

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, OCTOBER 12, 2010**

I. CALL TO ORDER:

Chair Dillon called the proceedings to order at 10:00 a.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

a) \*8:00 a.m. - 10:00 a.m. Briefing County Commissioners/County Administrator

b) 10:00 a.m. - 11:00 a.m. Planning and Development Services - Gary Christensen, Director:

1. Discussion/Possible Action: Proclamation - October is Community Planning Month

Gary Christensen, Director of Planning and Development Services, presented a proclamation declaring October as Community Planning Month.

The Commissioners thanked the Planning and Development Services Department for their hard work through the current decline in staffing and difficult economic climate.

Commissioner Wesen read the proclamation declaring October as Community Planning Month.

2. Discussion/Possible Action: Designation of Floodplain Manager - Tim DeVries

Mr. Christensen stated that under Skagit County Code, Title 14, the Unified Development Code, the Administrative Official is responsible for administering and implementing the code. He indicated that the Director of Skagit County Planning and Development Services serves as the Administrative Official. He stated that the Director may authorize certain staff to act on behalf of the Director, for specific decisions under Title 14, as long as the staff member is acting under the supervision of the Director.

Mr. Christensen indicated that under the authorities of Skagit County Code, and after consultation with the County Administrator, he would recommend the Board of County Commissioners authorize the designation of Tim DeVries, Skagit County Building Official, as the Floodplain Manager. The designation would assure compliance with the requirements of Skagit County Code 14.34, Flood Damage Prevention. Mr. DeVries recently attended and completed the E273 Floodplain Management course at the Emergency Management Institute located in Emmetsburg, MD. He is

pursuing a professional certificate as a Floodplain Manager through the National Association of State Floodplain Managers.

A brief discussion was held regarding the responsibilities of the Floodplain Manager, and flood insurance rates.

A motion was made by Commissioner Dahlstedt to approve the Administrative Official's decision to designate Tim DeVries as Skagit County's Floodplain Manager. Commissioner Wesen seconded the motion.

The vote passed unanimously.

3. Discussion: 2010 Work Program Quarterly Report

Mr. Christensen introduced Kirk Johnson, Senior Planner. Mr. Johnson provided the Planning and Development Services 2010 Legislative Work Program Projects. Mr. Christensen indicated that the Planning and Development Services Department is seeking direction and confirmation of the Department's long-term work program, projects and priorities.

Mr. Christensen stated in the past years, the Department has presented a work program with 55 items that addressed long-term projects; and, a list of 24 "trailing issues" identified by the Department and Planning Commission through the 2005 GMA Update process. Mr. Christensen provided the Commissioners with the 2010 Legislative Work Program. He identified the following 11 projects:

1. Bayview Ridge Urban Growth Area (UGA) Implementation, Project Manager, Gary Christensen;
2. Guemes Island Subarea Plan, Project Manager, Carly Ruacho;
3. Master Plan Resort/RV Park Standards, Project Manager, Carly Ruacho;
4. Envision Skagit (Alternative Futures), Project Manager, Kirk Johnson;
5. Shoreline Master Program (SMP) Update, Project Manager, Betsy Stevenson;
6. Skagit County Capital Facilities Plan (CFP), Project Manager, Carly Ruacho;
7. Annual Skagit County Code (SCC) Amendments, Project Manager, Carly Ruacho;
8. Comprehensive Plan Amendment (CPA) 2010 Docket, Project Manager, Carly Ruacho;
9. Federal Emergency Management Agency (FEMA) Flood Insurance

Rate Map (FIRM) and Regulation, Project Manager, Tim DeVries;

10. FEMA and National Marine Fisheries Service (NMFS) Biological Opinion (BiOp), Project Manager, Tim DeVries; and
11. National Pollution Discharge Elimination System (NPDES) Phase II Permit, Project Manager, Carly Ruacho. This project was completed by the execution of Ordinance O20100002 adopted by the Board of County Commissioners on May 18, 2010.

Mr. Christensen said the Department recommends that the 11 projects on the 2010 Legislative Work Program receive priority status and that the County appropriate the necessary resources to show substantial progress and/or complete the work. He went on to say that the Department will provide the Commissioners with periodic status reports so that the Commissioners can monitor projects, resources and timelines.

Mr. Johnson provided information about "The Cascadia Corridor, How Regional Growth will Shape Skagit County and Northern Puget Sound" event, which will be hosted by Envision Skagit 2060. He went on to say that the event will take place on Wednesday, October 27, 2010, at 6:30 p.m. at the Lincoln Theatre. He stated that the event would be presented by nationally recognized speaker and author Dr. Robert Lang.

Commissioner Dahlstedt stressed the importance of providing the County, Cities Planning Commissions, and the citizens of Skagit County with information about the Envision Skagit 2060 Committee's plans and recommendations.

