

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 18, 2011**

The Skagit County Board of Commissioners met in regular session on Tuesday, January 18, 2011, with Commissioners Ron Wesen, Kenneth A. Dahlstedt, and Sharon D. Dillon present.

I. CALL TO ORDER:

Chairman Wesen called the proceedings to order at 10:00 a.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

a) *8:30 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: Closed Record Hearing to Review the Hearing Examiner Recommendation of Approval for the Preliminary Plat (Long CaRD) by Dean Zender for the Plat of Tranquil Estates PL07-0240, Located in Sedro-Woolley

Gary Christensen, Director of Planning and Development Services, introduced Brandon Black, Senior Planner, to brief the Board on the first item.

Mr. Black stated that this proposal would create eight 1-acre single family lots, and one 33-acre open space lot. The land division process was being accomplished through the Conservation and Reserve Development (CaRD) Land Division Process. The site is approximately 41.39 acres and is designated as rural reserve. The area for development is limited due to multiple wetland areas and a stream running through the site. The Hearing Examiner recommended approval of the project on November 30, 2010. Mr. Black went on to say that each lot would have a well and on-site septic system. He stated there was a sufficient water load for the wells. There will also be a water storage tank on-site for fire protection. Mr. Black finished by describing the easements on each lot.

Commissioner Dahlstedt stated some of the concerns he had regarding sufficient water and asked if this plat was in the Samish River system in a low flow area? And, more particularly, was it near Silver Creek? He was also concerned with the plan for the road to be private and not public, as history has shown that many communities will later demand that their private road become a public road.

Mr. Black stated that water shouldn't be a problem. He also answered that

the private road would be built to county road standards.

Commissioner Dillon agreed with Commissioner Dahlstedt. She said she would prefer that the road be public, not private, since Skagit County will, more likely than not, be discussing with the homeowners, in the future, their request to make it public. Commissioner Dillon continued by inquiring about the nearby gravel pit and whether or not it was active or may become active.

A gentleman in audience stated that it was not active.

Commissioner Dillon discussed her concerns regarding the nearby gravel pit. She stated that if the pit were activated, the noise from gravel crushing would disturb the surrounding area. She requested that some sort of acknowledgement be given to each homeowner so that they realize that there may be a possibility that the nearby gravel pit may be activated in the future.

Mr. Black stated that the plat borders an area which is designated as rural resource. He stated that there is a general clause for the landowners which states that there may be noise nearby associated with the rural resource designation.

Commissioner Dillon understands the clause, however, she would prefer that it be stated clearly to the potential homeowners of the noise associated with an active gravel pit.

Chairman Wesen asked about the comprehensive plan regarding easements. He stated his concerns regarding easement issues in the future. He asked if the plat was approved using the 2005 storm water manual, or the updated manual, and he asked if the concerns set forth in the comment letters received from the general public have been addressed.

Mr. Black stated that he believed the guidelines from the 2005 storm water manual were applied to this project and that most of the issues brought forth were concerns of access to the property and traffic concerns which he believed had been resolved.

A motion was made by Commissioner Dillon to approve that the Board uphold the Hearing Examiner preliminary approval recommendation on the preliminary plat (Long CaRD) by Dean Zender for the "Plat of Tranquil Estates" #PL07-0240 and sign the resolution. (**Resolution No. R20110008**) Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

2. Discussion: 2010 Accomplishments

Mr. Christensen discussed many of the accomplishments and achievements the department enjoyed in 2010 with the help of the Planning Commission, Commissioners, various committees/boards,

and others, including the public. Many of the development review, general projects, and administration projects he discussed have been completed or had substantial progress made towards completion in 2010. He briefly discussed 25 items from 2010. He ended by stating that he was thankful for the work of many who have labored on each of the projects.

3. Discussion/Possible Action: 2011 Work Program

Mr. Christensen stated that due to current staffing levels within the department, they have decided to focus on nine long-term projects during 2011. Some of these projects are carry-overs from 2010. Mr. Christensen briefly discussed each item slated for work in 2011 which include: the Bayview Ridge Urban Growth Area (UGA) implementation, Envision Skagit 2060, Shoreline Master Program (SMP) update, Skagit County Capital Facilities Plan (CFP) update (2012 – 2017), Annual Skagit County Code (SCC) Amendments, Comprehensive Plan Amendment (CPA) 2011 docket, Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) and Regulation, FEMA and National Marine Fisheries Service (NMFS) Biological Opinion (BiOp), and the Pipeline and Hazardous Materials Pipeline Safety Standards project.

The Commissioners thanked Mr. Christensen for his presentation and for the work he and his department do. They stated that they understood the department's need to prioritize their projects.

