

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 25, 2009**

The Skagit County Board of Commissioners met in regular session on Tuesday, August 25, 2009, with Commissioners Kenneth A. Dahlstedt, Sharon D. Dillon, and Ron Wesen present.

I. CALL TO ORDER:

Chairman Dahlstedt called the proceedings to order at 8:04 a.m.

II. PLEDGE OF ALLEGIANCE:

Chairman Dahlstedt led the gallery in the salute to the flag.

III. AGENDA:

a) 8:00 a.m. - 9:00 a.m. Public Works - Thomas G. Ballard, P.E. - Interim Director

1. Cancellation/Explanation of Public Hearing regarding Revision No. 3 to the Adopted Comprehensive 2009-2014 Six-Year Transportation Improvement Program (TIP)

Thomas G. Ballard, Interim Public Works Directors, stated the adoption of Revision No. 3 to the 2009 - 2014 Six-Year Transportation Improvement Program has been cancelled because it has been determined to no longer be necessary because of the passage of Resolution No. R20090342, on August 11, 2009.

A motion was made by Commissioner Dillon to approve cancelling the public hearing regarding Revision No. 3 to the Adopted Comprehensive 2009-2014 Six-year Transportation Improvement Program (TIP) Commissioner Wesen seconded the motion, which passed unanimously.

Paul Randall-Grutter, County Engineer, provided a summary of the ongoing Public Works constructions projects.

2. Skagit Marine Resources Project

Tracy Alker, Water Resources Technician, presented a video regarding StreamGuard Subsafe Car Wash Kit. The car wash kits can be obtained through Skagit County -Public Works Department, City of Anacortes - Engineering Department, City of Burlington - Public Works Department, City of Mount Vernon - Public Works Department, and Skagit Conservation District.

Chairman Dahlstedt recessed the proceedings at 8:26 a.m.

- b) 9:00 a.m. - 9:30 a.m. Public Hearing To Consider Proposed Special Assessment Roll, Rates and Charges for Skagit County Lake Management District No. 2 for Lake McMurray

Chairman Dahlstedt reconvened the proceedings at 9:00 a.m.

Tracy Alker provided a brief history of the formation of the Lake Management District No. 2 for Lake McMurray. Ms. Alker stated Lake Management District No. 2 (LMD 2) for Lake McMurray will expire on December 31, 2009. Upon expiration of LMD 2 there will be no funds and no mechanism to undertake future lake management treatment activities unless the District is reformed. She indicated a petition in support of reforming LMD 2 for Lake McMurray was signed by 23 lakeside residents in the Lake McMurray community.

Ms. Alker went on to say a public hearing was held on May 19, 2009, and ballots to vote on whether or not to reform LMD 2 were sent out to affected property owners. She explained the majority of affected landowners of Lake McMurray voted in favor of reforming LMD 2 pursuant to RCW 36.61.080-100. She stated out of 65 votes received, 52 voted "Yes", 7 voted "No" and 4 votes were invalid.

Ms. Alker explained Board of Skagit County Commissioners created Skagit County LMD 2 for Lake McMurray through adoption of Ordinance No. O20090007. She indicated a public notice for the Ordinance was published in the Skagit Valley Herald on June 18, 2009, and June 25, 2009. Ms. Alker said no appeals were received during the 40-day appeal period.

Chairman Dahlstedt opened the public hearing at 9:07 a.m.

Michelle Doiron of 22989 Lake McMurray Lane commented about her concerns with chemicals going into the lake and the method of charging fee assessments.

Seeing no further public testimony forthcoming, Commissioner Dillon made a motion to close the public hearing at 9:13 a.m. Commissioner Wesen seconded the motion, which passed unanimously.

A motion was made by Commissioner Dillon to approve the Resolution confirming and approving the special assessment roll, rates, and charges for Skagit County Lake Management District No. 2 for Lake McMurray. **(Resolution No. R20090362)** Commissioner Wesen seconded the motion, which passed unanimously.

Chairman Dahlstedt recessed the proceedings at 9:14 a.m.

- c) 9:30 a.m. - 10:00 a.m. Recognition of Amateur Softball Association Members

The Commissioners congratulated and thanked Mike McCarthy, Bob Llana, Bob James and Bill Silves who are members of the Amateur Softball Association (ASA) for their hard work and dedication in organizing a successful ASA Western National Fastpitch Championship, which took place from July 27, through August 2, 2009. They also thanked staff from Skagit County Parks and Recreation staff.

Chairman Dahlstedt recessed the proceedings at 9:46 a.m.

- d) 10:00 a.m. - 10:30 a.m. Decision - Closed Record Appeal No. PL09-0267 to Review the Hearing Examiner's Decision to Deny Appeal No. PL09-0144 by Mission Holdings, Inc., of the Decision Issued by Skagit County Planning & Development Services No. PL09-0027 of a Level 1 Administrative Interpretation Denying the Request to Allow for a Proposed Project to be Considered Vested at the Time of a January 2005 Pre-Application Meeting

Chairman Dahlstedt reconvened the proceedings at 10:00 a.m.

Commissioner Dillon said the Board of Commissioners sits as an appellate body and could not consider evidence that was not presented to the Hearing Examiner and the Board's review was limited to the record established before the Examiner.

Commissioner Wesen explained he agreed with the Hearing Examiner's decision that the application did not vest because there was never an application.

Chairman Dahlstedt commented on the equal and fair treatment provided to the proponents of the project.

A motion was made by Commissioner Dillon to approve affirming the decision of the Hearing Examiner and adopt a resolution pertaining to the Closed Record Appeal (PL09-0267) of Hearing Examiner Appeal (PL09-144) of Administrative Interpretation issued by Skagit County Planning and Development Services, related to property owned by Mission Holdings Inc. (PL09-0027) (**Resolution No. R20090363**) Commissioner Wesen seconded the motion, which passed unanimously.