4. Discussion: 2010 Development Trend Quarterly Report

Mr. Christensen introduced Bill Dowe, Deputy Director for Planning and Development Services; and Tim DeVries, Building Official.

Mr. Dowe provided a PowerPoint presentation, which displayed the current development activity levels in Skagit County. He indicated that applications for building permits have declined in 2010.

Tim DeVries commented on the building application review time lines process, and the progress of cross-training staff in the Department.

5. Miscellaneous

There were no miscellaneous items for Planning and Development Services to discuss.

Chair Dillon recessed the proceedings at 11:00 a.m.

- c) 11:00 a.m. - 11:30 a.m. Public Hearing/Possible Action: To Consider Testimony Regarding Imposing an Additional 911 Excise Tax on Switched Access Lines and Voice-over Internet Protocol (VoIP) Lines

Chair Dillon reconvened the proceedings at 11:04 a.m.

Dave Cooper, Skagit County 911 Director, was present and provided background information regarding the State Legislature passing legislation which enabled counties to impose enhanced 911 excise taxes on switched access lines, radio access lines, and interconnected voice over internet protocol service lines. He said that if the 911 excise tax increase was approved by the Board of County Commissioners, the 911 excise tax would increase from 50 cents per month to 70 cents per month.

Chair Dillon opened the public hearing at 11:08 a.m.

Carol Ehlers of West Fidalgo Island commented on the lack of broadband technology in rural areas of the County. Ms. Ehlers also commented on the public's lack of understanding of what services government provides. She stated that she was in favor of the County imposing the additional 911 excise tax. She said that this was not a tax in her mind but she considered it a fee for service, which should apply to all citizens.

Seeing no further public testimony forthcoming Commissioner Wesen made a motion to close the public hearing at 11:12 a.m. Commissioner Dahlstedt seconded the motion, which passed unanimously.

There was a discussion held regarding the conditions set by the State, which required the County to approve the tax increase. If the tax increase were not approved, a portion of the funding for enhanced 911 services would be withheld by the State. The increase in the enhanced services would allow the public to use new forms of technology, such as text messages, and voice over internet services to contact first responders.

A motion was made by Commissioner Wesen to approve the Ordinance amending Chapter 3.36 of the Skagit County Code regarding an increase in the enhanced 911 excise taxes on radio access lines as provided by State law. (**Ordinance No. O20100007**) Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

A motion was made by Commissioner Dahlstedt to approve the Agreement for State Administration of County enhanced 911 excise taxes. (**Contract No. C20100471**) Commissioner Wesen seconded the motion.

The vote passed unanimously.

Chair Dillon recessed the proceedings at 11:20 a.m.

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

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

Jennifer Russell of Bellingham; and Kristy Wilson of Concrete invited the Commissioners to recognize October as Breast Cancer Awareness Month. Ms. Russell stated that Skagit County Medic One would be selling tee shirts for \$15.00 each, the proceeds would be donated to local breast cancer charities.

Carol Ehlers of West Fidalgo Island commented on the Washington State Broadband meeting held on September 29, 2010, in the Commissioners Hearing Room. She stated that through the American Reinvestment Recovery Act, the federal government would provide funding to bring affordable broadband service to all Washington citizens. Ms. Ehlers said that more information can be found at the Washington State Broadband website at <http://broadband.dis.wa.gov/meetings.aspx>.

Chair Dillon recessed the proceedings at 11:45 a.m.

- e) 1:30 p.m. - 2:00 p.m. Consent Agenda and Miscellaneous Items
- f) \*2:00 p.m. - 4:30 p.m. Executive Session - (None Scheduled as of the Date of this Notice)

IV. CONSENT AGENDA FOR TUESDAY, OCTOBER 12, 2010 (items 1 through 8):

Chair Dillon reconvened the proceedings at 1:33 p.m.

A motion was made by Commissioner Wesen to approve Consent Agenda items 1 through 8, Ratification Agenda items 9 through 12, vouchers and warrants for Tuesday, October 12, 2010. Commissioner Dahlstedt seconded the motion. The vote passed unanimously.

a) COMMISSIONERS' OFFICE:

- 1. Record of the Proceedings for Monday, October 4, 2010. **(Approved)**
- 2. Record of the Proceedings for Tuesday, October 5, 2010. **(Approved)**

b) ADMINISTRATIVE SERVICES:

- 3. Amendment No. 2 to Personal Services Agreement No. C20100171 with Emma Whitfield. This Amendment extends the term of the Agreement from six months to an additional twelve months to continue through October 12, 2011; adds language to Exhibit "A", Scope of Work; allows the contractor remote access to the County network; and increases compensation by \$70,000, for a total amount not to exceed \$105,000. All other terms and conditions of the original Agreement and subsequent amendment shall remain in effect. **(Amendment No. A20100145)**

c) CONSERVATION FUTURES:

- 4. Interlocal Agreement between Skagit County and the Skagit Conservation District for projects relating to Title III funding. The County will reimburse the contractor for assistance in meeting Title III funding priorities through the development of a countywide Community Wildfire Protection Plan and Firewise Communities/USA Program implementation. The agreement shall commence on January 1, 2011, and shall continue through December 31, 2011. Maximum reimbursement shall not to exceed a total of \$68,000.

