

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, NOVEMBER 4, 2008**

The Skagit County Board of Commissioners met in regular session on Tuesday, November 4, 2008, with Commissioners Don Munks, Kenneth A. Dahlstedt, and Sharon D. Dillon present.

I. CALL TO ORDER:

Chairman Munks called the proceedings to order at 8:00 a.m.

II. PLEDGE OF ALLEGIANCE:

Chairman Munks led the Board in the pledge to the flag.

III. AGENDA:

A. 8:00 a.m. - 8:30 a.m. Consent Agenda and Miscellaneous items

B. 8:30 a.m. - 10:00 a.m. Public Works Department - James E. Voetberg, Director

1. Overview - Public Works Departmental Update

Cliff Butler, Manager of Road Operations for Skagit County, stated even though this was one of the worst summers as far as interruptions due to the weather, his staff were able to accomplish almost every project. He thanked his staff for working extra hours and on their days off in order to complete their projects. They finished chip sealing more than 80 miles of road throughout the County. They used 170 tons of patch mix to fix pot holes. They used over 7,000 tons of asphalt, and pulverized 3 miles of roadway on Guemes Island. They also mowed over 2,000 miles of shoulder and ditched 172,000 feet throughout the County.

Chris Seidel, District 1 Road Supervisor; Dale Klinger, District 2 Road Supervisor; and Clyde Claybo, District 3 Road Supervisor, reported on projects currently underway in each of their respective districts.

Tony Crosby, Special Operations Lead, provided updates on routine guardrail maintenance and tree trimming and/or removal. He also reported the pump truck is ready to unplug culverts as needed.

Chris Kowlitz, Environmental Specialist, reported on a few projects that have recently been completed.

George Stucks, ER&R Maintenance Supervisor, said they are working on getting the sanders and snow plows ready for the winter season. They are working on an inventory of items for the annual County surplus auction.

Mike Eilde, ER&R Fund Coordinator, updated the Commissioners on several projects that have either been completed or in the process of being completed in the division.

Kevin Renz, Solid Waste Manager, commented on the new organic composting project being introduced in local schools, which is being coordinated by Callie Martin, Waste Reduction and Recycling Education Specialist for the Solid Waste Division. He also stated tonnage at the Transfer Station has increased to 6.7%. Mr. Renz presented the Commissioners with a chart that showed a downward trend in recycling commodity prices.

Ron Panzero, Manager for the Guemes Island Ferry, reported this has been an uneventful year for the ferry. He stated ridership has increased by approximately 37,000 passengers for 2008, and the vehicle count has decreased by approximately 4,000. He went on to say the biodiesel project that was implemented this summer has gone well.

2. Miscellaneous

Jeff Miller, Assistant Public Works Director, provided the Commissioners with an overview of the Engineering Division's accomplishments for the year. Mr. Miller reported the Drainage Division responded to 81 drainage concerns, completed 54 minor projects, completed 10 major projects, and completed several studies. He went on to say they have approximately 30 large capital projects, which are in the process of being completed. He listed some of the major projects, which include the Guemes Ferry Terminal, Best/McLean Road Roundabout, Beaver Lake Road Culvert Replacement, Sinclair Island Dock, Britt Slough Stormwater, Guemes Ferry Dock Replacement, and Bayview Ridge Implementation Plan. He went on to say, the Division has over 60 projects in development many of which, are being designed in-house.

Jean Alden, Administration Division Manager, stated her division is responsible for supporting every division within the Public Works Department.

Jim Voetberg, Public Works Director, said they have received the evaluation of the hydrology and flow study from Northwest Hydraulic Consultants, which will be available online for the public to review.

C. 10:00 a.m. - 10:15 a.m. Closed Record Hearing for Plat Alteration Request No. PL08-0330 for the Plat of Lekcinton Acres (PL03-0319) Submitted by Glen and Karen Nickel

Marge Swint, Senior Planner, stated this is a request to remove the building envelopes on the residential lots as shown on the recorded plat. Ms. Swint noted the recorded plat shows a building envelope of 80.25 feet by 140 feet. She went on to say the revised map reflects the minimum code requirements as listed in Skagit County Code 14.18.310(8).

Ms. Swint stated the plat is located on Lekcinton Lane on the south side of the South Skagit Highway, southeast of the intersection of Cape Horn Road and South Skagit Highway, Sedro-Woolley, WA; within a portion of the E 1/2 of the NW 1/4 and the SW 1/4 of the NE 1/4 of Section 18, Township 35 North, Range 08 East, W.M., Skagit County, WA.

