

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, APRIL 15, 2008**

The Skagit County Board of Commissioners met in regular session on Tuesday, April 15, 2008, with Commissioners Kenneth A. Dahlstedt, and Sharon D. Dillon present.

Commissioner Don Munks was absent and excused because he was testifying at a hearing regarding the Clean Water Restoration Act in Washington D.C.

I. AGENDA:

- A. 10:00 a.m. - 10:30 a.m. Consent Agenda and Miscellaneous Items
- B. 10:30 a.m. - 11:30 a.m. Department Head/Elected Officials Meeting

1) Budget Update

County Administrator Gary Rowe gave a brief update of the County's revenue forecast. Mr. Rowe noted there are a couple of items that have been effected by the changes in the economy. He stated sales tax revenue has increased steadily since 2000 but revenue for sales tax is expected to decrease because of the downward trend in the economy. He also noted another area seeing a decrease in revenue is the building permit area. He went on to say that in the first quarter of 2008, the County has seen a significant decline in the investment rates of return.

Mr. Rowe recommended the department heads and elected officials start as early as possible to get together to start looking at the revenue forecast to see what type of changes may be necessary during 2008 to keep the budget in balance. He indicated invitations will be sent to the departments in early May inviting them to get together to begin discussing the issues.

2) Elected officials - Department Head Retreat

Deputy Administrator Tim Holloran provided a brief overview of the elected officials/department head retreat that occurred on March 21, 2008, at the Rosario Beach Marine Laboratory Walla Walla University facility.

3) Briefing on Community Summit on Criminal Justice

Sheriff Rick Grimstead stated 109 citizens attended the Community Summit on Criminal Justice at Mount Baker Middle School. Sheriff Grimstead indicated at least two more summits are scheduled to take place. He said he expects to hold one meeting in Anacortes and at least one in Sedro-Woolley, and possibly a third meeting to wrap everything up.

- C. 11:30 a.m. - 11:45 a.m. Public Comment

There was no one present during public comment.

- D. 11:45 a.m. - 12:00 p.m. Proclamation - National Telecommunications Week (April 14-18, 2008)

Commissioner Dillon read a Proclamation declaring April 14-28, 2008, as National Telecommunications Week in Skagit County.

- E. 1:30 p.m. - 1:45 p.m. Closed Record Public Hearing for Preliminary Approval for the Plat of Birdsvie Estates (PL96-0065) Submitted by Birdsvie Estates LLC, Dan Madlung

Marge Swint, Senior Planner, stated at the time of the application this property was designated Rural Residential, and it was vested on February 9, 1996. She noted the Plat of Birdsvie Estates is to develop approximately 35 acres into a 27 lot land division for residential development. The proposed lots range from 1 acre to 1.78 acres in size. Currently, the proposed project is located within a Rural Reserve and Rural Intermediate zoning/comprehensive plan designated area. The project is a standard County internal plat road, with on site sewage, and PUD #1 satellite water will service the project.

Ms. Swint indicated the Skagit County Hearing Examiner along with the Planning and Development Services Department recommends approval of the Preliminary Plat of Birdsvie Estates (PL96-065).

A motion was made by Commissioner Dillon to approve, grant and sign a resolution for the preliminary plat approval of the Plat of Birdsvie Estates (PL06-0065) submitted by Birdsvie Estates LLC, Dan Madlung (**Resolution No. R20080191**) Commissioner Dahlstedt seconded the motion, which passed unanimously.

- F. 1:45 p.m. - 2:00 p.m. Closed Record Public Hearing for Preliminary Approval for the Plat of Creekside Meadows (PL07-0489) Submitted by Windward Estate Services, Inc.

Ms. Swint noted this preliminary plat request is for the Plat of Creekside Meadows to develop approximately 82 acres into 14 lots for residential development and 1 open space lot through the Conservation and Reserve Development (CaRD) process. The 14 residential lots range in size from .95 acres to 1.03 acres and one approximate 68-acre lot will be designated as Open Space. This is a standard County internal private plat road, with on site sewage, and PUD water will service the project.

