

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
MONDAY, NOVEMBER 15, 2004**

- 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. Consideration of the Hearing Examiner’s Recommendation for Approval for the Following Timber Open Space Applications:
1. Fred Charlton for Property Located North of Parson Creek Road and South of Echo Hill Road (C/U TTR #1 -2004)
  2. Kevin Williamson and Charlotte Remick for Property Located Off of Chuckanut Drive in the Chuckanut Mountain Area (C/U TTR #3-2004)
  3. George and Maria Steinmetz for Property Located Off of Old Highway 99, North of the Alger Area (C/U TTR#4-2004)
- 10:00 a.m. – 11:00 a.m. Work Session – Solid Waste
- 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 11:45 a.m. – 12:00 p.m. Proclamation – National Hospice Month – November 2004
- \*T 1:00 p.m. – 1:30 p.m. Discussion/Possible Signature – Baker River Hydroelectric Project Relicensing Settlement Agreement
- \*T 1:30 p.m. – 2:30 p.m. Planning & Permit Center – Gary Christensen, Director
1. Discussion – Guemes Island Subarea Plan Budget and Work Program
  2. Status Report on Natural Resource Lands Issues
  3. Consideration/Possible Action – Approval For a Single Family Home to Install a Private Grinder Pump Station and Connect to a Sewer Force Main Located on the East Side of Old Highway 99 North
  4. Discussion – “State of the Department”
  5. Miscellaneous
- 2:30 p.m. – 4:00 p.m. 2005 Budget Presentation

The Skagit County Board of Commissioners met in regular session on Monday, November 15, 2004, with Commissioners Ted W. Anderson, Don Munks and Kenneth A. Dahlstedt present.

**CONSIDERATION OF HEARING EXAMINER’S RECOMMENDATION FOR APPROVAL FOR THE FOLLOWING TIMBER OPEN SPACE APPLICATIONS.**

1. Fred Charlton for Property Located North of Parson Creek Road and South of Echo Hill Road (C/U TTR #1-2004) **(Resolution No. R20040394)**
2. Kevin Williamson and Charlotte Remick for Property Located Off of Chuckanut Drive in the Chuckanut Mountain Area (C/U TTR #3-2004) **(Resolution No. R20040395)**
3. George and Maria Steinmetz for Property Located Off of Old Highway 99, North of the Alger Area (C/U TTR#4-2004) **(Resolution No. R20040396)**

**RECORD OF THE PROCEEDINGS  
MONDAY, NOVEMBER 15, 2004  
PAGE NO. 2**

Commissioner Munks made a motion to approve the three Timber Open Applications, as outlined by Kelly Briggs of the Assessor's Office. The motion was seconded by Commissioner Dahlstedt and passed unanimously.

**CONSENT AGENDA.**

Commissioner Munks motioned to approve the Consent Agenda for Monday, November 15, 2004, items 1 through 15. Commissioner Dahlstedt seconded the motion, which passed unanimously.

**COMMISSIONERS' OFFICE:**

1. Record of the Proceedings for Monday, November 8, 2004.

**ADMINISTRATIVE SERVICES:**

2. Resolution authorizing payment of a portion of the costs for a workshop regarding UGA boundary expansion in the amount of \$500. **(Resolution No. R2040397)**

**BUDGET AND FINANCE:**

3. Interlocal Cooperative Agreement, per Resolution No. R20040342, between Skagit County and the City of Mount Vernon for the provision of library services to the citizens of unincorporated Skagit County. The agreement shall commence on January 1, 2004 and continue through December 31, 2004. Compensation totals \$19,515. **(Contract No. C20040472)**

**HUMAN SERVICES:**

4. Vendor Services Agreement with Frontline Office Cleaning Services to provide weekly janitorial services to the Human Services Department. The agreement shall commence on January 1, 2005 and continue through December 31, 2005. Compensation is not to exceed a maximum of \$1,860. **(Contract No. C20040473)**
5. Resolution re-appointing Bryan Baker to the Skagit County Developmental Disabilities Advisory Board, effective November 23, 2004, and expiring on November 22, 2007. **(Resolution No. R20040398)**

