

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 16, 2018**

The Skagit County Board of Commissioners met in regular session on Tuesday, January 16, 2018, with Chair Kenneth A. Dahlstedt, Commissioner Lisa Janicki, and Commissioner Ron Wesen present.

I. CALL TO ORDER:

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

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

a) *8:30 a.m. - 9:30 a.m. Briefing - County Commissioners/County Administrator with Planning and Development Services and Public Health

b) 10:00 a.m. - 11:00 a.m. Planning and Development Services - Ryan Walters, Assistant Director:

Before the public hearing was opened, Assistant Director Ryan Walters provided background information on the docketing process to date. He said that the initial public hearing held regarding which amendments to include, exclude, or defer for the 2018 docket was on November 21, 2017. When the Commissioners deliberated on the matter on December 19, 2017, they also discussed the addition of a County-initiated map amendment. Another public comment period was opened with an additional public hearing set. Mr. Walters said that the Commissioners were scheduled to deliberate on the 2018 docket on January 23, 2018.

Senior Planner Stacie Pratschner provided additional information regarding the County-initiated map amendment which would modify the land use and zoning designation of 37 parcels totaling approximately 2,759 acres in the Public Open Space of Regional/Statewide Importance to either Industrial Forest-Natural Resource Lands or another appropriate designation such as Natural Resource Industrial.

Ms. Pratschner said that letters regarding the proposal had been sent to all 37 property owners and she provided an overview of Skagit County Code. She said that Planning and Development Services was recommending that item C-19 be included in the 2018 Docket for further discussion and analysis.

1. Public Hearing to Consider Testimony Regarding a Proposal to Include an Additional County-Initiated Map Amendment (item C-19) on the Annual 2018 Comprehensive Plan, Map and Code Amendment Docket

Commissioner Dahlstedt opened the public hearing at 10:07 a.m. and confirmed that testimony could be provided on any of the proposed Comprehensive Plan, Map and Code Amendments.

Carol Ehlers of Fidalgo Island provided comments on the importance of docketing items P-1 and P-12.

John Gold with Sierra Pacific Industries spoke in support of docketing item C-19 to correct the land designation error and he provided information about employment numbers enjoyed in Skagit County from working forests.

Roger Robinson of Rosario Beach provided comments in support of docketing item P-12.

Judith Aurelia Hadley of Mount Vernon shared that she was a retired forester and that, to the best of her knowledge, the parcels in question had always been able to operate as if they were designated as an industrial forests. She said the mapping error should be

corrected. She talked about the importance of working forests and described the geology of forests with regard to the 30 – 40% “Angle of Repose”, describing the huge amount of holding capacity for moisture and carbon of trees and plants and the effect that had on a hillside. Ms. Hadley supported docketing item C-19 for further discussion and planning since Skagit County was an agricultural and forest based community and she asked that updated science be applied to the decision making process.

Howard Gulley of Tibbles Lane provided comments to exclude item P-12.

Art Fournier of Gibraltar Road provided comments and read from a letter that had been signed by 21 people who lived in his neighborhood about the disruptive way church property was being utilized and it requested that item PL17-0414 be excluded.

Seeing no further public testimony forthcoming, Commissioner Janicki made a motion to close the public hearing at 10:24 a.m. The motion was seconded by Commissioner Wesen. The vote passed unanimously.

Mr. Walters said that written comments would be accepted through Thursday, January 18, 2018.

2. Update: Proposed Work Plan for 2018 and Types of Review for Applications

Since there was additional time on the agenda, Mr. Walters asked if he could provide some information for the Commissioners to begin considering regarding Planning and Development’s proposed Work Plan for 2018 and an overview of types of applications and their review processes.

A draft Resolution was displayed and Mr. Walters provided an overview of the following 12 items: plat extensions; fireworks code update; stormwater management and land disturbance code updates; rural forestry initiative and class IV-G forest practices; flood code; 2018 Comprehensive Plan Amendments; Capital Facilities Plan annual update; 2019 Docket: Comprehensive Plan Amendments; Shoreline Master Program update; permit procedures, appeals and expiration, setback revisions; and the sign code.

