintenance of a new gage at the Nookachamps and cableway repair at the Sauk River gage. **(Amendment No. A20040151)**
32. Resolution AND Interlocal Cooperative Agreement with the Washington State Department of Transportation for work related to the Anderson/LaVenture Road Extension Project. Skagit County will undertake the transportation planning of this project for environmental and right-of-way requirements. The agreement shall begin on the date of execution and continue through December 31, 2005. Compensation shall total \$15,000. **(Resolution No. R20040273 AND Contract No. C20040354)**

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, August 2, 2004, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrants numbered 175918 through 175920 from Clearing Fund 696 in the total dollar amount of \$35,367.67 (Transmittal No. C-98-04); and

Warrants numbered 175921 through 176351 from Clearing Fund 696 in the total dollar amount of \$2,238,147.55 (Transmittal No. C-99-04); and

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$129,020.32 (Transmittal No. C-100-04).

2. Brandon Black of the Planning & Permit Center, asked to set a date and time to approve final plats for Mountain View Meadows, a 6-lot land division owned by George Theodoratus, and Red Tide Flats, which is a 9-lot land division owned by John Raby.

Commissioner Munks moved for approval of the request, as outlined by Mr. Black, with the date for final signature set for Monday, August 9, 2004, at 11:45 a.m. Commissioner Dahlstedt seconded the motion, which passed unanimously.

PUBLIC COMMENT PERIOD.

No one was present for the public comment period.

CONSIDERATION AND POSSIBLE ACTION – RESOLUTION TO ESTABLISH DEADLINES FOR COMPREHENSIVE PLAN AMENDMENT PROPOSALS TO BE CONSIDERED AS PART OF SKAGIT COUNTY’S STATE-MANDATED 2005 COMPREHENSIVE PLAN UPDATE.

Senior Planner, Kirk Johnson, provided a Resolution that would establish the following deadlines for Comprehensive Plan Amendment proposals to be considered as part of the County’s state-mandated 2005 Comprehensive Plan Update:

- September 15, 2004, for citizen proposals to modify municipal Urban Growth Area (UGA) boundaries.
- November 15, 2004, for all other Comprehensive Plan and Map amendment proposals from individuals, municipalities, and other parties external to the County.

The earlier deadline for citizen-initiated UGA proposals would provide municipalities the 60 days they have requested to review and provide recommendations on those proposals prior to the November 15, 2004, deadline. The Resolution does not propose to change the deadlines established by Skagit County Code for either the 2004 or 2005 annual Comprehensive Plan Amendment cycles. The Department recommends that all amendment proposals submitted in a timely manner for the 2004 annual cycle be “rolled over” into the 2005 Update.

Mr. Johnson stated that proposals submitted by the deadlines for the 2005 annual amendment cycle (March 31, 2005, for UGA proposals; July 31, 2005, for all others) may be more problematic to address in the normal timeframe given that the state-mandated 2005 Comprehensive Plan Update will be in full swing at the time. Inserting 2005 annual cycle amendments into the 2005 state-mandated update would likely necessitate a second round of SEPA review, public review and comment, and delay ultimate completion of the County’s 2005 Update by six months or more.

Mr. Johnson said the Department also recommends that Comprehensive Plan Amendment application fees be waived for all proposals considered as part of the 2005 Update, including 2004 proposals rolled over into the 2005 Update.

Commissioner Munks motioned to approve the Resolution, as outlined by Mr. Johnson. Commissioner Dahlstedt seconded the motion, which passed unanimously. **(Resolution No. R20040274)**

CONSIDERATION AND POSSIBLE ACTION – RESOLUTION APPROVING A WORK PROGRAM TO CONSIDER THE DEVELOPMENT AND ADOPTION OF A “TRANSFER OF DEVELOPMENT RIGHTS” (TDR) PROGRAM FOR 2005.

