

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, FEBRUARY 14, 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 10:00 a.m. – 11:00 a.m. Public Health Department – Peter Browning, Director
1. Fluoride Varnish and Children’s Oral Health
 2. Revisions to State Food Code – WAC 246-215
 3. Board of Health Guidance Regarding Health Department Fees
 4. Next Step For Operations & Maintenance at Yokeko Drive, Dewey Beach and Quiet Cove
 5. Isolation and Quarantine in Skagit County
- 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 1:30 p.m. – 2:00 p.m. Presentation – Historical Flooding in Skagit County
- 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, February 14, 2005, with Commissioners Don Munks, Kenneth A. Dahlstedt and Ted W. Anderson present.

PUBLIC HEALTH DEPARTMENT – PETER BROWNING, DIRECTOR

1. Fluoride Varnish and Children’s Oral Health.

Jennifer Sass-Walton, Nursing Supervisor, stated that since February is Dental Health Month, it is only fitting to announce that the County’s Public Health Nurses will begin offering fluoride varnish treatments to children they see in the course of their work. Ms. Sass-Walton said the problem of tooth decay is important as it affects the rest of our body and can result in health disease and systemic infections. It is caused by bacteria, which release an acid that dissolves our tooth surfaces. While eating healthy foods and maintaining good oral hygiene is important, fluoride goes one step further in preventing tooth decay.

Ms. Sass-Walton indicated that Medicaid will be paying for the fluoride treatments and if they are done 2 to 4 times per year, they can have a significant affect on dental disease in children. She said children should begin seeing a dentist at the age of one year.

Chairman Munks spoke about a fluoridation study that was conducted countywide. The study revealed that Anacortes is the only city in Skagit County that treats their water with fluoride. It was shown that the difference in oral hygiene between those using fluoride-treated water instead of untreated water was astounding. He said the facts truly speak for themselves.

Commissioner Anderson asked if these treatments will be offered from the Dental Van. Ms. Sass-Walton said that could be a possibility.

2. Revisions to State Food Code – WAC 246-215

Corinne Story, Environmental Health Supervisor, reported that the State Board of Health adopted a new State Food Code in December 2004, with implementation to take effect on May 2, 2005. She said this new code adopts most of the model Food and Drug Administration Code, with some additions and modifications. She provided a brochure, which highlights the changes and additions from the previous code.

**RECORD OF THE PROCEEDINGS
MONDAY, FEBRUARY 14, 2005
PAGE NO. 2**

Ms. Story indicated that food service establishments in Skagit County have been notified of the pending changes via a newsletter put out last fall, and summary post cards that are being sent with every invoice to renew a permit. In addition, the Department will hold training classes in the few months left prior to implementation of the code to get the word circulated to their licensees.

Ms. Story told the Commissioners that they will be notified of a slight revision to our local code (SCC 12.36). In particular, Section 12.36.30, which addresses suspension and revocation of permits and sites point values at which these enforcement actions take place. Ms. Story said the Department will finish this once the State completes the red/blue inspection form and how food service establishment inspections will be scored. They will also use that opportunity to delete an antiquated Itinerant Food Service section of SCC 12.32, as this is now incorporated in the new State Food Code.

3. Board of Health Guidance Regarding Health Department Fees.

Ms. Story stated that with the revision to the new State Food Code (WAC 246-215), revision to the State and local Solid Waste Codes (WAC 173-350 and SCC12.16) last year, and for general maintenance purposes, there is the need to update the Environmental Health section of the fee schedule.

In revising the Environmental Health Department's section of the Planning and Permit Center fee schedule in 2004, the Board provided guidance to recover 75% of the cost of an activity. Ms. Story said the Health Department would like to request the Board of Health's decision concerning the use of this same formula for updating the Environmental Health Department's section of the Health Department fee schedule.

Ms. Story indicated that she will schedule a public hearing to consider testimony regarding these matters in the near future.

4. Next Step For Operations & Maintenance at Yokeko Drive, Dewey Beach and Quiet Cove.

Ms. Story next discussed that over the past two years, the Operations and Maintenance Program has worked cooperatively with citizens at Yokeko Point, Dewey Beach and Quiet Cove (YDQ) to complete inspections of their septic systems and repair failures as necessary. To date, 75% cooperation has been achieved with the 280 homeowners located in this vicinity.

