

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 28, 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. – 10:00 a.m. Public Hearing Continued – Creation of a Clean Water (Shellfish Protection) Program, Including Budget, Rates and Charges
- *T 10:00 a.m. – 11:00 a.m. Planning and Development Services – Gary Christensen, Director
1. Discussion – Formation of 2006 Update and Public Outreach Citizen Advisory Committee
 2. Discussion – 2006 Departmental Budget
 3. Miscellaneous
- 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. Closed Record Meeting For Final Plat Approval For the Plat of Bay Meadows LLC (PL03-0688), Submitted by Michael Fohn
- *T 1:30 p.m. – 2:30 p.m. Presentation – J. Larry Russell Commemorative Award
- 2:30 p.m. – 4:30 p.m. Executive Session – Personnel, Litigation and Land Acquisition

The Skagit County Board of Commissioners met in regular session on Monday, November 28, 2005, with Commissioners Kenneth A. Dahlstedt and Ted W. Anderson present. Chairman Don Munks' absence was excused.

PUBLIC HEARING CONTINUED – CREATION OF A CLEAN WATER (SHELLFISH PROTECTION) PROGRAM, INCLUDING BUDGET, RATES AND CHARGES.

Commissioner Anderson stated that after the public hearing on Monday, November 21, 2005, the Commissioners met with the Skagit County Treasurer and Assessor. They indicated to the Board that it would be virtually impossible to put the proposal of creating a Clean Water (Shellfish Protection) Program on the ballot for 2006. The earliest the proposal could be placed on the ballot would be 2007.

Mr. Karsh, Special Projects, said 15 people testified during the public hearing and most comments were favorable. According to Mr. Karsh, staff has prepared two draft resolutions, the first of which would create a budget for the Program, including fees necessary to carry it forth. It would become effective January 1, 2007 and remain viable for three years. The second resolution would be identical, except it would remain in place until superseded by another program approved by the Commissioners. Mr. Karsh said staff recommends approval of both the ordinance and either one of the resolutions.

Commissioner Anderson asked County Administrator Gary Rowe to send a letter to cities in Skagit County asking them if they would be willing to participate financially in this effort.

Commissioner Anderson motioned to close the public hearing, which was seconded by Commissioner Dahlstedt. The public hearing was closed.

Both Commissioners Dahlstedt and Anderson agreed to review the materials further and make a decision when Chairman Munks returns.

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Commissioner Anderson motioned to reconvene on Monday, December 20, 2005, at 11:30 a.m., to render a decision on this proposal. The motion was seconded by Commissioner Dahlstedt and carried.

PLANNING AND DEVELOPMENT SERVICES – GARY CHRISTENSEN, DIRECTOR

1. Discussion – Formation of 2006 Update and Public Outreach Citizen Advisory Committee.

Ann Bylin of Planning and Development Services requested authorization to proceed with the formation of a Public Outreach Citizens Advisory Committee (CAC) to assist with the 2006 Critical Areas Ordinance update efforts. The committee should be comprised of approximately 6-9 members representing a variety of interests, including agriculture; forestry; mineral; real estate and development; environmental conservation; rural issues; growth management advocacy and property rights. It should also include members from the existing Growth Management Act (GMA) Update and Outreach Steering Committee to provide continuity between the GMA and CAO update processes.

Ms. Bylin said additional members may also be solicited to make sure there is a broad representation among the citizens. Staff also recommends a proposal to include a member on the CAC that could meet and fulfill requirements under Ordinance 17938 to establish a Technical Advisory Committee to refine the Geologically Hazardous Area section of the CAO that was adopted by the Board of County Commissioners on June 15, 2000.

Commissioner Dahlstedt said it would be beneficial to have a representative from the Dike and Drainage Districts on the CAC. Commissioner Anderson concurred.

Commissioner Anderson motioned to approve the formation of a CAC for the 2006 CAO update as outlined by Ms. Bylin. Commissioner Dahlstedt seconded the motion, which carried.

