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limits. The County match for the project would be \$200,000. He suggested the Department agree to undertake the project then try to enlist the Bureau of Indian Affairs to jump on board.

Commissioner Munks said he thought we had received a request from the Tribe to quit claim ownership of the road to them so they could perform the upgrades.

Commissioner Anderson suggested the Department be prepared to build the road with the understanding that the County would be reimbursed the \$200,000 from the Bureau of Indian Affairs if they seek ownership of the property.

- B. The City of Sedro-Woolley has asked the Public Works Department to do some engineering work for them until they hire a new city engineer. It is expected that they will have an engineer in place by the end of February. Mr. Martin said it puts them in an awkward position as the Department doesn't have a lot of flexibility when it comes to lending out staff.

Commissioner Anderson said he is in favor of helping Sedro-Woolley with engineering services if possible as it is important to try to be a good neighbor.

- C. Mr. Martin mentioned that the 2514 Samish process is underway again. He asked if one of the other Commissioners would act as a substitute for Commissioner Dahlstedt when scheduling conflicts arise. Commissioner Munks said he would be happy to serve as an alternate.

CONSENT AGENDA.

Commissioner Dahlstedt motioned to approve items 1 through 7, items 10 through 40, and items 42 through 51 on the Consent Agenda for Monday, December 30, 2002. Commissioner Anderson seconded the motion, which passed unanimously. Items 8, 9, and 41 were pulled from the list until further information is gathered.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, December 16, 2002.
2. Record of the Proceedings for Tuesday, December 17, 2002.
3. Record of the Proceedings for Monday, December 23, 2002.
4. Resolution Appointing Glenn Greathouse to the Skagit County Ferry Advisory Committee for the term January 1, 2003 through December 31, 2007. **(Resolution No. R20020441)**
5. Resolution Establishing the Skagit County Criminal Justice Treatment Planning Group and Appointing Members to the Group. **(Resolution No. R20020442)**

ASSIGNED COUNCIL:

6. Personal Services Agreement with Andrew L. Subin, Attorney at Law, to provide legal representation for indigent clients on conflict cases. The Agreement shall commence on October 31, 2002 and continue until October 31, 2004. Compensation shall vary depending on felony or misdemeanor charges for an adult or a juvenile. **(Contract No. C20020444)**

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BUDGET AND FINANCE:

7. Resolution establishing goals and objectives for the 2003 fiscal year budget. **(Resolution No. R20020443)**
8. Resolution authorizing Memorandum of Agreement with Skagit County Community Action Agency, which appropriates \$175,437 for 2003 to improve services to the County's low income residents. **(This item was removed and will be presented at a later date)**
9. Memorandum of Agreement with Skagit County Community Action Agency to provide services to the low-income residents of Skagit County, administer the Veteran's Relief Program, and provide a Case Management Specialist for the provision of family services. The Agreement shall commence on January 1, 2003 and continue until December 31, 2003. **(This item was removed and will be presented at a later date)**
10. Interlocal Cooperative Agreement with City of Anacortes, per Resolution No. 18225, where the County will allocate \$300,000 from public facilities funds for the Twin Bridge Waterline Rerouting Project. The Agreement shall become effective on February 9, 2001 and will continue until December 31, 2003. **(Contract No. C20020445)**
11. Interlocal Cooperative Agreement between the Town of La Conner and Skagit County to fund the La Conner Industrial Park Right-of-Way Improvements Project in the amount of \$108,000 to be provided through public facilities funds. **(Contract No. C20020446)**
12. Resolution Establishing an Advisory Committee to research the creation of a County-wide Library District. **(Resolution No. R20020444)**

HUMAN RESOURCES:

13. Resolution Authorizing the Establishment of Section 125 Cafeteria Plan. **(Resolution No. R20020445)**

HUMAN SERVICES:

14. Resolution Appointing Bob Hicks to the Substance Abuse Advisory Board effective January 1, 2003 through December 31, 2006. **(Resolution No. R20020446)**
15. Resolution Appointing Steve Hayes to the Substance Abuse Advisory Board effective January 1, 2003 through December 31, 2006. **(Resolution No. R20020447)**