Chairman Munks opened the closed record hearing at 10:14 a.m.

Glen Nickel of 42336 South Skagit Highway in Concrete, commented on the restrictions of size of the houses that are allowed to be built on each lot. Mr. Nickel also said revisions have been made to the Covenants Conditions and Restrictions, which add a five-foot setback requirement to adjoining buildings.

Chairman Munks closed the closed record hearing at 10: 17 a.m.

Commissioner Dahlstedt asked about the Community Bylaws and if there had been any complaints to the requested alterations. Ms. Swint stated one objection has been submitted, and several people in the community were in support of the alteration. Commissioner Dillon stated she was concerned the alteration would allow other lots in the community to have additional development.

A motion was made by Commissioner Dahlstedt to approve as conditioned by the Skagit County Hearing Examiner, the Alteration Request (PL08-0330) for the Plat of Lekcinton Acres submitted by Glen and Karen Nickel. Chairman Munks seconded the motion, which passed on a 2 - 1 vote with Commissioner Dillon dissenting.

Ms. Swint said a resolution for the Commissioners' signature will be presented at a later date.

D. 10:15 a.m. - 10:30 a.m. Proclamation Recognizing the "Eat Local For Thanksgiving" Campaign

Commissioner Dahlstedt read a Proclamation recognizing the "Eat Local for Thanksgiving" Campaign.

Chairman Munks recessed the proceedings at 10:24 a.m.

E. 11:30 a.m. - 11:45 a.m. Public Comment Period

Chairman Munks reconvened the proceedings at 11:30 a.m.

Jennifer Smith of PO Box 246 in Clear Lake, commented on a situation her family experienced with Skagit Bonded Collections (SB&C). Ms. Smith stated she was concerned with SB&C's practice of mailing notices to incorrect addresses.

Kendra Smith, Natural Resource Policy Coordinator, updated the Commissioners on the Farmland Legacy Program.

IV. CONSENT AGENDA FOR TUESDAY, NOVEMBER 4, 2008 - ITEMS 1 to 15:

A motion was made by Commissioner Dahlstedt to approve the Consent Agenda items 1 through 15, Ratification Agenda items 16 and 17, vouchers, warrants and miscellaneous items for Tuesday, November 4, 2008. Commissioner Dillon

seconded the motion, which passed unanimously.

a) COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, October 27, 2008. **(Approved)**

b) FACILITY MANAGEMENT:

2. Amendment No. 1 to Interlocal Agreement No. C20080475 between Skagit County and the Town of Lyman regarding certain personal property located at and within the historic Minkler Mansion. It was the intent of the parties at the time the agreement was executed to deed this property over to the Town; however, terms regarding the property were not included in the agreement. This amendment adds Section 23 to the original agreement. All other terms and conditions shall remain in effect. **(Amendment No. A20080203)**

c) INFORMATION SERVICES:

3. Amendment No. 2 to Agreement No. C20070313 with Cascade Software Systems, Inc., which increases professional services and travel compensation to cover additional training and live support. The new contract total shall not exceed \$154,386. **(Amendment No. A20080204)**
4. Electronic Transaction Processing Agreement with Official Payments Corporation to provide check and credit/debit card payment transaction services. The agreement shall commence upon the date of execution and has an initial term of two years. The agreement shall automatically renew each year thereafter unless either party provides notification to the other party of its decision not to renew. Compensation shall be based on the transaction volume. **(Contract No. C20080625)**

d) PROSECUTING ATTORNEY:

5. Resolution reversing the Hearing Examiner's decision on No. PL08-0477, which approved Special Use Permit No. PL07-0792 issued to Frank Pape for a Home Based Business 2. **(Resolution No. R20080484)**

e) PUBLIC WORKS:

6. Resolution calling for a Public Hearing to consider the Guemes Island Ferry Departure Schedule Hours of Operation. The hearing will be held on Tuesday, November 25, 2008, at 2:30 p.m. **(Resolution No. R20080485)**
7. Resolution calling for a Public Hearing to consider the abolishment of and distribution of assets of the Bryson Road Sub-Flood Control Zone. The hearing will be held on Tuesday, November 25, 2008, at 9:30 a.m. **(Resolution No. R20080486)**
8. Resolution calling for a Public Hearing to consider amending the roll, rates and charges for Skagit County Lake Management District No. 4, Clear and Beaver Lakes. The hearing will be held on Tuesday, December 2, 2008, at