Commissioner Dillon stated that Skagit County has many underground pipelines which cannot be ignored. She indicated that she was pleased to see that work is being continued on the Pipeline and Hazardous Materials Pipeline Safety Standards project.

Commissioner Dahlstedt explained that he appreciated Mr. Christensen and his committed staff for identifying their successes. He said he appreciated the realistic work plan.

4. Miscellaneous

There were no miscellaneous items for Planning and Development to discuss. Chairman Wesen recessed the proceedings.

c) 11:15 a.m. - 11:30 a.m. Public Hearing to Consider Testimony Regarding Amending the 2010 Skagit County Budget

Chairman Wesen reconvened the proceedings at 11:15 a.m.

Trisha Logue, Budget and Finance Director, informed the Commissioners that, while there were many amendments to the fourth quarter 2010 budget, only two budget amendment requests would impact the general fund by requesting additional funding. These requests come from the Assessor's Office and Planning and Development Services. Ms. Logue stated that the rest of the budget amendments are either changes due to the award of grant funds or are line item

changes.

Commissioner Dahlstedt asked whether the Assessor's Office and Planning and Development Services had overspent their budgets?

Ms. Logue clarified that the Assessor's Office overspent their budget, and that Planning and Development Services received less than their projected 2010 revenue. Ms. Logue then explained each amendment requested by the county departments.

Commissioner Dillon stated that the county must do its best to stay within the budget and not request more from the general fund. She went on to say that she did not approve of budget amendments for controllable situations. She said she knew that one of these requests was a controllable situation. She wished that Planning and Development Services could have looked at their budget earlier to make adjustments so that they would not have had to request funds from the general fund in the last quarter when it was too late to try to absorb the cost internally by making adjustments or line item changes. The other Skagit County departments were able to stay within their budgets, or make adjustments internally to stay within their budgets, and she stated that it was hard for her to allow the other two departments to request additional funding from the general fund.

Chairman Wesen opened the public hearing. Seeing no one coming forward to give testimony, Commissioner Dahlstedt made a motion to close the public hearing, which was seconded by Commissioner Dillon. The motion passed unanimously.

A motion was made by Commissioner Dahlstedt to approve the Resolution approving the 2010 Skagit County Budget as presented. **(Resolution No. R20110009)** Chairman Wesen seconded the motion. The vote passed on a 2 - 1 vote with Commissioner Dillon dissenting.

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

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

Glen Veal, of 4453 Edens Road of Anacortes, was present along with some members from the Guemes Island Ferry Committee and other residents of the Island. Mr. Veal Stated that they are asking the Commissioners for their help. Mr. Veal stated that they were before the Commissioners in November 2010 to discuss the fare increase proposal and deadline of January 1, 2011 from Public Works. The Ferry Committee's concern is that they would prefer to cut costs instead of raising fares. The Ferry Committee cannot make any progress towards this goal with Public Works. Their counter-proposal was rejected and residents are now facing a 25% fare increase. Mr. Veal stated that a community meeting was held on Sunday, in which 45 people attended. The county's position, the Ferry Committee's position, and the Ferry Committee's counter-proposal were discussed. Mr. Veal stated that the outcome of the meeting was that Guemes Islanders want to take control of the costs of the ferry and start reducing costs. They would like to halt the fare increase and give them more time to develop the public forum process. Mr. Veal stated that a large increase of 25% would most likely have adverse consequences. He believes

that more people will opt to walk on. They are asking the Commissioners to stop the request for May 1st. Mr. Veal stated that it is difficult to work things out since Skagit County and the Ferry Committee do not agree on the data used to get to the 25% fare increase. Mr. Veal also pointed out that there would be a two-month outage and it is unknown how this will be factored into the fare recovery model. He stated that they would not like to forge ahead with the fare increase but instead spend time to develop the public forum work plan. He stated that they were told that there would not be any fare increase this year. They understood that they would be able to work on the public forum resolution which addresses situations like the level of service and summer schedule possibilities. He stated that a new fare recovery model should be put in place at a later time and that efficiencies should be explored before the fare is increased. He requested that the increase be put off until January 1, 2012. He wanted other proposals considered in the meantime and wanted this year to be spent on moving the public forum process forward.

Frank Mudge, of 21427 Rolling Ridge Drive of Sedro-Woolley, said he owns a cabin on Guemes Island. He stated that he was shocked when he learned that Skagit County has taken the position of not considering any cost containment measures. Mr. Mudge asked if any other departments enjoy this status of not worrying about budget cuts? He said he understands there are set costs for diesel, etc., however, he pointed out that up until a few years ago, Public Works did not have a full time mechanic or manager. He asked if those full-time positions were necessary during these economic times. Mr. Mudge also understood that ferry usage has declined in the last two years and stated that a service reduction should be implemented. He went on to say that the fare should be increased only after cost containment measures were explored. He ended by stating that a fare increase may violate federal rules regarding discounts for seniors and disabled people.