**PROSECUTOR'S OFFICE:**

6. Amendment No. 3 to Personal Services Agreement **No. C20040028** with Davis Wright Tremaine, LLP, which increases the maximum contract amount for the period of January 1, 2004, through December 31, 2004, by \$258,000 for a new total of \$498,000. The amendment shall become effective September 1, 2004. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20040202)**

**RECORDS MANAGEMENT/CENTRAL SERVICES:**

7. Amendment No. 1 to Personal Services Agreement **No. C20040029** with Kelly Services to include mileage at a rate of \$0.375 per mile for the use of a personal vehicle, which is required for transportation between facilities. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20040203)**

**YOUTH & FAMILY SERVICES:**

8. Amendment No. 1 to Personal Services Agreement **No. C20020459** with Darlene F. Stuber, which amends the total annual compensation from \$10,000 to \$25,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20040204)**

**RECORD OF THE PROCEEDINGS  
MONDAY, NOVEMBER 15, 2004  
PAGE NO. 3**

9. Personal Services Agreement with the Institute for Family Development to provide in-home family counseling and skill-building services, including research-based intervention strategies. The agreement shall commence on October 1, 2004 and continue until September 30, 2006. Compensation shall not exceed \$10,000. **(Contract No. C20040474)**

**PUBLIC WORKS DEPARTMENT:**

10. Resolution amending Resolution **No. R20020323** confirming that Neil Hansen, Bud Ebeling, Mac McConnell, and Rick Tesarick continue to serve as members on the Citizen Advisory Committee for Lake Management District No. 1 for Big Lake and replaces previous member Dan Jones with Tammy Grobschmit. **(Resolution No. R20040399)**
11. Resolution requesting a Statement of Qualifications for Engineering and Land Surveying Services for the 2005 Consultant Roster. **(Resolution No. R20040400)**
12. Summary of Offer for property located on Guemes Island for future redevelopment and expansion of the Guemes Island Ferry terminal and parking facilities. Earlier this year, the Board approved and signed a Summary of Offer when the property belonged to John L. Falavolito. Recently, Bank of America acquired the property resulting in the need for a signature on the new Summary of Offer. **(Contract No. C20040475)**
13. Amendment No. 2 to Personal Services Agreement **No. C20040070** with CMI, now known as Speedy Automated Mailers, Inc. to assume ownership of the original agreement due to the sale of CMI. The amendment shall become effective October 11, 2004. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20040205)**
14. Amendment No. 1 to Vendor Services Agreement **No. C20020388** with Recycle Systems, which increases the amount of the contract by an estimated additional \$50,000 for a new total of approximately \$95,000. The amendment provides for the compactor cylinder rebuild at the Skagit County Transfer Facility on Ovenell Road. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20040206)**
15. Snowmobile and Winter Recreation Programs Cooperation/Collection Agreement between the State of Washington, Washington State Parks and Recreation Commission and the Skagit County Department of Public Works. The Contractor will perform maintenance by plowing snow, grading and leveling, and installing appropriate highway signs at the Shadow of the Sentinels Nature Trail, located on the Baker Lake Highway and at Rocky Creek/Baker Lake Highway. The total maximum of all project costs is \$2,250. The agreement shall commence on November 8, 2004, and continue through April 30, 2005. **(Contract No. C20040476)**

**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 15, 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 183504 through 183620 from Clearing Fund 696 in the total dollar amount of \$260,025.36 (Transmittal No. C-142-04); and

**(Out of Sequence)** Warrants numbered 183621 through 183935 from Clearing Fund 696 in the total dollar amount of \$1,258,231.50 (Transmittal No. C-144-04); and

**RECORD OF THE PROCEEDINGS  
MONDAY, NOVEMBER 15, 2004  
PAGE NO. 4**

Payroll warrants numbered 155707 through 156499 in the total dollar amount of \$920,458.24 (Transmittal No. P-41-04); and

Payroll warrants numbered 964560 through 964713 in the total dollar amount of \$177,644.40 (Transmittal No. P-42-04).

