

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, JANUARY 18, 2005**

- 8:00 a.m. – 8:45 a.m.                      Work Session – County Commissioners
- 8:45 a.m. – 9:30 a.m.                      Work Session – County Administrator
- \*T 9:45 a.m. – 10:45 a.m.                      Planning & Development Services – Gary Christensen, Director
1.        Set Date and Time for Discussion and Possible Action Regarding Agricultural Variance Request PL04-0239 by Seattle City Light to Divide a Parcel of Approximately 40 Acres Into Two Lots – One About 30+ Acres to be Used for Habitat Conservation; the Other Less Than 10 Acres for a Home Site
  2.        Set Date and Time for Discussion and Possible Action Regarding Agricultural Variance Request PL04-0551 by Goodyear Nelson Hardwood Company to Divide a Home Site of Approximately 4 Acres From a 92-Acre Parcel of Which 80 Acres is Zoned Ag-NRL and 12 Acres is Zoned Rural Reserve
  3.        Update - State of the Department
  4.        Miscellaneous
- \*T 10:45 a.m. – 11:00 a.m.                      Public Hearing – 2004 Budget Amendments
- 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.                      Presentation – Traffic Safety Lifetime Achievement Award to Don McKeehen
- \*T 1:30 p.m. – 2:00 p.m.                      Discussion/Possible Action – Resolution to Adopt a Trail/Park Program
- 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 Tuesday, January 18, 2005, with Commissioners Don Munks, Kenneth A. Dahlstedt and Ted W. Anderson present.

**MISCELLANEOUS.**

Commissioner Dahlstedt motioned to approve an emergency Resolution declaring that an emergency exists, effective January 17, 2005, at 10:00 a.m. This is due to high winds and heavy rains, in conjunction with a rapid snow melt, which has caused low lying areas to flood and steep banks to slide throughout Skagit County. Therefore; it is necessary to prevent damage and take corrective actions in flooded areas of the Skagit River Basin and other areas flooded by tributaries of the Skagit River. The motion was seconded by Commissioner Anderson and passed unanimously. **(Resolution No. R20050014)**

**\*\*Commissioner Anderson was absent and excused for the rest of the agenda.**

**PLANNING & DEVELOPMENT SERVICES – GARY CHRISTENSEN, DIRECTOR**

1.        **Set Date and Time for Discussion and Possible Action Regarding Agricultural Variance Request PL04-0239 by Seattle City Light to Divide a Parcel of Approximately 40 Acres Into Two Lots – One About 30+ Acres to be Used for Habitat Conservation; the Other Less Than 10 Acres for a Home Site.**

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Brandon Black, Associate Planner, reviewed the variance request and advised that Tuesday, January 25, 2005, at 8:30 a.m. is the date and time that has been chosen to discuss the request by Seattle City Light.

Commissioner Dahlstedt motioned to approve holding a discussion and possible action on a variance request by Seattle City Light on Tuesday, January 25, 2005, at 8:30 a.m. Chairman Munks seconded the motion, which was carried.

**2. Set Date and Time for Discussion and Possible Action Regarding Agricultural Variance Request PL04-0551 by Goodyear Nelson Hardwood Company to Divide a Home Site of Approximately 4 Acres From a 92-Acre Parcel of Which 80 Acres is Zoned Ag-NRL and 12 Acres is Zoned Rural Reserve.**

Marge Swint, Associate Planner, reviewed the variance request and advised that Tuesday, January 25, 2005, at 8:00 a.m. is the date and time that has been chosen to discuss the request by Goodyear Nelson Hardwood Company.

Commissioner Dahlstedt motioned to approve holding a discussion and possible action on a variance request by Goodyear Nelson Hardwood Company on Tuesday, January 25, 2005, at 8:00 a.m. Chairman Munks seconded the motion, which was carried.

**3. Update - State of the Department.**

Oscar Graham, Deputy Director of Planning and Development Services (PDS), provided a brief review of a proposed organizational structure for the overall Department. He indicated that he would be back before the Board at their next regularly scheduled agenda time to give a PowerPoint presentation explaining in more detail how the new plan will be implemented.

Commissioner Dahlstedt noted that while the proposed restructuring looks promising, he is not interested in micro-managing the Department. Chairman Munks said he appreciates the new structure.