Ms. Swint stated the proposed project is located at the southwest intersection of Knapp Road and Baker Heights Road, (Big Rock) Mount Vernon, WA, within a portion of the NE 1/2 of Section 23, Township 34 North, Range 04 East, W.M.

Ms. Swint indicated the Skagit County Hearing Examiner along with the Planning and Development Services Department recommends approval of the Preliminary Plat of Creekside Meadows (PL07-0489).

Gary Friend of 15315 Baker Heights, Mount Vernon, Road said his only objection is

the entrance into the Plat, which he encouraged the Commissioners to take a closer look at.

Greg Krabbe of 1726 Holbrook Avenue, Everett, commented on behalf of the developer of the project. Mr. Krabbe indicated that in the final engineering design they will put a radius in the road alignment between lots 11 and 14, which Mr. Friend had requested.

A motion was made by Commissioner Dillon to approve closing the public hearing. Commissioner Dahlstedt seconded the motion, which passed unanimously.

A motion was made by Commissioner Dillon to approve grant and sign resolution for the preliminary plat approval of the Plat of Creekside Meadows (PL07-0489) submitted by Windward Real Estate Services, Inc. **(Resolution No. R20080190)** Commissioner Dahlstedt seconded the motion, which passed unanimously.

G. 2:00 p.m. - 2:15 p.m. Proclamation - Disaster Preparedness Month (April, 2008)

Commissioner Dillon read a Proclamation declaring April 2008, as Disaster Preparedness Month.

H. 2:30 p.m. - 3:30 p.m. Public Hearing - To Consider Proposed Amendments to Skagit County Code Titles 7 and 14 to Improve Regulations of Dog and Cat Kennel Siting and Operations

Senior Planner Carly Ruacho noted the proposal to consider amendments to Skagit County Code Title 7 and 14 to improve regulations of dog and cat kennel siting and operations within unincorporated areas of Skagit County were released on March 28, 2008, with some slight modifications. She went on to say the Planning Commission reviewed this matter and then it came before the Commissioners for their review. She also noted since the proposed amendments are under a moratorium, a decision is expected to be made before the expiration of the moratorium, which is June 2, 2008.

Commissioner Dahlstedt opened the public hearing.

Misha Lynch of 20684 Starbird Road, Mount Vernon, spoke against the proposed dog kennel ordinance because it does not clearly define what would constitute a limited kennel.

Randy Vancleef of 22322 Prairie Road, Sedro-Woolley, said he was opposed to the ordinance as he thought it needed to be revised to show the definitions of commercial kennels, daycares, and boarding kennels. Mr. Vancleef stated he would like to volunteer to sit on the committee to revise the kennel ordinance.

Sandy Nelson of 18441 Kelleher Road Road, Burlington, spoke on behalf of the Skagit Valley Humane Society. Ms. Nelson stated she supported the proposed

kennel regulations, but there was a concern about the containment of animals in a limited kennel. She also requested an appropriate exercise plan to provide dogs with the opportunity to exercise away from their enclosures. Ms. Nelson went on to request that Skagit County address a section of the special use requirements addressing the revoking or denial of a permit to an applicant that has either provided false permit information or exceeded the number of dogs or cats. She believes a kennel applicant should be denied permit if they have been found guilty of any of the provisions of the animal cruelty codes.

Diane Baker of 19559 Ellinson Road, Mount Vernon, spoke in support of the kennel ordinance.

Megan Strom of 1405 #1 Mallard View Drive, Mount Vernon, said she is the manager of the Humane Society's Thrift Shop and also serves as secretary of the Board of Directors for the Humane Society of Skagit Valley. Ms. Strom urged the Board of Skagit County Commissioners to adopt kennel regulations.