2. Discussion – 2006 Departmental Budget.

Director Gary Christensen stated that after public meetings were held with various County departments regarding the 2006 budget, Planning and Development Services has had the opportunity to review proposed Departmental budget reductions, especially in the areas of customer service and professional services.

Deputy Director Oscar Graham briefly summarized the re-organizational efforts that have taken place within the Department, including the appointment of a new management team; overall reorganization of Department functions based on a team approach; and development of project review teams and an Interdisciplinary (ID) Team for current planning.

Mr. Graham said one of the benefits of the team approach is to provide flexibility in staffing specific projects, whether they are applications for land use permits or long range or community planning projects. Members of the ID Team can be assigned according to need and area of expertise to provide project review or staff community planning or code update projects.

According to Mr. Graham, the 2005 update process includes amendment of the Unified Development Code. The CAO was provided special consideration by the legislature through House Bill 1933, which extended the timeline for best available science based amendments until December 2006. The Department has proposed dedicating staff person Ann Bylin to manage this project. When this takes place, the Department will be able to save professional service dollars while maintaining the staffing and level of services the citizens of the County have come to expect from the Department.

Mr. Christensen stated that the Department was asked to reduce its professional services budget by \$310,000 as part of the 2006 budget process. Mr. Christensen provided a work program related to those projects, which were approved by the Commissioners, community expectations, state mandates, and hearing board and judicial orders. The work program included the estimated \$590,000 professional

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services budget for 2006 and the revised budget in the amount of \$300,000 reflecting suggested budget cuts.

Mr. Christensen said the Department is keenly aware of the challenging and difficult budget decisions that the Board must make given forecasted revenues and projected expenses, while attempting to maintain adequate reserves. With this in mind, the Department is prepared to act on and implement Board directives as deemed necessary.

3. Miscellaneous.

Carly Ruacho, Associate Planner, spoke about the process of updating the Unified Development Code. In a study that was recently completed by The Latimore Group, a code change was recommended, which involves the type of permits the Commissioners typically decide on after considering recommendations by the Hearing Examiner. It was felt that the Board might be better served acting as an appellant body instead of decision makers. This would allow for a quicker turnaround for various permit types, including preliminary long subdivisions between 9 and 50 lots; binding site plans between 9 and 50 lots; development agreements involving 50 or less lots; and variances involving agricultural lands. It was recommended that these be shifted from Level III permits to Level II permits. This would allow the Hearing Examiner to make the final decision; however, appeals would continue to be brought before the County Commissioners.

Commissioner Anderson said he was in favor of all the proposed recommendations, except decisions on agricultural lands.

Commissioner Dahlstedt agreed and stated that other than Ag issues; he would be content with having the Hearing Examiner make a determination on all other suggested permit types.

Ms. Ruacho said the necessary changes would be made. She also noted that public hearings would continue to be held before the Hearing Examiner instead of the Commissioners.

CONSENT AGENDA.

Commissioner Anderson motioned to approve the Consent Agenda for Monday, November 28, 2005, items 1 through 20. Commissioner Dahlstedt seconded the motion, which passed.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, November 21, 2005.
2. Record of the Proceedings for Tuesday, November 22, 2005.
3. Record of the Proceedings for Wednesday, November 23, 2005.

BUDGET/FINANCE:

4. Resolution calling for a Public Hearing to consider the 2006 Skagit County EMS budget. The hearing will be held on Tuesday, December 13, 2005, at 8:30 a.m. **(Resolution No. R20050423)**
5. Resolution calling for a Public Hearing to consider the 2006 Skagit County budget. The hearing will be held on Monday, December 12, 2005, at 10:00 a.m. **(Resolution No. R20050424)**

FACILITY MANAGEMENT:

6. Amendment No. 2 to Building Lease Agreement **No. C20030413** between Skagit County and Case Lanting, which extends the lease agreement on property located at 607 South Second Street,

