

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, NOVEMBER 22, 2011**

The Skagit County Board of Commissioners met in regular session on Tuesday, November 22, 2011, with Commissioners Ron Wesen, and Sharon D. Dillon present.

I. CALL TO ORDER:

Chairman Wesen called the proceedings to order at 9:31 a.m.

Commissioner Kenneth Dahlstedt's absence was excused.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

a) 9:30 a.m. to 10:30 a.m. Public Works - Henry Hash, Director:

Public Works Director Henry Hash was present to introduce the agenda items.

1. Public Hearing: To Consider Testimony Regarding a Resolution Authorizing the Execution of a Franchise Agreement with WaveDivision I, LLC, for the Purpose of Providing Cable Service

1.1 Possible Action: Approve a Resolution Authorizing the Execution of a Franchise Agreement with WaveDivision I, LLC

Engineering Technician Torey Nelson explained that the franchise agreement (pursuant to RCW 36.55) authorizes WaveDivision I, LLC, to make reasonable and lawful use of the County Right-of-Ways within the franchise area to construct, operate, maintain, reconstruct, repair and upgrade a system for the purpose of providing cable services. The franchise area covers the Lyman area and continues east up to the Skagit River Basin, up the Sauk River Basin, and the Lake Cavanaugh area.

Currently, this area is being served by Broadstripe Cable System who has now sold to Wave Broadband. The existing agreement does not expire until 2013 so initially Wave Broadband requested a transfer of the Broadstripe Franchise Agreement. The Franchise Agreement would become effective upon the date of Grantee's signed acceptance within 90 days of the adoption by the County. The duration of the Agreement shall run until June 2, 2022.

Commissioner Dillon asked whether Skagit 21 Government Access Channel would be provided through the Franchise Agreement.

Civil Deputy Prosecuting Attorney Steve Fallquist indicated that the

County was working with WaveDivision I, LLC, to implement Skagit 21 Access Channel requirements.

Chairman Wesen opened the public hearing at 9:42 a.m. Seeing no public comment forthcoming Commissioner Dillon motioned to close the public hearing at 9:42 a.m. Chairman Wesen seconded the motion, which passed unanimously.

A motion was made by Commissioner Dillon to approve a Resolution authorizing the execution of a Franchise Agreement with WaveDivision I, LLC. **(Resolution No. R20110377)**

Chairman Wesen seconded the motion.

- 1.2 Possible Action: Approve a Cable Franchise Agreement with WaveDivision I, LLC, to Authorize Lawful Use of the County Right-of-Ways within the Franchise Area for the Purpose of Providing Cable Services

A motion was made by Commissioner Dillon to approve and execute a Franchise Agreement with WaveDivision I, LLC, a Washington limited liability corporation, authorizing them to make reasonable and lawful use of the rights-of-way within the franchise area for the purpose of providing cable services.

**(Contract No. C20110525)** Chairman Wesen seconded the motion.

2. Discussion: Presentation by Consultant James Ellison P.E. Regarding Skagit County Public Works Traffic Engineering Policies and Procedures Review

County Engineer Paul Randall-Grutter was present to introduce Traffic Engineer Consultant James Ellison, P.E. Mr. Grutter said that Mr. Ellison has contracted with Skagit County to review and assess the County's traffic engineering policies.

Mr. Ellison said he reviewed Skagit County's current transportation and traffic engineering maintenance, and operational policies, guidelines, and procedures. He indicated the purpose of his review was to be able to provide a uniform and consistent policy to all of Skagit County. He said that the County would benefit by having uniform policies and that outside parties would be treated in a fair and consistent manner and that the development of the policies would help to promote a common understanding for all areas of the Public Works Department. Mr. Ellison stated that he delivered his recommendation to the Public Works Department on November 7, 2011.

Mr. Ellison provided a brief overview of the State of Washington Manual on Uniform Traffic Control Devices, published by the Federal Highway Administration. He indicated that the State is expected to adopt the Manual in January of 2012 and that Counties are expected to comply with the manual.

The Commissioners thanked Mr. Ellison for the presentation.

Chairman Wesen recessed the proceedings at 10:18 a.m.

- b) 10:30 a.m. - 10:45 a.m. Public Hearing to Consider Testimony Regarding Amending the 2011 Skagit County Budget

Budget and Finance Director Trisha Logue was present to provide an overview of the supplemental budget amendments for District Court, the Office of Juvenile Court, Substance Abuse, Mental Health, Community Services, and the Edison Clean Water District funds.

Chairman Wesen opened the public hearing at 10:36 a.m. Seeing no public testimony forthcoming, Commissioner Dillon made a motion to close the public hearing at 10:36 a.m. Chairman Wesen seconded the motion, which passed unanimously.

The vote passed unanimously. Commissioner Kenneth A. Dahlstedt's absence was excused

A motion was made by Commissioner Dillon to approve the supplemental budget amendments as outlined by the Budget and Finance Director. **(Resolution No. R20110378)** Chairman Wesen seconded the motion.

- c) \*11:30 a.m. - 11:45 a.m. Public Comment Period (Cancelled Due a Conflict on the County Commissioners' Calendar)

#### 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 351798 through 352160 from Clearing Fund 696 in the total dollar amount of \$943,292.12 (Transmittal No. C-127-11); and

A motion was made by Commissioner Dillon to approve Warrants numbered 351798 through 352160 from Clearing Fund 696 in the total dollar amount of \$943,292.12 (Transmittal No. C-127-11); and Chairman Wesen seconded the motion.

- b) Junior District Payroll warrants number 994983 through 994774 in the total dollar amount of \$274,850.39 (Transmittal No. P-44-11)

A motion was made by Commissioner Dillon to approve Junior District Payroll warrants number 994983 through 994774 in the total dollar amount of \$274,850.39 (Transmittal No. P-44-11) Chairman Wesen seconded the motion.

#### IV. ADJOURNMENT:

Chairman Wesen adjourned the proceedings at 10:38 a.m.

**BOARD OF COMMISSIONERS**

**SKAGIT COUNTY, WASHINGTON**

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Ron Wesen, Chairman

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Kenneth A. Dahlstedt, Commissioner

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Sharon D. Dillon, Commissioner

ATTEST:

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Linda Hammons, Clerk of the Board