8:30 a.m. **(Resolution No. R20080487)**

9. Resolution authorizing the closure of Britt Road #70110 for the replacement of the culvert at milepost 1.20 on November 10, 2008, to November 12, 2008. **(Resolution No. R20080488)**
10. Interlocal Cooperative Agreement between Skagit County and the Town of Hamilton, to provide materials and equipment rental upon request for roadway maintenance activities on a reimbursable basis for the Town. The agreement shall commence on January 1, 2009, and continue through December 31, 2013. **(Contract No. C20080626)**
11. Amendment No. 1 to Personal Services Agreement No. C20080112 with the Skagit Watershed Council to support its work as lead entity for salmon recovery in the Skagit and Samish River watershed. This amendment will increase compensation from \$20,000 to an amount not to exceed \$30,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080205)**
12. Amendment No. 1 to Personal Services Agreement No. C20080242 with the Skagit Conservation Education Alliance to support the County's educational outreach to protect, conserve, and enhance the natural ecosystems in the County's watersheds. The amendment adds additional compensation in the amount of \$4,000 for a new contract total not to exceed \$26,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080206)**
13. Amendment No. 1 to Personal Services Agreement No. C20080113 with the Skagit Fisheries Enhancement Group for educational outreach and riparian habitat restoration and monitoring activities to improve water quality. The amendment increases compensation by \$10,000 for a new contract total of \$30,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080207)**

f) SENIOR SERVICES:

14. Interlocal Cooperative Agreement between Skagit County and the City of Anacortes, which allows Skagit County Senior Services to provide staff, equipment and materials for the delivery of community-based services to the senior citizens of the Anacortes. The agreement shall commence on January 1, 2009, and continue through December 31, 2009. Compensation is not to exceed a total of \$29,928. **(Contract No. C20080627)**

g) SHERIFF'S OFFICE:

15. Resolution authorizing the transfer of radio equipment to the Skagit 911 Dispatch Center as part of a sub-grant from the Department of Homeland Security - Law Enforcement Terrorism Prevention Program. **(Resolution No. R20080489)**

V. CONTRACT RATIFICATIONS - ITEMS 16 and 17:

h) PROSECUTING ATTORNEY:

16. Resolution ratifying a County Program Agreement with the Washington State Department of Social and Health Services, Division of Alcohol and Substance Abuse. Processing of the agreement was delayed by DSHS and County departments elected not to delay or deny any services to eligible individuals. **(Resolution No. R20080490)**
17. County Program Agreement with the Washington State Department of Social and Health Services, Division of Alcohol and Substance Abuse, which provides services for commitment proceedings for 14-day civil commitments at the North Cascade Secure Detoxification Facility. The agreement commenced on July 1, 2008, and shall continue through June 30, 2009. Compensation shall not exceed a total of \$227,428. **(Contract No. C20080628)**

VI. 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) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$169,324.15 (Transmittal No. C-132-08); and
  - b) Electronic Payment Certification Form to JP MORGAN CHASE from Clearing Fund 696 in the total dollar amount of \$34,078.13 (Transmittal No. C-133-08); and
  - c) Warrants numbered 284534 through 285257 from Clearing Fund 696 in the total dollar amount of \$2,233,308.23 (Transmittal No. C-134-08).
- 2) Arne Denny, Deputy Prosecuting Attorney, brought forth a Resolution pertaining to the settlement of Petitions for Review involving Closed Record Appeals PL08-0078 and PL08-0080, regarding Bow Hill Mill.

Jim Bucknell, spoke on behalf of the Bow Hill Mill Neighborhood Association, and stated they have reached a settlement.

A motion was made by Commissioner Dahlstedt to approve a Resolution pertaining to the settlement of Petitions for Review involving Closed Record Appeals PL08-0078 and PL08-0080, regarding Bow Hill Mill. **(Resolution No. R20080491)** Commissioner Dillon seconded the motion, which passed unanimously.

- 3) Resolution to appoint members to the Lodging Tax Advisory Committee.  
**(Resolution No. R20080492)**

VII. ADJOURNMENT:

There being no further business pending, Chairman Munks adjourned the proceedings at 11:42 a.m.

**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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Sharon D. Dillon, Commissioner

ATTEST:

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