Carol Davis of 8200 Apache Drive, Mount Vernon, stated the ordinance does not allow the public to have access to responsible breeders. Ms. Davis said the ordinance would shut down responsible hobby breeders, so she recommended changing the ordinance to not require a Special Use Permit for hobby breeders.

Joanne Guffstafson of 7265 F & S Grade Road, Sedro-Woolley, stated she was disappointed in the ordinance because none of the recommendations she suggested were included. She also said hobby breeders are not mentioned in this ordinance.

Paula Hellinski of 16112 Mountainview Road, Mount Vernon, said she was opposed to puppy mills and supported the ordinance. Ms. Hellinski read a letter from the Snohomish County Auditor's office regarding puppy mills in Snohomish County.

Marie Padoran of 2305 G. Avenue, Anacortes, spoke in support of hobby breeders and said she is also against puppy mills. She went on to say that Skagit County needs a leash law. She also indicated there should be a grandfathering clause in the ordinance.

Sue Meinzingler of 7575 Chestnut Lane, Anacortes, spoke in support of non-commercial kennels and asked for the ordinance to include a definition of what constitutes a kennel.

Jan Wessen of 7210 Worline Road, Bow, stated there should be a leash law in Skagit County.

Carol Ehlers of 3998 Wind Crest Lane, Anacortes, noted there is a need for a kennel ordinance but this ordinance would interfere with the barking dog ordinance and the Special Use Permit and the Special Use Application Process.

Teresa Letellier of 7832 Helmsley Road, Sedro-Woolley, stated the ordinance needed more definition.

Kathy Jalbert of 7763 Holiday Boulevard, Anacortes, spoke in support of the hobby breeders.

Becky Sumner of 16701 Bow Hill Road, Bow, spoke in support of kennel clubs.

Marjorie Sundberg of Mount Vernon spoke against the ordinance.

Joan Crane of 15350 South Blanchard Road, Bow, spoke in support of hobby breeders.

Kim Johnson of 13913 Avon Allen Road, Mount Vernon, spoke in support of a dog day care and said there should be a mediation process when neighbors are in conflict.

A motion was made by Commissioner Dillon to approve closing the public hearing. Commissioner Dahlstedt seconded the motion, which passed unanimously.

## II. CONSENT AGENDA:

A motion was made by Commissioner Dillon to approve the Consent Agenda for Tuesday, April 15, 2008, items 1 through 20; items 22 through 31; and 33 through 37. **(Items 21 and 32 were removed from the Agenda pending further information)** Commissioner Dahlstedt seconded the motion, which passed unanimously.

### a) COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Tuesday, April 8, 2008. **(Approved)**
2. Resolution calling for a public hearing to amend Chapter 2.04 of the Skagit County Code Regarding Office Hours and Meeting Times. The hearing will be held on Tuesday, April 29, 2008, at 11:00 a.m. **(Resolution No. R20080182)**
3. Resolution calling for bids for County legal printing for 2008-2009. The bid opening will be held on Tuesday, April 29, 2008, at 9:30 a.m. **(Resolution No. R20080183)**

### b) BUDGET & FINANCE:

4. Resolution creating Skagit County's Insurance Cost Assessment Policy for Fiscal Year 2007. **(Resolution No. R20080184)**
5. Work Plan/Financial Plan (Cooperative Service Agreement) between Skagit County and the United States Department of Agriculture (USDA) for bird control activities in Skagit County. The agreement shall commence on May 2, 2008, and continue through May 1, 2009. Compensation is not to exceed a total of \$28,836. **(Contract No. C20080255)**

c) CONSERVATION FUTURES:

6. Amendment No. 1 to Grant Deed of Conservation Easement No. C20070544, which corrects the reference to the Assessor's tax parcel number P46839. The correct parcel number is P36839. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080058)**

d) DISTRICT COURT PROBATION:

7. Interlocal Cooperative Agreement, per Resolution No. R20020210, between Skagit County and the City of Sedro-Woolley to provide probation services from January 1, 2008, through December 31, 2010. **(Contract No. C20080256)**

e) FACILITY MANAGEMENT:

8. Vendor Services Agreement with Catapult Heavy Construction Inc. for the demolition and disposal of the Skagit County Fairgrounds Office located at 1410 Virginia Street, Mount Vernon. The agreement commenced on March 11, 2008, and shall continue through May 31, 2008. Compensation is not to exceed a total of \$18,000. **(Contract No. C20080257)**

f) HUMAN RESOURCES:

9. Personal Services Agreement with Terri Ano, PhD., to provide professional services as requested by the Human Resources Director. Services include application of the Job Evaluation Tool and various other Human Resource related projects as assigned. The agreement commenced on April 1, 2008, and shall continue through December 31, 2008. Compensation is not to exceed a total of \$10,000. **(Contract No. C20080258)**

g) HUMAN SERVICES:

10. Long Term Payable County Program Agreement with the State of Washington Department of Social and Health Services, Division of Finance, which will provide a working cash advance for Substance Abuse Fund 115 and Developmental Disabilities Fund 116-02 for the period of July 1, 2008, through June 30, 2009. The total amount of the agreement is based on an annual review. This agreement replaces Contract No. C20070327, which expires on June 30, 2008. **(Contract No. C20080259)**
11. Personal Services Agreement with The Language Exchange, Inc. which provides interpretation and translation services, either spoken or written, for clients as requested by the Human Services Department. The agreement becomes effective from the date of signature and shall continue through December 31, 2008. Compensation shall not exceed \$10,000. **(Contract No. C20080260)**
12. Amendment No. 1 to Personal Services Agreement No. C20070369 with Catholic Community Services, which extends the length of the contract through December 31, 2008. This allows counseling services to clients

participating in the Community Wellness Program to continue. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080059)**

13. Personal Services Agreement with SPARC to provide child development and early intervention services via electronic media at four selected medical offices in Skagit County. Informational DVD's aim to improve education about developmental delays and to improve access to early intervention services and community resources for both the family and their children with developmental delays. The contract shall commence on April 15, 2008, and continue through December 31, 2008. Compensation is not to exceed a total of \$13,000. **(Contract No. C20080261)**
14. Amendment No. 1 to Personal Services Agreement No. C20070669 with Washington Vocational Services to remove the minimum class size requirement in the Scope of Work. The amendment will now target an average attendance of 10 students per class. The agreement commenced on January 1, 2008, and shall continue through December 31, 2008. Maximum compensation remains at \$6,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080060)**
15. Amendment No. 1 to Personal Services Agreement No. C20070283 with CeCe Thomas, which extends the length of the contract through December 31, 2008. This allows continuance of counseling services to clients participating in the Community Wellness Program. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080061)**
16. Amendment No. 1 to Personal Services Agreement No. C20080197 with United General Hospital to provide bilingual substance abuse prevention, intervention, support and services to youth and families under the Westview Neighborhood Outreach Project in Burlington. A portion of this contract (\$33,540) will be funded by the County's 0.1% Sales Tax fund, rather than the County Alcohol Tax fund. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080062)**

h) INFORMATION SERVICES:

17. Interlocal Public Safety Technology Service Agreement between Skagit County and the City of Mount Vernon, which provides sharing of public safety technology services to be provided by the County on behalf of the City. The agreement commenced on January 1, 2008, and shall continue through December 1, 2011. **(Contract No. C20080262)**
18. Interlocal Public Safety Technology Service Agreement between Skagit County and Skagit 911 Emergency Communications, which provides sharing of public safety technology services to be provided by the County on behalf of Skagit 911. The agreement commenced on January 1, 2008, and shall continue through January 1, 2011. **(Contract No. C20080263)**
19. Resolution authorizing the placement of Skagit County Contracts and Interlocal Agreements that do not contain private or public exempt information on the Skagit County Public Web Site. **(Resolution No.**