Chairman Dahlstedt recessed the proceedings at 10:05 a.m.

- e) 10:30 a.m. - 11:30 a.m. Skagit County Board of Health

Chairman Dahlstedt reconvened the proceedings at 10:32 a.m.

1. Discussion - H1N1 Flu for 2009/2010 Flu Season

Sandi Paciotti, Communicable Disease Manager, explained Skagit County Public Health is actively working with hospitals, healthcare providers, laboratories, emergency services, schools, nursing homes and pharmacies to gear up for the 2009 and 2010 school year and flu season to prevent the spread of the seasonal flu and the H1N1 flu in Skagit County.

Ms. Paciotti went on to explain the best way to protect against the flu is to get a seasonal flu shot every year, and to get a separate flu shot for the H1N1 flu.

Skagit County Public Health Immunization and Flu Hotline can be contacted at (360)419-3313.

2. Request - Guidance on Changes in Water Program

Corinne Story, Environmental Health Manager, informed the Board the Washington State Department of Health is considering substantially curtailing oversight of Group B water systems due to budget cuts. She said there are approximately more than 135 Group B water systems in Skagit County. Ms. Story went on to say Skagit County Public Health is currently reviewing water systems with two connection systems.

Ms. Story stated Skagit County Public Health will provide information on the joint plan of responsibilities and revisions to the Board of Health in the near future.

3. Skagit County Alliance for Healthcare Access

Peter Browning, Director, stated SeaMar Mental Health, Northwest Regional Council, Public Health, the County Commissioners and others have joined together to determine what the healthcare access issues are in Skagit County. He indicated the County is going through a planning process to make sure people are asked the right questions.

Mr. Browning indicated each hospital has made a commitment to help pay for a grant writer to help identify appropriate access to healthcare.

4. Child and Family Health Update and Funding Changes

Jennifer Sass-Walton, Manager of the Child and Family Health Division program, provided an update of the benefits of the programs. Ms. Walton stated all programs in this division are supported by long-term contracts and grants.

5. Miscellaneous

Staff presented a resolution to waive the office visit fees for flu and pneumonia vaccines during the 2009 - 2010 flu season.

A motion was made by Commissioner Dillon to approve adoption of a resolution waiving the office visit fees for flu and pneumonia vaccines during the 2009 - 2010 flu season Commissioner Wesen seconded the motion, which passed unanimously.

Chairman Dahlstedt adjourned the Board of Health at 11:39 a.m.

f) 11:30 a.m. - 11:45 a.m. Public Comment Period

Chairman Dahlstedt opened the public comment period at 11:41 a.m.

Seeing no public comment forthcoming, Commissioner Wesen made a motion to close the public comment period at 11:41 a.m. Commissioner Dillon seconded the

motion, which passed unanimously.

Chairman Dahlstedt recessed the proceedings at 11:42 a.m.

- g) 1:30 p.m. - 2:00 p.m. Presentation - Washington State Patrol - Traffic Safety Fair

Chairman Dahlstedt reconvened the proceedings at 1:33 p.m.

Trooper Mark Francis with the Washington State Patrol discussed the Skagit County Traffic Safety Emphasis Patrol and Traffic Safety Fair. The Washington State Patrol, along with local City and County Law Enforcement agencies will be participating in a 24-hour traffic safety emphasis patrol focusing on SR-9 between Sedro-Woolley and Mount Vernon. The 24-hour emphasis will start at 5 p.m., Friday August 28, 2009, and continue through Saturday, August 29 at 5:00 p.m.

Chairman Dahlstedt recessed the proceedings at 1:39 p.m.

- h) 2:00 p.m. - 2:30 p.m. Discussion - Recreation and Events Center Phase I - Bid Results

Chairman Dahlstedt reconvened the proceedings at 2:02 p.m.

Roger Howard, Consultant for Skagit County, discussed the bids received on Monday, August 17, 2009. He said the two low bidders have requested to withdraw their bids due to a miscalculation when they prepared their bids. The bidders have asked for their bids to be withdrawn without penalty.

Mr. Howard stated if the Commissioners agreed, he will bring forth a resolution indicating the withdrawal of bids and an award for the project at a later date.

A motion was made by Commissioner Wesen to approve accepting the third low bidder and allowing the first two bidders to withdraw their bids without penalty. Commissioner Dillon seconded the motion, which passed unanimously.

Chairman Dahlstedt recessed the proceedings at 2:16 p.m.

- i) 2:30 p.m. - 3:00 p.m. Presentation - Town of La Conner Mayor Ramon Hayes - 2010 Olympics

Chairman Dahlstedt reconvened the proceedings at 2:30 p.m.

Mayor of La Conner Ramon Hayes discussed the \$60,000 that Skagit County has designated to promote tourism during the 2010 Olympics. Mayor Hayes advocated for a County-wide commercial that would encompass all of Skagit County and direct customers to a web-site that would increase tourist traffic in the County.

Mayor Hayes requested access to advertising funds for 2010 Olympics, and permission to put together a committee to develop a marketing approach for a commercial and a web-site.

The Commissioners thanked Mayor Hayes for the presentation.

IV. VOUCHERS AND WARRANTS:

- 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 \$68,294.28 (Transmittal No. C-106-09).

V. ADJOURNMENT:

Chairman Dahlstedt adjourned the proceedings at 2:46 p.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Kenneth A. Dahlstedt, Chairman

Sharon D. Dillon, Commissioner

Ron Wesen, Commissioner

ATTEST:

Linda Hammons, Clerk of the Board
Skagit County Board of Commissioners