Robert Schroder, of 7554 Guemes Island Road of Anacortes, said that she assumed that everyone present is patriotic and supports the troops. He pointed out that raising the fare would make it more costly and difficult for the veterans on the island to get to their medical appointments.

Carol Ehlers, of 3998 Windcrest Lane of Anacortes, understands that a lot of time, effort, and money went into the Guemes Island Subarea Plan. She understands that the counties and cities need to find room for people who want to live here. She wondered if people realized just how many veterans lived in Skagit County. She stated that there would not be a medical facility in Mount Vernon if it was not for the number of veterans in the area. She continued to say that veterans need affordable housing, not cheap housing. She informed the Commissioners of two homes in her neighborhood which are for sale for hundreds of thousands of dollars less than they were purchased for and they cannot be sold due to a nearby mine and economic situation. She stated that the Commissioners need to look at the value of houses and the needs of the residential population. She stated that for some people on Guemes Island, it takes one entire social security check to travel on and off the island. She ended by saying that it was time to think about how to reduce costs since the economic problem is not going to go away.

- e) 1:30 p.m. - 2:00 p.m. Consent Agenda and Miscellaneous Items

A motion was made by Commissioner Dillon to approve the Consent Agenda Items 1, 3 through 14, Ratification Agenda Items 15 through 16, vouchers and warrants for Tuesday, January 18, 2011, with a change to item no. 8 which has been approved by the Risk Manager, Civil Deputy Prosecuting Attorney and the Budget and Finance Director, to change the estimated amount from \$8,500 to \$10,000. Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

f) *2:00 p.m. - 4:00 p.m. Executive Session (none scheduled at this time)

IV. CONSENT AGENDA (items 1 through 14):

a) COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, January 10, 2011. **(approved)**
2. Record of the Proceedings for Tuesday, January 11, 2011. **(postponed)**

b) AUDITOR:

3. Amendment No. 4A to Skagit County Contract No. C20050162 (Grant Agreement No. G-2855) with the Washington State Secretary of State. This Amendment extends the end date of Amendment 4 for the purchase of goods and services and performance of work through December 31, 2011. No additional compensation is required. All other terms and conditions of the original Grant Agreement and Amendments shall remain in effect. **(Amendment No. A20110002)**

c) COMMUNITY SERVICES:

4. Amendment No. 1 to Personal Services Agreement No. C20100364 with Chinook Enterprises to provide educational support services to transition-age youth and short term vocational support to adults. This Amendment extends the end date of the Agreement through December 31, 2011, and increases compensation by \$15,000 for a new total not to exceed \$30,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110003)**
5. Personal Services Agreement between Skagit County and Darlene Stuber to provide mental health services under the Community Wellness Program. The Agreement shall commence on the date of execution and continue through December 30, 2012. Compensation is funded by the 0.1% sales tax, and shall not exceed \$20,000. **(Contract No. C20110004)**

d) HEALTH:

6. Amendment No. 27 to Washington State Department of Health Consolidated Contract No. C14962, Skagit County Contract No. C20070142, which provides additional funding to continue the Childhood Immunization, Local Capacity Development, WIC USDA Nutrition and Local Support, Drinking

Water Group A, Public Health Emergency Preparedness Response LHJ & H1N1, and Blue Ribbon/5930 projects. This Amendment increases funding by \$369,189, for a new compensation total not to exceed \$4,233,625. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110004)**

7. Memorandum of Understanding between Skagit County and the Snohomish Health District to continue to provide their Public Health Investigator to assist the Skagit County Health Officer in performance of legislative mandates related to certain sexually transmitted diseases, including HIV/AIDS. The Agreement shall commence on the date of execution and continue through July 1, 2012. There is no compensation associated with this Agreement. **(Contract No. C20110005)**

e) INFORMATION SERVICES:

8. Adobe Products Purchase Agreement with the Washington State Department of Information Services (DIS), allowing purchase of Adobe products at discounted prices negotiated by DIS. The Agreement shall commence on the date of execution and continue through December 31, 2012. Compensation shall not exceed \$10,000. **(Contract No. C20110006)**
9. Interlocal Public Safety Technology Service Agreement between Skagit County and the City of Mount Vernon to provide access to Public Safety Services, which include information derived from the Spillman Public Safety System. The Agreement shall commence upon the date of execution and continue until January 1, 2014. Charges for products and services provided by the County will be based on actual costs incurred by the County. **(Contract No. C20110007)**

f) PLANNING AND DEVELOPMENT SERVICES:

10. Ordinance adopting the Guemes Island Subarea Plan. **(Ordinance No. O20110001)**
11. Ordinance adopting Master Planned Resort and Campground Code Amendments to Skagit County Code Title 14. **(Ordinance No. O20110002)**
12. Ordinance adopting the 2011-2016 Capital Facilities Plan. **(Ordinance No. O20110003)**

g) PUBLIC WORKS:

13. Resolution approving the maps, plans, and specifications and call for bids for the temporary barge service between Anacortes and Guemes Island, Washington. The bid opening is scheduled to take place on Monday, February 7, 2011, at 2:00 p.m. **(Resolution No. R201100010)**
14. Local Agency Standard Consultant Agreement with GeoTest Services, Inc. to provide on-call material testing and inspection services. The Agreement shall

commence on the date of execution and continue through January 31, 2013. Compensation shall not exceed \$200,000. **(Contract No. C20110008)**

V. RATIFICATION AGENDA (Items 15 and 16):

h) SHERIFF:

15. Resolution authorizing the ratification of a Personal Services Agreement between Skagit County and Schryver Medical, Inc. The original Agreement was lost in the mail, and the replacement Agreement was only recently signed and received. **(Resolution No. R20110011)**
16. Personal Services Agreement between Skagit County and Schryver Medical, Inc. to provide on-site portable radiology services for Jail Inmates, Juvenile Offenders, and County personnel. The Agreement commenced on January 1, 2011, and shall continue through December 31, 2015. Compensation is not to exceed a total of \$20,000 per calendar year. **(Contract No. C20110009)**

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) Warrants numbered 334281 through 334281 from Clearing Fund 696 in the total dollar amount of \$441.29 (Transmittal No. C-04-11); and
 - b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$265,687.19 (Transmittal No. C-05-11); and
 - c) Warrants numbered 334282 through 334628 from Clearing Fund 696 in the total dollar amount of \$4,091,464.72 (Transmittal No. C-06-11).

VII. MISCELLANEOUS:

- 1) Henry Hash, Public Works Director, brought forward a Resolution declaring an emergency due to the significant storm experienced on January 16, 2011, effective Monday, January 17, 2011 at 5:00 a.m. and to remain in effect until the condition has stabilized.

A motion was made by Commissioner Dillon to approve the Resolution declaring an emergency due to the significant storm experienced on Sunday, January 16, 2011 **(Resolution No. R20110012)** Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

- 2) Don Munks, Skagit County Assessor, brought forward a Resolution authorizing the

ratification of Amendment No. 1 to Skagit County Contract No. C20100607 with The Masters Touch. The Amendment was not signed prior to the commencement of services on December 16, 2010 due to statutory mailing requirements for the change of value notices. He also brought forward Amendment No. 1 to Skagit County Contract No. C20100607 with The Masters Touch. The Amendment increases compensation by \$200, for a new amount not to exceed \$8,200. All other terms and conditions of the original contract shall remain in effect.

A motion was made by Commissioner Dahlstedt to approve the Resolution authorizing the ratification of Amendment No. 1 to Skagit County Contract No. C20100607 with The Masters Touch. **(Resolution No. R20110013)** and Amendment No. 1 to Skagit County Contract No. C20100607 with The Masters Touch which increases compensation by \$200, for a new amount not to exceed \$8,200. **(Amendment No. A20110005)**. Chairman Wesen seconded the motion. The vote passed on a 2 - 1 vote with Commissioner Dillon dissenting.

- 3) Commissioner Dillon brought forward a Standard Form of Agreement (AIA Document A101) between Skagit County and Faber Brothers Construction for the Skagit County Regional Food Distribution Center addition and site improvements located at 250 West More Street in Sedro-Woolley. Compensation shall not exceed \$494,900.

A motion was made by Commissioner Dillon to approve the Standard Form of Agreement (AIA Document A101) between Skagit County and Faber Brothers Construction for the Skagit County Regional Food Distribution Center addition and site improvements located at 250 West More Street in Sedro-Woolley. **(Contract No. C20110010)** Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

VIII. ADJOURNMENT:

Chairman Wesen adjourned the proceedings at 1:35 p.m. and announced that there were no executive sessions scheduled to take place this week.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ron Wesen, Chairman

Kenneth A. Dahlstedt, Commissioner

Sharon D. Dillon, Commissioner

ATTEST:

Linda Hammons, Clerk of the Board