The Department is seeking the Board of Health's direction regarding enforcement options in this location for the remaining property owners. Options include:

- Declaring the area an 'Area of Special Concern' under the County's existing onsite sewage code (SCC 12.05) to require mandatory inspections in this area. Some members of the YDQ Liaison Committee were not yet willing to take this step.
- Declaring the area a 'subarea' of the Clean Water District. This possibility has not yet been further explored.
- Requiring the inspection as noted in the County's existing code, which requires that sludge and scum levels in a tank be checked. Doing so in this one particular area may raise the question of why we are not doing this for all Skagit County septic tank owners.

Ms. Story said the Health Department will pursue the pros and cons of the enforcement options listed above, with the cooperation of the Yokeko Point, Dewey Beach and Quiet Cove Liaison Committee. Said options will be presented to the Board of Health for consideration by March 31, 2005.

Howard Gully, a member of the YDQ Liaison Committee, said he believes everything runs smoothly at the lowest practical level. The homeowners need to have a reference manual, which specifically states what needs to be done.

**RECORD OF THE PROCEEDINGS
MONDAY, FEBRUARY 14, 2005
PAGE NO. 3**

Paul Maughn, also a YDQ member, thanked members of the Health Department that have worked on this issue and said he would personally like to make sure there are no more "red areas" on the septic site map.

5. Isolation and Quarantine in Skagit County.

Peter Browning, Director, stated that with the advent of diseases that are more infectious, such as SARS, the Avian Flu and Tuberculosis, the Public Health Department, the Health Officer and the Board of Health may be called on to require the isolation and/or quarantine of infected/infectious individuals in our County for the protection of our citizens. Mr. Browning said the ground work must be laid out now, which will require a strong statement from those involved.

CONSENT AGENDA.

Commissioner Dahlstedt motioned to approve the Consent Agenda for Monday, February 14, 2005, items 1 through 32. Commissioner Anderson seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, February 7, 2005.
2. Record of the Proceedings for Tuesday, February 8, 2005.

ASSESSOR'S OFFICE:

3. Resolution authorizing Skagit County Tax Levies for 2005. **(Resolution No. R20050050)**

BUDGET AND FINANCE:

4. Interlocal Cooperative Agreement, per Resolution No. R20040421, between Skagit County and Compass Health to provide apartments for homeless and mentally ill individuals. The agreement shall commence upon the date of execution. Funding in the amount of \$50,000 will be provided by low-income housing funds pursuant to SHB 2060. **(Contract No. C20050092)**
5. Interlocal Cooperative Agreement, per Resolution No. R20040421, between Skagit County and the Anacortes Community Shelter Project, which will pay for half the purchase price of a lot in Anacortes. The agreement shall commence upon the date of execution. Funding in the amount of \$27,000 will be provided by low-income housing funds pursuant to SHB 2060. **(Contract No. C20050093)**
6. Resolution modifying Skagit County's cost assessment policy. **(Resolution No. R20050051)**
7. Amendment No. 2 to Contract **No. C20040002** with the Washington State Department of Community, Trade and Economic Development to aid homeless families affected by recent flooding. The amendment adds an additional \$70,850 and extends the contract date to February 28, 2006. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050032)**
8. Resolution establishing 2004 cost allocations to County funds. **(Resolution No. R20050052)**

EMERGENCY MANAGEMENT:

9. Personal Services Agreement with McBane Enterprises to design, facilitate, and document a multi-function homeland security drill. The agreement shall commence on January 13, 2005, and continue until April, 2005. Compensation is expected to total \$6,000. **(Contract No. C20050094)**

**RECORD OF THE PROCEEDINGS
MONDAY, FEBRUARY 14, 2005
PAGE NO. 4**

10. Emergency Resolution authorizing emergency repairs in the Wiseman Creek area. **(Resolution No. R20050053)**

FACILITIES MANAGEMENT:

11. Amendment No. 1 to Vendor Services Agreement **No. C20040187** with Electric West, Inc. to provide and install lighting and power receptacles in Hearing Room 202A and conduct other electrical work as directed. The amendment also extends the contract time through July 31, 2005 and adds additional compensation in the amount of \$10,000 for a new contract total of \$15,200. **(Amendment No. A20050033)**

FARMLAND LEGACY PROGRAM:

12. Resolution re-appointing Bob Hughes, Michael Hulbert and Roger Knutson to the Skagit County Agricultural Advisory Board effective February 1, 2005, and expiring on January 31, 2008. **(Resolution No. R20050054)**

HUMAN SERVICES:

13. Resolution appointing Robert B. Adams to serve as a County Designated Mental Health Professional effective February 15, 2005. **(Resolution No. R20050055)**
14. Resolution appointing River Malcolm to serve as a County Designated Mental Heal Professional effective February 15, 2005. **(Resolution No. R20050056)**

INFORMATION SERVICES:

15. Resolution authorizing Interlocal Cooperative and Customer Service Agreement **No. 04463** between Skagit County and the City of Burlington to establish the Spillman Public Safety System and Mug Shot System services. **(Resolution No. R20050057)**
16. Supplement No. 2 to Interlocal Cooperative and Customer Service Agreement **No. 04463** between Skagit County and the City of Burlington, which modifies the service terms and conditions for the Spillman Public Safety System. The amendment shall commence upon the date of execution and continue until January 1, 2008. Rates for this service are varied and based on the actual cost incurred per year by Skagit County and are subject to change. **(Amendment No. A20050034)**
17. Resolution authorizing Interlocal Cooperative and Customer Service Agreement **No. 04605** between Skagit County and the City of Anacortes to establish the Spillman Public Safety System and Mug Shot System services. **(Resolution No. R20050058)**
18. Supplement No. 1 to Interlocal Cooperative Customer Service Agreement **No. 04605** between Skagit County and the City of Anacortes, which modifies the service terms and conditions for the Spillman Public Safety System. The amendment shall commence upon the date of execution and continue until January 1, 2008. Rates for this service are varied and based on the actual cost incurred per year by Skagit County and are subject to change. **(Amendment No. A20050035)**

PARKS & RECREATION:

19. Resolution calling for bids for the Custer Field Sports Field Lighting Project. The bids will be opened on March 14, 2005, at 10:00 a.m. **(Resolution No. R20050059)**

**RECORD OF THE PROCEEDINGS
MONDAY, FEBRUARY 14, 2005
PAGE NO. 5**

PLANNING & DEVELOPMENT SERVICES:

20. Personal Services Agreement with Mark Personius to provide comprehensive planning, code development and project planning services on an as-needed basis. The agreement shall commence on January 1, 2005, and continue until December 31, 2005. Compensation is not to exceed a total of \$25,000. **(Contract No. C20050095)**

PROSECUTING ATTORNEY:

21. Resolution authorizing Skagit County to provide a defense to Keith W. Tyne and Jane Doe Tyne in a lawsuit filed by Joseph Lott. **(Resolution No. R20050060)**
22. Personal Services Agreement with Bart Freedman and Preston Gates & Ellis to provide legal counsel, representation and negotiation services related to the proposed acquisition by the Bureau of Indian Affairs of approximately 350 acres in trust for the Swinomish Indian Tribal Community on the Swinomish Slough including litigation; proposed acquisition by the Bureau of Indian Affairs of 76.9 acres in trust for the Samish Indian Tribe near Lake Campbell; review of agreements between Skagit County and the Swinomish and Samish Tribes; and settlement discussions between Skagit County and the Swinomish Tribe on matters related to the 350 acre land acquisition. The agreement shall commence on January 1, 2005, and continue until December 31, 2005. Compensation varies depending on the services being rendered. **(Contract No. C20050096)**

YOUTH & FAMILY SERVICES:

23. Personal Services Agreement with David V. McNeill of McNeill Polygraph and Investigating to perform polygraph examinations upon the request of Youth & Family Services, including the results. The agreement shall commence on March 1, 2005, and continue until February 28, 2007. Compensation is not to exceed a total of \$10,000. **(Contract No. C20050097)**
24. Personal Services Agreement with United Karate Organization, Tim Salerno, owner, to provide karate lessons to ARIS clients. The agreement shall commence on January 1, 2005, and continue until December 31, 2006. Compensation is not to exceed \$20,000. **(Contract No. C20050098)**

PUBLIC WORKS DEPARTMENT:

25. Resolution authorizing a call for bids for rental equipment to be used from April 1, 2005, through March 31, 2006. The bid call will allow Skagit County to enter into a contract with vendors with whom we expect to expend over \$25,000 annually with. The bid opening will be held on Monday, March 14, 2005, at 10:15 a.m. **(Resolution No. R20050061)**
26. Resolution declaring an emergency for the dry docking of the Guemes Island Ferry from January 20, 2005, through January 25, 2005, due to an engine failure. **(Resolution No. R20050062)**
27. Signature Authorization Form for the Washington Military Department Emergency Management Division Hazard Mitigation Grant Project to elevate six houses. **(Resolution No. R20050063)**
28. Resolution AND Interlocal Cooperative Agreement between Skagit County and the Town of Concrete regarding project financing for the Main Street Improvement Project, Dillard Avenue improvements, and the Baker River Bridge Rehabilitation Project. The agreement shall commence upon the date of execution and continue through 2011. **(Resolution No. R20050064 AND Contract No. C20050099)**
29. Vendor Services Agreement with Torggy's Custom Installation to install and remove 2-way radios and electronic equipment in vehicles owned by Skagit County. The agreement shall commence on