**4. Miscellaneous.**

Mr. Graham said he recently met with Don Clark regarding the Master Planned Resort update and feels there is a need to discuss legal issues with the County's legal counsel prior to following through with Mr. Clark's request. Mr. Graham also mentioned that deliberations are being held by the Planning Commission this week on the Bayview Ridge Subarea Plan. He doesn't expect final action to be taken at this time as there are lingering questions regarding drainage and surface water issues.

**PUBLIC HEARING – 2004 BUDGET AMENDMENTS.**

Trisha Logue, Budget/Finance Administrator, reviewed a Resolution authorizing a supplemental budget for 2004. Ms. Logue indicated that Skagit County has received additional funds in the form of grants and payments for services subsequent to the December 15, 2003, budget adoption. In addition, the General, Health, Veterans Relief, River Improvement, Conservation Futures, Medic I, Communication System, Interlocal Cumulative Reserve, Equipment Rental and Insurance Services Funds will incur expenditures in categories and amounts other than anticipated in the adopted budget. To accurately reflect a change in spending authority based upon reallocation in revenue, additional grants, and unforeseen expenditures, the impacted budgets must be amended.

Chairman Munks opened the public hearing. There being no testimony forthcoming, Commissioner Dahlstedt motioned to close the public hearing. The motion was seconded by Chairman Munks and was carried. The public hearing was closed.

Commissioner Dahlstedt moved to approve the Resolution to amend the 2004 budget as outlined by Ms. Logue. Chairman Munks seconded the motion, which passed. **(Resolution No. R20050015)**

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**CONSENT AGENDA.**

Commissioner Dahlstedt motioned to approve the Consent Agenda for Tuesday, January 18, 2005, items 1 through 42. Chairman Munks seconded the motion, which passed unanimously.

**COMMISSIONERS' OFFICE:**

1. Record of the Proceedings for Monday, January 10, 2005.
2. Record of the Proceedings for Tuesday, January 11, 2005.
3. Resolution appointing Nicola Pearson to the Upper Skagit Library District Board of Trustees, effective January 1, 2005, and continuing through December 31, 2009. **(Resolution No. R20050016)**

**ADMINISTRATIVE SERVICES:**

4. Amendment No. 1 to Agreement **No. C20040439** between Skagit County and the Economic Development Association, which extends the expiration date to December 31, 2005. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050007)**
5. Personal Services Agreement with Audrey Smith to manage the Fairgrounds facility under the supervision of the County Administrator. The agreement shall commence on January 1, 2005, and continue through December 31, 2005. Annual compensation shall total \$55,000. **(Contract No. C20050017)**

**BUDGET AND FINANCE:**

6. Personal Services Agreement with Susan D. Musselman, Inc. to develop and execute a financing plan, to include refunding of outstanding bonds and funding for capital facilities, as needs may arise. The agreement shall commence upon the date of execution and continue through December 31, 2005. Compensation shall vary based on the services being provided. **(Contract No. C20050018)**
7. Amendment No. 1 to Personal Services Agreement **No. C20040093** with the Skagit Valley Chapter of the American Red Cross, which extends the expiration date to December 31, 2005. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050008)**
8. Resolution rescinding Resolution No. R20040424, which established Flag Restoration Fund #340. Facility Improvement Fund #340 already exists and can be used for the purpose of flag restoration. **(Resolution No. R20050017)**

**CENTRAL SERVICES:**

9. Personal Services Agreement with Kelly Services to provide back-up relief for the mail handling assistant and/or Records Management assistance. The agreement shall commence on January 1, 2005, and continue through December 31, 2005. Compensation is not to exceed a total of \$20,000. **(Contract No. C20050019)**

**FACILITIES MANAGEMENT:**

10. Owner-Architect Agreement for two projects, the first being an analysis of space needs for the Skagit County Health Department. The second project is a County Facilities space needs analysis of existing County Government offices, buildings and properties, including future building space

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needs and property needs. The agreement shall commence upon the date of execution and continue for 60 days after acceptance. Compensation is not to exceed a total of \$200,000. **(Contract No. C20050020)**

**FARMLAND LEGACY PROGRAM:**

11. Amendment No. 1 to Personal Services Agreement **No. C20040466** with Skagit Surveyors & Engineers, which amends the Scope of Work to include the installation of survey posts resulting in a \$3,000 increase in compensation. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050009)**