**R20080185)**

20. Interlocal Public Safety Technology Service Agreement between Skagit County and Skagit 911 Emergency Communications to supply electronic messaging services to Skagit 911 Emergency Communications. The agreement commenced on January 1, 2008, and shall continue through January 1, 2011. **(Contract No. C20080264)**

i) PARKS & RECREATION:

21. Resolution authorizing a revised user fee schedule for Howard Miller Steelhead Park. **(This item was removed from the Consent Agenda pending further discussion)**

j) PLANNING & DEVELOPMENT SERVICES:

22. Resolution establishing the 2007-2008 Comprehensive Plan Amendment Docket. **(Resolution No. R20080186)**
23. Amendment No. 1 to Personal Services Agreement No. C20070158 with Mark Personius, which adds an additional \$50,000 in compensation for on-call planning services through the remainder of calendar year 2008. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080063)**

k) SHERIFF'S DEPARTMENT:

24. Vendor Services Agreement with Lexipol LLC to provide the County with access to the Lexipol Knowledge Management System. The agreement commenced on April 1, 2008, and shall continue until terminated. Compensation is not to exceed a total of \$16,550. **(Contract No. C20080265)**

l) YOUTH & FAMILY SERVICES:

25. Resolution ratifying an Interlocal Cooperative Agreement between Skagit County Youth & Family Services and the La Conner School District. **(Resolution No. R20080187)**
26. Interlocal Cooperative Agreement between Skagit County by and through the Skagit County Youth & Family Services Department and the La Conner School District, to provide mental health intervention and treatment services for children or youth and their families, grades K through 8, who are identified with mental health issues. The agreement commenced on September 1, 2007, and shall continue through August 31, 2009. Total compensation is not to exceed \$3,320. **(Contract No. C20080266)**

m) PUBLIC WORKS DEPARTMENT:

27. Personal Services Agreement with Anchor Environmental LLC to conduct a consistency review of the Skagit County Coordinated Water System Plan -

Regional Supplement as required by a Settlement Agreement between Skagit County and the Washington State Department of Ecology. The agreement shall commence upon the date of signature and continue until January 1, 2009. Compensation is not to exceed \$23,000. **(Contract No. C20080267)**

28. Resolution ratifying a Personal Services Agreement with Golder Associates, Inc. to prepare a work plan to conduct a well metering pilot study. **(Resolution No. R20080188)**
29. Personal Services Agreement with Golder Associates, Inc. to prepare a work plan to conduct a domestic water use pilot study in selected Skagit River tributaries. The pilot study is required by the settlement agreement for instream flow implementation between Skagit County, the City of Anacortes, and the Washington Department of Ecology. The results of the study will be used to implement the Skagit River Instream Flow Rule. The agreement shall commence upon the date of signature and continue to January 1, 2009. Compensation is not to exceed a total of \$6,500. **(Contract No. C20080268)**
30. Resolution calling for a public hearing regarding Revision No. 2 to the 2008-2013 Six-Year Transportation Improvement Program (TIP) to be held on May 6, 2008, at 9:00 a.m. **(Resolution No. R20080189)**
31. Sewer Line Easement from Skagit County to the State of Washington for construction, operation and maintenance of a sanitary sewer line on a portion of P100648 located at 8519 Fruitdale Road, Sedro Woolley. **(Contract No. C20080269)**
32. Resolution amending Resolution Nos. R20050298, R20050405, and R20060338 and establishing a summer surcharge on all single round-trip cash fares for vehicles and passengers on the Guemes Island Ferry in addition to inclusion of a Senior/Disabled Coupon Book category in the Fare Schedule and other fare adjustments. **(This item was removed from the Consent Agenda and was discussed under the Miscellaneous Agenda. A revised Resolution will be placed on the Consent Agenda for Tuesday, April 22, 2008)**
33. Interlocal Agreement between Skagit County and the City of Sedro-Woolley to cost-share annual maintenance of several U.S. Geological Survey gauges. The agreement shall commence upon the date of signature. **(Contract No. C20080270)**
34. Amendment No. 1 to Interlocal Agreement No. C20070254 between Skagit County and the Washington State Department of Ecology, which awards the County an additional \$12,000 allowing the County to participate in the "LITTER AND IT WILL HURT" campaign. This amendment brings the total funding amount from the Department of Ecology to \$88,900 through June 30, 2009, from the Waste Reduction, Recycling, and Model Litter Control Account. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080064)**