Interim Director, Lou Haff, indicated that while participating in a public meeting to discuss adoption of recent Skagit County legislation entitled the “Lot Certification” ordinance, various members of the public recommended the development and adoption of a program called “Transfer of Development Rights” (TDR). He stated that subsequent review of Interim Ordinance O20040006 by the Western Washington Growth Management Hearings Board resulted in the Hearings Board encouraging the County to consider adopting a TDR program as part of Skagit County’s resource land protection policies.

Mr. Haff stated that the Planning & Permit Center is proposing to prepare a work program and schedule for the Board’s consideration, which will be included in the Department’s budget proposal for work done in 2005.

Chairman Anderson said that he is not interested in adding densities to agricultural land, as it would totally undermine and bankrupt the Farmland Legacy Program. He’s not particularly fond of adding densities inside the cities, either, because with such small lot sizes, families have no backyards where children can play. Chairman Anderson indicated that any type of a TDR program must be run through the Farmland Legacy Program.

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Commissioner Munks said the Board seeks to strike a balance between conservation of agricultural and other natural resource lands, as well as private property rights, and understands the value-based expectations of landowners in the County. He is open to looking at a TDR plan; however, he cautioned Mr. Haff to be careful of how it will be structured.

Commissioner Dahlstedt agreed and said his interest is in the protection of open space agricultural land, not in seeing density numbers increased.

Mr. Haff said there are ways the TDR development plan could be controlled so that it provides guidance from the County Commissioners.

Allison Deets, Farmland Legacy Director, expressed her concerns regarding the proposed TDR plan and urged the Board to launch a nationwide effort to find an expert in this particular field that can provide an objective analysis in this area.

Commissioner Munks motioned to approve the Resolution, as presented by Mr. Haff. Commissioner Dahlstedt seconded the motion, which carried unanimously. **(Resolution No. R20040275)**

PRESENTATION – LAW AND JUSTICE PLAN.

Law & Justice Council Chairman, Tom Seguire, presented the Skagit County Law & Justice Plan, which was updated in May 2004. The following are recommendations contained in the document:

1. Maintain and enhance the existing County Law & Justice Council.
2. Evaluate the need for a new jail facility, including both maximum and minimum-security space.
3. Attend a Planning of New Institutions program in Longmont, Colorado.
4. Integrate community-based social service programs into jail programs, including alcohol, substance abuse and mental health treatment programs.
5. Enhance existing and develop new alternative sentencing programs for low-level adult and juvenile offenders for alternative corrections and pre-trial supervision in lieu of jail and detention.
6. Maintain existing and develop new specialty court programs.
7. Enhance existing and develop new prevention programs targeting poverty, crime and health for both adults and juveniles in Youth & Family Services, the Health Department, District Court and Mediation Services.
8. Improve scheduling of inmates currently reporting to the jail.
9. Develop the means to collect and analyze data showing historical law and justice system workloads and outcomes, identify trends, and predict future workloads based on existing trends.
10. Determine how to effectively review law and justice agency staffing levels in relation to local workloads and State and national norms.
11. Explore opportunities to reduce paperwork and increase productivity through efficient use of the County's Law & Justice communication network.
12. Evaluate the need for a countywide radio system for public safety that will allow all first responders to communicate with one another in emergencies.

Mr. Seguire said not all counties are on board with their Law & Justice Plan. He feels that Skagit County is similar to a slow-moving train and it is the intent of all to keep the train moving. Everyone may not agree on every issue but at least there is a consensus within the group on how to get to the next level.

The Board thanked Mr. Seguire, Youth & Family Services Director, Nancy Brown, Charlie Wendt of the Department of Corrections, Sheriff Rick Grimstead and Officer Gary Shand for their efforts.

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ADJOURNMENT.

Commissioner Munks made a motion to adjourn the proceedings. Commissioner Dahlstedt seconded the motion, which passed unanimously.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ted W. Anderson, Chairman

Don Munks, Commissioner

Kenneth A. Dahlstedt, Commissioner

ATTEST:

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