HEALTH DEPARTMENT:

16. Resolution Authorizing the Execution of an Interlocal Agreement with Skagit County Public Hospital District No. 2 to provide nursing services related to Island Hospital's Anacortes Teen Clinic **(Resolution No. R20020448)**.
17. Interlocal Cooperative Agreement with Skagit County Public Hospital District No. 2 to allow Skagit County Health nurses to work at Island Hospital's Family Planning Clinic. The Agreement shall commence on October 1, 2002 and continue until September 30, 2003. Island Hospital shall reimburse the County at a rate of \$41 per hour, or \$164 per four hour Anacortes Teen Clinic session. **(Contract No. C20020447)**

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INFORMATION SERVICES:

18. Resolution Authorizing the Execution of an Interlocal Agreement with the Skagit 911 Emergency Communications Center. **(Resolution No. R20020449)**
19. Interlocal Cooperative and Customer Service Agreement with Skagit 911, Emergency Communication Center to allow them to purchase goods off of Skagit County competitive agreements and allow Skagit County to define service become effective on the date of execution by both parties and remains in full force and effect until terminated by either party. **(Contract No. C20020448)**
20. Resolution for the Declaration of Sole Source Purchase for a Cayenta Financial System Upgrade. **(Resolution No. R20020450)**
21. License Agreement with Cayenta Inc. for the Cayenta Financial software and establishes the cost of upgrading from the current version of the Cayenta Financial system to Version 5.0. The agreement shall commence on December 30, 2002 and continue until either party terminates. Compensation shall not exceed a total of \$128,568. **(Contract No. C20020449)**
22. Resolution for the Declaration of Sole Source Purchase for Westlaw Subscription Services. **(Resolution No. R20020451)**
23. Subscriber Agreements with West Group for print libraries and on-line subscription services for the Prosecutor's Office, the Public Defender and Superior Court. The Agreements shall commence on January 1, 2003 and continue until December 31, 2006. Compensation shall not-exceed \$47,224. **(Contract No. C20020450)**

PARKS AND RECREATION:

24. Interagency Agreement with Washington State Department of Agriculture for a \$20,000 matching grant for asphalt paving and drainage at the Skagit County Fairgrounds. The Agreement shall commence upon the date of the last signature of the contracting parties and continue until July 31, 2003. Compensation shall not-exceed \$20,000. **(Contract No. C20020451)**
25. Vendor Services Agreement with Cascade Roofing, Inc. to tear off existing roofing, haul away, resheet roof with 7/16 osb, install new drip metal gable ends, install new pipe jacks and attic vents, tear down brick chimney to roof line and patch in, apply elk or certainteed 30-year laminate composition. The Agreement shall commence on December 1, 2002 and continue until December 31, 2002. Compensation shall not-exceed \$7,195.65. **(Contract No. C20020452)**

PLANNING AND PERMIT CENTER:

26. Ordinance Amending SCC 14.32.040, the Drainage Ordinance, for Forest Practice Conversions and Conversion Option Harvest Plans and Amending SCC 14.04, the Definitions of "Development". **(Ordinance No. O20020011)**

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27. Amendment No. 2 to **Contract No. 04871** between the Washington State Department of Ecology and the Skagit County Planning and Permit Center, which would extend the project completion date from December 31, 2002 to June 30, 2003. All other terms and conditions of the original agreement shall remain in full force and effect. **(Amendment No. A20020161)**

PROSECUTING ATTORNEY'S OFFICE:

28. Quit Claim Deed and Excise Tax Affidavit between Skagit County and Donald and Dorothy Kopp, whereby the County agrees to release any interest in previously vacated streets to Mr. and Mrs. Kopp for the purpose of a boundary line adjustment. There is no monetary consideration being paid and both the Assessor and the Public Works Department concur with the transfer. **(Approved)**

RISK MANAGEMENT:

29. Personal Services Agreement with Allied Pacific Adjusting Group to provide claims adjustment services. This Agreement shall commence on December 1, 2002 and continue until December 1, 2003. Compensation shall not-exceed \$20,000. **(Contract No. C20020453)**
30. Financial Guarantee Bond, General Contract of Indemnity (Form B), and Letter to Travelers. As part of the contract with Premera, these documents are needed to purchase the bond in lieu of cash deposit. The cost of the bond is \$5,880.00 vs. \$294,000 cash deposit. **(Contract No. C20020454)**

SENIOR SERVICES:

31. Amendment No. 3 to **Contract No. 05562** with Northwest Regional Council to increase the total cost of the project by the sum of \$238,342, decrease the funds for "other available resources by the sum of \$3,001, and USDA cash is reduced by \$5,732. The corrected total of grant funds has decreased from \$236,124 to \$226,127. The effective date of the Amendment is August 1, 2002 and shall continue until December 31, 2002. All other terms and conditions of the original contract and any previous amendments remain in full force and effect. **(Amendment No. A20020162)**
32. Interlocal Cooperative Agreement with the City of Burlington, per Resolution No. 18437, to provide senior services for calendar year 2003. The Agreement shall commence on January 1, 2003 and continue until December 31, 2003. Compensation paid by the City of Burlington shall be \$15,559. **(Contract No. C20020455)**

SUPERIOR COURT:

33. Personal Services Agreement with Northwest Family & Children Services to provide guardian ad litem services, including legal representation for juvenile dependency cases, which are filed in Superior Court. This Agreement shall commence on January 1, 2003 and continue until December 31, 2003. Compensation shall not-exceed \$75,000. **(Contract No. C20020456)**

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TREASURER:

34. Resolution to rescind Resolution No. 8269, Delegating Investment Authority. The Resolution also authorizes the Skagit County Treasurer to invest funds of the County in such amounts and in such securities as shall be approved by the Board of County Commissioners; to liquidate any invested funds of the County in such securities as shall be approved by the Board of County Commissioners; and to report all such transaction as described above to the Board of County Commissioners through the Skagit County Finance Committee's quarterly meeting. **(Resolution No. R20020452)**

YOUTH AND FAMILY SERVICES:

35. Interlocal Cooperative Agreement with the Concrete School District, per Resolution No. 17961, to provide after school community/youth activities and classes. This Agreement commenced on January 1, 2000 and shall continue until December 31, 2002. Compensation shall not exceed \$2,000. **(Contract No. C20020457)**
36. Personal Services Agreement with Darcy H. Bradley, Ph.D. to provide an evaluation of project services as provided by the Swinomish After-School Cultural Program. The evaluation shall include written reports as required by the funder of the project, the Governor's Juvenile Justice Advisory Committee. This Agreement shall commence on December 15, 2002 and continue until August 31, 2004. Compensation shall not exceed \$4,285. **(Contract No. C20020458)**
37. Personal Services Agreement with Darlene F. Stuber to provide specialized child, adolescent and family assessment, evaluation and treatment (group and/or individual and/or families), consultation, and education classes as referred. This Agreement shall commence on January 1, 2003 and continue until December 31, 2004. Annual compensation shall not exceed \$10,000. **(Contract No. C20020459)**

PUBLIC WORKS DEPARTMENT:

38. Resolution Calling for Public Hearing to consider a speed limit revision on a portion of Colony Road, No. 24000. The Public Hearing will take place on January 14, 2003 at 9:00 a.m. **(Resolution No. R20020453)**
39. Resolution authorizing a date extension on repayment of the Interfund loan to Fund #142, Lake Management District No. 2, from December 31, 2002 to December 20, 2009. **(Resolution No. R20020454)**
40. Resolution Awarding Bid for Guemes Ferry Breakwater Repair and Maintenance Project, No. 40152-3 to Culbertson's Marine Construction, Inc. in the amount of \$135,806. **(Resolution No. R20020455)**
41. Resolution Authorizing the assignment and transfer of a Franchise Agreement with Northland Cable Properties Seven Limited Partnership to Wave Division Networks, LLC. **(This item was removed for further review)**