35. Amendment No. 1 to Vendor Services Agreement No. C20070301 with Arrow Launch Services, Inc., which increases the contract by \$16,000 for a new contract total of \$96,000 to provide temporary ferry passenger vessel service between Anacortes and Guemes Island while the Guemes Ferry is hauled out for maintenance service. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080065)**
36. Amendment No. 1 to Vendor Services No. C20070353 with GARDA CL NORTHWEST, Inc. previously referred to as AT Systems Northwest, Inc. The amendment transfers all rights and responsibilities from AT Systems Northwest, Inc. to GARDA CL NORTHWEST, Inc. The contractor provides armored car service at the Guemes Island Ferry. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080066)**
37. Vendor Services Agreement with Puglia Engineering, Inc. for the haul out and maintenance for the vehicle and passenger ferry MV Guemes for the low bid amount of \$308,303.64. Resolution No. R20080138 awarded the bid to Puglia Engineering, Inc. The agreement shall commence upon the date of execution and continue until the project is completed. **(Contract No. C20080270)**

### III. 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, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:
  - a) Warrants numbered 270911 through 271141 from Clearing Fund 696 in the total dollar amount of \$398,042.64 (Transmittal No. C-43-08); and
  - b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$217,074.70 (Transmittal No. C-44-08); and
  - c) Electronic Payment Certification Form to JP MORGAN CHASE from Clearing Fund 696 in the total dollar amount of \$67,833.13 (Transmittal No. C-45-08); and
  - d) Warrants numbered 271142 through 271363 from Clearing Fund 696 in the total dollar amount of \$4,215,394.96 (Transmittal No. C-46-08); and
  - e) Payroll warrants numbered 223217 through 224041 in the total dollar amount of \$1,193,803.91 (Transmittal No. P-13-08); and
  - f) Payroll numbered 978724 through 978896 in the total dollar amount of \$250,618.51 (Transmittal No. P-14-08).
- 2) Resolution amending Resolution Nos. R20050298, R20050405, and R20060338 and establishing a summer surcharge on all single round-trip cash fares for vehicles and

passengers on the Guemes Island Ferry in addition to inclusion of a Senior/Disabled Coupon Book category in the Fare Schedule and other fare adjustments.

A motion was made by Commissioner Dillon to approve a Resolution amending Resolution Nos. R20050298, R20050405, and R20060338 and establishing a summer surcharge on all single round-trip cash fares for vehicles and passengers on the Guemes Island Ferry in addition to inclusion of a Senior/Disabled Coupon Book category in the Fare Schedule and other fare adjustments as Exhibit A. Commissioner Dahlstedt seconded the motion, which passed unanimously.

- 3) Marge Swint, Senior Planner, asked the Board to schedule a closed record public hearing on Tuesday, April 22, 2008, at 11:45 a.m. for the preliminary plat approval for the Plat of Ehrlich Estates PL07-0429, submitted by Cleland, Roberson, Construction, & Development Corporation.

A motion was made by Commissioner Dahlstedt to approve a closed record public hearing as outlined by Ms. Swint. (**Approved**) Commissioner Dillon seconded the motion, which passed unanimously.

**ADJOURNMENT:**

Commissioner Dahlstedt adjourned the proceedings.

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

---

Don Munks, Chairman

---

Kenneth A. Dahlstedt, Commissioner

---

Sharon D. Dillon, Commissioner

ATTEST:

---

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