

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 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.	Discussion – Proposed Citizen-Initiated Map Amendments For the 2005 Growth Management Act Update
11:00 a.m. – 11:30 a.m.	Consent Agenda and Miscellaneous Items
11:30 a.m. – 11:45 a.m.	Public Comment Period
11:45 a.m. – 12:00 p.m.	Bid Opening – Custer Field Fencing Replacement
*T 1:30 p.m. – 2:00 p.m.	Update - Natural Resource Lands
2:00 p.m. – 3:30 p.m.	Executive Session – Personnel, Litigation and Land Acquisition

The Skagit County Board of Commissioners met in regular session on Monday, November 14, 2005, with Commissioners Don Munks, Kenneth A. Dahlstedt and Ted W. Anderson present.

DISCUSSION – PROPOSED CITIZEN-INITIATED MAP AMENDMENTS FOR THE 2005 GROWTH MANAGEMENT ACT UPDATE.

Kirk Johnson, Senior Planner, discussed recommendations from Planning and Development Services on the 106 Comprehensive Plan/Zoning Map amendment proposals, which were submitted by individuals, cities, and towns. The Growth Management Act (GMA) Update and Public Outreach Steering Committee evaluated Comprehensive Plan policies and designation criteria. Applying the designation criteria resulting from that review, the Department has developed recommendations on which of the public amendment proposals should be adopted as part of the County's 2005 GMA Update proposal.

Mr. Johnson said 23 of 106 citizen-initiated map amendment proposals recommended for approval by the County will become part of a "Preferred Alternative" map. Those public proposals which receive a negative recommendation will also move forward through SEPA review, public review and comment as part of a "Non-Preferred Alternative" map. Mr. Johnson said no proposals would be dropped from further consideration at the docketing phase, which is the process followed for annual amendments.

According to Mr. Johnson, an important element of the 2005 GMA Update is review of the Comprehensive Plan/Zoning Map. There are very few recommended changes in those designation criteria from the current Comprehensive Plan. Mr. Johnson presented a report summarizing each proposal, including the Department's recommendation and a brief rationale. They are as follows:

Urban Growth Area (UGA) Requests:

Received: 35

Recommended for approval: 3

The Department recommends denial of proposals to expand UGAs at this time, to allow more comprehensive consideration of UGA boundaries in 2006. Many of the expansion proposals would affect lands designated Agriculture-NRL and located in the flood plain. The recent Western Washington Growth Management Hearings Board ruling in *Futurewise v. Skagit County* (Case No. 05-2-0012), points to the need for more detailed standards and more thorough documentation of the need for UGA expansions. Two of the three proposals recommended for approval would remove small areas from the Sedro-Woolley UGA that the Department believes were originally mis-designated.

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Rural Designation Requests (including requests to move from a Natural Resource Land, Urban, or other rural designation):

Received: 53
Recommended for approval: 11

The most requested rural designations are Rural Intermediate and Rural Reserve. In the Department's judgment, very few of these requests meet the designation criteria (one and two, respectively). The Department is pleased to recommend approval of seven rural commercial or industrial requests. These recommendations are enabled by proposed changes in certain Countywide Planning Policies that should remove a prior barrier to such designations.

Natural Resource Land Requests (from Rural, other Natural Resource Land, or Urban designations):

Received: 15
Recommended for approval: 10

The most requested Natural Resource Land designation is Mineral Resource Overlay (MRO). The Department recommends approval of all nine of the MRO requests, based in part on the new mineral resource analysis, which supports a significant expansion of the MRO Countywide.

Natural Resource Land De-Designation Requests (from a NRL designation to a non-NRL designation):

The largest category of Natural Resource Land de-designation requests is from Ag-NRL, as many of those subject properties are proposed to be added to UGAs. The Department recommends approval of very few of the NRL de-designation requests overall, because of the high threshold in the Comprehensive Plan and GMA for taking land out of an NRL category once it is so designated.

Mr. Johnson said the Department will meet again with the Board in early December to discuss any desired modifications to the recommendations prior to release of the map as part of the overall 2005 GMA Update proposal in January, 2006, including public proposals, County-initiated proposals, and Natural Resource Land proposals. It is expected that the entire review and adoption process will be completed by June, 2006.

CONSENT AGENDA.

Commissioner Dahlstedt motioned to approve the Consent Agenda for Monday, November 14, 2005, items 1 through 25. Commissioner Anderson seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE:

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

ADMINISTRATIVE SERVICES:

3. Resolution establishing salary levels for certain Skagit County Elected Officials for 2006.
(Resolution No. R20050407)
4. Resolution waiving County fees for a septic system repair for Scott Adams. **(Resolution No. R20050408)**

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ASSIGNED COUNSEL:

5. Personal Services Agreement with Susan M. Goolsbee, Attorney at Law, to provide legal representation to indigent defendants referred by the Office of Assigned Counsel for cases that have been deemed conflict of interest for the Public Defender's Office. The agreement shall commence on October 31, 2005, and continue through December 31, 2007. Compensation varies depending on the cases. **(Contract No. C20050470)**