**HEALTH DEPARTMENT:**

12. Personal Services Agreement with Carmen Alicea to provide the Spanish language component for the Welcome Baby! Program development services in accordance with terms of the Foundation for Early Learning Grant. The agreement shall commence on January 1, 2005, and continue through March 31, 2006. Compensation is not to exceed a total of \$12,500. **(Contract No. C20050021)**
13. County Program Agreement between the State of Washington Department of Social and Health Services (DSHS) and the Skagit County Health Department, which provides the payment mechanism for DSHS/Division of Developmental Disabilities residential staff that receive Hepatitis B vaccinations at the Public Health Department. The agreement shall commence on January 22, 2005, and continue through January 21, 2008. No compensation is being paid for this service. **(Contract No. C20050022)**

**HUMAN RESOURCES:**

14. Personal Services Agreement with Acordia to provide health benefits brokerage services for Skagit County. The agreement shall commence on September 1, 2004, and continue through December 31, 2007. Compensation for 2004 shall be \$5.25 per benefit employee; 2005 - \$5.50; 2006 - \$5.78; and 2007 - \$6.10 per employee. **(Contract No. C20050023)**
15. Resolution authorizing the transfer of sick leave for a Senior Services employee. **(Resolution No. R20050018)**

**HUMAN SERVICES:**

16. Personal Services Agreement with Compass Health to provide Mental Health Court access to non-Medicaid eligible participants who enter into court treatment plans. The agreement shall commence on January 1, 2005, and continue through December 31, 2005. Compensation is not to exceed a total of \$14,000. **(Contract No. C20050024)**
17. Personal Services Agreement with Skagit Adult Day Center for continuation of activity services to adults with developmental disabilities. The agreement shall become effective on January 1, 2005, and continue through December 31, 2005. Compensation is not to exceed a total of \$7,000. **(Contract No. C20050025)**
18. Amendment No. 3 to County Program Agreement **No. C20030441** between Skagit County and DSHS, Division of Developmental Disabilities (DDD), which increases the compensation amount by \$51,600 for a new contract total of \$1,586,274. This increase is to add funds to provide services to individuals who received Social Service Payment checks to pay for County employment and Day Program services from October 2002, until December 31, 2004. From January 1, 2005, to June 30, 2005, the County will make payments for services for the DDD specified clients and invoice DDD for the services. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050010)**

**INFORMATION SERVICES:**

19. Agreement for Computer Access between Skagit County and Land Title Company, which would provide the Company with the capability of accessing the County's Treasurer/Assessor system through a Citrix Gateway. Their current leased line system will continue to be supported until May of 2005. The agreement shall commence on January 1, 2005, and continue through December 31, 2005. Compensation is expected to total \$2,000. **(Contract No. C20050026)**

**PARKS AND RECREATION:**

20. Amendment No. 1 to Vendor Services Agreement **No. 004817** with Peter's Towing. Due to chronic abuse of the Clear Lake Beach parking lot, it is necessary to expand the current towing service area to include a County parking lot located at 12925 South Front Street, Clear Lake. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050011)**
21. Resolution appointing Nathan Salasina to the Skagit County Parks and Recreation Advisory Board effective January 1, 2005, and expiring on December 31, 2007. **(Resolution No. R20050019)**

**PLANNING & DEVELOPMENT SERVICES:**

22. Personal Services Agreement with Makers Architecture and Urban Design to provide shorelines planning services in connection with a Coastal Zone Management Grant Agreement from the Department of Ecology. The agreement shall commence on October 15, 2004, and continue until December 31, 2005. Compensation shall not exceed a total of \$10,500. **(Contract No. C20050027)**
23. Personal Services Agreement with David Hough to provide land use planning services at an hourly rate of \$90, with compensation for public meetings and public hearings when attending as a principal participant set at \$95 per hour. The agreement shall commence on January 1, 2005, and continue through December 31, 2005. **(Contract No. C20050028)**

**PUBLIC DEFENDER:**

24. Amendment No. 2 to Personal Services Agreement **No. C20030030** with Robert S. Jones, Attorney at Law, which extends the effective dates for professional services beginning January 1, 2005, through December 31, 2005. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050012)**
25. Amendment No. 2 to Personal Services Agreement **No. C20030031** with James W. Nelson, Attorney at Law, which extends the effective dates for professional services beginning January 1, 2005, through December 31, 2005. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050013)**
26. Personal Services Agreement with Kelli K. Armstrong, Attorney at Law, which allows her to handle a District Court caseload not to exceed 40 cases per month. The agreement shall commence on January 1, 2005, and continue until December 31, 2005. Compensation shall be paid at the rate of \$4,000 per month. **(Contract No. C20050029)**

