

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, JANUARY 5, 2010**

The Skagit County Board of Commissioners met in regular session on Tuesday, January 5, 2010, with Commissioners Sharon D. Dillon, Ron Wesen, and Kenneth A. Dahlstedt present.

I. CALL TO ORDER:

Chair Dillon called the proceedings to order at 8:00 a.m.

II. PLEDGE OF ALLEGIANCE:

Chair Dillon led the gallery to the salute to the flag.

III. AGENDA:

a) 8:30 a.m. - 9:00 a.m. Public Works- Thomas G. Ballard, Interim Director

1. Status Report: Public Works Administration

Chair Dillon stated that it was necessary to clarify some information regarding some issues which came up after the Personal Services Agreement No. C20090717 with Tom Ballard and Associates Consulting, Inc. was fully executed; Commissioner Wesen had some questions for Mr. Ballard after watching the public comment period from last week.

Tom Ballard, interim Public Works Director, thanked the Commissioners for inviting him in to discuss the current situations in the Public Works department, and what his plans are to get the department back on track.

Mr. Ballard stated that the challenges which this position has had to deal with have been multiple and although he is a consultant, he feels more like a public servant in his role here at Skagit County. Mr. Ballard briefed the Commissioners on the administrative problems which the Public Works department has been working through. For quite some time, there has been a lack of consistent leadership in the department which he has brought back. Besides the vacancy of the Public Works Director, the department is also missing a County Engineer, which is a statutory requirement, and which he is also filling in for. The County Engineer helps the department stay accountable to the State in order to collect gas tax for the road fund.

Another important position which has been vacant is the head for the engineering division which is where most of the capital programs are carried out. Public Works is also missing the head of the Design and Construction division. Along with the multiple top level vacant positions, there are other vacant positions throughout the department. The Board of County Commissioners has been actively recruiting for a Public Works Director, but it has been a challenge in the current economy. Mr. Ballard pointed out to the Commissioners that the contract they signed on December 29, 2009 with his consulting firm was for \$386,000 which provides coverage for the top level vacant positions, includes the work that Mr. Ballard's

other associates perform, and provides for his consulting services. He stated that the contract is not for one single person, but multiple people and services. Mr. Ballard estimated that the top level vacant positions in the Public Works Department, when filled, would pay out the combined amount of \$500,000.

The Commissioners and Mr. Ballard wanted to make sure that the public also knew that as the positions within the Public Works Department are filled with permanent staff, Mr. Ballard's firm would be turning things over to those individuals, and the amount of the current contract would decrease. Commissioner Dahlstedt was concerned with last weeks public comment period. All of the Commissioners urge people to come and speak during the public comment period, however, when Skagit County employees come and identify themselves as representing an office, it can then create a credibility issue. The Commissioners worked hard on the budget process along with fellow elected officials. Another issue which was brought up regarded the closure days. He stated the public wants us to do more with less, the budget is shrinking. By asking everyone to share a little bit, Skagit County is able to keep more workers employed which is important to the Commissioners. Commissioner Dahlstedt was also concerned that the information provided at the public comment period last week was highly inaccurate and the Commissioners feel that was inappropriate. Public Works is a large department with complex positions to fill. Public Works is in charge of many safety issues and Commissioner Dahlstedt hopes that fellow elected officials and employees will work with the Commissioners and be cooperative.

Chair Dillon pointed out that Mr. Ballard was also part of the recruiting team which has been working on finding a Public Works director. Mr. Ballard confirmed this and stated that it was a service he offered since he had networking connections.

Commissioner Wesen stated that county takes on extra risk if the Public Works Department does not have a director. Mr. Ballard stated that Skagit County has to comply with various Washington Administrative Codes (WAC's) as well when it comes to the Public Works Department. The county could be sanctioned and the gas tax stripped if the county is not compliant. Currently the county has an agreement with Washington State Department of Transportation to administer federal grant programs locally, but, there are many rules and regulations that must be followed or the grant funds could be lost and Skagit County would have to pay the bill. Everything has to be reviewed to minimize current and future risks.

The Commissioners thanked Mr. Ballard for a job well done. There are many critical projects in the Public Works Department and the department needs someone at its head. Mr. Ballard stated that due to the vacancy of the head positions, he has been working on instilling a traditional culture and a systematic way to plan and program throughout the department. He has been working on employee training and putting tools and processes in place, so that the transition from his firm to the new director will be smooth.

Chair Dillon stated that Public Works is not just roads. There are many facets to the department: solid waste, ferry, surface water, water resources, clean water, and Skagit County needs someone who knows the many rules and regulations. Tom Ballard and Associates Consulting, Inc. is multi-faceted firm. They are a registered civil engineering firm, they have traffic and structural engineering, they are into real estate brokerage, architecture, railroads, airports, and ferries.