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42. Amendment No. 1 to Contract **No. C20020108** with Berk & Associates for the Guemes Island Ferry Operations Management Analysis. The termination date is extended to December 31, 2003 due to the expansion of the scope of work, allowing for the consultant to conduct five meetings with various interest groups. The hourly rates for 2003 have been updated for 2003 and the total compensation is increased by \$14,734 for a new total of \$66,734.00. This Amendment shall become effective upon signing and shall continue until December 31, 2003. All other terms and conditions of the original contract remain in effect. **(Amendment No. A20020163)**
43. Vendor Services Agreement with Arrow Launch Service, Inc. to provide passenger-only ferry service to and from Guemes Island during the June 2003 Haul-Out and other emergencies. This agreement shall commence on January 1, 2003 and continue until December 31, 2004. Compensation shall not exceed \$24,000. **(Contract No. C20020460)**
44. Amendment No. 1 to **Contract No. 05481** with EnviroIssues, which would increase the hourly rates for compensation effective October 16, 2002 through December 31, 2003, per the original contract. EnviroIssues was hired to assist the Public Works Department with public outreach issues related to the Skagit River Flood Damage Reduction Feasibility Study, Flood Awareness Week, and the Agricultural Buffer Program. The maximum allowable compensation is not being increased and remains at \$150,000. All other terms and conditions remain in effect. **(Amendment No. A20020164)**
45. Right-of-Entry Agreement with William F. and Cheryl Dennis to allow Skagit County entry upon their Parcel #P20095. This will allow Skagit County to construct an open ditch from the property owner's driveway west to intersect with an existing drainage ditch. The excavated material will be placed along the South side of the ditch to form a berm. The required culvert will be installed by the Washington State Department of Transportation. This agreement shall commence on December 13, 2002 and will continue until completion of the project. No compensation is being paid. **(Contract No. C20020461)**
46. Amendment No. 1 to **Contract No. 05330** with AquaTechnex to extend the contract term to December 31, 2003 and amend the schedule to extend the timeframes for all tasks until December 31, 2003. The original Agreement called for the contractor to provide lake treatment services for Lake McMurray. The tasks covered by the contract that are planned for next year include spot treatment of invasive weeds, aquatic weed mapping, and a report production. The amendment shall become effective on December 30, 2002 and continue until December 31, 2003. Compensation is not being increased and remains at \$16,000. All other terms and conditions shall remain in effect. **(Amendment No. A20020165)**
47. Amendment No. 1 to **Contract No. 05331** with AquaTechnex, which extends the contract term to December 31, 2003 and revises the timeframes for tasks 1, 2, 9 and 11. AquaTechnex provides lake treatment services for Lakes Erie and Campbell. The tasks covered by the contract that are planned for next year include installation of sterile grass carp, aquatic plant mapping, and spot treatment of herbicides. The effective date of this Amendment shall be December 30, 2002 and will continue until December 31, 2003. Compensation is not being increased and remains at \$209,000. All other terms and conditions remain in effect. **(Amendment No. A20020166)**
48. Amendment No. 3 to **Contract No. C20020191** with Semrau Engineering and Surveying, which would increase compensation from \$19,350 to \$23,950. The funds are necessary to pay for additional work requested of the contractor on the Emmanuel Lane Drainage Improvement Project. The work consisted of additional geotechnical investigation and corresponding increase in the contractor's scope of work. The

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- Amendment shall become effective on October 1, 2002 and continue until March 30, 2003. All other terms and conditions of the original contract and Amendments #1 and #2 remain in effect. **(Amendment No. A20020167)**
49. Resolution Awarding of the Contract for the Guemes Ferry Breakwater Repair and Maintenance Project ES 40152-3 to Culbertson's Marine Construction for a low bid total of \$135,806.00. **(Resolution No. R20020456)**
50. Contract with Culbertson Marine Construction, Inc. to remove the north 77' of creosote breakwater piles and wales and replace with plastic pilings and steel wales, and cable re-wrapping three dolphin fenders at/or on the Guemes Ferry. The Agreement shall commence on December 30, 2002 and continue until completion of the work. Compensation shall not-exceed \$135,806.00. **(Contract No. C20020462)**
51. Amendment No. 2 to **Contract No. 04753** with Green Solutions to continue the process of updating the Skagit County Comprehensive Solid Waste Management Plan, to extend the contract until December 31, 2003, and add an additional \$14,000 to the original agreement. The Amendment shall become effective January 1, 2003 and continue until December 31, 2003. Compensation shall be increased by \$14,000 for a new project total of \$57,868. **(Amendment No. A20020168)**

MISCELLANEOUS.