**PUBLIC COMMENT PERIOD.**

No one was present for the public comment period.

**PROCLAMATION – NATIONAL HOSPICE MONTH – NOVEMBER 2004.**

Kevin Tighe thanked the Board of County Commissioners for declaring November 2004 as National Hospice Month. Hospice care provides patients and families the highest quality pain management and symptom control, caregiver training and assistance, and emotional and spiritual support, most often delivered in the home, allowing patients to live fully up until the final moments, surrounded and supported by loved ones, friends, and committed caregivers.

Mr. Tighe stated that last year, one million Americans living with life-limiting illness, and their families, received care from the 3,300 hospice and palliative care programs in communities throughout the United States. Professional and compassionate hospice staff and trained volunteers, including physicians, nurses, social workers, therapists, counselors, health aides, and clergy, provide comprehensive care making the wishes of each patient a priority. Family members and loved ones receive counseling and bereavement care to help them cope with the many losses they face during the illness and with the grief they experience afterwards.

According to Mr. Tighe, providing high-quality hospice care reaffirms the belief in the essential dignity of every person, regardless of age, health, or social status, and that every stage of human life deserves to be treated with the utmost respect and care.

Commissioner Munks read the proclamation and declared November 2004 as National Hospice Month. Commissioner Dahlstedt seconded the motion, which passed with a unanimous vote.

**DISCUSSION/POSSIBLE SIGNATURE – BAKER RIVER HYDROELECTRIC PROJECT RELICENSING SETTLEMENT AGREEMENT.**

Public Works Director, Chal Martin, presented the Board with a Comprehensive Settlement Agreement for the Federal Energy Regulatory Commission (FERC) relicensing of Puget Sound Energy's (PSE) Baker River Hydroelectric Project. In response to the efforts of Skagit County, the agreement provides an increase in storage for up to 29,000 acre feet in Lake Shannon.

In order for the additional flood control to be provided, FERC must approve the settlement agreement and issue a new license to PSE that includes the enhanced flood storage requirements. The flood control license article agreed to by the County, PSE, and other parties also requires that the Army Corps of Engineers approve the increased flood control protection and that PSE is compensated for energy losses related to improved flood protection and for the cost of any related structural modifications needed at the Lower Baker Dam.

Chairman Anderson said this settlement agreement is a major step forward in assuring that Skagit County will have enough flood protection in the future.

Commissioner Dahlstedt commended PSE and all of the other participants in the Baker River Project settlement process for agreeing to increased flood protection for Skagit County citizens.

**RECORD OF THE PROCEEDINGS  
MONDAY, NOVEMBER 15, 2004  
PAGE NO. 5**

Commissioner Munks added that it is very important to PSE that they don't incur any additional expense from improved flood control. Therefore, the County agreed to work with PSE to obtain federal funding to compensate the company for flood control costs.

The Commissioners also thanked Ed Schild and Ray Trzynka from PSE, as well as Public Works staff for a job well done.

Commissioner Munks motioned to approve signing the Baker River Hydroelectric Project Relicensing Comprehensive Settlement Agreement. Commissioner Dahlstedt seconded the motion, which passed unanimously.

Commissioner Munks then motioned to approve signing the Baker River Hydroelectric Project Relicensing FERC Project No. 2150 Appendix B Agreement between Skagit County and Puget Sound Energy, Inc. dated November 30, 2004. The motion was seconded by Commissioner Dahlstedt and passed unanimously.

**PLANNING & PERMIT CENTER – GARY CHRISTENSEN, DIRECTOR**

**1. Discussion – Guemes Island Subarea Plan Budget and Work Program.**

Associate Planner, Jeroldine Hallberg, stated that the Guemes Island Planning Advisory Committee (GIPAC) has prepared a detailed work plan and budget to extend its planning efforts beyond the current shorelines work to encompass the upland portion of the island. The budget proposal includes planning consultation and geographical information services. The Department's budget includes a professional services line item for the purpose of funding specified functional and subarea plans and it is anticipated that between \$15,000 and \$20,000 will be available in its 2005 professional services budget to assist with such efforts.