**SENIOR SERVICES:**

27. Vendor Services Agreement with Cintas Corporation to provide terry towels, grocery aprons and paper towel services. The agreement shall commence on January 1, 2005, and continue through December 31, 2005. Compensation shall not exceed a total of \$2,400. **(Contract No. C20050030)**

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28. Contract between the Northwest Regional Council Area Agency on Aging and the Skagit County Senior Services Nutrition Program to provide nutritionally balanced congregate and home-delivered meals to seniors 60 years of age and older. The agreement shall commence on January 1, 2005, and continue through December 31, 2005. Compensation is expected to total \$223,900. **(Contract No. C20050031)**

**SUPERIOR COURT:**

29. Personal Services Agreement with Northwest Family & Children's Services to provide guardian ad litem services, including legal representation in juvenile dependency proceedings that qualify for such representation at public expense. The agreement shall commence on January 1, 2005, and continue through December 31, 2005. Compensation is not to exceed a total of \$90,000. **(Contract No. C20050032)**
30. Personal Services Agreement with Karen Lerner to act as the Court Commissioner for Mental Health and Involuntary Commitment hearings for Skagit County Superior Court. The agreement shall commence on January 1, 2005, and continue through December 31, 2005. Compensation will be paid at the rate of \$2,000 per month. **(Contract No. C20050033)**

**TREASURER'S OFFICE:**

31. Resolution authorizing 2004 property tax refunds issued by the Skagit County Treasurer. **(Resolution No. R20050020)**

**YOUTH & FAMILY SERVICES:**

32. Personal Services Agreement with DeLlamas & Associates, Joan DeLlamas, to provide specialized juvenile offender, adolescent, adult and/or family assessment, evaluation, and treatment for juveniles and/or their families as referred by the County. The agreement shall commence on February 1, 2005, and continue until January 31, 2007. Compensation is not to exceed a total of \$10,000. **(Contract No. C20050034)**
33. Personal Services Agreement with James Erno-Pearce, MFT, to provide specialized juvenile offender, adolescent, adult and/or family assessment, evaluation, and treatment for juveniles and/or their families as referred by the County. The agreement shall commence on January 1, 2005, and continue until December 31, 2006. Compensation is not to exceed a total of \$10,000. **(Contract No. C20050035)**
34. Personal Services Agreement with Diane J. Lowry, to provide specialized juvenile offender, adolescent, adult and/or family assessment, evaluation, and treatment for juveniles and/or their families as referred by the County. The agreement shall commence on January 1, 2005, and continue until December 31, 2006. Compensation is not to exceed a total of \$10,000. **(Contract No. C20050036)**
35. Interlocal Cooperative Agreement, per Resolution No. 17300, between Skagit County and the Burlington School District to provide Mental Health Services such as individual and family counseling and mentoring and recreational activities. The County and the District will share financial support to provide these services. The agreement shall commence on January 1, 2005, and continue through December 31, 2005. The District will pay \$5,600 as its portion for these services. **(Contract No. C20050037)**

**PUBLIC WORKS DEPARTMENT:**

36. Mitigation Grant Agreement between Skagit County and the Washington State Military Department, Emergency Management Division/FEMA for a Hazard Mitigation Grant Program grant to elevate six houses that experience repetitive loss from flooding. The grant shall

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commence on October 22, 2004, and continue until November 30, 2006. **(Contract No. C20050038)**