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, December 30, 2002, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrants numbered 134374 through 134808 from Clearing Fund 696 in the total dollar amount of \$1,515,630.94 (Transmittal No. C-108-02); and

Warrants numbered 134809 through 135139 from Clearing Fund 696 in the total dollar amount of \$602,466.67 (Transmittal No. C-109-02); and

Warrants numbered 135140 through 135524 from Clearing Fund 696 in the total dollar amount of \$507,550.50 (Transmittal No. C-110-02); and

Warrants numbered 135525 through 135534 from Clearing Fund 696 in the total dollar amount of \$46,367.43 (Transmittal No. C111-02); and

Payroll warrants numbered 958418 through 958528 in the total dollar amount of \$98,171.27 (Transmittal No. P-49-02); and

Payroll warrants numbered 114721 through 115597 in the total dollar amount of \$894,002.60 (Transmittal No. P-50-02).

2. Staff presented an amendment to **Contract No. 05433** with the Town of La Conner for the construction of a skateboard park. The amendment allows for a change of ownership of the park to the Swinomish Tribe. The Town of La Conner shall sponsor and maintain the park per their agreement with the Swinomish Tribe. Commissioner Dahlstedt motioned to approve the amendment and Commissioner Anderson seconded the motion, which passed unanimously. **(Amendment No. A20020168)**

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3. Staff presented a Personal Services Agreement with Northwest Care Advocates to provide mental health services to jail inmates beginning January 1, 2003 through December 31, 2004. Commissioner Dahlstedt motioned to approve the agreement, Commissioner Anderson seconded the motion, which passed unanimously. **(Contract No. C20020463)**
4. Staff presented a Resolution establishing salary levels for certain Skagit County Elected Officials for the year 2003. Commissioner Dahlstedt made a motion to approve the Resolution as outlined. Commissioner Anderson seconded the motion, which passed with a unanimous vote. **(Resolution No. R20020457)**
5. Staff presented a request to allow the Chairman of the Skagit County Board of Commissioners to sign a grant application to the Substance Abuse and Mental Health Services Administration. Commissioner Dahlstedt motioned to approve a single signatory for the grant application. Commissioner Anderson seconded the motion, which passed unanimously. **(Approved)**
6. Kirk Johnson, Senior Planner, informed the Board that on January 14, 2003 at 10:00 a.m., they would be considering the Planning Commission's Recorded Motion on city development regulations for Mount Vernon and Sedro-Woolley. He also reminded the Board about a public hearing taking place on Monday, January 6, 2003 at 9:30 a.m. to consider testimony regarding Skagit County's proposal to renew the provisions of Interim Ordinance No. R20020236.

PUBLIC COMMENT PERIOD.

No one was present for the public comment period.

CONSIDERATION OF THE HEARING EXAMINER'S RECOMMENDATION FOR APPROVAL FOR THE TIMBER OPEN SPACE APPLICATION OF AARON AND HULDA PARKER FOR PROPERTY LOCATED IN THE CONCRETE AREA (C/U TTR#7-2002.

Commissioner Munks made a motion to approve the Timber Open Space Application of Aaron and Hulda Parker, C/U TTR #7 -2002. Commissioner Anderson seconded the motion, which passed with a unanimous vote. **(Resolution No. R20030001)**

BID OPENING – ONE NEW LATEST MODEL EXCAVATOR.