Ms. Hallberg said the GIPAC has obtained a grant from the Department of Ecology in the amount of \$10,500 for shorelines planning. The grant details a number of planning tasks that need to be performed from the shoreline area to the upland. A funding commitment from the County would enable the Committee to proceed with additional fundraising to augment the project.

Chairman Anderson said the Fidalgo Subarea Plan is nearly underway; however, the Alger Subarea Plan has been put on hold indefinitely. He added that while he supports the Guemes Island Subarea Plan, it is on the condition that it will be completed through grants.

Commissioner Munks indicated that there is only a limited amount of money available and is worried that most of it will be used for the Fidalgo Subarea Plan.

Chairman Anderson stated that Alger is an area where there is plenty of growth and the need for a subarea plan. He said Guemes Island is a sole source aquifer and reiterated the fact that his support for the Guemes plan is because he was told the residents were going to do it themselves.

Commissioner Dahlstedt stated that the County needs to be working on plans that are going to be located where the next projected 50,000 people are going to be moving.

Commissioner Munks noted that when the subarea plans were being prioritized, the Fidalgo Island Subarea Plan was number one on the list due to a court order. However, it was decided that the Alger Subarea Plan would be the next project to be addressed. Commissioner Munks also said the Commissioners did indeed support the Guemes Island Plan; however, they had no idea that the GIPAC would be asking for money prior to the other plans being addressed.

Kirk Johnson, Senior Planner, advised that a prioritized list will be brought back before the Board in the near future.

**RECORD OF THE PROCEEDINGS  
MONDAY, NOVEMBER 15, 2004  
PAGE NO. 6**

Mr. Joost Businger from Guemes Island testified that it was GIPAC's idea that the Islanders would provide approximately \$20,000 of the estimated \$40,000 costs for the subarea plan, with the Commissioners to provide matching funds. He said the Committee would at least like to obtain approval for the work program and if there are no funds available, then they would continue the plan themselves.

The Board will consider the request and make a decision on this matter on Tuesday, December 7, 2004, at 10:00 a.m.

**2. Status Report on Natural Resource Lands Issues.**

Kendra Smith, Natural Resource Policy Coordinator, presented a Resolution, which would establish a Forestry Advisory Board (FAB). She then queried the Board about their individual choices for the advisory positions.

Commissioner Munks chose: Amy Blachly to serve for one year; Lisa Cassidy to serve for three years; Dave Chamberlain to serve for two years; and Al Craney to serve for one year.

Commissioner Dahlstedt chose: Fred Loffer to serve one year; Timothy Raschko to serve for two years; Chuck Parker to serve for three years; and Kenneth Osborn to serve for one year.

Chairman Anderson chose: Gordon Iverson to serve for three years; Paul Kriegal to serve for two years; Aubrey Stargell to serve for one year; and Dick Whitmore to serve for one year.

A motion was made by Commissioner Munks to approve a Resolution appointing members to the Forest Advisory Board, who shall serve staggered terms. Commissioner Dahlstedt seconded the motion, which passed unanimously. **(A Resolution will be brought forward at a later date)**

Ms. Smith next briefed the Board on Natural Resource projects as related to the newly created position, which included a discussion on forestry, agriculture and watershed related issues.

**3. Consideration/Possible Action – Approval For a Single Family Home to Install a Private Grinder Pump Station and Connect to a Sewer Force Main Located on the East Side of Old Highway 99 North.**

Brent Morrow, Senior Planner, presented a request from applicant Keith Mason to install a private grinder pump station and connect it to a sewer force main on property located at 2381 Old Highway 99 North Road, designated as Rural Reserve zoning. This request is pursuant to an existing Interlocal Cooperative Agreement.