AUDITOR'S OFFICE:

6. Imaging and Preservation Services Agreement between the Skagit County Auditor's Office and the State of Washington, Office of the Secretary of State, to provide microfilm services as required by statute for records preservation. The agreement shall commence upon the date of execution and continue through December 31, 2006. Compensation will be consistent with the Imaging Services Price List, Exhibit B. **(Contract No. C20050471)**

BUDGET/FINANCE:

7. Amendment No. 1 to Interlocal Cooperative Agreement **No. C20040321** between Skagit County and the Town of Concrete, which terminates the grant agreement for the Telecommunications Infrastructure Project. The amendment also acknowledges that the County may award the grant funds originally awarded (\$190,000) to Public Utility District #1 of Skagit County. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050182)**
8. Resolution authorizing the allocation of 2060 Funds for Low Income Housing Projects for 2006 as follows: Compass Health (\$50,000); Anacortes Community Shelter Project (\$25,000); Housing Authority of Skagit County (\$50,000); Skagit County Community Action Agency (\$50,000); Skagit Valley YMCA (Oasis Teen Shelter) (\$15,000); Northwest Youth Services (\$15,000); and the Skagit County Community Action Agency (\$15,000). **(Resolution No. R20050409)**

EMERGENCY MANAGEMENT:

9. Homeland Security Grant through the Washington State Military-Emergency Management Division and the Snohomish County Department of Emergency Management in the amount of \$217,264. The contract began October 1, 2004, and shall continue until February 28, 2007. **(Contract No. C20050472)**

FACILITY MANAGEMENT:

10. Amendment No. 1 to Personal Services Agreement **No. C20040383** with Voorhis Associates, Inc. to cover reimbursement costs in the amount of \$2,450 for additional site visits and reimbursable expenses as required. The new contract total is \$97,313. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050183)**

HEALTH DEPARTMENT:

11. Resolution AND Omnibus Legal and Financial Agreement for Public Health Organizations Participating in the Regional Disaster Plan in Region 1, which enables the participating local health jurisdictions in the surrounding 5 counties (Skagit, San Juan, Island, Whatcom and Snohomish) to share resources in the event of a Public Health emergency. The agreement shall commence upon the date of execution and continue for five years. **(Resolution No. R20050410 AND Contract No. C20050473)**

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12. Business Associate Agreement with Emdeon Practice Services to insure that protected health information is handled in an appropriately legal and confidential manner. This document is required as part of an upgrade to Medical Manager Version 10.3. The agreement shall commence upon the date of execution. **(Contract No. C20050474)**
13. Amendment No. 2 to the Region 3 Aids Service Network Agreement **No. C20050127** with the Snohomish Health District, which transfers money between budget line items. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050184)**

HUMAN RESOURCES:

14. Resolution approving the transfer of sick leave for an employee of the Public Works Department. **(Resolution No. R20050411)**

HUMAN SERVICES:

15. County Program Agreement between the Washington State Department of Social and Health Services – Community Service Family Support and Skagit County, which promotes the inclusion of persons with developmental disabilities in community services or events by providing services in Community Resource Development, Information and Education, Parents Helping Parents, and/or Provider Support and Development. The agreement shall commence on November 1, 2005, and continue through June 30, 2007. Compensation to the County shall not exceed \$28,590. **(Resolution No. R20050475)**

PARKS & RECREATION:

16. 2005-2006 Winter Recreation Program Agreement between Skagit County and the Washington State Parks and Recreation Commission Snowmobile Trail Grooming Policy. The agreement shall commence on December 1, 2005, and continue through April 1, 2006. Compensation is not to exceed a total of \$47,680. **(Contract No. C20050476)**

SHERIFF'S OFFICE:

17. Amendment No. 1 to Personal Services Agreement **No. C20040401** with Maximus, Inc., which allows for the preparation, submission and monitoring of all economically viable applications and/or data required for SCAAP grants or reimbursements for the 2006 and 2007 filing periods. The amendment also corrects the original termination date and extends the agreement through September 30, 2007. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050185)**
18. Interlocal Cooperative Agreement, per Resolution No. 16389, between Skagit County and Whatcom County's Northwest Minichain to provide transportation services for prisoners. The agreement shall commence on January 1, 2006, and continue through December 31, 2006. Compensation is not to exceed a total of \$40,117. **(Contract No. C20050477)**

SUPERIOR COURT:

19. Amendment No. 1 to Personal Services Agreement **No. C20050032** with Northwest Family & Children's Services, which increases the contract by \$17,500 for a new total of \$107,500. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050186)**

YOUTH & FAMILY SERVICES:

20. County Program Agreement - Consolidated Contract between Skagit County and the Washington State Department of Social and Health Services – Juvenile Rehabilitation, to support the following programs: Consolidated Juvenile Services At-Risk; Special Sex Offender Disposition Alternative; Community Juvenile Accountability Act; and the Chemical Dependency Disposition Alternative. The agreement began on July 1, 2005, and shall continue through June 30, 2007. Compensation is not to exceed a total of \$526,288. **(Contract No. C20050478)**
21. County Program Agreement - Various Services between Skagit County and the Washington State Department of Social and Health Services – Juvenile Rehabilitation, to support the following programs: Diagnostic Evaluations of Offenders Committable to JRA; Juvenile Justice Bill E3SHB3900; Detention Services; and Juvenile Rehabilitation Administration; and other provisions for services. The agreement began on July 1, 2005, and shall continue through June 30, 2007. Compensation is not to exceed a total of \$52,547 for FY 2006 and \$53,190 for FY 2007. **(Contract No. C20050479)**
22. Personal Services Agreement with The Cambie Group International, Inc., to provide an evaluation of the Department of Youth and Family Service's Juvenile Violence Prevention Project, which is funded by the Governor's Juvenile Justice Advisory Committee. The agreement shall commence on September 30, 2005, and continue until December 31, 2006. Compensation is not to exceed a total of \$8,340. **(Contract No. C20050480)**

PUBLIC WORKS DEPARTMENT:

23. Change Order Nos. CFR 19, 20, 21, 22, and 23 in regards to the haul out and dry docking of the MV Guemes Island Ferry. Unanticipated and necessary repairs to various components of the vessel's propulsion and propulsion related systems were discovered during the routine inspections pertaining to the dry docking in Bellingham. **(Contract No. C20050481)**
24. Resolution authorizing the execution of an Interlocal Cooperative Agreement between Skagit County and Skagit 911 to provide emergency dispatch services to the Public Works Department. **(Resolution No. R20050412)**
25. Contract for Services Agreement between Skagit County and Skagit 911 to provide emergency dispatch services to the Public Works Department during times when such emergency radio channels are not monitored by Public Works staff. The agreement shall commence upon the date of execution. The cost of the service is based on an annual fee structure. **(Contract No. C20050482)**

MISCELLANEOUS.

1. Janice Marlega, Public Works, brought forth a Summary of Offer for three right-of-way acquisitions for the Helmick Road Improvement Project. The total compensation amount for the three properties is \$45,500, which includes costs for land and improvements.

Commissioner Dahlstedt motioned to approve the Summary of Offer as outlined by Ms. Marlega. The motion was seconded by Commissioner Anderson and passed unanimously. **(Contract No. C20050483)**
2. Staff presented a Resolution amending the fee schedule for Skagit County Planning and Development Services associated with new permit types created by recently adopted development regulations, inadvertent omissions of three existing permit types, hourly billing, publication fees and language clarification.

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Commissioner Dahlstedt motioned to approve the Resolution and Commissioner Anderson seconded the motion. The motion passed with a unanimous vote. **(Resolution No. R20050413)**

3. A Quit Claim Deed was brought forward for signature between Skagit County and Russell and Jennifer Lanker regarding the vacation of a right-of-way located in the plat of the Reserve Addition to the Town of Montborne.

Commissioner Dahlstedt motioned to approve the Quit Claim Deed, which was seconded by Commissioner Anderson and passed. **(Approved)**

4. 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 14, 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 209529 through 209879 from Clearing Fund 696 in the total dollar amount of \$700,857.83 (Transmittal No. C-146-05); and

Payroll warrants numbered 175822 through 176621 in the total dollar amount of \$1,089,934.86 (Transmittal No. P-43-05); and

Payroll warrants numbered 968333 through 968481 in the total dollar amount of \$195,071.10 (Transmittal No. P-44-05).

PUBLIC COMMENT PERIOD.

Carol Ehlers, Fidalgo Island, spoke to the Commissioners about her concerns regarding septic and drainage issues.

BID OPENING – CUSTER FIELD FENCING REPLACEMENT.

Brian Adams, Parks and Recreation, advised the Board that no bids had were submitted for the replacement of fencing around Custer Field. However, Mr. Adams said one bid had been received under the Department's Small Works Roster in the approximate amount of \$33,000. That bid will be reviewed and a recommendation will be forthcoming.

Mr. Adams noted that the price of materials for a project such as this has skyrocketed; therefore, contractors are hesitant to pin down prices.

UPDATE – NATURAL RESOURCE LANDS.

Natural Resource Lands Policy Coordinator Kendra Smith provided an update on the following issues concerning Natural Resource Lands:

1. Miscellaneous Activities
 - a) Bio-fuel Forum
 - b) Watershed Review Committee
 - c) Community Wildfire Protection Program
 - d) Natural Resource Land Easements
2. Legislative Bills and Partnerships
3. Blanchard Mountain/Lake Whatcom

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4. Forest Practice Rules
 - a) Stream Typing
 - b) Perennial Initiation Points
 - c) Forest Fish Policy Board

5. Forest Advisory Board (FAB) Work Program
 - a) Goals/Objectives
 - b) Accomplishments
 - c) Issues at Hand

6. States Sales
 - a) Revenues
 - b) Sustainable Harvest

Forest Advisory Board member Gordon Iverson thanked the Commissioners for giving the Forest Advisory Board the opportunity to prove themselves.

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