Next, Mr. Walters provided a document outlining the types of applications and types of review performed by either staff, an administrator, the Hearing Examiner, the Board of County Commissioners, or possibly Skagit County Superior Court. Discussion was held whether or not the Commissioners would like to make changes to the review process, work that needed to be done to clarify setbacks in Skagit County Code, and work that needed to be done to update Skagit County Code 14.06.

Mr. Walters said that Planning and Development Services would be putting together some handouts that made it easier to understand permit types, expiration dates, and renewability.

The Commissioners thanked Mr. Walters for his leadership as Planning and Development Services was transitioning to a new director. Chair Dahlstedt recessed the proceedings at 10:50 a.m.

c) 11:30 a.m. - 11:45 a.m. Board of County Commissioners:

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

1. County and Individual Success Stories

No one provided county and individual success stories.

2. Public Comment Period

Chair Dahlstedt confirmed the number of audience members who were present to provide public comment and announced that the timer would be set at 2 minutes per speaker in order to provide everyone with an opportunity to speak.

Carol Ehlers of West Fidalgo Island thanked the Commissioners for the speed limit correction on Rosario Road, thanked Planning and Development Services for recognizing

the South Fidalgo Drainage Stormwater Management Plan, and provided an article regarding the new tax law. She shared concerns that people would no longer be able to deduct losses from disasters unless it had been declared as a federal disaster, and that most wildfires were not recognized as a federal disaster.

Mary Ruth Holder of Mount Vernon shared concerns regarding lobbyist Robert Weidner and the Westerman Bill (H.R. 2936 – Resilient Federal Forests Act of 2017). She provided some background information on Representative Bruce Westerman and how the ecosystem was different in the district he represented. She asked that Mr. Weidner's contract not be renewed and the Westerman Bill opposed.

Ed Stauffer of Bow shared concerns about Consent Agenda item no. 15 from Skagit County Public Works and requested it be removed from the Consent Agenda and not executed. He also shared concerns about the lack of public participation involved with Skagit County's Strategic Plan and the recent hire of a Department Director for Planning and Development Services.

Phillip Holder of Mount Vernon provided comments about what kind of language to include in Skagit County's proposed Agreement with Robert Weidner and suggested the term be for 3 months instead of one year.

Teresa Dix of Mount Vernon read a quote from Aldo Leopold regarding land ethics, asked the Commissioners not to renew Robert Weidner's contract, and hoped that the Commissioners recognized the love felt for the environment and democracy week after week when a contract for Robert Weidner in 2018 is lobbied against.

Tim Manns of Mount Vernon spoke about the work Robert Weidner wanted to accomplish and that Skagit County should not support his endeavors. Instead, he suggested Skagit County support SB 6203 reducing carbon pollution by moving to a clean energy economy. The bill meant to slow climate change by taxing carbon and greenhouse gas emissions which would then pay for clean energy infrastructure and improving fish habitat.

Arnold Byron of Mount Vernon discussed global warming and asked the Commissioners to support SB 6203.

Brenda Cunningham of Mount Vernon discussed the national park system and suggested that the Commissioners read a book written by Terry Tempest Williams *The Hour of Land*.

Peggy Ratermann of Burlington requested the Commissioners reject a contract with Robert Weidner since he ignored the problems caused by climate change. She asked that Skagit County be part of the solution instead part of the problem.

The article provided by Carol Ehlers and the quote and comments provided by Teresa Dix can be found here:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/01152018/>
Chair Dahlstedt recessed the proceedings at 11:53 a.m.

3. Miscellaneous Announcements

No miscellaneous announcements were made.

d) 1:30 p.m. - 2:30 p.m. Consent Agenda, Vouchers, Warrants and Miscellaneous Items

e) *2:30 p.m. - 4:00 p.m. Executive Session (None Scheduled as of the Date of this Notice)

No executive sessions were scheduled for the week of January 15, 2018.

IV. CONSENT AGENDA ITEMS FOR FURTHER DISCUSSION:

Chair Dahlstedt reconvened the proceedings at 1:30 p.m.

Habitat Restoration Specialist Emily Derenne provided additional information about Consent Agenda item no. 14.