37. Amendment No. 1 to Personal Services Agreement **No. C20040290** with Elliott Bay Design Group for design work needed on the Guemes Island Ferry. This amendment is for designing and providing drawings of a sponson addition to the M/V Guemes in order to increase standoff from the new dolphins. In addition, a deadweight survey will be performed to determine if a new stability test will be required by the U. S. Coast Guard. Compensation is increased \$8,000 for a new contract total not to exceed \$79,400. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050014)**
38. Resolution AND Interlocal Cooperative Agreement between Skagit County and the Skagit Council of Governments. Public Works will provide traffic counting services to the Cities of Anacortes, Burlington, Mount Vernon and Sedro-Woolley. The agreement shall commence on November 1, 2004, and continue until terminated. Compensation is estimated to total approximately \$24,000. **(Resolution No. R20050021 AND Contract No. C20050039)**
39. Resolution AND Interlocal Cooperative Agreement between Skagit County and Dike District #3, which allows both parties to contribute funds and work cooperatively on a dredging project near the Johnson Road crossing of Hill Ditch/Carpenter Creek. The agreement shall commence on November 1, 2004, and continue through November 1, 2006. Compensation is not to exceed a total of \$10,000. **(Resolution No. R20050022 AND Contract No. C20050040)**
40. Rights-of-Entry Agreements between Skagit County and John Antonelli and Diane Herrera. The agreements will allow Skagit County to enter two sites near Lake Cavanaugh to construct bank restabilization, conduct debris removal and/or perform any other erosion related damage. **(Contracts Nos. C20050041 and C20050042)**
41. Personal Services Agreement with Tetra Tech FW to build a MS Access database to be used for data entry and to provide quality control and training services on an as-needed basis for the Habitat Survey Plan as outlined in Resolution No. R20030210. The agreement shall commence on December 20, 2004, and continue until December 20, 2006. Compensation is not to exceed a total of \$15,000. **(Contract No. C20050043)**
42. Amendment No. 3 to CZM310 Agreement **No. C20040131** between Skagit County and the State of Washington Department of Ecology for the Northwest Straits Project: Skagit County Bays Initiative. Task 2.6 has been deleted and replaced with revised information; therefore increasing the agreement by \$3,000 for a new contract total of \$53,000. The amendment shall become effective on November 1, 2004. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050015)**

**MISCELLANEOUS.**

1. Public Works staff submitted Amendment No. 1 to Interagency Agreement **No. C20030261** between the State of Washington Department of Ecology (DOE) and the Skagit County Public Works Department. The agreement provides funding for the Community Litter Cleanup Program. With this amendment, the Department will benefit by receiving an additional \$5,000 to the previously awarded \$73,900, bringing the total awarded to \$78,900, which will allow for one additional person, appointed by DOE, to assist the Litter Crew Supervisor between January 1, 2005, until no later than June 30, 2005.

Commissioner Dahlstedt moved to approve the amendment as outlined, which was seconded by Chairman Munks. The motion was carried. **(Amendment No. A20050016)**

2. Commissioner Dahlstedt motioned to approve a Resolution authorizing the establishment of a Revolving Fund in the sum of \$500, drawn on County Fair Fund #106, which is necessary to

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conduct the "April Garage Sale, Auction & More" event. The motion was seconded by Chairman Munks and passed. **(Resolution No. R20050023)**

3. 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, January 18, 2005, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrants numbered 187922 through 188257 from Clearing Fund 696 in the total dollar amount of \$1,233,322.42 (Transmittal No. C-05-05); and

Warrant number 188258 from Clearing Fund 696 in the total dollar amount of \$11,748.00 (Transmittal No. C-06-05).

**PUBLIC COMMENT PERIOD.**

No one was present at the public comment period.

**PRESENTATION – TRAFFIC SAFETY LIFETIME ACHIEVEMENT AWARD TO DON MCKEEHEN.**

The Washington Traffic Safety Commission recently honored Skagit County Traffic Safety Programs Coordinator Don McKeehen with a Lifetime Achievement Award for his outstanding contributions to traffic safety. The award is given to recognize outstanding people who go beyond their job duties and make necessary contributions, changes, and improvements that affect everyone's safety on our roads.

Commissioner Dahlstedt stated that Mr. McKeehen has been the Skagit County Traffic Safety Task Force Coordinator for eighteen years. He is also one of the County's Public Information Officers during emergency situations such as floods. Commissioner Dahlstedt said that Mr. McKeehen is one of the hardest working Traffic Safety Coordinators in the State. He shows initiative and is known to work with other individuals and organizations to accomplish his goals. Mr. McKeehen most recently served as Coordinator for two traffic safety corridor projects, which have led to reduced collisions and fewer deaths on area roadways, according to Commissioner Dahlstedt.

Commissioner Dahlstedt presented a traffic safety plaque to Mr. McKeehen. Mr. McKeehen thanked for Board for the recognition and said he accepts the award on behalf of the other twenty-three safety officers around the State of Washington.

Chairman Munks stated that thanks to Mr. McKeehen's efforts, Skagit County continues to insure the safety of all the citizens.

**DISCUSSION/POSSIBLE ACTION – RESOLUTION TO ADOPT A TRAIL/PARK PROGRAM.**

This item was postponed and has been rescheduled for Monday, February 7, 2005, at 1:30 p.m.



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**ADJOURNMENT.**

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

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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Don Munks, Chairman

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Kenneth A. Dahlstedt, Commissioner

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Ted W. Anderson, Commissioner

ATTEST:

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