The Commissioners thanked Mr. Ballard for clarifying the contract. Commissioner Dahlstedt stated that these are frustrating times, but the Commissioners are doing what they can to keep Skagit County employees and deliver services.

2. Miscellaneous

Public Works did not have any miscellaneous items.

Chair Dillon recessed the proceedings at 8:59 a.m.

b) 9:00 a.m. - 11:00 a.m. Public Hearing to Consider Testimony Regarding Possible Community Development Block Grant Application for Federal Funds to Benefit Low and Moderate Income Households

Chair Dillon reconvened the proceedings at 9:03 a.m. and opened the public hearing.

Bill Henkel, Executive Director of Community Action Agency located at 330 Pacific Place in Mount Vernon, Washington, was present to thank the Board of Commissioners for their help with this program. The application relates to purchasing and renovating the Litchmen Building on Riverside Drive. Year by year, the amount of people Skagit County Community Action Agency serves increases exponentially. Expanding into this building would better serve Skagit County. One of the specific things that Skagit County Community Action Agency would like to do is to separate the reception area into two separate areas, one area for family and children, and another area for adults. Mr. Henkel also stated that they would like to incorporate two new drop-in service areas where staff could inform people about resources available to them, and Mr. Henkel stated that he would like a separate drop-in area for volunteers. Skagit County Community Action Agency needs to meet the needs of the citizens and appropriately provide them with services.

Paul Schissler of 714 Wilson Avenue in Bellingham, was present to comment on the logistics of the block grant program. Mr. Schissler stated that this public hearing is one of the required steps in the application process. Mr. Schissler provided to those attending the hearing, an informational handout which listed the allowable uses of the Community Development Block Grant funds. Mr. Schissler stated that this is a non-controversial project and that the County Commissioners will need to execute a resolution before January 21, 2010 regarding this. The process is very competitive. The Resolution for the application can be up to \$1,000,000 and so the purchase of the building along with the costs of reconstruction needs to be accurately assessed. Mr. Schissler noted that water and sewer projects usually rate higher amongst applications for the Community Development Block Grant Program.

Tim Holloran, County Administrator, stated that Skagit County has a strong partnership with Skagit County Community Action Agency. Skagit County Community Action Agency works closely with the county and the cities and faces multi-faceted issues. Mr. Holloran stated that Skagit County Community Action Agency meets the needs of our community and they need a space to do it well.

Seeing no further public testimony forthcoming, Commissioner Wesen made a motion to close the public hearing at 9:15 a.m., which was seconded by Commissioner Dahlstedt. The motion passed unanimously.

Commissioner Dahlstedt commented that many people are struggling in these times. He has heard people say that it is because of the illegal immigrants that we have these needs, but it is just not the case. It is easy to place blame. We have to feed the hungry people and help the hard working families. The job that Skagit County Community Action Agency performs is important.

Commissioner Wesen commented that we need to do what can to help our community. This is a block grant and we should take advantage of the programs available to our community.

Chair Dillon commented that Skagit County Community Action Agency is the backbone of caring in Skagit County. She would like to see a functional facility for the community.

Chair Dillon recessed the proceedings at 9:22 a.m.

- c) 11:15 a.m. - 11:30 a.m. Decision on Nookachamps, LLC Open Space Application

Chair Dillon reconvened the proceedings at 11:15 a.m. to discuss the open space application of Nookachamps, LLC. This parcel is a commercial wetland mitigation bank rather than just open space, which is what the open space taxation was intended for. The open space taxation bracket was intended to preserve open space, agricultural land, and timber land, and since this parcel will be developing a wetland mitigation bank, it must be denied.

A motion was made by Commissioner Dahlstedt that the Resolution for the Open Space Application of Nookachamps, LLC CUTROS 1-2009, be denied. (**Resolution No. R20100005**) Commissioner Wesen seconded the motion.

The vote passed unanimously.

Chair Dillon recessed the proceedings at 11:18 a.m.

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

Chair Dillon reconvened the proceedings at 11:30 a.m.

Seeing no public present to comment, Commissioner Dahlstedt moved to close the public comment period, Commissioner Wesen seconded the motion, which passed unanimously.

#### IV. ADJOURNMENT:

Chair Dillon adjourned the proceedings at 11:31 a.m.

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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**Sharon D. Dillon, Chair**

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**Ron Wesen, Commissioner**

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**Kenneth A. Dahlstedt, Commissioner**

**ATTEST:**

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