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Mount Vernon, through December 31, 2006 at the original monthly lease amount of \$1,735.00. All other terms and conditions of the original agreement shall remain in effect. (**Amendment No. A20050189**)

7. Amendment No. 2 to Building Lease Agreement **No. 04193** between Skagit County and Herbert J. Goldston and Theresa L. Goldston, which extends the lease agreement for property located at 609-613 South Second Street, Mount Vernon, through December 31, 2006 at the original monthly lease amount of \$5,400.00. All other terms and conditions of the original agreement shall remain in effect. (**Amendment No. A20050190**)
8. Standard Form of Agreement between Skagit County and DK Systems, Inc. for HVAC upgrades in the Courthouse Annex. The contract shall commence upon date of execution and continue for thirty days. Compensation is to total \$32,436. (**Contract No. C20050498**)

FAIRGROUNDS:

9. Resolution calling for a Public Hearing to recommend changes in the admission fee schedule for the 2006 Skagit County Fair. The hearing will be held on Tuesday, December 20, 2005, at 11:00 a.m. (**Resolution No. R20050425**)

HEALTH DEPARTMENT:

10. Personal Services Agreement with Sea Mar Community Health Clinic to provide continuation of the application of sealants in Skagit County schools for 2nd grade students. The County will provide \$9,200 to help offset contractors professional services to insure all children have access to this school based sealant program regardless of income. This agreement shall commence on January 1, 2006, and continue through May 31, 2006. (**Contract No. C20050499**)

HUMAN SERVICES:

11. Resolution re-appointing Peter Wold to the Skagit County Developmental Disabilities Advisory Board effective December 1, 2005, and expiring on November 30, 2008. (**Resolution No. R20050426**)
12. Resolution re-appointing Ann Fuge to the Skagit County Mental Health Advisory Board effective November 29, 2005, and expiring on November 28, 2008. (**Resolution No. R20050427**)
13. Interagency Agreement between Skagit County and North Sound Mental Health Administration for facilitating safe transition services to mentally ill offenders who are intending to be released from confinement into community services. These individuals will be provided services that will expedite, facilitate and coordinate their return to the community. Maximum compensation is \$85,530. The agreement shall commence on November 1, 2005, and continue through August 31, 2006. (**Contract No. C20050500**)

PARKS AND RECREATION:

14. Personal Services Agreement between Skagit County and ARC Architects to further develop the concept of a County indoor recreation and event center. This work will be assigned in tasks and upon successful completion of a phase the next phase will be authorized. This agreement shall commence on October 24, 2005, and continue through February 1, 2006. The contractor will be paid in three increments at the completion of each phase in three equal sums not to exceed \$25,000. (**Contract No. C20050501**)

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PLANNING & DEVELOPMENT SERVICES:

15. Amendment No. 1 to Personal Services Agreement **No. C20040303** with Berryman & Henigar, which adds an additional \$10,000 to the compensation amount for a new total contract of \$79,575. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050191)**
16. Resolution denying the appeal (PL05-0314) of Citizens to Save Pilchuck Creek, and upholding the Hearing Examiner's decision approving a Shorelines Substantial Development and Variance Permit, a Critical Areas Variance Permit, and a Special Use Permit (PL97-0205, PL97-0206 and PL97-0207). **(Resolution No. R20050428)**

YOUTH & FAMILY SERVICES:

17. County Program Agreement between Skagit County and the Washington State Department of Social and Health Services – Disposition Alternatives 2005-2007, to provide assessment, monitoring and treatment services to committable youth that are retained in the community and sentenced under the Suspended Disposition Alternative and the Mental Health Disposition Alternative and who have committed the eligible offense on or after July 27, 2003. This agreement shall commence on July 1, 2005, and continue through June 30, 2007. **(Contract No. C200505020502)**

PUBLIC WORKS DEPARTMENT:

18. Funding commitment letter for use by the Upper Skagit Indian Tribe in their application for Bureau of Indian Affairs (BIA) funding. This is a \$6.5 million project and given grant funding in addition to the BIA funding anticipated by the Tribe, total cost to the Skagit County Road Fund is expected to be \$2 million or less. **(Approved)**
19. Resolution amending Resolution **No. R20050401** for Declaration of Emergency for the dry docking of the Guemes Ferry for emergency repair work during the period of October 26, 2005, through November 7, 2005. **(Resolution No. R20050429)**
20. Easement Agreement between Skagit County and the City of Burlington for the purpose of construction, installation, use, maintenance and removal of a sanitary sewer system over, under and upon property owned by the City. No funds will be exchanged. **(Contract No. C20050503)**

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 28, 2005, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$141,088.15 (Transmittal No. C-152-05); and

Warrants numbered 210507 through 210737 from Clearing Fund 696 in the total dollar amount of \$896,662.39 (Transmittal No. C-153-05); and

Warrants numbered 210738 through 210867 from Clearing Fund 696 in the total dollar amount of \$848,904.84 (Transmittal No. C-154-05); and

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Payroll warrants numbered 968482 through 968651 in the total dollar amount of \$201,030.74 (Transmittal No. P-45-05); and

Payroll warrants numbered 176622 through 177447 in the total dollar amount of \$1,042,092.73 (Transmittal No. P-46-05).

2. Staff presented Amendment No. 3 to Agreement **No. C20020449** between Skagit County and Cayenta Canada Corporation to include the Cayenta Human Resources Scope of Work and Project Deliverables, effective upon the date of execution.

Commissioner Anderson motioned to approve the amendment and Commissioner Dahlstedt seconded the motion, which carried. **(Amendment No. A20050192)**

PUBLIC COMMENT PERIOD.

No one was present for the public comment period.

CLOSED RECORD MEETING FOR FINAL PLAT APPROVAL FOR THE PLAT OF BAY MEADOWS LLC (PL03-0688), SUBMITTED BY MICHAEL FOHN.

Brent Morrow, Senior Planner, said the proposal is to divide approximately 150 acres into 31 lots through the CaRD process. It includes 30 residential lots ranging in size from .57 acres to 1.32 acres. The remaining 116 acres would be an open space lot with an approved area set aside for a horse riding arena. Mr. Morrow noted that the project is served by internal plat roads, on-site sewage systems and public water. It is located on the north side of Josh Wilson Road, east of the intersection of Farm to Market Road. Staff recommends approval of the Plat of Bay Meadows.

Commissioner Anderson motioned to approve the final plat request for the Plat of Bay Meadows as outlined by Mr. Morrow. The motion was seconded by Commissioner Dahlstedt and was carried. **(Approved)**

PRESENTATION – J. LARRY RUSSELL COMMEMORATIVE AWARD.

Tim Holloran, who voluntarily serves as the Coordinator for the Skagit County Special Olympics Program, introduced Steve Eriksen, a special athlete. Mr. Eriksen has been in the Special Olympics Program since 1986 and was a friend of Larry Russell. Mr. Holloran continued to give a brief background of Mr. Russell, one of the original members of the Special Olympics Program and self-imposed ambassador.

Commissioner Anderson introduced Mr. Russell's mother, Gladys Buhrow. He said the J. Larry Russell Award is presented as the community's appreciation of an individual's or organization's outstanding support of Special Olympics in Skagit County. The award is the only one of its kind in the nation honoring community support for Special Olympics as a tribute to the life and legacy of a Special Olympian.

Mr. Holloran said this year's presentation of the J. Larry Russell Commemorative Award is made in appreciation and recognition of the work of an outstanding woman and organization in our community; Cindy Lindquist and the Skagit Valley Family YMCA.

Commissioner Dahlstedt asked Ms. Lindquist and Bob Shrumm, Executive Director of the Skagit Valley Family YMCA, to come forward to accept this year's J. Larry Russell Award. He said they are being honored for their outstanding support of the Special Olympics Program.

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ADJOURNMENT.

Commissioner Anderson made a motion to adjourn the proceedings. Commissioner Dahlstedt 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