RECORD OF THE PROCEEDINGS
MONDAY, FEBRUARY 14, 2005
PAGE NO. 6

March 1, 2005, and continue through February 28, 2006. Compensation is not to exceed a total of \$24,500. **(Contract No. C20050100)**

30. Vendor Services Agreement with Dunlap Towing for the removal of creosote-treated logs and timbers from Skagit County beaches and to perform other services connected with the removal. The agreement shall commence upon the date of execution. Compensation is not to exceed a total of \$10,000. **(Contract No. C20050101)**
31. Supplemental Agreement 1 to Standard Consultant Agreement **No. C20040019** with Northwest Archaeological Associates, Inc. for work relating to the Guemes Island Parking Lot Project. The amendment extends the termination date to December 31, 2005. No additional compensation is being paid. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050036)**
32. Supplemental Agreement No. 1 to Local Agency Standard Consultant Agreement **No. C20040309** with Pharos Corporation for the Farm-to-Market Part 2 Project for property appraisals and right-of-way services. The amendment corrects the project beginning date to January 1, 2004. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050037)**

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, February 14, 2005, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrant number 190325 from Clearing Fund 696 in the total dollar amount of \$2,000 (Transmittal No. C-17-05); and

Warrants numbered 190326 through 190483 from Clearing Fund 696 in the total dollar amount of \$3,395,396.89 (Transmittal No. C-18-05); and

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$101,451.92 (Transmittal No. C-19-05); and

Warrants numbered 190484 through 191227 from Clearing Fund 696 in the total dollar amount of \$1,105,754.22 (Transmittal No. C-20-05); and

Payroll warrants numbered 160766 through 161538 in the total dollar amount of \$989,278.75 (Transmittal No. P-05-05); and

Payroll warrants numbered 965512 through 965668 in the total dollar amount of \$183,920.36 (Transmittal No. P-06-05).

2. Staff brought forth a Resolution authorizing the transfer of sick leave for an employee of the Skagit County Superior Court Clerk's office.

Commissioner Dahlstedt motioned to approve the Resolution, which was seconded by Commissioner Anderson. The motion carried. **(Resolution No. R20050065)**

**RECORD OF THE PROCEEDINGS
MONDAY, FEBRUARY 14, 2005
PAGE NO. 7**

PUBLIC COMMENT PERIOD.

Jack Harmon, Arrow Launch Services, said his company has acted as rental providers for Skagit County for several years, especially when repairs are done on the Guemes Island Ferry and other passenger service is needed. He said he enjoys his relationship with the County and will continue to provide excellent service.

Jamie Lanning, Clear Lake, asked about receiving more improvements to the sidewalks of Clear Lake.

Tom Solberg, 19019 Minnie Road, Alger, spoke about several issues with regard to an article in the newspaper about a Vote-by-Mail only proposal. He feels everyone should have to re-register to vote and only those that can show proof of citizenship should be able to cast a ballot.

PRESENTATION – HISTORICAL FLOODING IN SKAGIT COUNTY.

A presentation on historical newspaper articles regarding Skagit River Floods was conducted by Larry Kunzler. He reported on archival research of the Burlington Journal, Mount Vernon Argus, Sedro-Woolley Courier Times, and the Mount Vernon Daily Herald.

MISCELLANEOUS.

Kirk Johnson, Senior Planner, brought forth an Interim Ordinance extending the provisions of Interim Ordinance No. O20040015, Implementing Development Regulations Within the Unincorporated Urban Growth Areas of Anacortes, Burlington, Mount Vernon and Sedro-Woolley.

Commissioner Dahlstedt motioned to approve the Interim Ordinance as outlined by Mr. Johnson. Commissioner Anderson seconded the motion, which passed unanimously. **(Ordinance No. O20050002)**

ADJOURNMENT.

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

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Don Munks, Chairman

Kenneth A. Dahlstedt, Commissioner

Ted W. Anderson, Commissioner

ATTEST:

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