Dub Queen, Public Works, opened the following bids for one new latest model excavator:

Pape Machinery
420 E. Hickox Road
Mount Vernon, WA 98273
Bid Bond Enclosed
Base Bid \$106,843.58

United Rentals
1868 Walton Drive
Burlington, WA 98233
Bid Bond Enclosed
Base Bid \$105,914.64

Western Power & Equipment
2702 W. Valley Highway
Auburn, WA 98001

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Bid Bond Enclosed
Base Bid \$113,348.93

Modern Machinery
22438 83rd Avenue South
Kent, WA 98032
Bid Bond Enclosed
Base Bid No. 1 \$124,026.56
Base Bid No. 2 \$118,586.56

Clyde West
9615 W. Marginal Way
Seattle, WA 98108
Bid Bond Enclosed
Base Bid \$101,464.49

Mr. Queen advised that the bids would be reviewed and a bid award recommendation made within the next few weeks.

PUBLIC HEARING CONTINUATION – EMERGENCY MEDICAL SERVICES.

Gary Rowe, County Administrator, stated that during the public hearing that was held on December 14, 2002, public testimony was received from several individuals, including the Emergency Medical Services (EMS) Council and the City of Anacortes. A number of edits suggested by Brad Cattle, Attorney for the EMS Council were incorporated into a final draft ordinance and published on December 15, 2002. Subsequent to that, he has met with officials from the City of Anacortes and the Director of the EMS Council, Jodi Monroe. Based on feedback received, a final draft ordinance is being presented to the Board of County Commissioners for consideration.

Mr. Rowe said he had also prepared a summary of the requests that were received from the City of Anacortes and proceeded to review them, along with information provided by Ms. Monroe. His recommendation is as follows:

- 1) Amend the EMS subsidy adopted by the EMS Council to provide an increase in EMS levy subsidy of 4% for 2003; and
- 2) Consider replacement of all ambulances after adoption of the EMS Management Plan; and
- 3) Establish a 10% reserve policy together with an interim funding strategy if the EMS levy fails; and
- 4) Seek an independent evaluation of the EMS Management plan once it is prepared by the EMS Commission prior to the Board of Commissioners' approval.

Hilary Thomas, Civil Prosecuting Attorney, next reviewed the exact changes made on the final draft ordinance.

Chairman Munks opened the public hearing.

Dean Maxwell, Mayor of the City of Anacortes, said he appreciated all the efforts put forth by Brad Whaley and Mr. Rowe. He expressed concerns about an ambulance that is 12 years old that needs to be replaced. He indicated that additional costs would be incurred to maintain the ambulance until an EMS Management Plan is confirmed. He also mentioned the issue of cost allocations for the City of Anacortes as in paramedic service versus fire service. He encouraged

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the Board to address it in the management plan. He said he appreciates the willingness of the Board to resolve this matter.

Brad Cattle, Attorney for the EMS Council echoed what Mayor Maxwell communicated on behalf of the Council. He stated that while the ordinance doesn't do everything for everyone, it bridges the gaps that were present when discussions were initially undertaken. He feels additional discussions should continue and the planned management and budget approach is a step in the right direction. Mr. Cattle said the EMS Council is looking forward to a smooth transition.

Scott Thomas, Mount Vernon City Attorney, reviewed correspondence that was sent to the Commissioners last Friday. He indicated that it is unclear what authority the new commission would be empowered with, however, Mount Vernon certainly stands ready to work with the new purveyor and hopes this issue can finally be put to rest.

Commissioner Anderson motioned to close the public hearing. Commissioner Dahlstedt seconded the motion, which was passed. The public hearing was closed.

Commissioner Anderson made a motion to adopt an ordinance creating the Skagit County Emergency Medical Services Commission, as outlined by Mr. Rowe. Commissioner Dahlstedt seconded the motion, which passed with a unanimous vote.

ADJOURNMENT.

Commissioner Dahlstedt made a motion to adjourn the proceedings. Commissioner Anderson seconded the motion, which passed unanimously.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Don Munks, Chairman

Kenneth A. Dahlstedt, Commissioner

Ted W. Anderson, Commissioner

ATTEST:

JoAnne Giesbrecht, Clerk of the Board
Skagit County Board of Commissioners