**(Contract No. C20100472)**

d) PLANNING & DEVELOPMENT SERVICES:

5. Resolution authorizing a \$114 payment for meals at the June 2010 Washington State Association of Counties Joint District meeting held in Thurston County, WA. **(Resolution No. R20100346)**

e) PUBLIC WORKS:

6. Resolution calling for a public hearing to review comments to the proposed special assessment roll, rates, and charges for Skagit County Lake Management District No. 3 for Lakes Erie and Campbell. The public hearing is scheduled to take place on Tuesday, November 2, 2010, at 9:30 a.m. **(Resolution No. R20100347)**
7. Vendor Services Agreement between Skagit County and Squaticum Mountain Ecological Restoration for the Coal Creek Riparian Replanting project. The project consists of removal or control of existing invasive vegetation and replanting with native vegetation at an unnamed tributary to Coal Creek near Sedro-Woolley, Washington. The planting area is a 100-foot buffer width and approximately 1.8 acres total area. The Agreement shall commence upon the date of execution and continue until July 31, 2012. Compensation shall not exceed \$30,818.39. **(Contract No. C20100473)**
8. Vendor Services Agreement between Skagit County and Jansen, Inc. for the purchase of approximately 100 pieces of Large Woody Debris (logs with attached root wads) for use in stormwater restoration projects. The Agreement shall commence upon the date of execution and continue until September 30, 2011. Compensation shall not exceed \$85,478. **(Contract No. C20100474)**

V. RATIFICATION AGENDA (Items 9 through 12):

f) CONSERVATION FUTURES:

9. Resolution authorizing the ratification of an Interlocal Agreement between Skagit County and Skagit Conservation District to complete the Title III funding priorities through the implementation of a County-Wide Community Wildfire Protection Plan and Fire Communities/USA Program. Contract No. C20090553 with Skagit County Conservation District expired prior to the remainder of the work described in the contract was completed. **(Resolution No. R20100348)**
10. Interlocal Agreement between Skagit County and the Skagit Conservation District for projects relating to Title III funding. The County will reimburse the contractor for assistance in meeting Title III funding priorities through the development of a countywide Community Wildfire Protection Plan and Firewise Communities/USA Program implementation. The agreement commenced on September 1, 2010, and shall continue through December 31, 2010. Maximum reimbursement shall not to exceed a total of \$32,182.35. **(Contract No. C20100475)**

g) PUBLIC WORKS:

11. Resolution authorizing the ratification of Grant Agreement and two subsequent Amendments with the Washington State Military Department (Grant #E04-732) and Federal Emergency Management Agency (FEMA) (Agreement #1499-DR-WA). Skagit County has applied for and received a grant from FEMA for reimbursement to the County for eligible costs and activities necessary for the repair and restoration of public facilities damaged during the October 2003 flood emergency disaster. In order to receive the funds, the original Grant Agreement and subsequent Amendments must be fully executed by the Board of County Commissioners. **(Resolution No. R20100349)**
12. Contract to amend the grant with Washington State Military Department (Grant #E04-732) and Federal Emergency Management Agency (FEMA) (Agreement #1499-DR-WA). This is Amendment No.2 to Washington State Military Department Grant #E04 732 (FEMA Agreement #1499-DR-WA). This Amendment No. 2 allows for the reimbursement to Skagit County for eligible costs and activities necessary for the repair and restoration of public facilities damaged during the October 2003 flood emergency disaster. This Amendment changes the grant expiration date from June 30, 2010, to June 30, 2011. All other terms and conditions of the original contract and previous amendments shall remain in effect. **(Contract No. C20100476)**

VI. 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 \$133,227.58 (Transmittal No. C-106-10); and
  - b) Warrants numbered 327784 through 328205 from Clearing Fund 696 in the total dollar amount of \$2,756,234.79 (Transmittal No. C-107-10); and
  - c) Warrants numbered 328206 through 328206 from Clearing Fund 696 in the total dollar amount of \$17,164.13 (Transmittal No. C-108-10); and
  - d) Payroll warrants number 270831 through 271559 in the total dollar amount of \$1,135,581.30 (Transmittal No. P-37-10); and
  - e) Payroll warrants number 989840 through 990013 in the total dollar amount of \$251,077.47 (Transmittal No. P-38-10);

IV. ADJOURNMENT:

Chair Dillon adjourned the proceedings at 1:36 p.m. and announced that there were no executive sessions scheduled for Tuesday, October 12, 2010.

**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