Solid Waste Division Manager Margo Gillaspy provided additional information about Consent Agenda item no. 17.

Commissioner Ron Wesen briefly discussed Consent Agenda item numbers 7 and 8.

V. CONSENT AGENDA FOR TUESDAY, JANUARY 16, 2018 (items 1 through 20):

A motion was made by Commissioner Janicki to approve Consent Agenda items 1 through 20, including all items requiring ratification, vouchers and warrants for Tuesday, January 16, 2018. Commissioner Wesen seconded the motion.

The vote passed unanimously.

a) COMMISSIONERS:

1. Record of the Proceedings for Wednesday, January 3, 2018. **(Approved)**
2. Record of the Proceedings for Monday, January 8, 2018. **(Approved)**
3. Record of the Proceedings for Tuesday, January 9, 2018. **(Approved)**
4. Record of the Proceedings for Thursday, January 11, 2018. **(Approved)**
5. Resolution to appoint John Morrison of District 2 to the Agricultural Advisory Board for a three-year term ending December 31, 2020. **(Resolution No. R20180005)**
6. Resolution to reappoint members to the Skagit County Forest Advisory Board pursuant to Resolution No. R20040418. **(Resolution No. R20180006)**

b) EMERGENCY MEDICAL SERVICES:

7. Amendment No. 7 to Personal Services Agreement No. C20140616 with Central Valley Ambulance Authority for the provision of trauma and verified ambulance services 24 hours per day/7 days per week. This Amendment updates Exhibit "B" Compensation to establish compensation for 2018 to provide for a 2% increase. The new total monthly compensation shall be \$214,058.33. The term remains the same and ends December 31, 2018. All other terms and conditions of the original Agreement and subsequent Amendments shall remain in effect. **(Amendment No. A20180003)**
8. Amendment No. 5 to Personal Services Agreement No. C20140617 with Aero Skagit for the provision of trauma and verified ambulance services twenty-four (24) hours a day, seven (7) days a week. This Amendment updates Exhibit "B" Compensation to establish compensation for 2018 to provide for a 2% increase. The new total monthly compensation shall be \$60,161.42. The term remains the same and ends December 31, 2018. All other terms and conditions of the original Agreement and subsequent Amendments shall remain in effect. **(Amendment No. A20180004)**

c) HUMAN RESOURCES:

9. Amendment No. 1 to Personal Services Agreement No. C20170526 with the Language Exchange, Inc., to provide translation and sign language interpretation services for qualified applicant interviews. This Amendment updates the commencement date from "date of execution" to October 17, 2017. Compensation remains the same and shall not exceed \$5,000. The term remains the same and shall continue until December 31, 2018. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20180005)**

d) PUBLIC HEALTH:

10. Amendment No. 3 to Health Jurisdiction Agreement with Washington State Health Care Authority, Agreement No. K772, Skagit County Contract No. C20130262, for the Access to Baby and Child Dentistry (ABCD) Local Activities program. This Agreement provides public health nurses to perform outreach and recruitment of Medicaid-eligible children

ages birth to six, in collaboration with other organizations. The purpose of this Amendment is to increase funds by \$14,000, and extend the term through June 30, 2018 in order to ensure there is no interruption in services to Skagit County families enrolled in the program. All other terms and conditions of the original Agreement and subsequent Amendments shall remain in effect. **(Amendment No. A20180006)**

11. Interlocal Agreement with the Town of La Conner to provide funding for staffing and program supplies for the town including senior service programs. Compensation shall not exceed the total of \$6,856 for services. The Agreement is ratified to commence January 1, 2018, and shall continue through December 31, 2018. **(Contract No. C20180016)**
12. Personal Services Agreement with Community Action of Skagit County to provide 50% matching funds for federal grant for motel vouchers for homeless households with children under the age of 18. Compensation shall not exceed \$20,000 and is funded by housing funds. The Agreement is ratified to commence on December 22, 2017, and continues until March 31, 2018. **(Contract No. C20180017)**

e) PUBLIC WORKS:

13. Vendor Services Agreement with Kamps Painting Company, Inc. to provide the Blanchard Quiet Zone Median Curb Construction. Compensation shall not exceed \$6,160 pursuant to Resolution No. R20170257 which awarded the bid. The Agreement shall commence on the date of execution and continue for one year. **(Contract No. C20180018)**
14. Grant Contract with the Rose Foundation for Communities and the Environment to provide funding for the Trumpeter Creek Restoration Project. Compensation to Skagit County will not exceed \$25,000. The Agreement is ratified to commence on September 1, 2017, and continues until September 30, 2018. **(Contract No. C20180019)**
15. Personal Services Agreement with Environmental Canine Services LLC to provide scent trained canines to identify failing septic systems in the Samish and Padilla watersheds. Compensation shall not exceed \$6,600 and is based on a rate schedule. The Agreement shall commence on the date of execution and continue until June 1, 2018. **(Contract No. C20180020)**
16. Vendor Services Agreement with Sonshine Tree Care to provide tree services that county crews are unable to perform. Compensation shall not exceed \$20,000 and is based on an hourly rate schedule. The Agreement shall commence on the date of execution and continue for one year. **(Contract No. C20180021)**
17. Street Waste Facility Use Agreement with Herron Valley, Inc. dba Bayside Services to provide access to the Skagit County Waste Facility to dispose of waste generated from cleaning streets and stormwater drainage systems. The Agreement shall commence on the date of execution and continue for two years. Herron Valley, Inc. shall pay the established fees which are outlined in in Skagit County's Solid Waste Disposal Rates. **(Contract No. C20180022)**
18. Personal Services Agreement with Bell & Associates, Inc. to provide a Rate Study Report for the Public Works Solid Waste Division. Compensation shall not exceed \$35,000 and is based on a fee schedule. The Agreement shall commence upon the date of execution and continue until January 31, 2019. **(Contract No. C20180023)**

f) SHERIFF:

19. Interlocal Cooperative Agreement with Whatcom County (Northwest Minichain) to provide transportation services for Skagit County prisoners with at least one trip per weekday. Compensation shall not exceed \$141,443 and is based on a rate schedule. The Agreement is ratified to commence on January 1, 2018, and continues through December 31, 2018. **(Contract No. C20180024)**
20. Amendment No. 2 to Vendor Services Agreement No. C20150228 with Lexipol, LLC to provide the County with access to the Lexipol Custody Manual Subscription and the Custody Daily Training Bulletins. This Amendment adds a total of \$3,825 for the first 14

months subscription to the Custody Daily Training Bulletins. All other terms and conditions of the original Agreement and subsequent Amendment shall remain in effect. **(Amendment No. A20180007)**

VI. **VOUCHERS AND WARRANTS:**

- a. 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 \$23,908.36 (Transmittal No. C-6-18); and
 - b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$61,219.23 (Transmittal No. C-7-18); and
 - c) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$307,452.07 (Transmittal No. C-9-18); and
 - d) Warrants numbered 474241 through 474469 from Clearing Fund 696 in the total dollar amount of \$1,746,901.67 (Transmittal No. C-10-18); and
 - e) Warrants numbered 474470 through 474509 from Clearing Fund 696 in the total dollar amount of \$4,766,522.95 (Transmittal No. C-11-18); and
 - f) Payroll warrants numbered 394276 through 394990 in the total dollar amount of \$1,266,065.96 (Transmittal No. P-01-18).

VII. **MISCELLANEOUS AGENDA (item 1):**

Civil Deputy Prosecuting Attorney Will Honea provided information and answered questions regarding miscellaneous agenda item no. 1.

A motion was made by Commissioner Janicki to approve Settlement Agreement as presented by Will Honea. Commissioner Wesen seconded the motion.

The vote passed unanimously.

- a) **PROSECUTING ATTORNEY:**
- 1. Settlement Agreement and Release between Skagit County and Sanchez Farms LLC regarding Superior Court Case No. 17-2-00424-6. **(Contract No. C20180025)**

VIII. **ADJOURNMENT:**

Chair Dahlstedt adjourned the proceedings at 1:41 p.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Kenneth A. Dahlstedt, Chair

Ron Wesen, Commissioner

Lisa Janicki, Commissioner

ATTEST:

Clerk of the Board