Commissioner Munks made a motion to approve the application request, as outlined by Mr. Morrow. The motion was seconded by Commissioner Dahlstedt and passed with a unanimous vote. **(Approved)**

**4. Discussion – State of the Department.**

Deputy Director of the Planning & Permit Center, Oscar Graham, advised that the Department is in the process of developing an overall plan for co-location and reorganization in anticipation of its move to the Skagit County Commissioners' Administrative Building located at 1800 Continental Place in Mount Vernon. The move will occur on Friday, December 3, 2004, and be completed on Monday, December 6, 2004. In order to accommodate the move, Mr. Graham requested authorization to close the Permit Center at noon on the 3<sup>rd</sup> and all day on the 6<sup>th</sup>.

A motion was made by Commissioner Munks to authorize the closure of the Permit Center from 12:00 p.m. on Friday, December 3, to 4:30 p.m. on Monday, December 6, 2004. Commissioner Dahlstedt seconded the motion, which passed unanimously.

**RECORD OF THE PROCEEDINGS  
MONDAY, NOVEMBER 15, 2004  
PAGE NO. 7**

Mr. Graham stated that the Department is currently evaluating its review process with the assistance of Kurt Latimore to determine where constraints to timely permit review exist and how they can be corrected. Mr. Latimore is auditing review procedures and conducting detailed interviews with staff to identify specific areas where customer service can be enhanced. His recommendations will be utilized as the underlying data upon which the departmental reorganization will be based.

While reorganization is occurring on a well considered basis, Mr. Graham said interim staff adjustments have been made in order to prepare for the 2005 Comprehensive Plan Update. He said a key staff member has been transferred from Current to Long Range Planning and Critical Area staff is assuming the additional workload on a temporary basis.

**5. Miscellaneous.**

The following three miscellaneous items were discussed:

A) Mr. Graham said the Department recently learned that the Department of Community, Trade and Economic Development (CTED) has awarded the County \$50,000 for the 2005 Comprehensive Plan Update. This is the result of a grant application that the County submitted several months ago. Mr. Graham said the CTED grant will help to defray the cost of performing the update, which is estimated to cost approximately \$300,000.

B) Mr. Johnson advised that the Western Washington Growth Management Hearings Board lifted an invalidity order on the sign code several months ago because they found that it was not in serious violation of the Growth Management Act (GMA). This action allowed the Department to begin reviewing and accepting new sign permits. However, the Hearings Board felt that additional review was needed to see if any provisions of the code were still out of compliance. Mr. Johnson said the review was completed last week and the Hearings Board issued an order stating that the code was fully compliant with GMA.

Mr. Johnson said the case is now closed and he thanked Mr. Graham for his work in drafting the sign code. Mr. Graham said the sign code isn't perfect and changes will continue to be made.

C) Last Tuesday, Mr. Johnson said the Planning Commission recommended approval of development regulations for Master Planned Resorts. The Department has been working for the last six months with a consultant and a Citizen's Advisory Committee on these regulations. The Planning Commission recommended approval of the regulations substantially in accord with the proposal presented to them by the Department.

Mr. Johnson indicated that the Commissioners are scheduled to consider the Planning Commission's Recorded Motion on this matter on Tuesday, December 7, 2004, at 11:15 a.m.

Commissioner Munks motioned to consider the Planning Commission's Recorded Motion on the Master Planned Resort Ordinance, as outlined by Mr. Johnson. The motion was seconded by Commissioner Dahlstedt and was carried.

**2005 BUDGET PRESENTATION.**

County Administrator, Gary Rowe, presented an overview of the proposed 2005 budget for Skagit County.

**MISCELLANEOUS.**

Commissioner Munks motioned to approve a transfer of sick leave for an employee of Skagit County Superior Court, which was seconded by Commissioner Dahlstedt. The motion passed unanimously.

**(Resolution No. R20040401)**

**RECORD OF THE PROCEEDINGS  
MONDAY, NOVEMBER 15, 2004  
PAGE NO. 8**

**ADJOURNMENT.**

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

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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Ted W. Anderson, Chairman

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Don Munks, Commissioner

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Kenneth A. Dahlstedt, Commissioner

ATTEST:

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